



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

December 11, 2023

3:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. OLD 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 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.

IV. NEW BUSINESS

1. Special Use Permit application PZ23-00397 filed by Tim Arnett, requesting a Special Use Permit at 128 Ireson Street (Parcel 53210) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
2. Special Use Permit Application PZ23-00400 filed by Barry Davis, requesting a special use permit at 422 Plum Street (Parcel 04115) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

3. Special Use Permit Application PZ23-00402 filed by Keith Fields, requesting a special use permit at 236 Park Circle (Parcel 54741) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
4. Special Use Permit Application PZ23-00405 filed by Stacy McAvoy, requesting a special use permit at 33 Schoolfield Drive (Parcel 54477) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
5. Special Use Permit Application PZ23-00408 filed by Gibson Investing, LLC, requesting a special use permit at 128 Wood Avenue (Parcel 52314) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
6. Special Use Permit Application PZ23-00434 filed by Cheryl McIvor, requesting a special use permit at 120 Hopkins Street (Parcel 56051) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
7. Special Use Permit application PZ23-00439 filed by Annette King Miles, requesting a Special Use Permit at 303 Randolph Street (Parcel 23481) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
8. Special Use Permit application PZ23-00443 filed by Christopher Robinson, requesting a Special Use Permit at 2806 Dodson Drive (Parcel 77254) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.
9. Special Use Permit application PZ23-00444 filed by Joan Raynor, requesting a Special Use Permit at 494 West Main Street (Parcel 20925) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
10. Special Use Permit application PZ23-00446 filed by Kerry Carter, requesting a Special Use Permit at 279 Carolina Avenue (Parcel 24830) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
11. Special Use Permit application PZ23-00448 filed by Joshua Fogle, requesting a Special Use Permit at 224 Park Circle (Parcel 53896) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
12. Special Use Permit application PZ23-00451 filed by Victor King, requesting a Special Use Permit at 143 Kirkwood Drive (Parcel 53133) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
13. Special Use Permit application PZ23-00452 filed by Jeffrey Moore, requesting a Special Use Permit at 119 Chilton Court (Parcel 56195) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
14. Special Use Permit application PZ23-00456 filed by K&S Fowlkes LLC, requesting a Special Use Permit at 49 Glen Oak Drive (Parcel 54334) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
15. Special Use Permit application PZ23-00457 filed by Devin Hawkins, requesting a Special Use Permit at 205 Arlington Place (Parcel 24566) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
16. Special Use Permit application PZ23-00458 filed by Christina Byrd requesting a special

use permit at 165 Marshall Terrace (Parcel 20383) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

17. Special Use Permit application PZ23-00461 filed by Benjamin Moomaw requesting a Special Use Permit at 200 Robertson Avenue (Parcel 21474) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
18. Special Use Permit application PZ23-00466 filed by William Cassell requesting a Special Use Permit at 118 Laramie Circle (Parcel 50988) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
19. Special Use Permit Application PZ23-00404 filed by Garrett Shifflett, requesting a special use permit at 618 Craghead Street (Parcel 21749) to request waiver of maximum density in accordance with Article 3.L Section C Item 13.
20. Rezoning application PZ23-00449 filed by Lindsey Wagstaff III and Leslie McKay, requesting to rezone Parcels 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 on South Boston Road from N-C Neighborhood Commercial to HR-C Highway Retail Commercial.
21. Rezoning Application PZ23-00435 filed by Anthony Haynes, requesting to rezone 3411 Westover Drive (Parcel 71202) from N-C Neighborhood Commercial to S-R Suburban Residential.
22. Rezoning Application PZ23-00464 filed by Delabra Osvelio Macedo, requesting to rezone Parcel 73014 from OT-R Old Town Residential to HR-C Highway Retail Commercial.
23. Special Use Permit application PZ23-00465 filed by Powers Signs requesting a special use permit at 540 Central Boulevard (Parcel 26372) to allow a waiver to maximum sign area in accordance with Article 3.I Section C Item 25.
24. Rezoning Application PZ23-00469 filed by J. Cubas Holdings, LLC, requesting to rezone Parcels 75941, 77419, 77420, 77421, and 77422 on Jenny Lane from TR Threshold Residential to S-R Suburban Residential.
25. Rezoning Application PZ23-00470 filed by J. Cubas Holdings, LLC, requesting to rezone Parcel 78052 on Jenny Lane from TR Threshold Residential to S-R Suburban Residential.

V. APPROVAL OF MINUTES

1. November 13, 2023 meeting minutes

VI. ADJOURNMENT

VII. PLANNING DIRECTOR'S REPORT



STAFF REPORT

DATE: December 11, 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

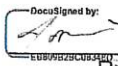
Applicant: _____

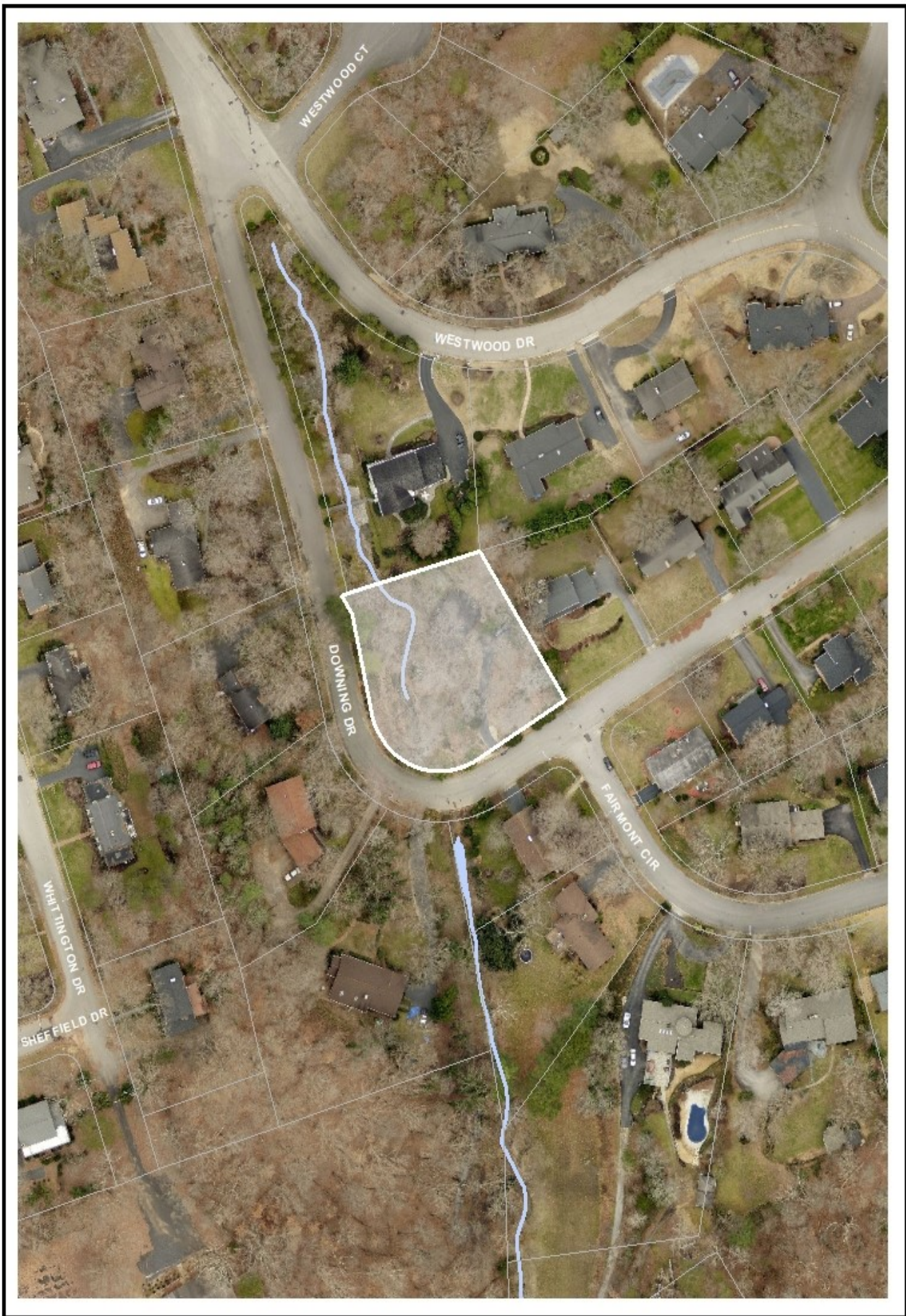
Applicant's Address: _____

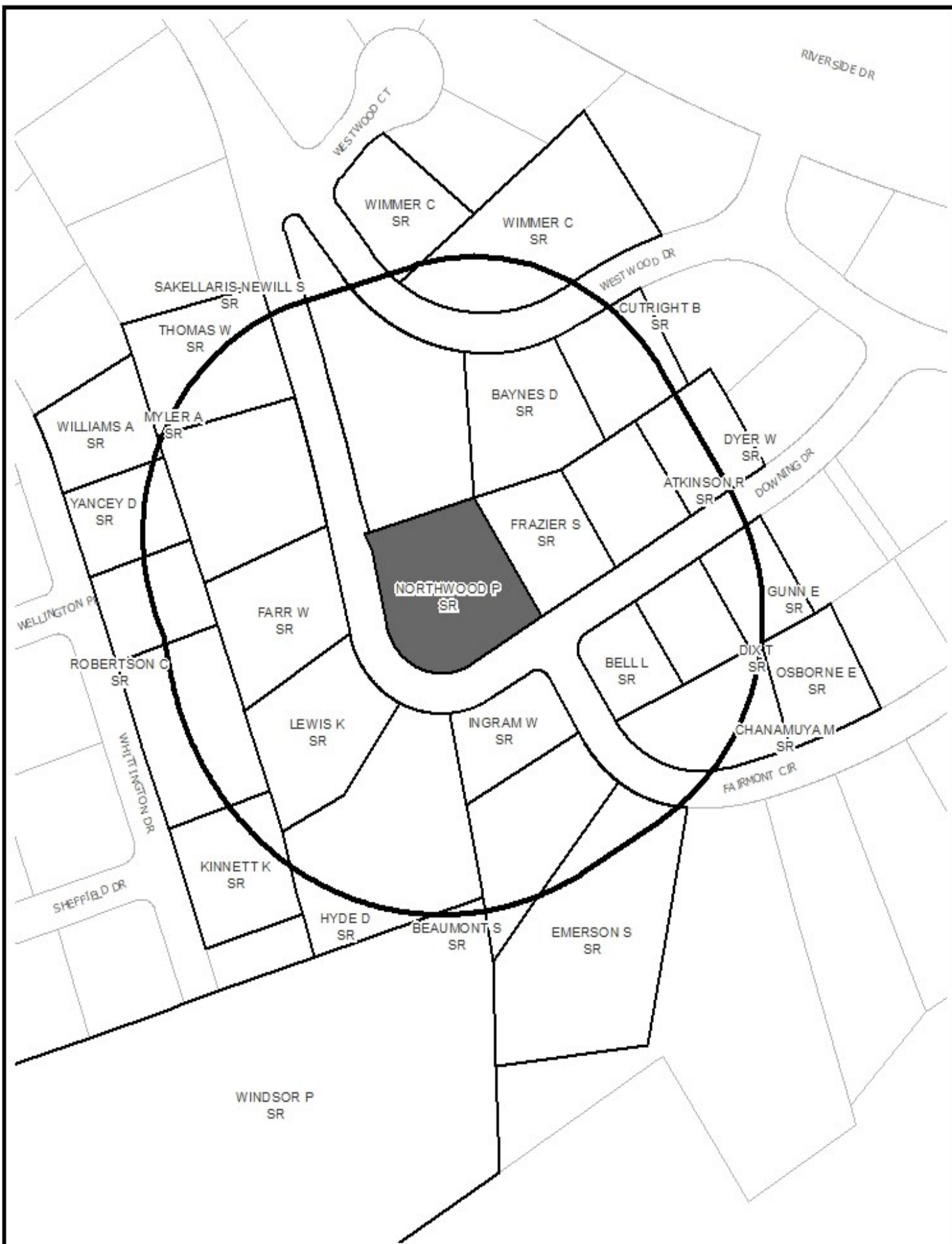
Applicant's Phone Number: _____

Applicant's E-mail: _____

Describe Proposed Request: _____

_____	_____		8/17/2023
Applicant Signature	date	Property Owner Signature (if not applicant)	date



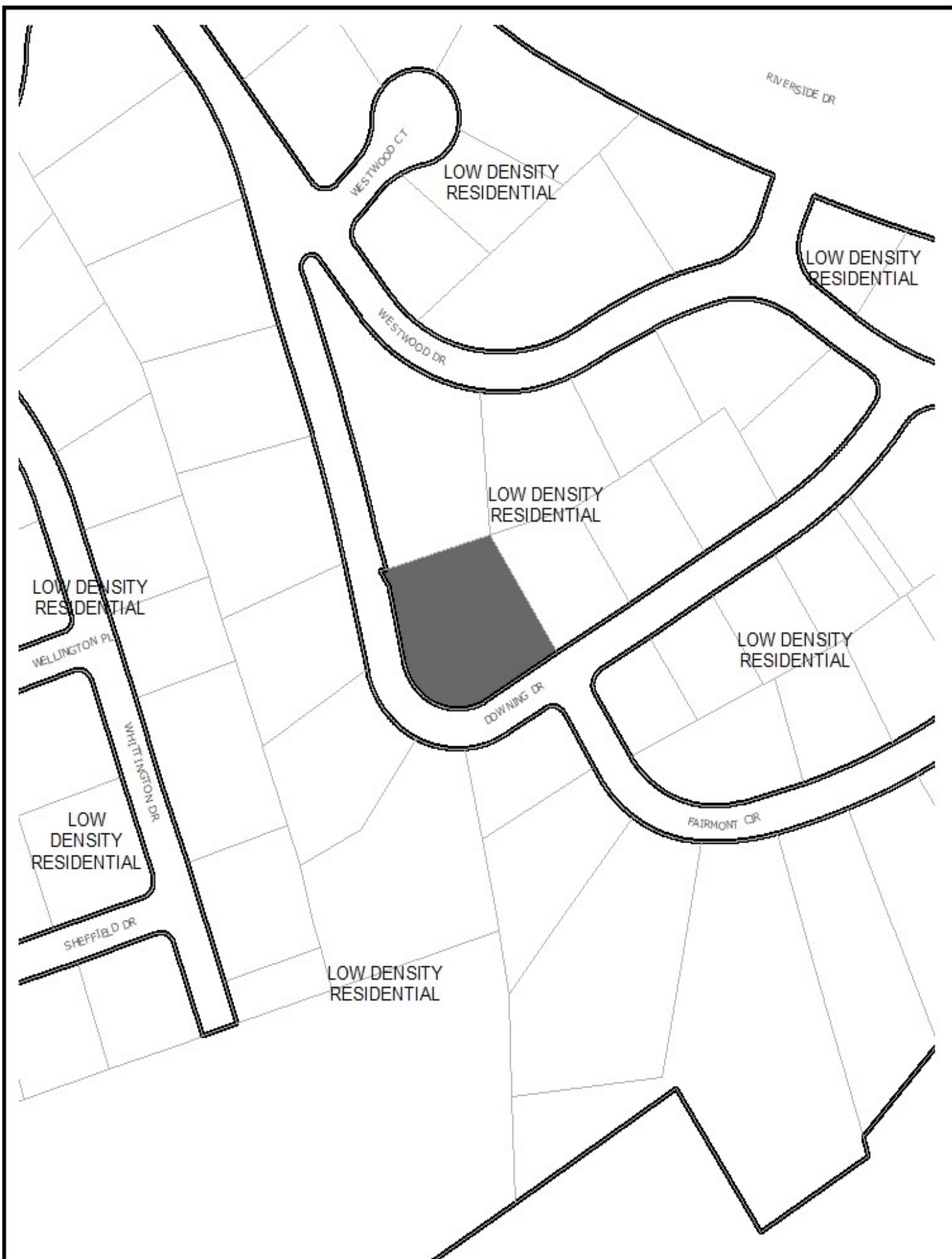


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
10/18/2023

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
10/19/2023

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STAFF REPORT

DATE: December 11, 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. Twelve (12) responses were received, seven (7) were unopposed and five (5) 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. 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 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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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00397 filed by Tim Arnett, requesting a Special Use Permit at 128 Ireson Street (Parcel 53210) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

128 Ireson Street is zoned OT-R Old Town Residential. The applicant, Tim Arnett, 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 1964 and is a single family dwelling. There is a private driveway on the property. At the time of this report, the property has not passed a certificate of occupancy inspection. The applicant will be acting as property manager for the property and lives nearby in Reidsville, NC.

Twenty-three (23) notices were sent to surrounding property owners within three hundred (300) feet of the subject property, including county residents. At the time of this report, ten (10) responses were received, two (2) were opposed, eight (8) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00397 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 128 Ireson Street (Parcel 53210).

ATTACHMENTS

1. Signature Page
2. 128 Ireson_AERIALS
3. 128 Ireson_OWNERS
4. 128 Ireson_LANDUSE

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 128 Tresson St. Danville, VA 24541

Applicant: Timothy Arnett, Emilie Arnett

Applicant's Address: 167 Huffines Mill Rd. Reidsville, NC 27320

Applicant's Phone Number: (336) 662-7191

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

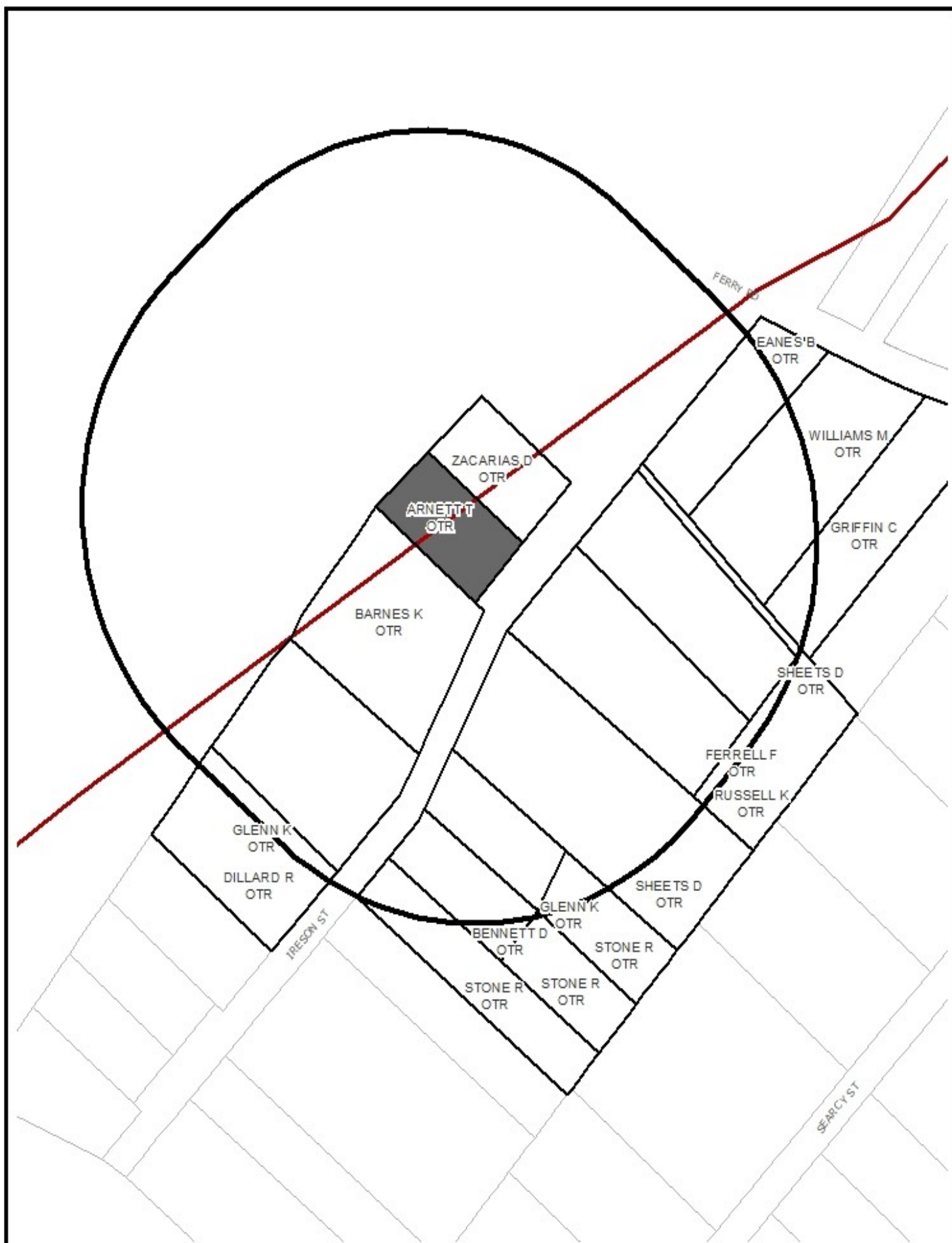
Describe Proposed Request: We would like to use the property for a short term rental. It is available to rent on Airbnb or VRBO.

[Signature] 11-10-23
Applicant Signature date

Emilie J. Arnett 11-10-23

Property Owner Signature (if not applicant) date



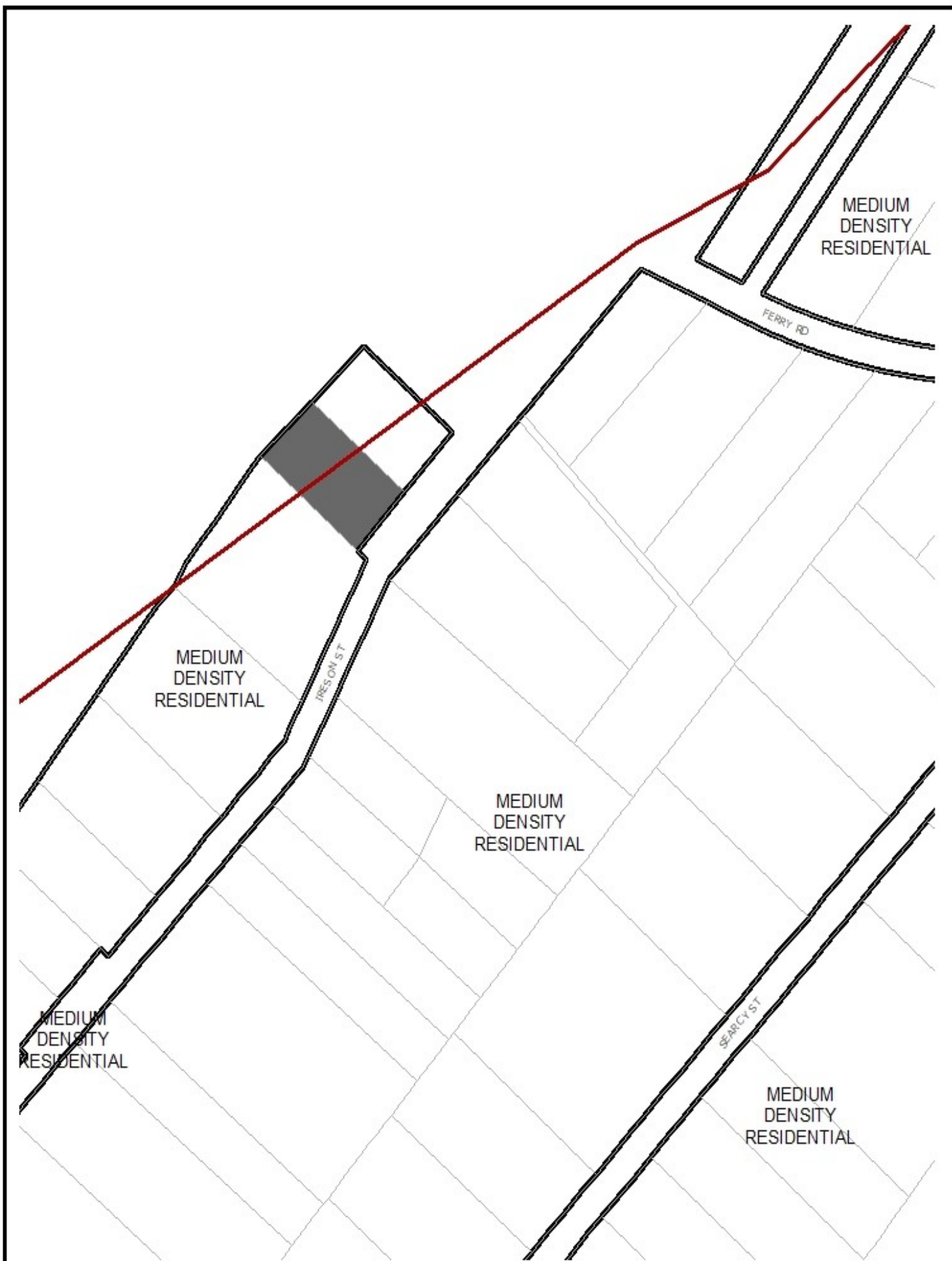


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00400 filed by Barry Davis, requesting a special use permit at 422 Plum Street (Parcel 04115) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

422 Plum Street is currently under construction. The property is zoned OT-R Old Town Residential. The applicant, Barry Davis, 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 proposed one-bedroom house is a single family dwelling. The applicant will be acting as property manager for the property and resides on the same street. He also owns adjacent properties. A certificate of occupancy will be required once construction is complete, prior to use as a short term rental. On-street parking is available. There are existing short term rentals in compliance on Plum Street.

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, fourteen (14) responses were received, four (4) were opposed and ten (10) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00400 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 422 Plum Street (Parcel 04115).

ATTACHMENTS

1. Application
2. Site Plans
3. 422 Plum_AERIALS
4. 422 Plum_OWNERS
5. 422 Plum_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 #: _____ PC Meeting Date: _____

Date Received: _____ Received By: _____

Parcel ID: _____ Address: _____

Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 422 PLUM ST.

Applicant: BARRY DAVIS

Applicant's Address: 406 PLUM ST.

Applicant's Phone Number: (434) 251 8000

Applicant's E-mail: barrydavis FX @ COMCAST . NET

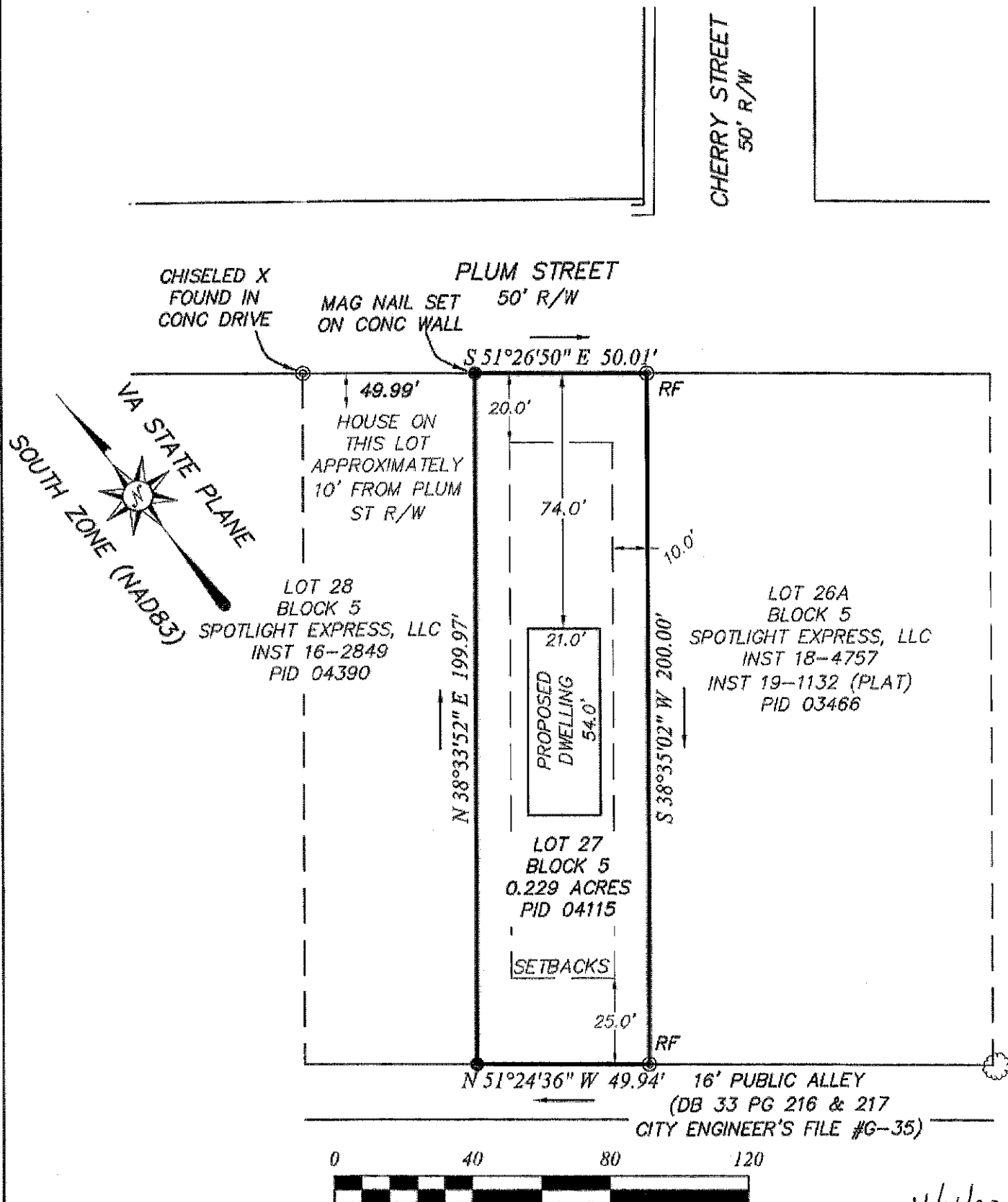
Describe Proposed Request: AIR B & B at 422 PLUM ST,
DANVILLE, VA 24540

Barry Davis 10-23-23
Applicant Signature date

Property Owner Signature date
(if not applicant)

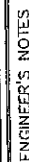
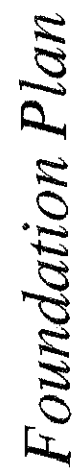
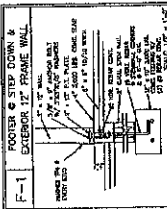
LEGEND

- ⊙ IRON FOUND AS NOTED
- RF ⊙ REBAR FOUND
- PF ⊙ IRON PIPE FOUND
- REBAR SET



4/4/23
NEW

ARMSTRONG

[illegible]

WALL LEGEND	
	6" WOOD FRAME WALL
	10'-0" 12" WOOD FRAME WALL
	10'-0" 12" SHEAR WALL
	10'-0" 12" INSULATED WALL

SQUARE FOOTAGES

	1,136	SQ. FT.
LIVING	60	SQ. FT.
PORCH	195	SQ. FT.
DECK		
TOTAL	1,394	SQ. FT.

SQUARE FOOTAGES	PAGE 4		OF 4	
	SQ. FT.		SQ. FT.	
LIVING	1,136			
PORCH	60			
DECK	196			
TOTAL	1,394			

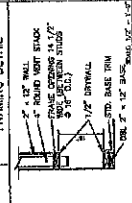
WATERGATE - THE NEW YORK TIMES HAS REPORTED THAT THE FBI HAS CONDUCTED A SEARCH OF THE FILES OF THE NEW YORK TIMES AND HAS FOUND NO EVIDENCE OF A COVER-UP OF THE WATERGATE SCANDAL. THE NEW YORK TIMES HAS ALSO REPORTED THAT THE FBI HAS CONDUCTED A SEARCH OF THE FILES OF THE NEW YORK TIMES AND HAS FOUND NO EVIDENCE OF A COVER-UP OF THE WATERGATE SCANDAL.

Right Side Elevation

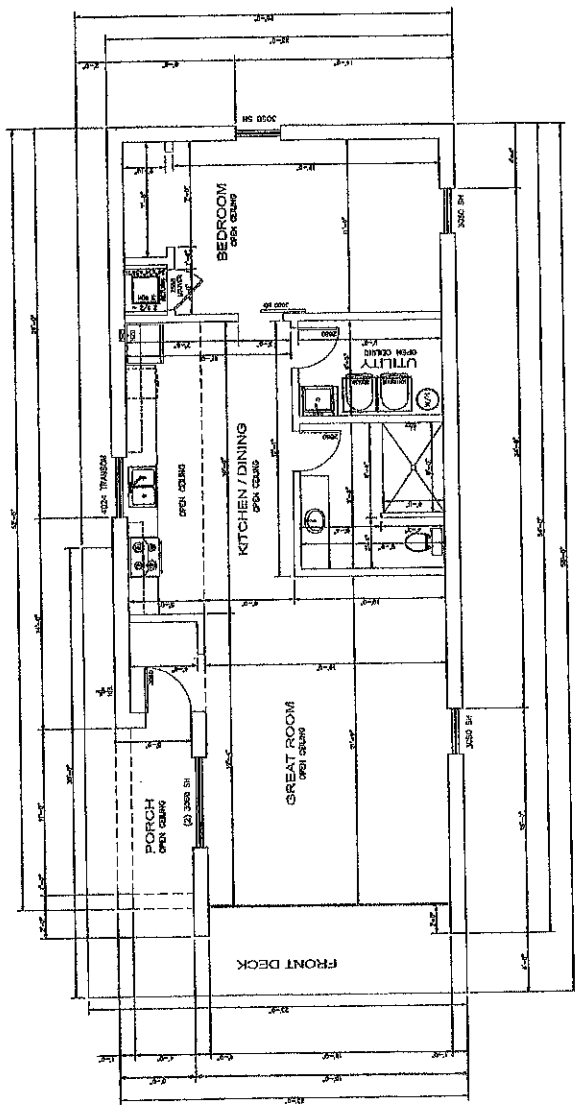
ENGINEER'S NOTES

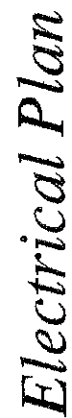
	1,135	SQ. FT.
LIVING	60	SQ. FT.
PORCH	198	SQ. FT.
DECK		
TOTAL	1,394	SQ. FT.

WALL LEGEND	
	8" WOOD FRAME WALL
	16"-0" 12" WOOD FRAME WALL
	16"-0" 12" SHEAR WALL
	16"-0" 12" INSULATED WALL



D-2	DRYER VENT RECESS FRAMING DETAIL
-----	-------------------------------------

[illegible]

[illegible]

SQUARE FOOTAGES	
LIVING	1,136 SQ. FT.
PORCH	60 SQ. FT.
DECK	198 SQ. FT.
TOTAL	1,394 SQ. FT.

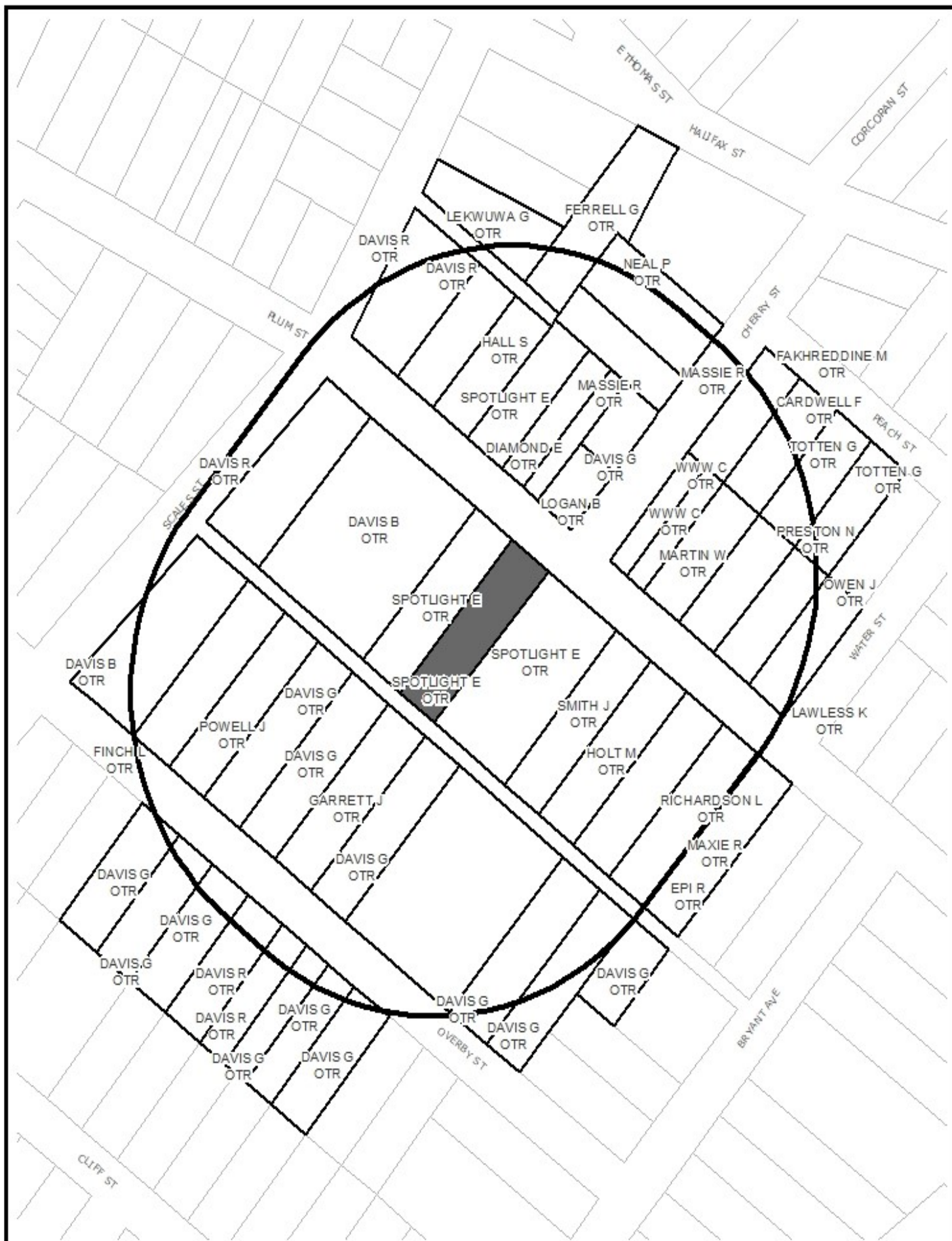
	SQ. FT.	SQ. FT.	SQ. FT.
LIVING	1,136		
PORCH	60		
DECK	198		
TOTAL	1,394	SQ. FT.	

2020

Bary Davis

PAGE 2 OF 4

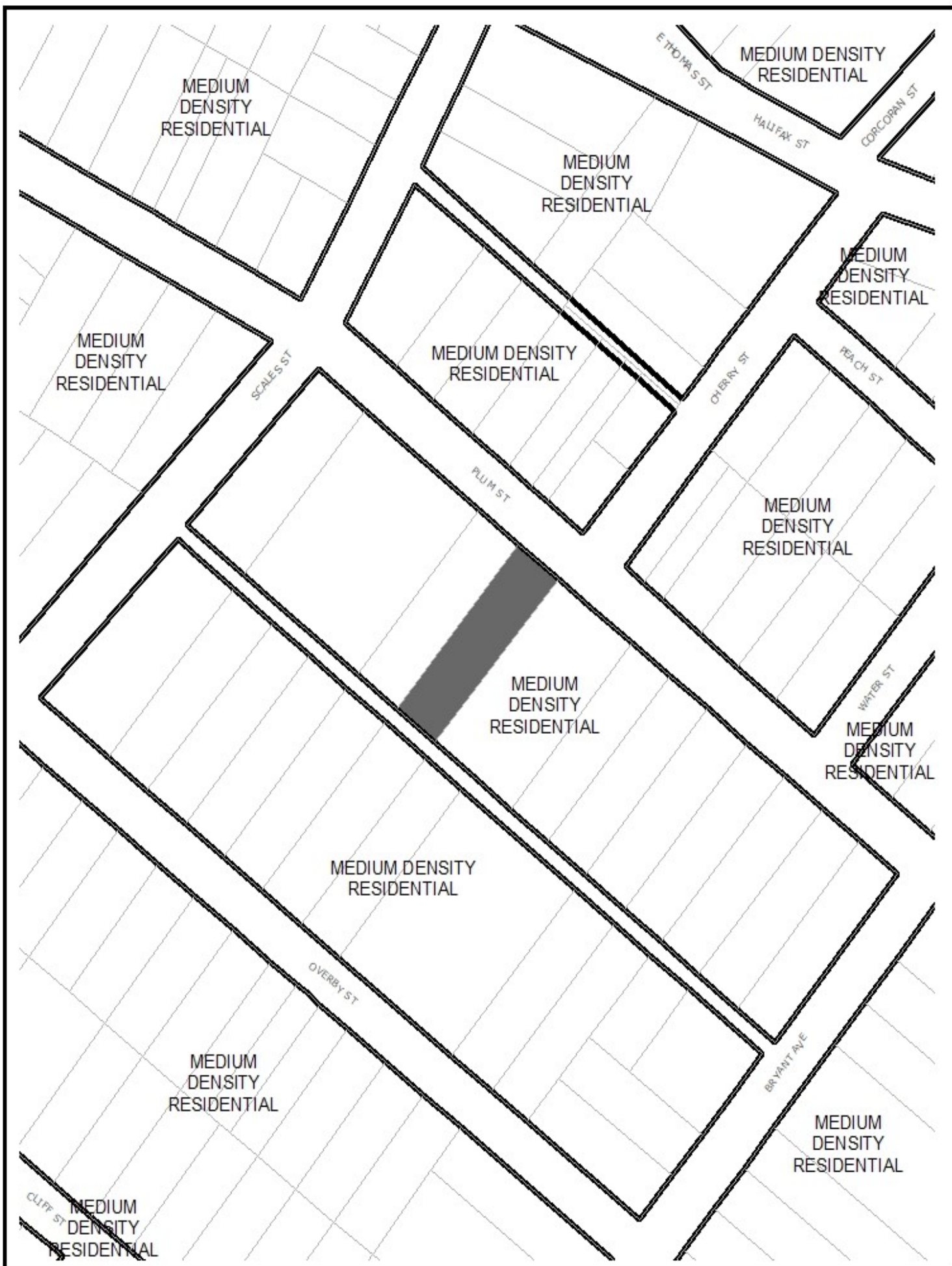




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00402 filed by Keith Fields, requesting a special use permit at 236 Park Circle (Parcel 54741) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

236 Park Circle is zoned OT-R Old Town Residential. The applicant, Keith Fields, 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 1940 and is a single family dwelling. There is a private driveway on the property. The property passed a certificate of occupancy inspection in September of this year. The applicant will be acting as property manager for the property and lives nearby in Danville. There is an existing short-term rental in compliance nearby on Wood Avenue, and neighboring 128 Wood Avenue and 224 Park Circle are also on today's agenda requesting a Special Use Permit for the operation of a short term rental as a principal use.

Twenty-nine (29) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, ten (10) responses were received, one (1) was opposed, nine (9) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00402 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 236 Park Circle (Parcel 54741).

ATTACHMENTS

1. Application
2. 236 Park Cir_AERIALS
3. 236 Park Cir_OWNERS
4. 236 Park Cir_LANDUSE



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee of \$360.
2. If the request for a special use permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.
3. The application shall include the following information:
 - a. A preliminary site plan in accordance with the Site Plan Regulations.
 - b. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - c. A written statement of proposed project compatibility with the following:
 - (1.) The Comprehensive Plan.
 - (2.) The applicable zoning district.
 - (3.) The surrounding properties.
 - (4.) Current and future neighborhood conditions.
 - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site.
 - (6.) Adequate public facilities.
 - d. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 - (1.) The architectural elevations and floor plans of proposed building(s).
 - (2.) Traffic impact analysis.
 - (3.) Fiscal impact analysis.
 - (4.) Parking and site circulation analysis.
 - (5.) Photographs of property and surrounding area.
 - (6.) Environmental impact statement.

PLANNING DIVISION PROVIDED INFORMATION

Application #: P223-00402 PC Meeting Date: December 11, 2023
Date Received: 10-24-23 Received By: Lisa Jones
Parcel ID: 54741 Address: 236 Park Circle
Existing Zoning: OTR Future Land Use: Short-term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 236 Park Circle Danville VA 2451

Applicant: Keith Fields

Applicant's Address: 145 Wentz Circle Danville VA 24541

Applicant's Phone Number: 434-250-2717

Applicant's E-mail: KFields101010@gmail.com

Describe Proposed Request:

Request for a special use permit for
STR. 4 guest max. Parking on
street and driveway.

K. Fields 10-23-23

Applicant Signature

date

Property Owner Signature
(if not applicant)

date



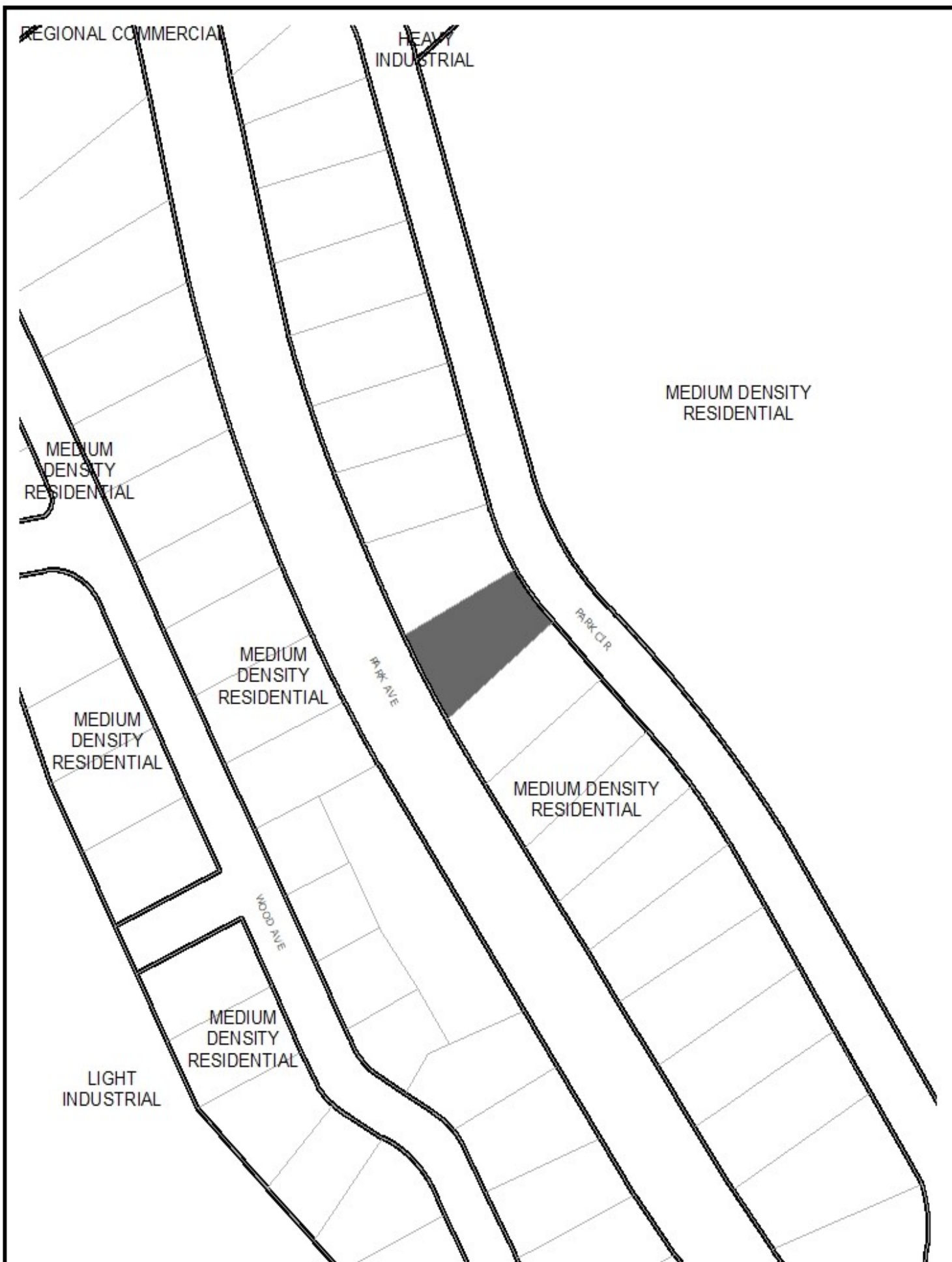


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00405 filed by Stacy McAvoy, requesting a special use permit at 33 Schoolfield Drive (Parcel 54477) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

33 Schoolfield Drive is zoned OT-R Old Town Residential. The applicant, Stacy McAvoy, 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 on-street parking. At the time of this report, there has not been a certificate of occupancy inspection. A local property management company will be managing this location. There are three (3) existing short term rental properties in compliance nearby; an additional short term rental on the December City Council agenda, and an additional review of a short term rental at 49 Glen Oak Drive on today's Planning Commission agenda.

Forty-six (46) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, eleven (11) responses were received, two (2) were opposed and nine (9) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00405 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 33 Schoolfield Drive (Parcel 54477).

ATTACHMENTS

1. Signature Page
2. 33 Schoolfield_AERIALS
3. 33 Schoolfield Dr_OWNERS
4. 33 Schoolfield Dr_LANDUSE

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 33 Schoolfield Dr

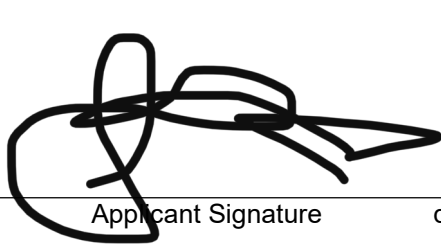
Applicant: Stacy McAvoy

Applicant's Address: 2009 Fergie Trce

Applicant's Phone Number: 330-503-2679

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

Describe Proposed Request: Short-term rental



Applicant Signature

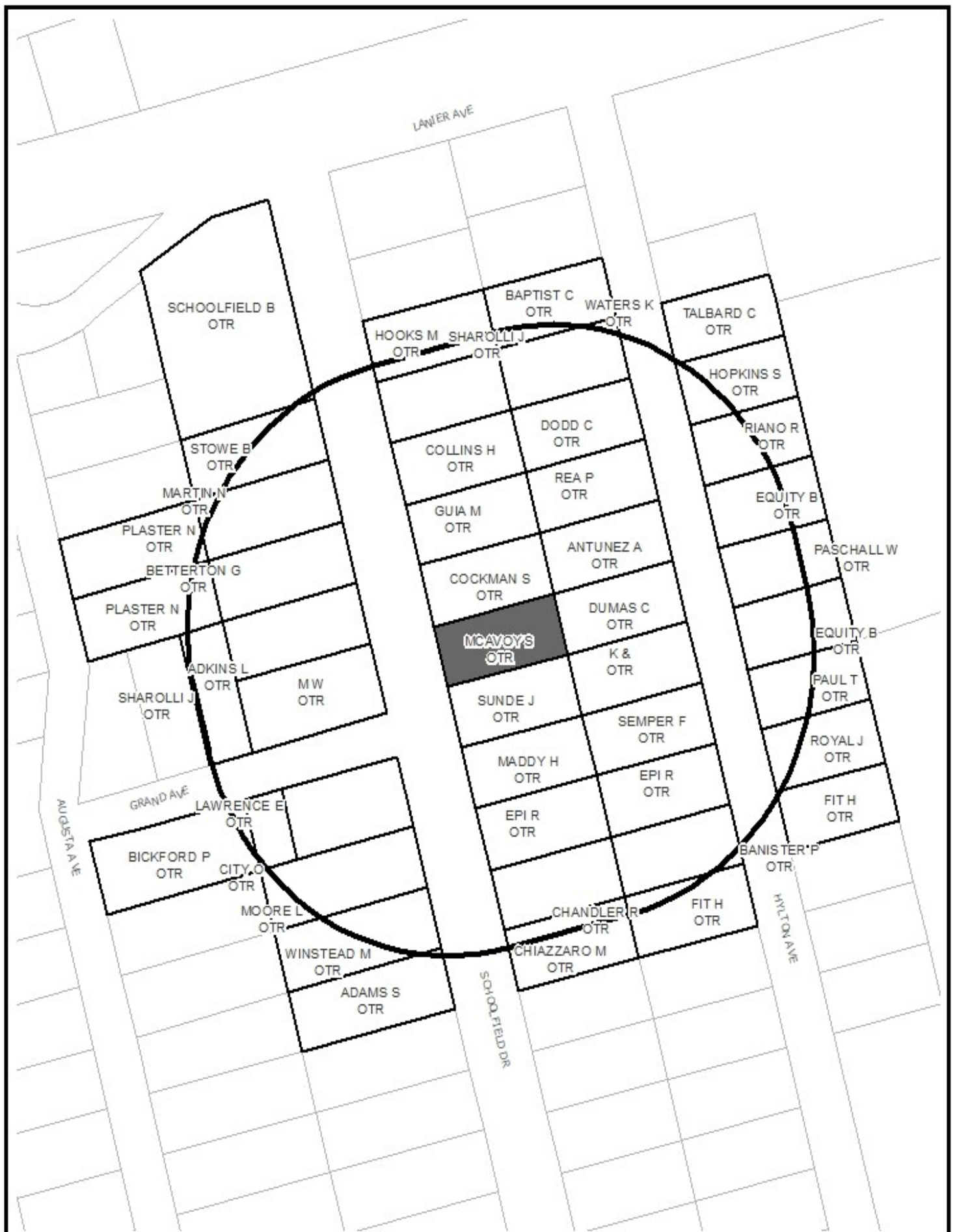
date



Property Owner Signature
(if not applicant)

date





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00408 filed by Gibson Investing, LLC, requesting a special use permit at 128 Wood Avenue (Parcel 52314) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

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

The subject property was built in 1930 and is a single family dwelling. There is a driveway on the property as well as on-street parking. There has not been a certificate of occupancy inspection. The applicant will act as property manager and lives nearby in Danville. There is an existing short-term rental in compliance nearby on Wood Avenue, and neighboring 224 Park Circle and 236 Park Circle are also up for consideration today.

Nineteen (19) 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, one (1) was opposed and six (6) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00408 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 128 Wood Avenue (Parcel 52314).

ATTACHMENTS

1. Application
2. Supporting Docs
3. 128 Wood Ave Aerials
4. 128 Wood Ave Owners
5. 128 Wood Ave Landuse



App Deadline: ~~10/11/13~~
11/13

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 #: PZ 23-00408 PC Meeting Date: Dec. 11
November 13
Date Received: 10/27/23 Received By: Williss
Parcel ID: 52314 Address: 128 Wood Ave
Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 128 Wood Ave. Danville, VA 24541

Applicant: Gibson Investing, LLC

Applicant's Address: 161 Hawks Ridge Rd. Danville, VA 24540

Applicant's Phone Number: 434-548-9573

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

Describe Proposed Request: "Terrapin Station"

2-bedroom, 1-Bath short-term rental

for up to 4 guest,

with plenty of parking off-street

Van Gibson 10-27-23

Applicant Signature

date

Property Owner Signature
(if not applicant)

date

Richard Van Gibson, Jr. (member)

1. Please verify that you or a managing partner live within 50 miles of your Short Term Rental in accordance with Article 2 Section Y Item 2c (Provide name and location)

Van Gibson - Mt. Hermon

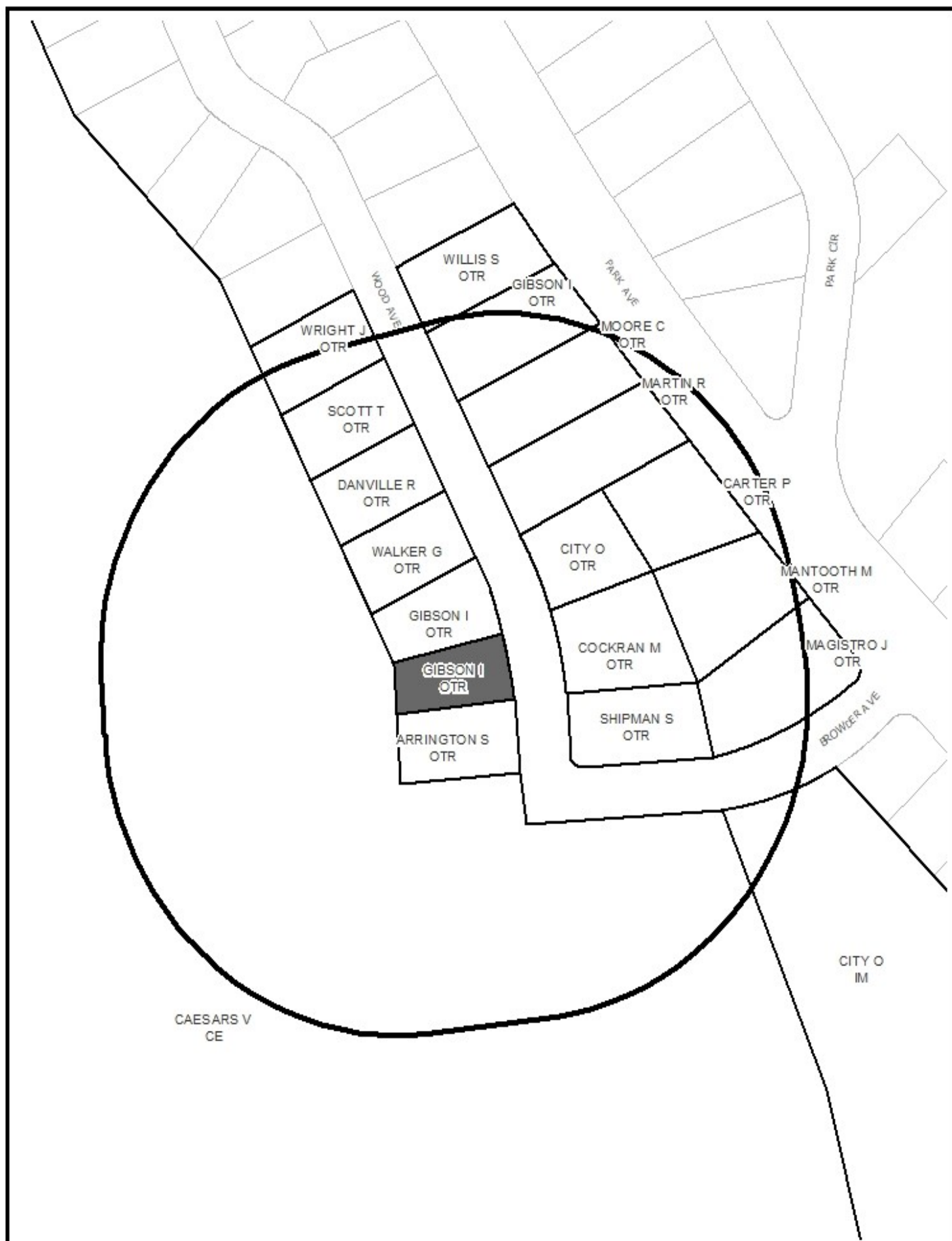
2. Please verify if a Certificate of Occupancy inspection has been completed at your property in accordance with Article 2 Section Y Item 2d

3. Please verify if your property is located within a Rental Housing Inspection District in accordance with Article 2 Section Y Item 2e

4. Please verify that parking is available at your property in accordance with Article 2 Section Y Item 2h

*Paved Driveway with parking
for 4 guests*



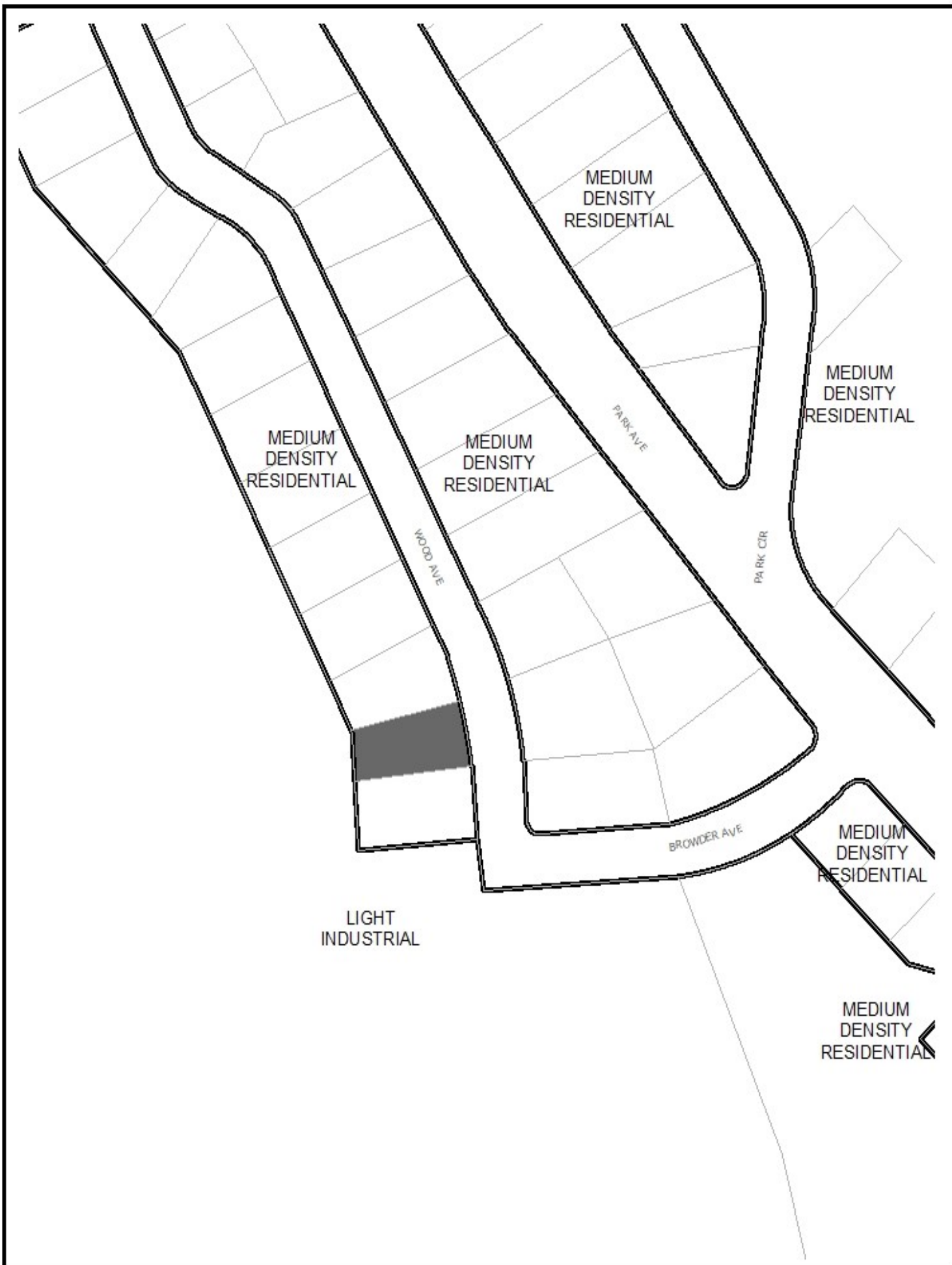


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00434 filed by Cheryl McIvor, requesting a special use permit at 120 Hopkins Street (Parcel 56051) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

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

The subject property was built in 1950 and is a single family dwelling. There is a private driveway on the property. The property has passed a certificate of occupancy inspection. The applicant lives in Greensboro, NC and has also listed a property manager based in Danville. There is an existing short-term rental in compliance nearby on Rosemary Lane.

Forty-one (41) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, six (6) responses were received, two (2) were opposed and four (4) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00434 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 120 Hopkins Street (Parcel 56051).

ATTACHMENTS

1. Application
2. 120 Hopkins Aerials
3. 120 Hopkins Owners
4. 120 Hopkins 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 #: P223-00434 PC Meeting Date: December 11, 2023
Date Received: 10-30-23 Received By: Lisa Jones
Parcel ID: 56051 Address: 120 Hopkins street
Existing Zoning OTR Future Land Use: Short term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 120 Hopkins St

Applicant: Cheryl McIvor

Applicant's Address: 404 W Montcastle Dr Greensboro NC 27406

Applicant's Phone Number: 336-254-9127

Applicant's E-mail: Shazta1@yahoo.com

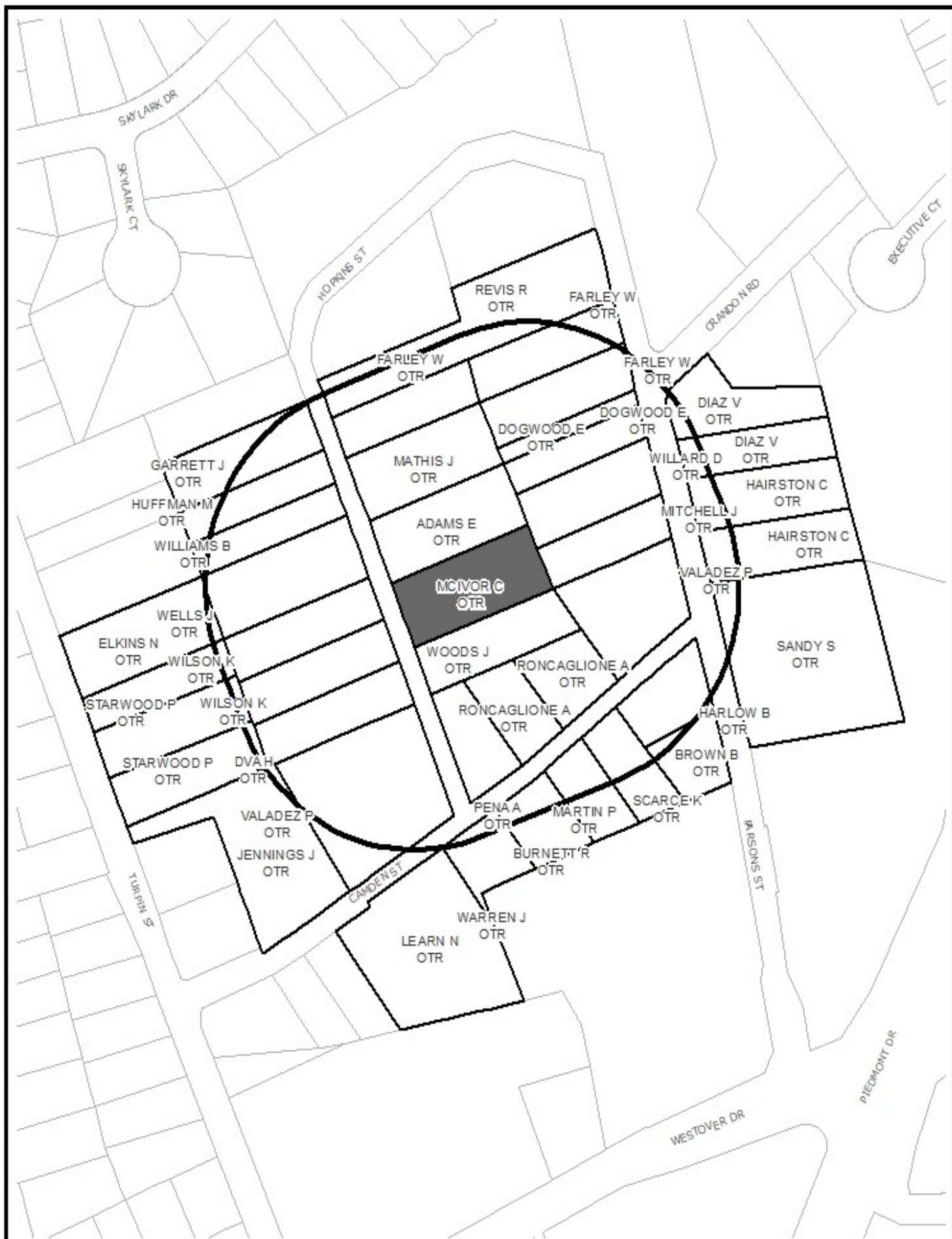
Describe Proposed Request: The request is to use this Single Family Dwelling Zoned OTR as a
Short Term Rental Property.
AIRBNB

There are no changes to the
property layout, there is on
premises parking. The property sits
on ½ Acre and does not interfere
with neighboring properties. The
future comprehensive plan does not
affect this property.

Cheryl R McIvor 10/30/2023
Applicant Signature date

Property Owner Signature date
(if not applicant)

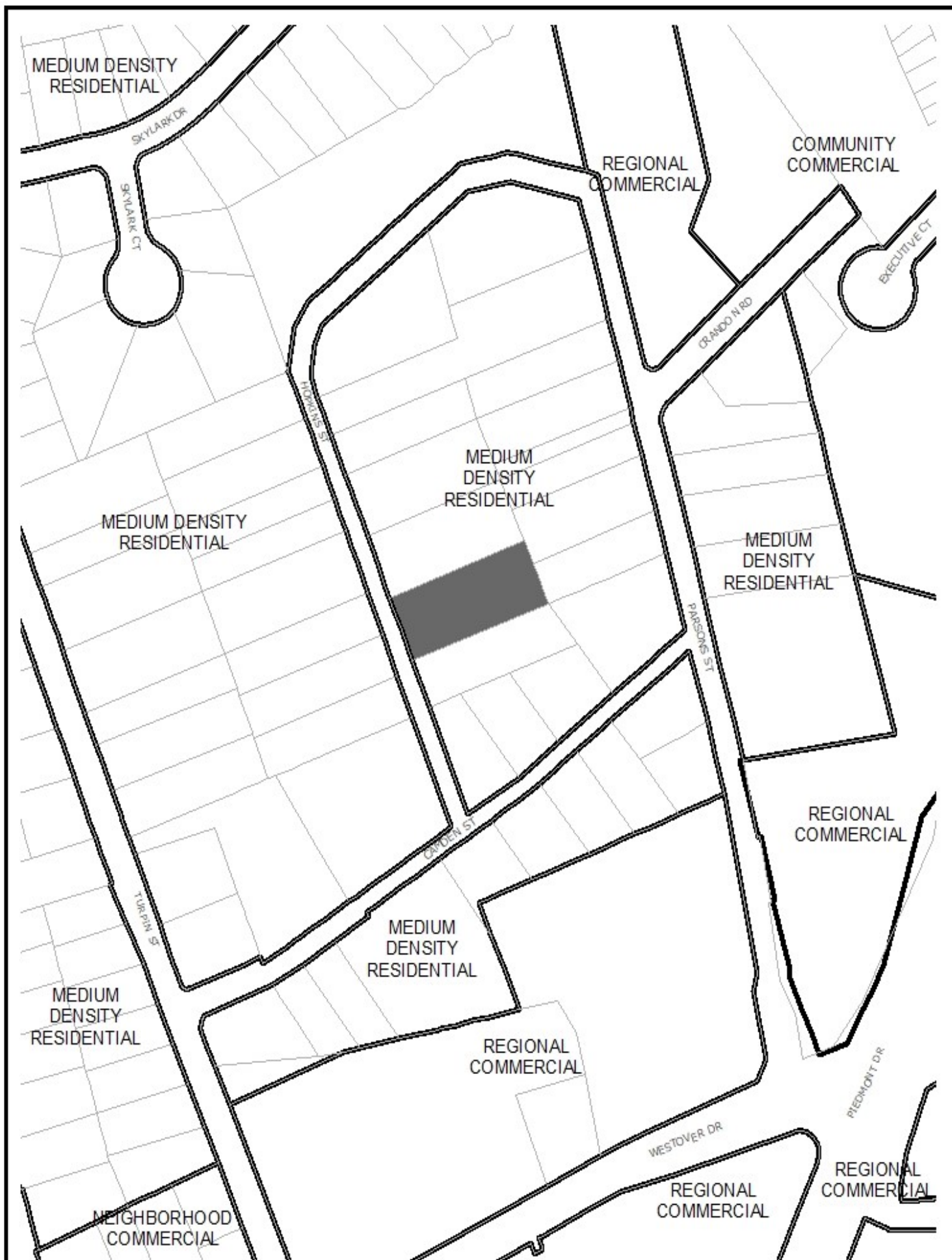




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00439 filed by Annette King Miles, requesting a Special Use Permit at 303 Randolph Street (Parcel 23481) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

303 Randolph Street is zoned OT-R Old Town Residential. The applicant, Annette King Miles, 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 1940 and is a single family dwelling. There is a private driveway on the property. A certificate of occupancy inspection has been completed. The applicant will be acting as property manager for the property and lives nearby in Danville. There is an existing short-term rental in compliance nearby on Clarendon Circle.

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, twenty-three (23) responses were received, sixteen (16) were opposed and seven (7) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00439 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 303 Randolph Street (Parcel 23481).

ATTACHMENTS

1. Application
2. 303 Randolph Aerials
3. 303 Randolph owners
4. 303 Randolph Landuse



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

- Sign*
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 #: PZ23-00439 PC Meeting Date: Dec. 11
Date Received: 10/31 Received By: Williams
Parcel ID: 23481 Address: 303 Randolph St
Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 303 Randolph St. Danville, VA-24541

Applicant: Annette King Miles

Applicant's Address: 450 Rosemary Lane Danville, VA 24541

Applicant's Phone Number: 434-251-1757

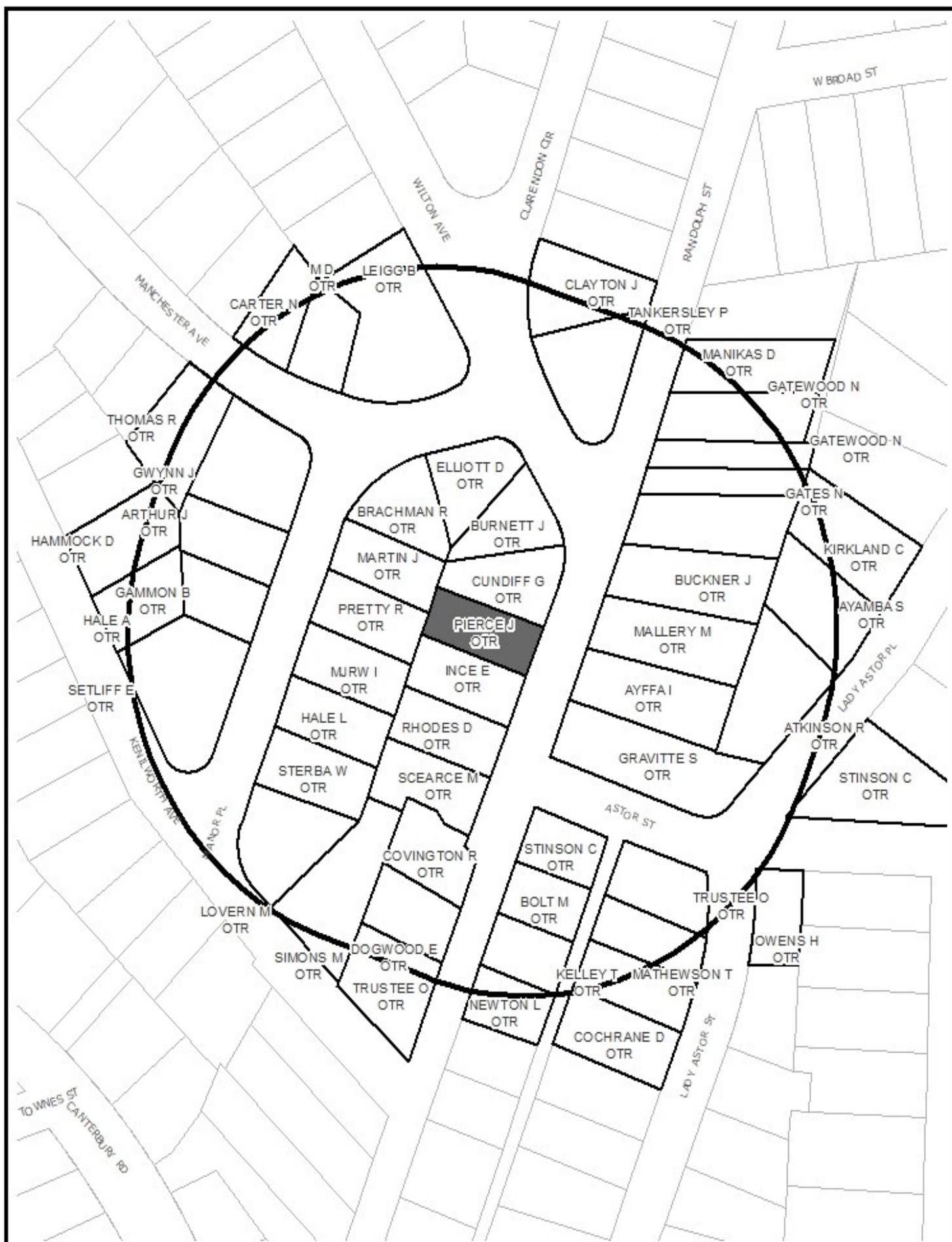
Applicant's E-mail: Annette Km 119@gmail.com

Describe Proposed Request: I am requesting to utilize the above listed property as a short term rental. There is parking allowed in the driveway for 2 vehicles and on the opposite side of the street. I am the person to oversee the property and I live 3.1 miles from the property.

Annette King Miles 10/31/23
Applicant Signature date

Joselyn 10/31/23
Property Owner Signature (if not applicant) date

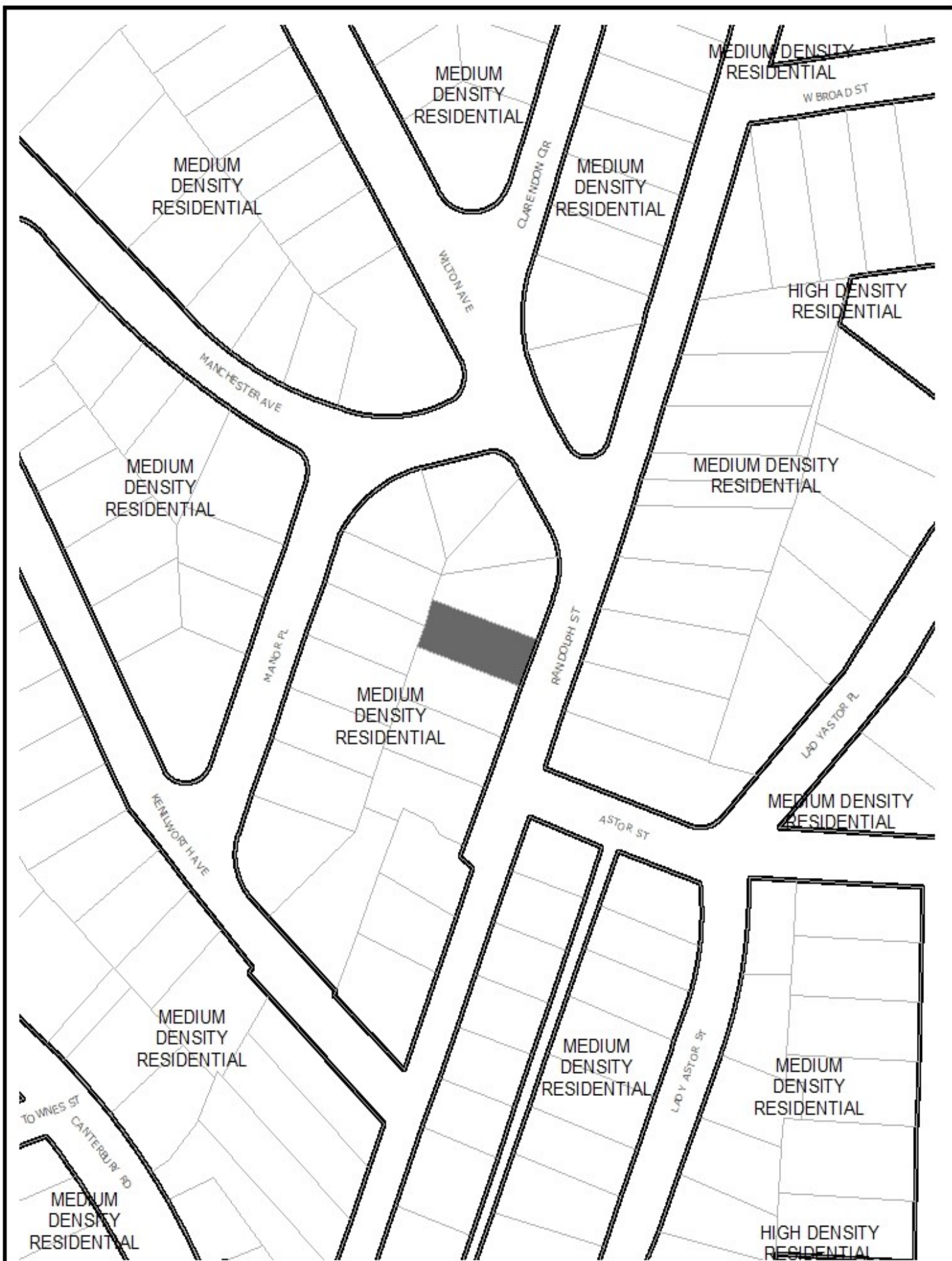




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00443 filed by Christopher Robinson, requesting a Special Use Permit at 2806 Dodson Drive (Parcel 77254) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.

SUMMARY

2806 Dodson Drive is zoned S-R Suburban Residential. The applicant, Christopher Robinson, 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. The property has passed a certificate of occupancy inspection. The applicant lives nearby in Alton, VA.

Eighteen (18) notices were sent to surrounding property owners within three hundred (300) feet of the subject property, including county residents. At the time of this report, no responses were received.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00443 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 2806 Dodson Drive (Parcel 77254).

ATTACHMENTS

1. Application
2. Supporting Docs
3. Supporting Docs 2
4. 2806 Dodson Aerials
5. 2806 Dodson Owners
6. 2806 Dodson 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 #: P223-00443 PC Meeting Date: December 11, 2023
Date Received: 11-1-23 Received By: Lisa Jones
Parcel ID: 56671 Address: 2806 Dodson Drive
Existing Zoning SR Future Land Use: Short-Term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 2806 DODSON DR. DANVILLE

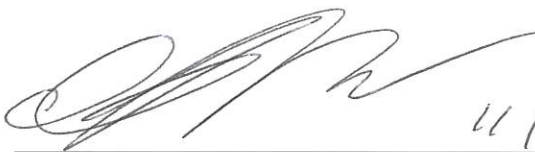
Applicant: CHRISTOPHER ROBINSON

Applicant's Address: 17054 PHILPOTTD ALTON VA 24520

Applicant's Phone Number: 434-770-0771

Applicant's E-mail: WORLDCHRISTIAN2004@icloud.com (lower case)

Describe Proposed Request: SPECIAL USE

 11/1/23
Applicant Signature date

Property Owner Signature date
(if not applicant)

2806 & 2818 Dodson Rd.

HOST CONTACT:

Michelle Robinson 434-770-0968

MAINTENANCE CONTACT:

Christopher Robinson 434-770-0771

Civil or Criminal Emergency CALL 911

NOTE: Guests are welcome to use any condiments and food left in the refrigerator, freezer or kitchen cabinets at your own discretion.

HOUSE RULES:

- *No smoking or vaping inside house.
- *Properly dispose of cigarette butts in a container or use container provided on carport. When full empty container in plastic bag before disposing in outside trash.
- *Do not litter on lawn
- *No loud music or noise (This is a quiet neighborhood)
- *No parties with additional guest not listed on booking.
- *Do not run extra heaters in winter - sufficient heat is provided.
- *Leave doors and windows closed when heat or air conditioning is running.
- *Please sleep between sheets not on bed spread.
- *All trash must be bagged properly in trash containers provided and before placing in large outside trash container near road.
- *Large trash container must be at road Thurs. night as pickup is on Fri. morning.
- *Clean dryer lint trap after each use.
- *Maintain kitchen as not to attract bugs by cleaning up regularly and not leaving perishable foods out for long periods.
- *Children should eat in kitchen and not in living room or bedrooms as a general rule.
- *Do not put grease down drain
- *Do not flush feminine products down toilet

CHECKOUT INSTRUCTIONS:

- *Kitchen must be left clean with dishes washed.
- *Do not strip beds, but leave unmade.
- *Place used towels on bathroom floor or in laundry room.
- *All trash MUST BE properly bagged and place in large trash can outside.
- *Remember to take all personal belongings.
- *Any food items purchased during your stay in refrigerator, freezer, or kitchen cabinets may be left if you desire but we ask that all alcoholic beverages be removed upon checkout.

Creek
WOODS

BACK YARD
(.82 Acres)

2818 Dodson Dr.

14' x 70' 2 bedroom

Patio

Driveway + Parking

Parcel ID #

9377253223

← Parking along road →

BACK YARD

(.71 acres)

2806 Dodson Dr.

Brick
RANCH
4 Bedroom

car
port

WALK OUT
BASEMENT

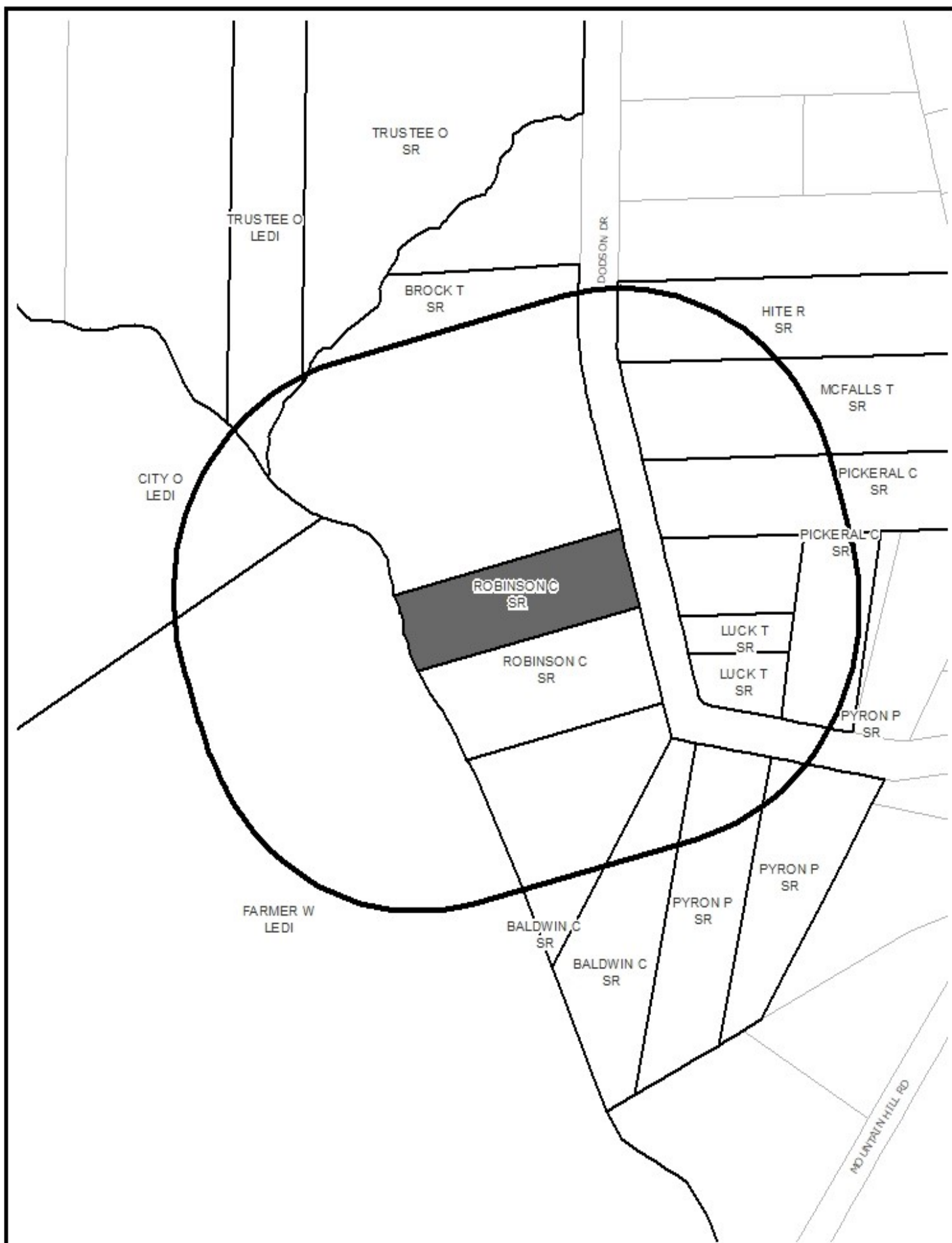
Concrete
double
Driveway

PARCEL ID #

9377254223

Dodson Drive





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/17/2023

Disclaimer: Information contained on this map is to be used for reference purposes only. 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
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00444 filed by Joan Raynor, requesting a Special Use Permit at 494 West Main Street (Parcel 20925) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

494 West Main Street is zoned OT-R Old Town Residential. The applicant, Joan Raynor, 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 1970 and is a single family dwelling. There is a driveway on the property as well as on-street parking. A certificate of occupancy inspection has been completed. The applicant will act as property manager and lives nearby in Danville. There are existing short-term rentals in compliance nearby on West Main Street, College Avenue, Mt Vernon Avenue and Virginia Avenue. Two (2) additional short-term rental application are on today's agenda for consideration; 279 Carolina Avenue and 165 Marshall Terrace.

Thirty-eight (38) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, seventeen (17) responses were received, eleven (11) were opposed and six (6) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00444 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 494 West Main Street (Parcel 20925).

ATTACHMENTS

1. Application
2. 494 W Main Aerial
3. 494 W Main Owners
4. 494 W Main 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 #: P223-00444 PC Meeting Date: Dec 11
Date Received: Nov 1 Received By: Williams
Parcel ID: 20925 Address: 494 W Main
Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 494 W. Main St Danville Va 24541

Applicant: Joan Raynor

Applicant's Address: 1 Old Stone Rd Valley Cottage Ny 10989

Applicant's Phone Number: 845-323-2013

Applicant's E-mail: Joan Raynor 744@gmail.com

Describe Proposed Request: I would like to use my home at 494 W. Main St Danville Va as a Airbnb when I'm not home. I have a mother who is 98 I visit once a month for several days. I stay in the house then + on holidays. I do not want the house to set empty, when not in use.

Joan Raynor 11-1-23
Applicant Signature date

Property Owner Signature date
(if not applicant)







YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00446 filed by Kerry Carter, requesting a Special Use Permit at 279 Carolina Avenue (Parcel 24830) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

279 Carolina Avenue is zoned OT-R Old Town Residential. The applicant, Joan Raynor, 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 1951 and is a two-unit dwelling. There is a driveway on the property as well as on-street parking. A certificate of occupancy inspection has not been completed. The applicant has named a property manager who lives in Danville. There are existing short-term rentals in compliance nearby on West Main Street, College Avenue, Mt Vernon Avenue and Virginia Avenue, and neighboring 494 West Main Street and 165 Marshall Terrace are also up for consideration today.

Fifty-four (54) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, nineteen (19) responses were received, nine (9) were opposed and ten (10) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00446 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 279 Carolina Avenue (Parcel 24830).

ATTACHMENTS

1. Applications
2. 279 Carolina_AERIALS
3. 279 Carolina Ave Owners
4. 279 Carolina 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 #: PZ23-60440 PC Meeting Date: Dec. 11
Date Received: 11/3 Received By: Williams
Parcel ID: 24830 Address: 279 Carolina Ave
Existing Zoning OTR Future Land Use: —

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 279 CAROLINA AVE

Applicant: KERRY CARTER

Applicant's Address: 1973 ROCKY FORD RD KITTRELL NC

Applicant's Phone Number: 267-973-8143 27544

Applicant's E-mail: cka@lynchcreek.com

Describe Proposed Request: _____

SHORT TERM RENTAL

Kerry Carter 11/3/23
Applicant Signature date

Kerry Carter 11/3/23
Property Owner Signature date
(if not applicant)





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00448 filed by Joshua Fogle, requesting a Special Use Permit at 224 Park Circle (Parcel 53896) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

224 Park Circle is zoned OT-R Old Town Residential. The applicant, Joshua Fogle, 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 on the property. The property passed a certificate of occupancy inspection in November of this year. The applicant has named a property manager who lives nearby in Danville. There is an existing short-term rental in compliance nearby on Wood Avenue, and neighboring 128 Wood Avenue and 236 Park Circle are also up for consideration today.

Twenty-nine (29) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, responses were received, two (2) were opposed and eleven (11) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00448 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 224 Park Circle (Parcel 53896).

ATTACHMENTS

1. Application
2. 224 Park Cir Aerials
3. 224 park Cir Owners
4. 224 Park Cir Landuse



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee of \$360.
2. If the request for a special use permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.
3. The application shall include the following information:
 - a. A preliminary site plan in accordance with the Site Plan Regulations.
 - b. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - c. A written statement of proposed project compatibility with the following:
 - (1.) The Comprehensive Plan.
 - (2.) The applicable zoning district.
 - (3.) The surrounding properties.
 - (4.) Current and future neighborhood conditions.
 - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site.
 - (6.) Adequate public facilities.
 - d. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 - (1.) The architectural elevations and floor plans of proposed building(s).
 - (2.) Traffic impact analysis.
 - (3.) Fiscal impact analysis.
 - (4.) Parking and site circulation analysis.
 - (5.) Photographs of property and surrounding area.
 - (6.) Environmental impact statement.

PLANNING DIVISION PROVIDED INFORMATION

Application #: P223-00448 PC Meeting Date: Dec 11
Date Received: 11/3 Received By: Williams
Parcel ID: 53894 Address: 224 Park Cir
Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 224 PARK CIRCLE

Applicant: JOSHUA FOGLE

Applicant's Address: 12 HEATHROW CT, GREENSBORO NC 27410

Applicant's Phone Number: 336-501-2029

Applicant's E-mail: JOSH @ F2 PROPERTY SOLUTIONS. COM

Describe Proposed Request: Use house as STR. No additional work on interior or exterior is required.

 11/3/2023
Applicant Signature date

Property Owner Signature date
(if not applicant)

Driveway

Kevin Smith - 919-219-3531

COO scheduled 11/7





STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00451 filed by Victor King, requesting a Special Use Permit at 143 Kirkwood Drive (Parcel 53133) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

143 Kirkwood Drive is zoned OT-R Old Town Residential. The applicant, Victor King, 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 1969 and is a single family dwelling. There is a private driveway on the property as well as on-street parking. At the time of this report, the property has not passed a certificate of occupancy inspection. The applicant has named a property manager who lives in Danville. Neighboring 118 Laramie Circle and 326 Withers Circle are also up for consideration for short term rental today.

Thirty-eight (38) 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 opposed and one (1) was unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00451 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 143 Kirkwood Drive (Parcel 53133).

ATTACHMENTS

1. Application
2. 143 Kirkwood Aerials
3. 143 Kirkwood Owners
4. 143 Kirkwood 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 #: P223-00451 PC Meeting Date: December 11, 2023
Date Received: 11-9-23 Received By: Lisa Jones
Parcel ID: 53133 Address: 143 Kirkwood Drive
Existing Zoning: OTL Future Land Use: Short-term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#):

Applicant: Victor Allen King
Applicant's Address: 212 Lynwood Estates Dr Knightdale
Applicant's Phone Number: (919) 818-2609 NC 27545
Applicant's E-mail: feleciaeverett5@gmail.com
Describe Proposed Request: Would like to open a
Airbnb in the city of Danville. I have
renovated a single home dwelling at
143 Kirkwood Dr.

My Son Johnny Hamilton will oversee the
Property. *He lives in town.*

Victor Allen King 11/7/23

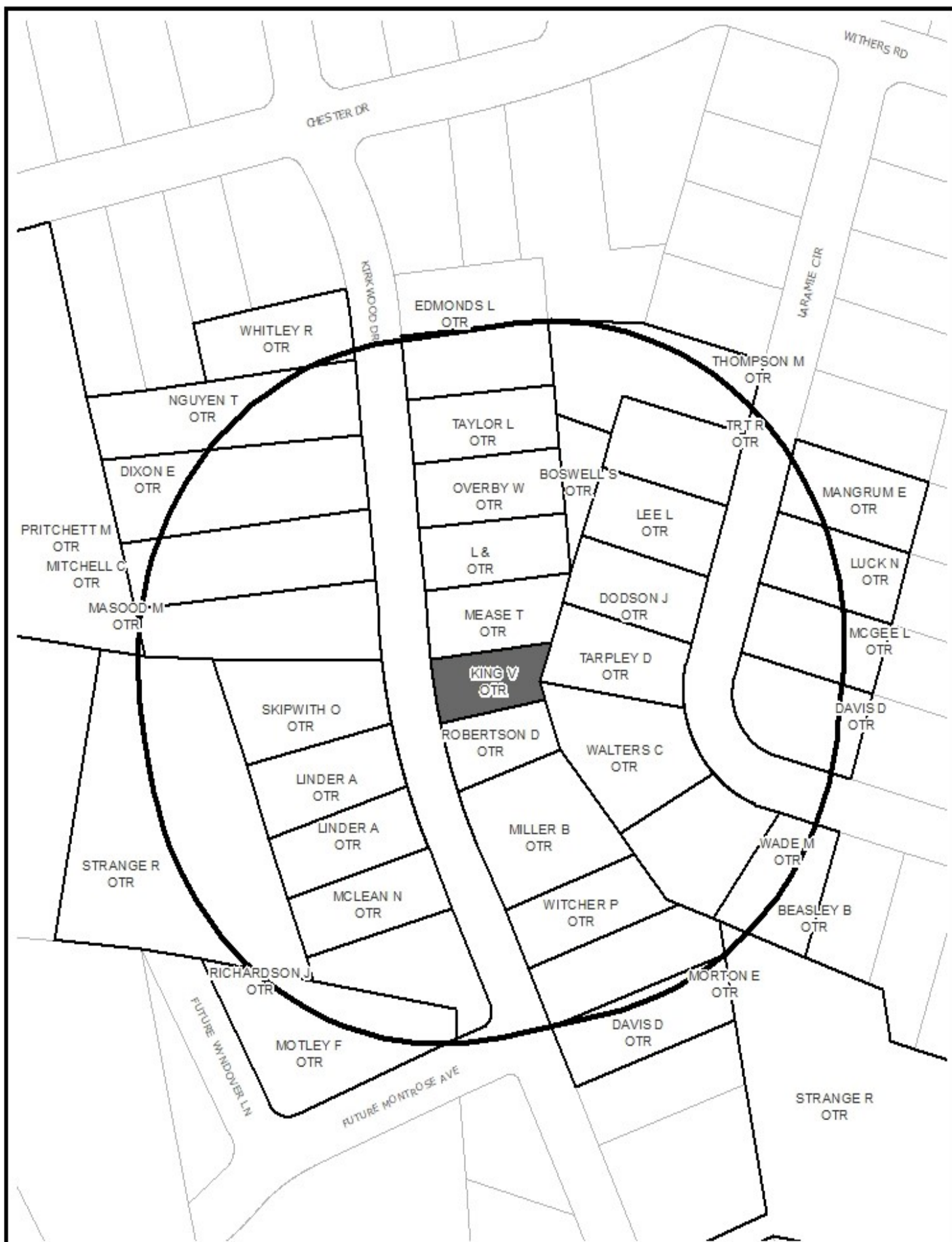
Applicant Signature

date

Property Owner Signature
(if not applicant)

date

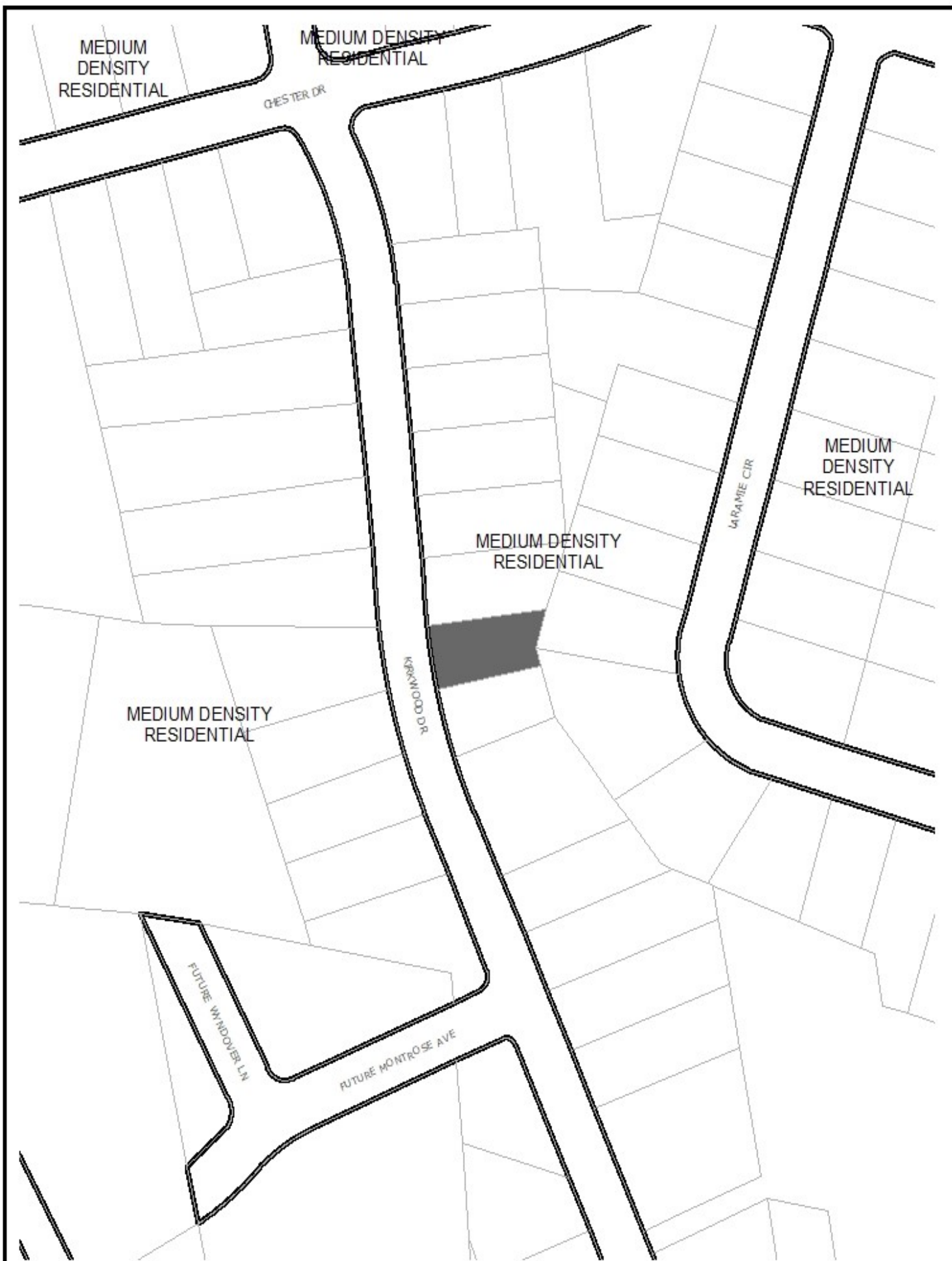




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/20/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/20/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00452 filed by Jeffrey Moore, requesting a Special Use Permit at 119 Chilton Court (Parcel 56195) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

119 Chilton Court is zoned OT-R Old Town Residential. The applicant, Jeffrey Moore, 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 1972 and is a single family dwelling. There is a private driveway on the property as well as on-street parking. The property has not had a certificate of occupancy inspection. The applicant will act as property manager and lives nearby in Danville.

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, eight (8) responses were received, four (4) were opposed and four (4) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00452 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 119 Chilton Court (Parcel 56195).

ATTACHMENTS

1. Application
2. Supporting Dcos
3. Zoning Violation Letter - 119 Chilton Ct FINAL
4. 119 Chilton Aerials
5. 119 Chilton Owners
6. 119 Chilton 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. *- residential*
 - (3.) The surrounding properties. *-*
 - (4.) Current and future neighborhood conditions. *-*
 - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site. *- large community of residents traveling in and out of area*
 - (6.) Adequate public facilities. *located near Park, Fire Dept. small businesses including convenience stores very quiet*
 - 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 #: P223-00452 PC Meeting Date: December 11, 2023
Date Received: 11-8-23 Received By: Lisa Jones
Parcel ID: 56195 Address: 119 Chilton Court
Existing Zoning: OTR Future Land Use: Short Term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 119 Chilton Ct. Danville VA 24540

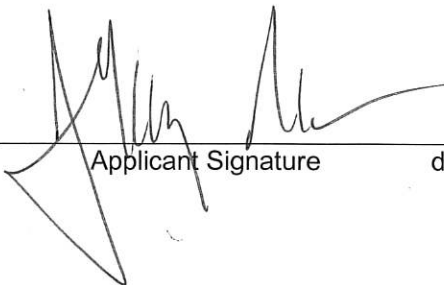
Applicant: Jeffrey Moore

Applicant's Address: 160 Elon Pl. Danville VA 24540

Applicant's Phone Number: 757 544-1948

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

Describe Proposed Request: I will be the person overseeing
the property in Danville. My home has parking
off street for 3 cars

 11/8/2023
Applicant Signature date

 11/8/2023
Property Owner Signature date
(if not applicant)

Dan River Chateau Comprehensive Plan

Short-Term Rental: 30 days or less

Zoning: Old Towne Residential

Address: 119 Chilton Court Danville, Va 24540 3-bedroom 2-Ba Single Family Home



Dan River Chateau Comprehensive Plan

I am Jeffery Moore the owner of 119 Chilton Ct. Danville, VA. The property is a 1,700-square-foot home located in Greenwich area in, Danville. The residence is a three-bedroom and has two full baths. The basement area has one large finished room. The backyard has an in-ground pool and two storage sheds. The garage is attached to the home with a driveway that provides adequate parking suitable for three vehicles. I am acquainted with the residents living in the cul-de-sac adjacent to and across the street from 119 Chilton Ct. Danville VA. Many of the neighbors in my cul-de-sac have revitalized their homes and work consistently caring for their properties; this is a standard that I have also followed when caring for my property. My plan is to provide a short-term rental home for travelers passing through or vacationing in the Danville, VA area.

Per Danville's Housing initiative: Housing & Neighborhoods – Promote opportunities for a wide variety of housing types in the City by adaptive reuse, redevelopment, and new development within established neighborhoods and districts through sustainable and well-planned new development, including mixed-use development, on vacant land with an emphasis on providing safe, sanitary, and affordable homes for low- to moderate-income residents as well as residents with higher incomes.

My plan is to bring a clean, respectful, short term (30 day or less) mixed use home to serve as a short-term rental on hosting sites such as: VRBO/AirBNB/Expedia to not only meet the needs of the residents in the community and their families which will bring new tourists in to the area which boosts revenue for the city and also meets the areas need for short term lodging. With individuals attending events such as racing at VIR or individuals looking for family fun lodging for and family reunion lodging has become quite a need for Danville, Virginia. We were inspired to revitalize the home by the residents/renters of the Greenwich/North Main area. By revitalizing the home, we can work on bringing back residents in the Greenwich and North Main areas and offer current Danville, Va residents with a place to host their families. The cost of the home is affordable as the home can sleep more than 2 ppl compared to hotels which allows flexibility for consumers. We would like to open our home up for individuals from all over the globe to give a glimpse of the beauty that Danville, Va has to offer.

Current and future neighborhood conditions:

Many of the homes in the Greenwich area including, my property at 119 Chilton Ct., had obvious external repair and maintenance needs. Since the purchase of this home in 2021 we have been able to add to value to the property by fully renovating the interior and exterior including: replacing the roof, repairing windows, siding, replacing the privacy fence, repairing gutters and landscaping.

In the last two years I've observed a many of the homes in Greenwich have been better maintenance and or significantly revitalize. The actions taken by some either the tenants and or property owners have improve the condition of home in this neighborhood. I believe that we have all help contribute property /neighborhood value added to market price.

Pedestrian and Vehicle traffic patterns on-site and off-site:

The home contains a driveway that includes parking space for at least three vehicles and off-street parking . There is not much traffic in the area of the cul-de-sac.

Adequate public facilities:

- Sovah Health Hospital
- Rubie B. Archie Public Library
- Danville Fire Station 5
- Danville Police Department
- Danville Parks & Recreation
- Danville Utilities
- Danville Wastewater
- Danville Family YMCA
- Future Park Site near home

Dan River Chateau House Rules

Thank you for choosing Dan River Chateau for your short-term stay. The home is comfortable and provides an enjoyable stay. Danville is very rich in history and culture. We hope that your stay is an enjoyable one. The address is as follows: 119 Chilton Court Danville, VA 24540

Wi-Fi:

- Wi-Fi Username: VIP
- Wi-Fi Passcode: 8923909j
- Entry Code: This will be sent on the day of check-in.
- Parking: Please use the driveway for parking any vehicles. It can accommodate 2 cars. You can also utilize the street parking directly in front of the home.
- Please no extra guests beyond those listed on the reservation. No parties allowed.
- To respect our neighbors Quiet Hours are from 10 pm-8 am.
- Check-in time: 3 pm
- Check Out: 11 am
- No Smoking allowed in the home. Please limit smoking to discard any butts/trash outside the trashcan.
- Upon Checkout, Please leave all towels in the bathtub.
- Please discard any items from the refrigerator upon checkout.
- Due to construction, the entire backyard is off-limits.

Instructions for appliances:

- Microwave metal in microwave-only plastic/Tupperware containers.
- Safe Travels to you and your party. Should you check in and find that you have any concerns do not hesitate to call or text me at 804-504-9266.

For Emergency: Dial 911 or the Danville Local Department

Restaurants near the home:

- Culture Restaurant: Address: 510 Spring St, Danville, VA 24541 Phone: (434) 835-2975
- Papa Johns-671 Piney Forest Rd, Danville, VA 24540 (434) 791-2299
- Captain Cook-Seafood-1067 Piney Forest Rd, Danville, VA 24540 (434) 549-0307
- 716 Wings and Pizza-1055 Piney Forest Rd, Danville, VA 24540 (434) 425-4956
- Funkys Bar/Adult Arcade : Address: 315 Lynn St Suite B, Danville, VA 24541 (434) 483-2511
- Mayflower Restaurant: Address: 2320 Riverside Dr, Danville, VA 24540 Phone: (434) 792-8817
- Kickback Jacks: Address: 140 Crown Dr, Danville, VA 24540 Phone: (434) 793-1848
- Outback Steakhouse: Address: 111 Enterprise Dr, Danville, VA 24540 Phone: (434) 792-0781

Swimming Pool Release, Waiver, & Consent

The swimming pool is at your own risk. There is no lifeguard on duty and the renter is responsible for keeping the access gate locked when not in use. Children must be supervised at all times.

Swimming Pool Waiver and Release of Liability Form Release of Liability, Waiver of Claims, Assumption of Risk, and Indemnity Agreement **PLEASE READ CAREFULLY. BY SIGNING THIS DOCUMENT, YOU CHOOSE TO WAIVE CERTAIN LEGAL RIGHTS, INCLUDING THE RIGHT TO SUE.** To: The Lake Powell Peace House (Owner of Property, Releasees) I wish to swim at the Center's pool facilities during the length of my stay at your vacation home. By swimming in the vacation home pool, I recognize and fully understand certain things, including: • At no time is there a lifeguard on duty, you (the renter) are responsible for the safe operation of the pool and are responsible for all persons using the pool during your stay. • My use of the pool facilities during my stay involves certain risks, including but not limited to: 1. The risk of injury resulting from possible malfunction of the pool equipment; 2. The risk of injuries resulting from tripping or falling over obstacles in the pool area; 3. The risk of injuries resulting from unsupervised divers and swimmers colliding; 4. The risk of other injuries resulting from participating in any action in the pool. • I recognize and fully understand that the above list is not a complete or exhaustive list of all possible risks; the list only provides examples of types of risks that I am assuming. In exchange for the Owner allowing me to utilize the pool and area during my stay, I hereby agree to the conditions below. I fully intend and choose to give up the legal rights, as stated below: 1. TO WAIVE ANY AND ALL CLAIMS that I have or may have in the future against the Owner, its directors, officers, employees, agents, or representatives (hereinafter referred to as the "Releasees") relating to my use of the pool and pool area; 2. TO RELEASE THE RELEASEES from any liability for any

loss, damage, injury, expense, or other cost that I may suffer or that my next of kin may suffer in connection with my use of the Releasees pool or pool area to any cause whatsoever, INCLUDING NEGLIGENCE ON THE PART OF THE RELEASEES; 3. TO HOLD HARMLESS AND INDEMNIFY THE RELEASEES from any liability to property, or personal injury to, any third party, resulting from the use of the pool or pool area 4. That I am over the age of 18 and that I am responsible and will adhere to all the rules of the property; 5. That this Waiver, Release, and Agreement is fully effective and shall be effective and binding upon me, and my heirs, next of kin, executors, administrators, and assigns, or anyone else authorized to act on my behalf or behalf of my estate. I have read and understood this document. I am aware that by signing this document, I am waiving certain legal rights that I may have against the Releasees, and I fully agree to do so.

Signed: _____ Print: _____ Date: _____
_____ Date of Birth: _____

Pool Rules are as follows:

1. Swim at your own risk, no lifeguard on duty.
2. Shower before entering the pool.
3. No running or diving.
4. No animals in pool or on pool deck.
5. No eatables or glassware in pool or on pool deck.
6. No boisterous or rough play.
7. Children under the age of 14 years are not allowed to use pool without parent or adult guardian supervision.
8. 10 persons allowed in pool.
9. Emergency assistance: 911
10. Pool hours 10:00 am to 10:00 pm
11. No small objects in pool

PLEASE READ CAREFULLY THE CONTENTS OF THIS FORM BEFORE SIGNING.

In consideration for being allowed to use the swimming pool and other facilities, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged:

I understand that during my stay and in the event that there is no lifeguard on duty, I shall be responsible for my guests and relatives using the pool;

I understand that there are risks involved in the use of the pool facilities such as injury or death.

The following persons are my guests and/relatives who shall be under my care:

• Guests/Relatives*

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

• Signature: Please use electronic signature:

• _____



FINAL NOTICE

APRIL 27, 2023

JEFFREY MOORE

119 CHILTON COURT

DANVILLE VA 24540

RE: Zoning Violation at 119 Chilton Ct

Dear JEFFREY MOORE:

On March 23, 2023, a Notice of Violation letter was sent to you in regard to the above referenced property. In that letter you were ordered to comply with the provisions of the Code as stated below:

- Chapter 20 - ARTICLE I. Sec. 20-3. (a) (1) Every person engaging in the City in any business, trade, profession, occupation, or calling (collectively hereinafter "a business") as defined in this chapter, unless otherwise exempted by law, shall apply for a license for each such business if: A. Such person maintains a definite place of business in the City;
- Chapter 41 Article 3.E. Sec. C Special Use Permit required for short term rental as principal use

As of this date, April 27, 2023, we have not been updated that a business license was issued, or that the non-permitted use has been terminated.

You have **THIRTY (30) DAYS** from the date of this letter to comply with the provisions of the Code. If the violation is not abated, this office may be required to take legal action due to your noncompliance, which could result in fines up to \$3,000.00. If you have any questions call Planning and Zoning at (434) 799-5260 Monday-Friday, 8:00-5:00. Thank you for your cooperation.

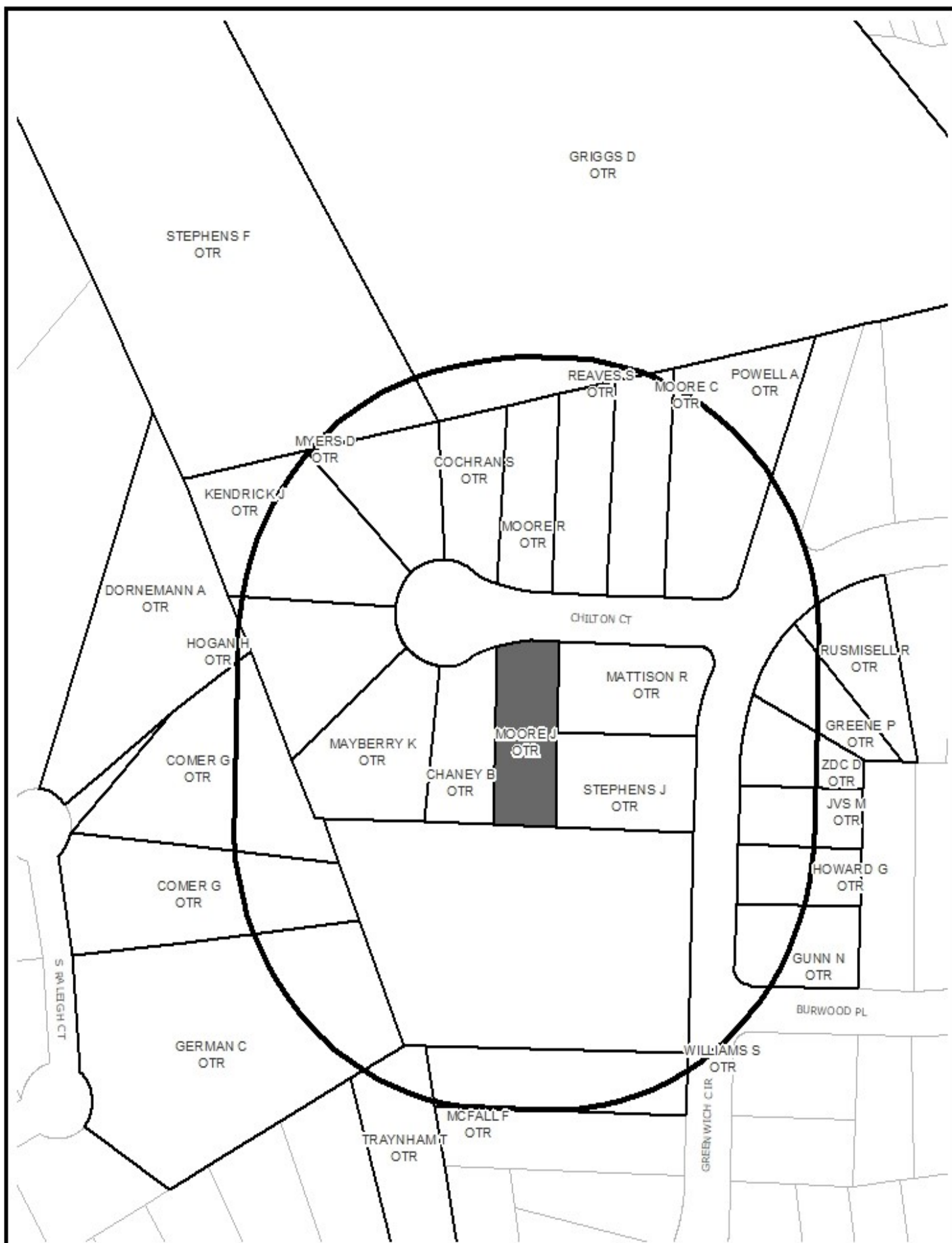
Sincerely,

Shanika Williams

434-799-5260

Joneslk@danvilleva.gov



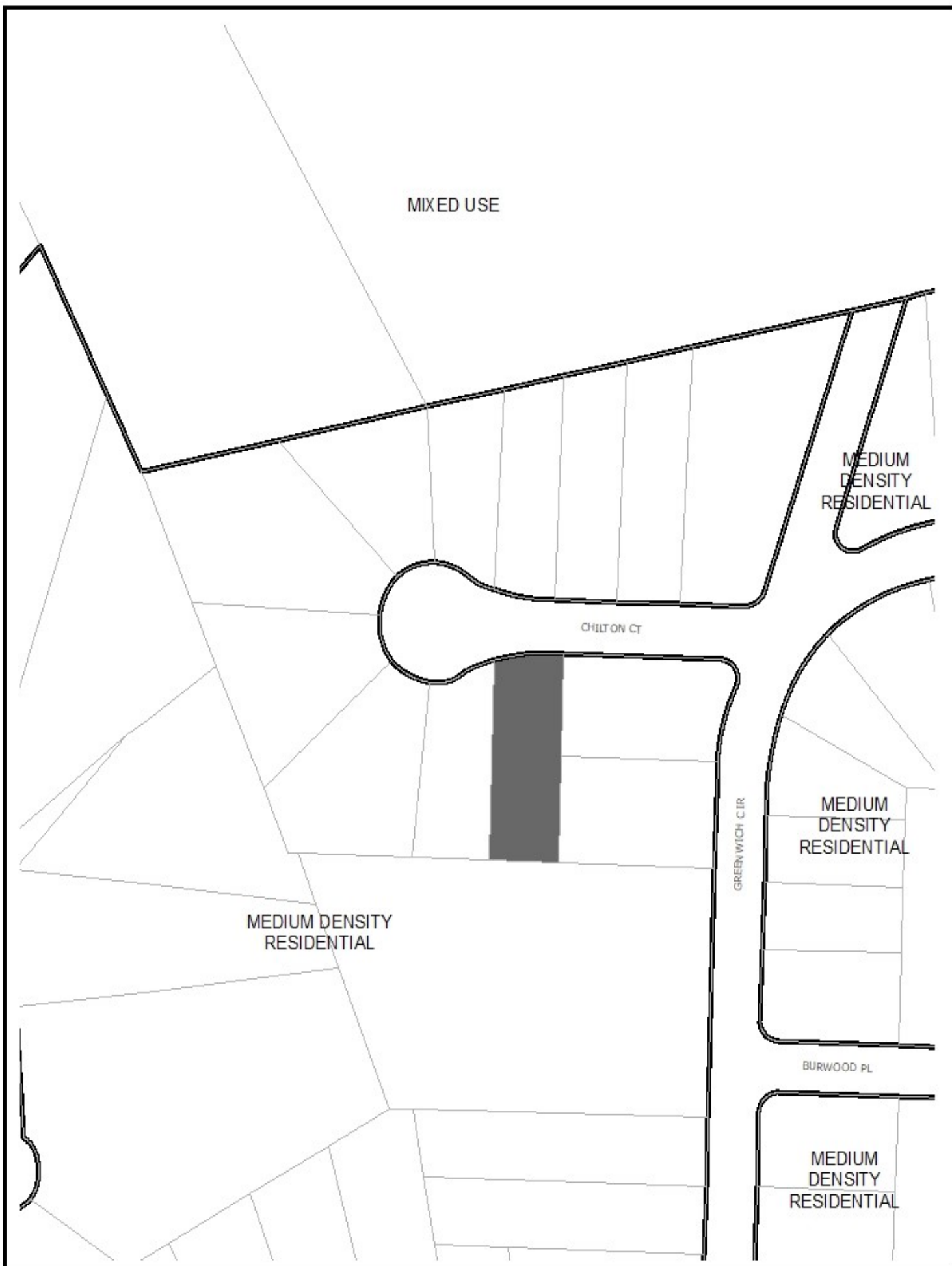


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/20/2023

Disclaimer: Information contained on this map is to be used for reference purposes only. 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
11/20/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00456 filed by K&S Fowlkes LLC, requesting a Special Use Permit at 49 Glen Oak Drive (Parcel 54334) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

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

The subject property was built in 1960 and is a single family dwelling. There is a private driveway on the property as well as on-street parking. The property has not had a certificate of occupancy inspection. The applicant will act as property manager and lives nearby in Chatham, VA. There are three existing short term rental properties currently in compliance nearby, one up for City Council approval this month, as well as 33 Schoolfield Drive up for consideration today.

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, ten (10) responses were received, three (3) were opposed and seven (7) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00456 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 49 Glen Oak Drive (Parcel 54334).

ATTACHMENTS

1. Application
2. 49 Glen Oak Aerials
3. 49 Glen Oak Owners
4. 49 Glen Oak 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 #: PZ23-00456 PC Meeting Date: December 11, 2023
Date Received: 11-8-23 Received By: LISA JONES
Parcel ID: 54334 Address: 49 Glen Oak Drive
Existing Zoning: OTR Future Land Use: Short-Term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 49 Glen Oak DR, Danville, VA 24541

Applicant: Shane & Kim Fawkes (K&S Fawkes LLC)

Applicant's Address: 702 S Main St Chatham, VA 24531

Applicant's Phone Number: 434-250-1851

Applicant's E-mail: Kimfawkes@comcast.net

Describe Proposed Request: Short term rental -

AirBNB or monthly rental

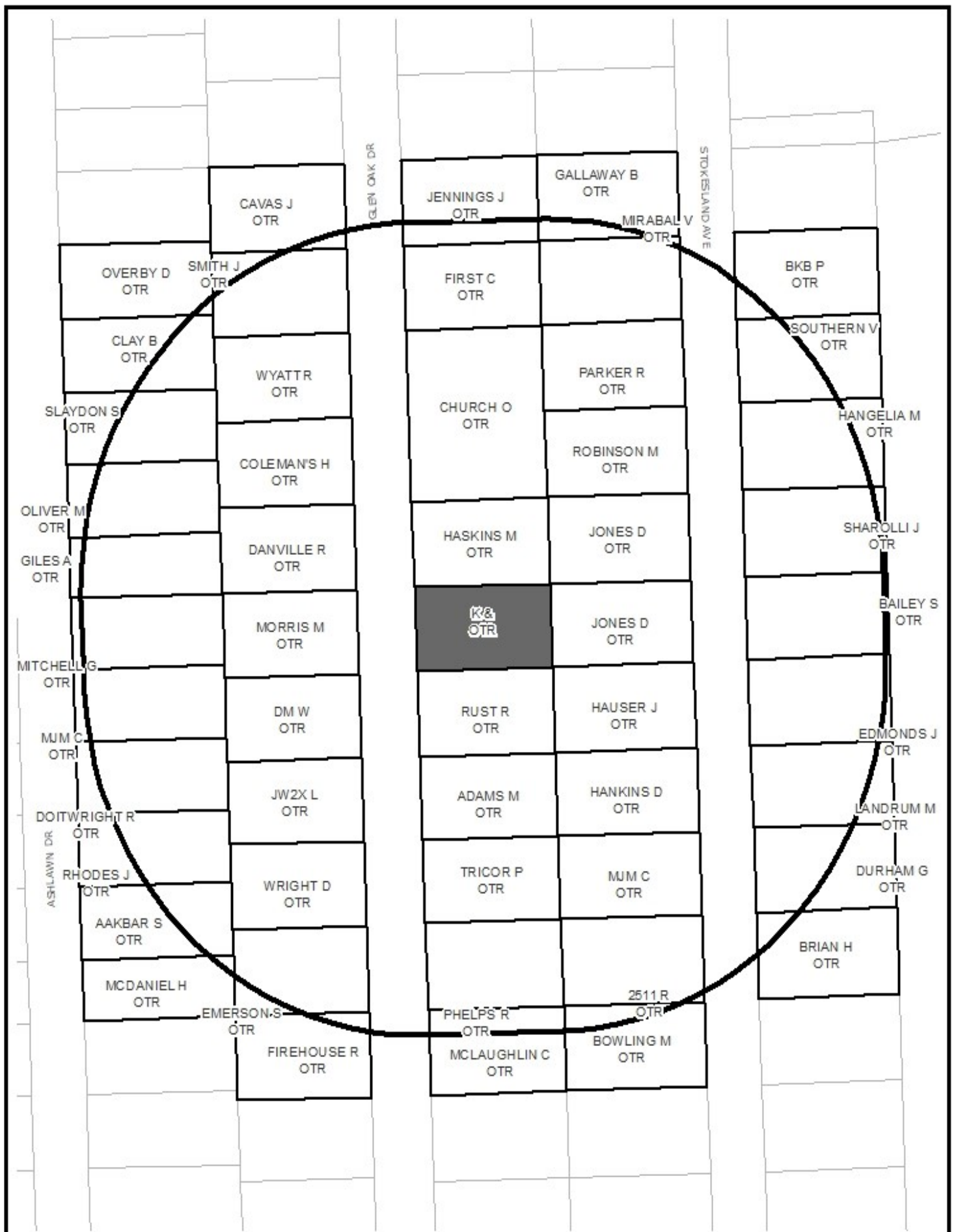
Drive way

Kim overseeing the property.

Shane & Kim Fawkes 11-3-23
Applicant Signature date

Shane & Kim Fawkes 11-3-23
Property Owner Signature date
(if not applicant)



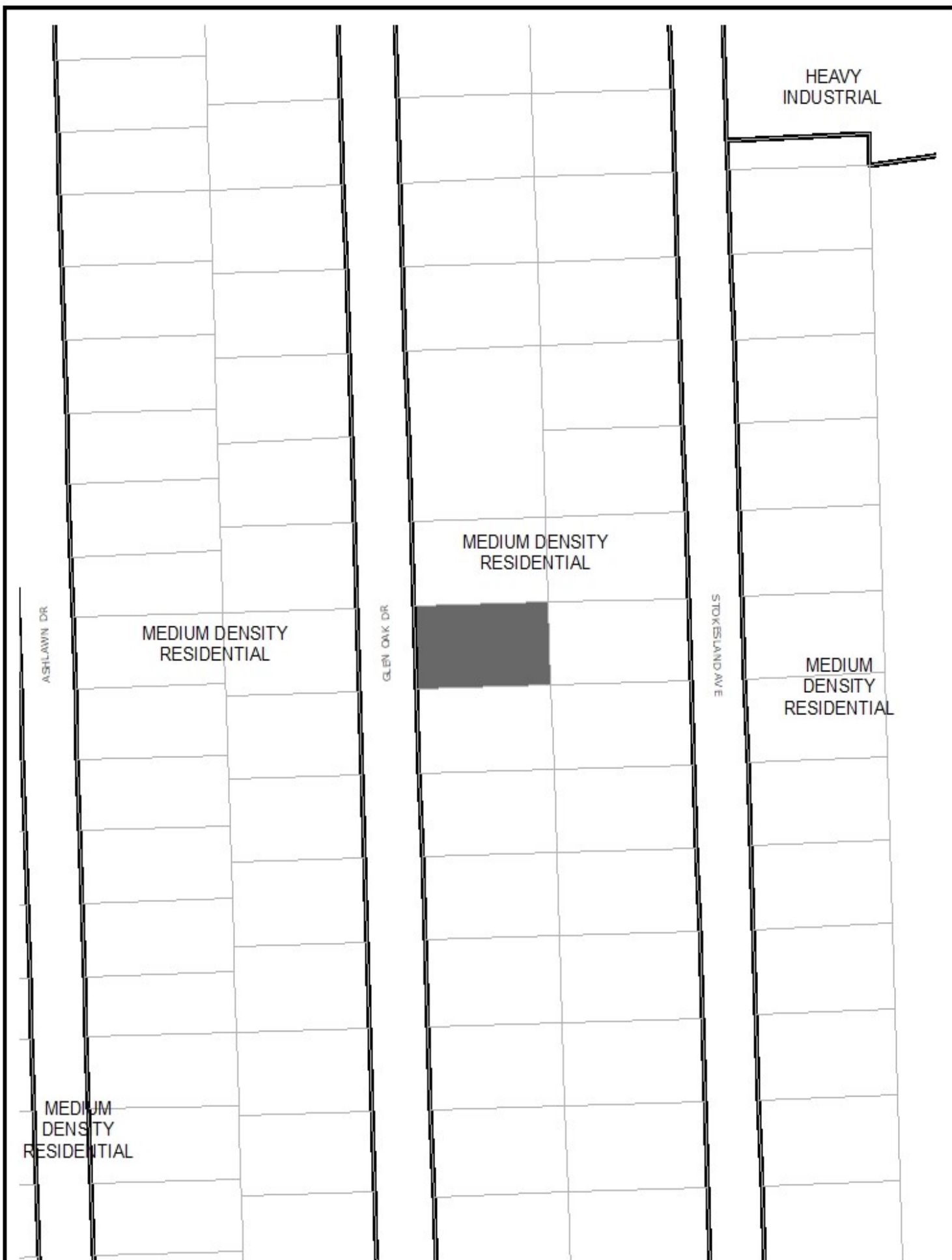


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/21/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/21/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00457 filed by Devin Hawkins, requesting a Special Use Permit at 205 Arlington Place (Parcel 24566) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

205 Arlington Place is zoned OT-R Old Town Residential. The applicant, Devin Hawkins, 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 1949 and is a single family dwelling. There is a private driveway on the property as well as on-street parking. The property has not had a certificate of occupancy inspection. The applicant will act as property manager and lives nearby in Danville.

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, responses were received, five (5) were opposed and nine (9) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00457 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 205 Arlington Place (Parcel 24566).

ATTACHMENTS

1. Application
2. 205 Arlington Aerials
3. 205 Arlington Owners
4. 205 Arlington 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 #: P223-00457 PC Meeting Date: December 11, 2023
Date Received: 11-9-23 Received By: Lisa Jones
Parcel ID: 24566 Address: 205 Arlington Place
Existing Zoning DTR Future Land Use: Short-Term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 205 Arlington Place Danville VA 24541 / Parcel ID 24566

Applicant: Devin Hawkins

Applicant's Address: 70 Ashlawn Drive Danville VA 24541

Applicant's Phone Number: 919.931.9976

Applicant's E-mail: devinhawkins@live.com

Describe Proposed Request: Short Term Rental

Devin Hawkins 11/08/2023
Applicant Signature date

Property Owner Signature date
(if not applicant)

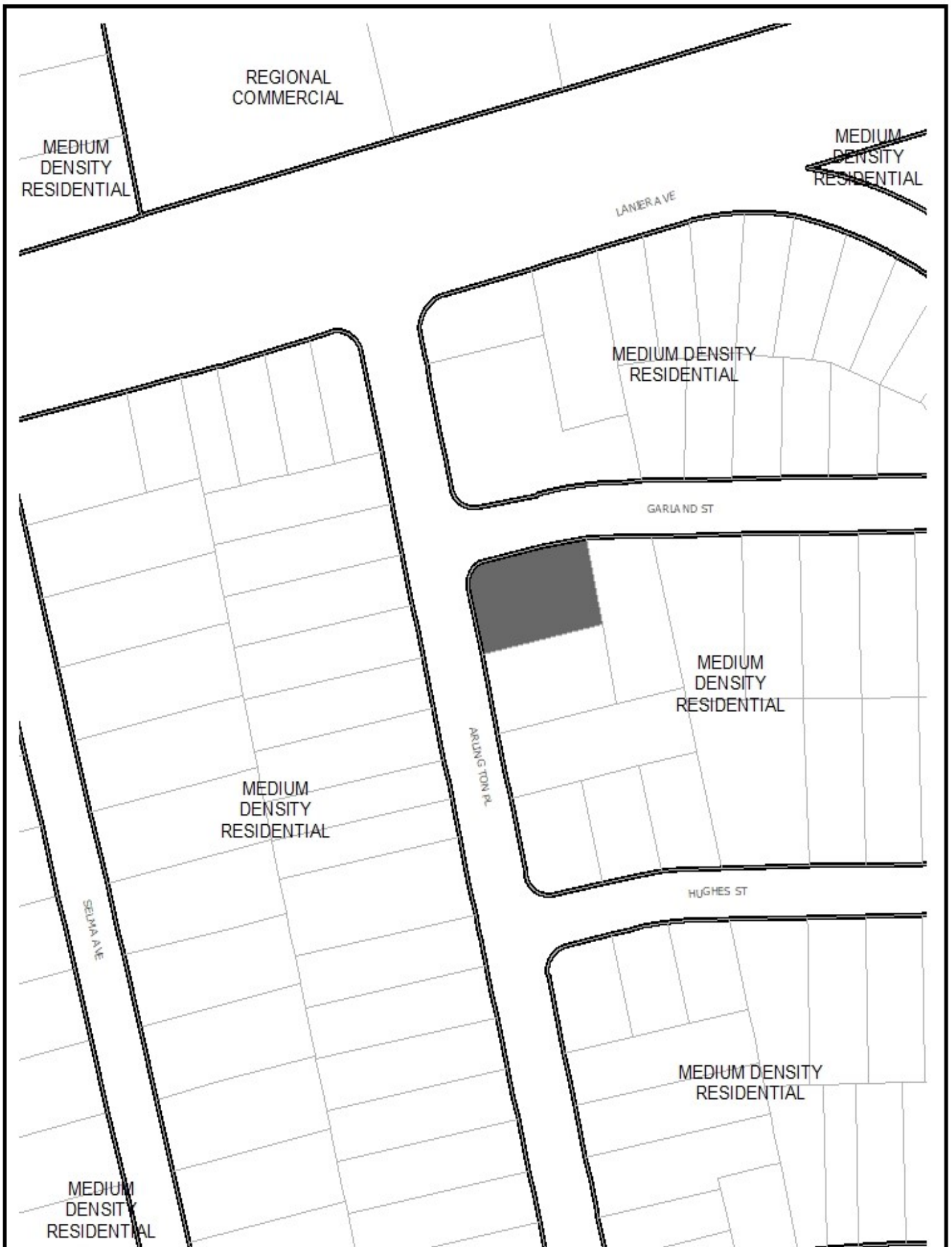




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/21/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/21/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00458 filed by Christina Byrd requesting a special use permit at 165 Marshall Terrace (Parcel 20383) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

165 Marshall Terrace is zoned OT-R Old Town Residential. The applicant, Christina Byrd, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E Section C Item 29.

The subject property was built in 1950 and is a single family dwelling and there is on-street parking. A certificate of occupancy inspection has not been completed. The applicant has named a property manager who lives nearby in Chatham, VA. There are existing short-term rentals in compliance on Marshall Terrace, West Main Street, College Avenue, Mt Vernon Avenue, and Virginia Avenue, and neighboring 494 West Main Street and 279 Carolina Avenue are also up for consideration today.

Sixty-nine (69) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, twelve (12) responses were received, nine (9) were opposed and three (3) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00458 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 165 Marshall Terrace (Parcel 20383).

ATTACHMENTS

1. Application
2. 165 Marshall Ter Aerials
3. 165 Marshall Ter Owners
4. 165 Marshall Ter 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 #: _____ PC Meeting Date: _____

Date Received: _____ Received By: _____

Parcel ID: _____ Address: _____

Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 165 Marshall Terrace Danville, VA 24541

Applicant: Christina Byrd

Applicant's Address: 1241 Bethel Road Charlotte, NC 28208

Applicant's Phone Number: 434.709.6736

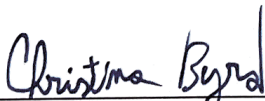
Applicant's E-mail: Chris.joy.byrd@gmail.com

Describe Proposed Request: _____

We hope to make this home a short-term rental via Airbnb. My daughter's dad still lives in Danville still and she/I will be returning to visit periodically, so a short-term rental option lends itself to that situation. The home is conveniently located halfway between the casino site and downtown Danville. There is space for 2 cars to park in the driveway to the right side of the home for guests so parking won't be an issue. The back porch/deck has been replaced, the interior freshly painted and new central HVAC installed all in the past 12 months to prepare for this venture. I live in Charlotte, NC currently and will return often to maintain the property.

Thank you for your consideration,

Christina Byrd



Applicant Signature

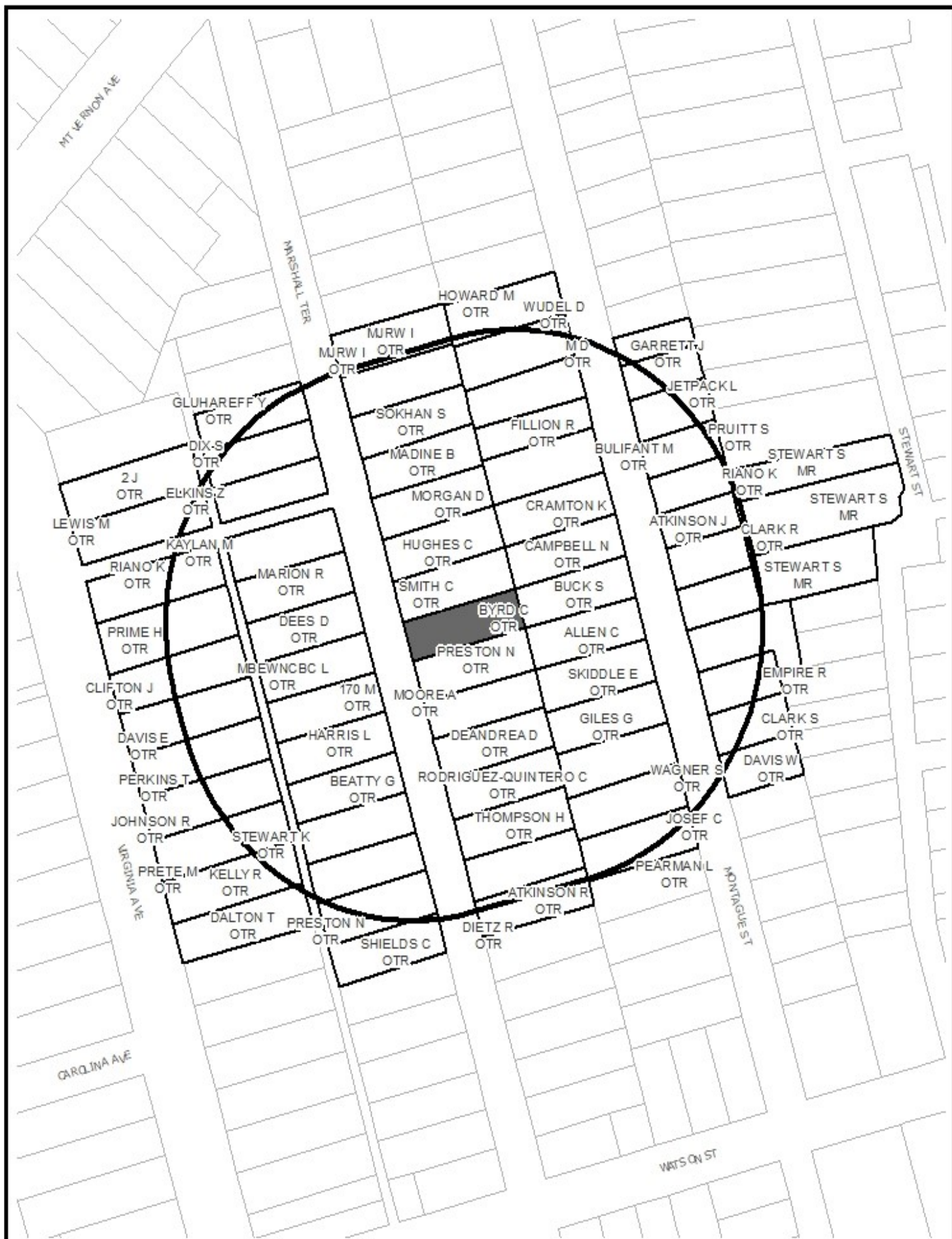
11.9.23

date

Property Owner Signature
(if not applicant)

date





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/21/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/21/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00461 filed by Benjamin Moomaw requesting a Special Use Permit at 200 Robertson Avenue (Parcel 21474) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

200 Robertson Avenue is zoned OT-R Old Town Residential. The applicant, Benjamin Moomaw, 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 1940 and is a single family dwelling. There is on-street parking. A certificate of occupancy inspection has not been completed. The applicant has named a property manager who lives nearby in Chatham, VA. There are existing short-term rentals in compliance on Canterbury Street and West Main Street, and nearby 303 Randolph Street is also up for consideration today.

Forty-two (42) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, fourteen (14) responses were received, seven (7) were opposed and seven (7) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00461 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 200 Robertson Avenue (Parcel 21474).

ATTACHMENTS

1. Application
2. 200 Robertson_AERIALS
3. 200 Robertson Owners
4. 200 Robertson _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 23-00461 PC Meeting Date: 12-11-23
Date Received: 11-13-23 Received By: LISA JONES
Parcel ID: 21474 Address: 200 Robertson Ave.
Existing Zoning: OTR Future Land Use: Short-Term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 200 ROBERTSON AVE

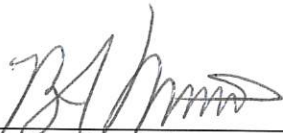
Applicant: Benjamin F. Modman III

Applicant's Address: 236 IRVINGTON SPRING RD LYNCHBURG 24503

Applicant's Phone Number: 434-382-9949

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

Describe Proposed Request: see attached documentation


Applicant Signature

11-7-2023
date

Property Owner Signature
(if not applicant) date

Application for Special Use Permit

Address of Property: 200 Robertson Avenue, Danville

The purpose of the special use permit for this property is to get into compliance with current Danville short term rental requirements. We fulfilled the requirements to short-term rent this property when we purchased it in late 2021. We have short-term rented it fulltime since then. I understand that now, fulltime short term rentals require a special use permit in addition to the zoning variance and business license.

As the property is an existing residence, there is no preliminary site plan. The proposed use is for a full time short term rental with no change to the house or the lot.

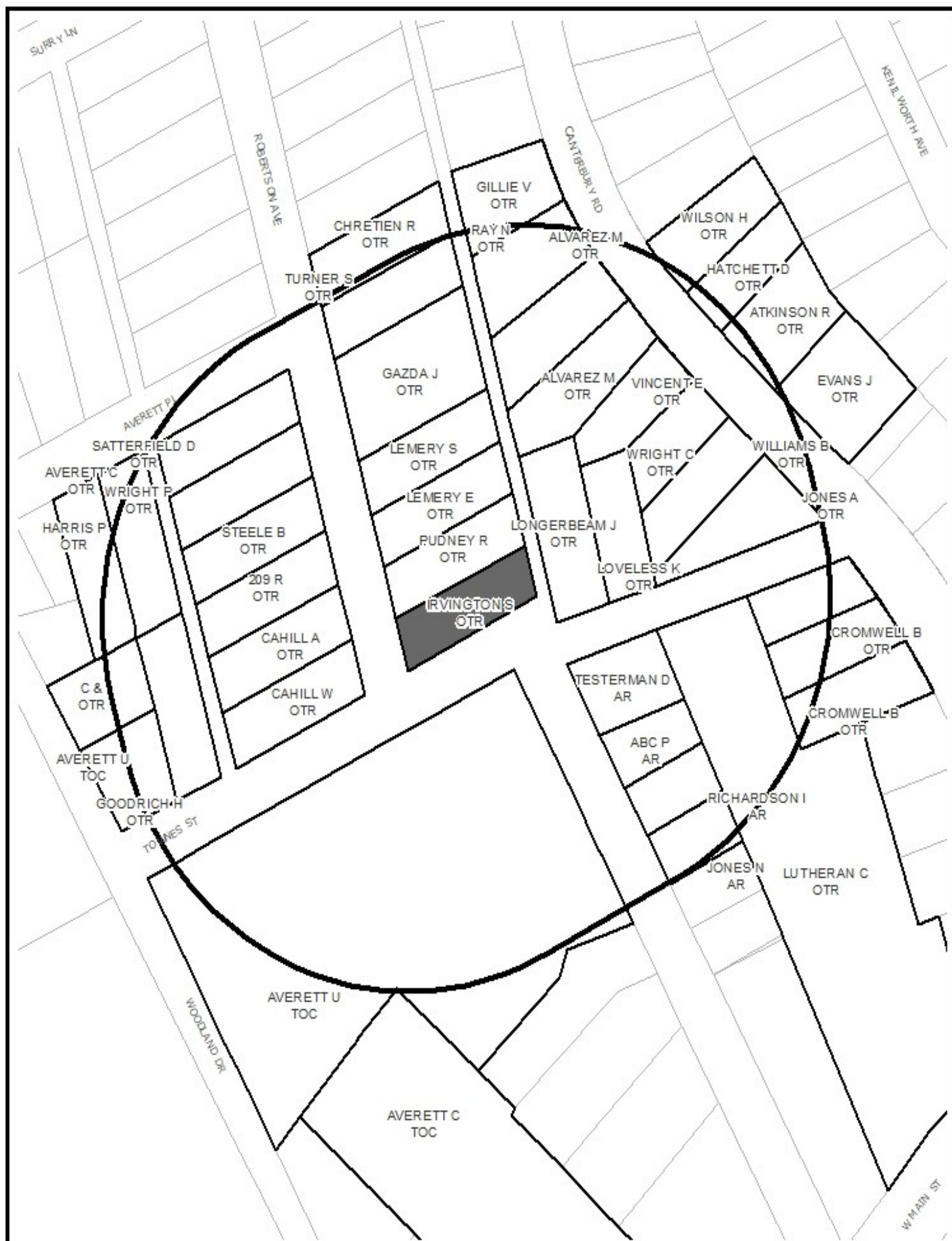
The proposed use will not change parking or traffic patterns in the neighborhood. (We added off-street parking to the property when we purchased it.) Nothing will change with regard to the rental mechanisms and number of people staying in the house at any one time. It will continue to be listed on Airbnb and VRBO.

If you have any questions or need any additional information, please call me.

Thanks,

Ben Moomaw



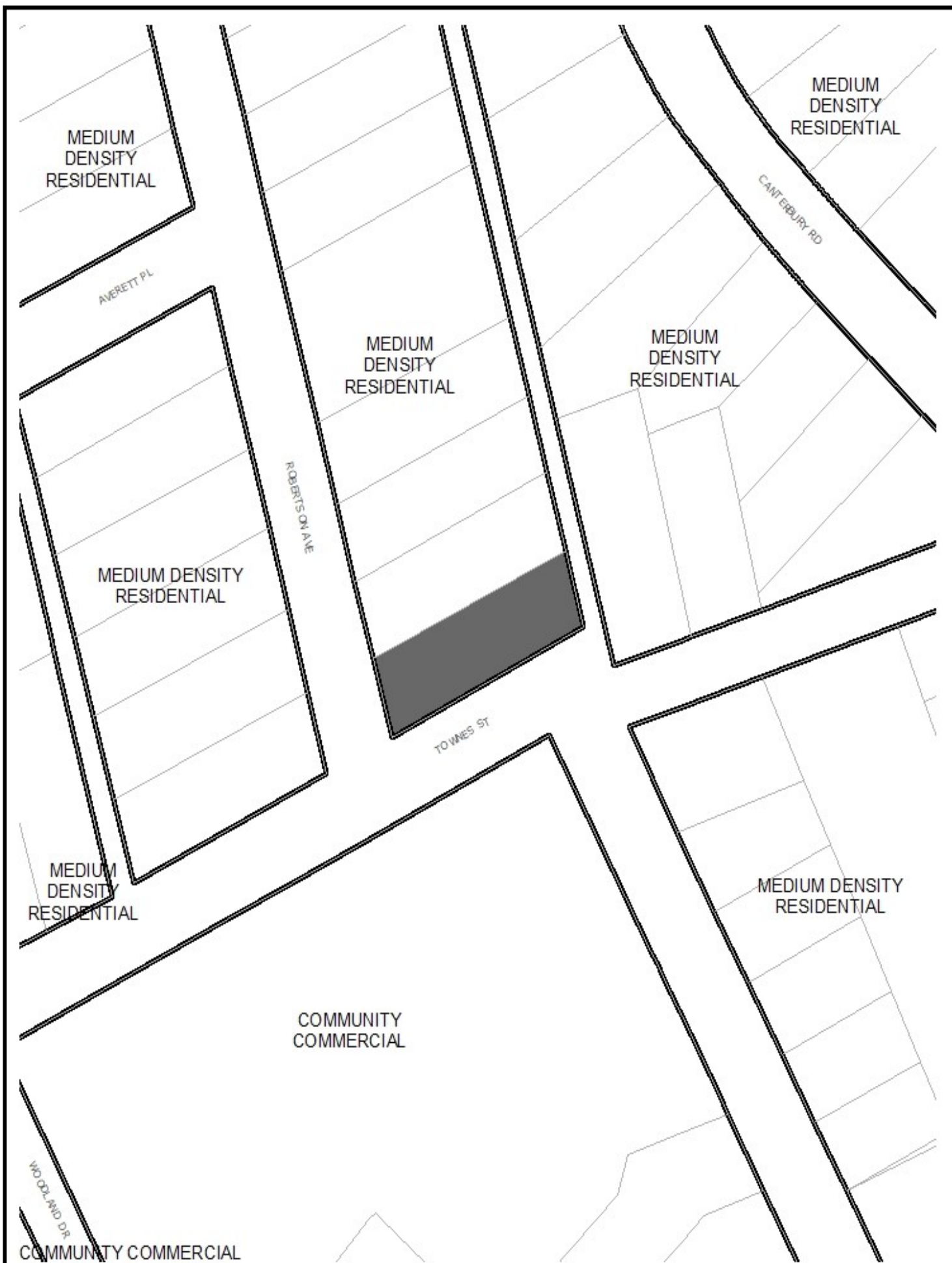


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/21/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00466 filed by William Cassell requesting a Special Use Permit at 118 Laramie Circle (Parcel 50988) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

118 Laramie Circle is zoned OT-R Old Town Residential. The applicant, William Cassell, 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 1963 and is a single family dwelling. There is a private driveway on the property as well as on-street parking. At the time of this report, the property has not passed a certificate of occupancy inspection. The applicant will act as property manager and lives nearby in Ringgold, VA. Neighboring 143 Kirkwood Drive and 326 Withers Circle are also on the agenda for consideration today.

Forty-six (46) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, six (6) responses were received, two (2) was opposed and four (4) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00466 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 118 Laramie Circle (Parcel 50988).

ATTACHMENTS

1. Application
2. 118 Laramie Cir_AERIALS
3. 118 Laramie_OWNERS
4. 118 Laramie cir_LANDUSE



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee of \$360.
2. If the request for a special use permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.
3. The application shall include the following information:
 - a. A preliminary site plan in accordance with the Site Plan Regulations.
 - b. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - c. A written statement of proposed project compatibility with the following:
 - (1.) The Comprehensive Plan.
 - (2.) The applicable zoning district.
 - (3.) The surrounding properties.
 - (4.) Current and future neighborhood conditions.
 - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site.
 - (6.) Adequate public facilities.
 - d. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 - (1.) The architectural elevations and floor plans of proposed building(s).
 - (2.) Traffic impact analysis.
 - (3.) Fiscal impact analysis.
 - (4.) Parking and site circulation analysis.
 - (5.) Photographs of property and surrounding area.
 - (6.) Environmental impact statement.

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ23-00466 PC Meeting Date: 12-11-23
Date Received: 11-13-23 Received By: Lisa Jones
Parcel ID: 50988 Address: 118 Laramie Circle
Existing Zoning OTR Future Land Use: Short-Term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 118 Karamie Circle, Danville, VA 24541

Applicant: William Cassell

Applicant's Address: 231 Ponderosa Dr. Ringgold, VA 24586

Applicant's Phone Number: 434-250-6721

Applicant's E-mail: Cassell.ringgold@gmail.com

Describe Proposed Request: Owner's would like to start short term rental through Airbnb

William Cassell

Applicant Signature

11-13-23

date

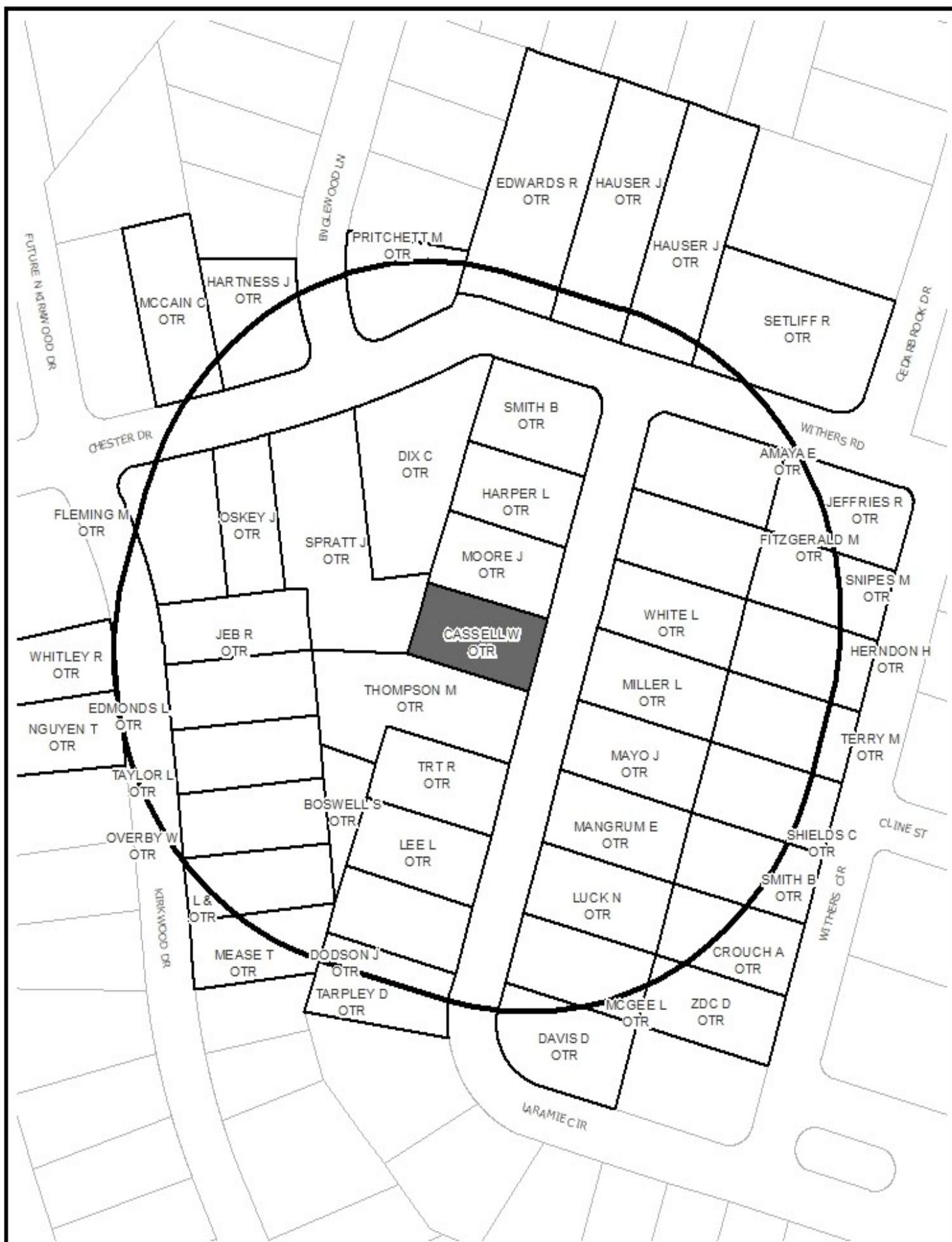
Sharon Cassell

Property Owner Signature
(if not applicant)

11-13-23

date





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00404 filed by Garrett Shifflett, requesting a special use permit at 618 Craghead Street (Parcel 21749) to request waiver of maximum density in accordance with Article 3.L Section C Item 13.

SUMMARY

618 Craghead Street is an adaptive reuse project of an existing 68,000 square foot historic structure located in the Tobacco Warehouse Commercial District and the River District. The adaptive reuse provides a fully occupied structure of 88 units of one, two and three-bedroom apartments within the original building footprint.

The density of this project exceeds the maximum allowed within the TW-C zoning classification. TW-C allows for a maximum of 24 units per acre (Article 3.L. Section C. Item 13).

In 2020, the applicant applied for and received a Special Use Permit to waive the maximum density for Parcel ID 21748. Parcel ID 21748 contained both 618 Craghead Street and 601 Lynn Street at the time of the application. The Special Use Permit was approved with the following conditions:

1. The development is limited to 88 residential units and a 1,100 square foot commercial space for a residential density of 57 units per acre.
2. The development's parking program includes off-site parking on public surface lots and streets, including ADA-compliant parking on Deboe Street; and
3. The development provides not less than six (6) bicycle parking spaces.

Upon completion of the project, Parcel ID 21748 was subdivided. 601 Lynn Street became Parcel ID 21748 and 618 Craghead Street became Parcel ID 21749. The Special Use Permit remained with Parcel ID 21748, 601 Lynn Street. Therefore, the project at 618 Craghead Street, Parcel ID 21749 was no longer in compliance with the Zoning Code. Approval of PZ23-00404 will correct this error and the density of the project at 618 Craghead Street, Parcel ID 21749, will be in compliance with the Zoning Code.

Sixteen (16) 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, all were unopposed.

RECOMMENDATION

Planning staff recommends that the Planning Commission approve PZ23-00404 with the following conditions:

1. The development is limited to 88 residential units.
2. The development's parking program includes off-stie parking on public surface lots and streets, including ADA compliant parking on Deboe Street; and
3. The development provides no less than six (6) bicycle parking spaces.

ATTACHMENTS

1. Application
2. Supporting Docs
3. Supporting Docs 2
4. 618 Craghead Aerials
5. 618 Craghead Owners
6. 618 Craghead 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 #: PZ23-00404 PC Meeting Date: Dec 11
Date Received: 10/25 Received By: _____
Parcel ID: 21749 Address: 618 Craghead St
Existing Zoning TW-C Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 618 Craghead Street (Parcel # 21749)

Applicant: Garrett Shifflett

Applicant's Address: 1630 Pope Avenue, Richmond, VA 23227

Applicant's Phone Number: 804.399.9921

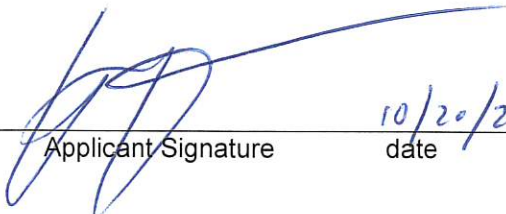
Applicant's E-mail: garrettshifflett@gmail.com

Describe Proposed Request: 88 apartment units, applicant requests specific relief from any

and all density and parking requirements. This application is to correct a previously approved

application as the incorrect parcel number was used. The parcels were subdivided after the previous

application was approved and the parcel number was changed.


Applicant Signature 10/20/2003
date

Same
Property Owner Signature date
(if not applicant)

Special Use Permit Application
618 Craghead Street (Parcel # 21749)

Project Description

This project is an adaptive reuse of an existing 68,000 square foot historic warehouse building into 88 one, two and three bedroom apartments. The existing footprint of the building will be utilized. The multifamily use proposed is consistent with the City of Danville's Comprehensive Plan. This building has been renovated and is a fully occupied building. This application is to correct the previously approved application which stated the incorrect parcel number. The property was subdivided after the past approved application. As such the renovated building was given a new parcel number that did not match that on the previous application. We are asking, with this application, that that be corrected.

PROPERTY IDENTIFICATION No.
21749

618 Craghead LLC
Commitment Number: SHTC23-956
Schedule B-Part II
Exceptions:

CORRESPONDING TO SCHEDULE B, PART II, SPECIAL EXCEPTIONS, AS SHOWN IN THE COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY
Commitment No. SHTC23-956, Effective August 1, 2023 at 8:00 A.M.

7. Easement: Granted unto the City of Danville, Virginia dated April 7, 1987, recorded April 10, 1987, in Deed Book 751, Page 429. Grants easement for water main, access for City work crews and emergency vehicles, and appurtenances thereto, at 20' designated and undesignated locations, with rights of ingress, egress and clearance.
AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON.

8. Deed of correction dated November 16, 2007, recorded November 20, 2007 as Instrument No. 070005554. Grants easement for eight (8) contiguous parking spaces and appurtenances thereto, at designated and undesignated locations, with rights of ingress, egress and clearance.

DOES NOT AFFECT SUBJECT PROPERTY. PROPERTIES DESCRIBED IN DEED OF CORRECTION ARE LOCATED 2 BLOCKS NORTH AND 1 BLOCK EAST OF SUBJECT PROPERTY, AT THE CORNER OF WILSON STREET AND BRIDGE STREET.

9. Terms and conditions in Easement Agreement dated November 11, 2014, recorded November 13, 2014, as Instrument No. 14-0004149.

"ALLEY EASEMENT" AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON. GRASS EASEMENT DOES NOT AFFECT SUBJECT PROPERTY; IT LIES ABOUT 85 FEET NORTHEAST OF SUBJECT PROPERTY.

10. Easement: Granted unto the City of Danville, Virginia dated April 24, 2015, recorded June 3, 2015, as Instrument No. 150001024. Grants easement for distribution utility facilities and appurtenances thereto, at 10' designated and undesignated locations, with rights of ingress, egress and clearance.

PERMANENT 10' UTILITY EASEMENT AND RIGHT-OF-WAY FOR DISTRIBUTION UTILITIES AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON.

11. Terms and conditions of Lease as evidenced by Memorandum of Lease by and between 618 Craghead LLC, a Virginia limited liability company, Landlord, and 618 Craghead MT LLC, a Virginia limited liability company, Tenant, dated April 16, 2021, and recorded April 16, 2021, in the Clerk's Office, Circuit Court, Danville, Virginia as Instrument No. 21-0001724.

TERMS AND CONDITIONS CONTAINED IN MEMORANDUM OF LEASE ARE NOT MATTERS OF SURVEY. LEASE DOES ADDRESS SUBJECT PROPERTY IN EXHIBIT A.

12. Plat made by Shanks Associates, P.C., dated December 1, 2020, entitled "Plat of survey of DAVIS STORAGE PROPERTIES LLC Creating Lot 1 and Lot 2 Being the Resubdivision of Two Lots Lying Along the Southern Margin of Craghead Street and the northern margin of Lynn Street Between an Alley Formerly Known as Shelton (or Sutherland) Street and Deboe Street Also Known as Property Identification Numbers 21748 & 21749, Danville, Virginia," recorded as Instrument No. 21-0000086 shows the following:

a) down spouts, elevated walkways, smokestack, coal storage, railroad spur, and concrete cover.
AFFECTS SUBJECT PROPERTY AND ARE SHOWN HEREON. ROOF DOWN SPOUTS ALONG CRAGHEAD STREET, SMOKESTACK, COAL STORAGE AREA, RAILROAD SPURS, AND CONCRETE COVER, ARE ALL PARTIALLY OR ENTIRELY ON LOT 1 ARE SHOWN. ELEVATED WALKWAYS ARE GONE, COAL STORAGE AREA AND SECTION OF RAILROAD RAILS HAVE BEEN INCORPORATED AS AN EXHIBIT.

b) overhead power lines and power pole
AFFECTS SUBJECT PROPERTY AND THOSE REMAINING ARE SHOWN HEREON.

c) paved alley, exhaust vent, and water line
AFFECTS SUBJECT PROPERTY AND ARE SHOWN HEREON. PART OF PAVED ALLEY AND WATERLINE CROSS LOT 1. EXHAUST VENT DOES NOT AFFECT SUBJECT PROPERTY.

d) concrete surface loading dock and raised dock
AFFECTS SUBJECT PROPERTY AND ARE SHOWN HEREON. EDGE OF CONCRETE LOADING DOCK RUNS GENERALLY ALONG PROPERTY LINE BETWEEN LOT 1 AND LOT 2. CONCRETE SURFACE LOADING DOCK AND RAISED DOCK ARE ENTIRELY ON LOT 2.

e) dumpster pad crosses boundary line and into alley on northern boundary line
AFFECTS SUBJECT PROPERTY AND ARE SHOWN HEREON.

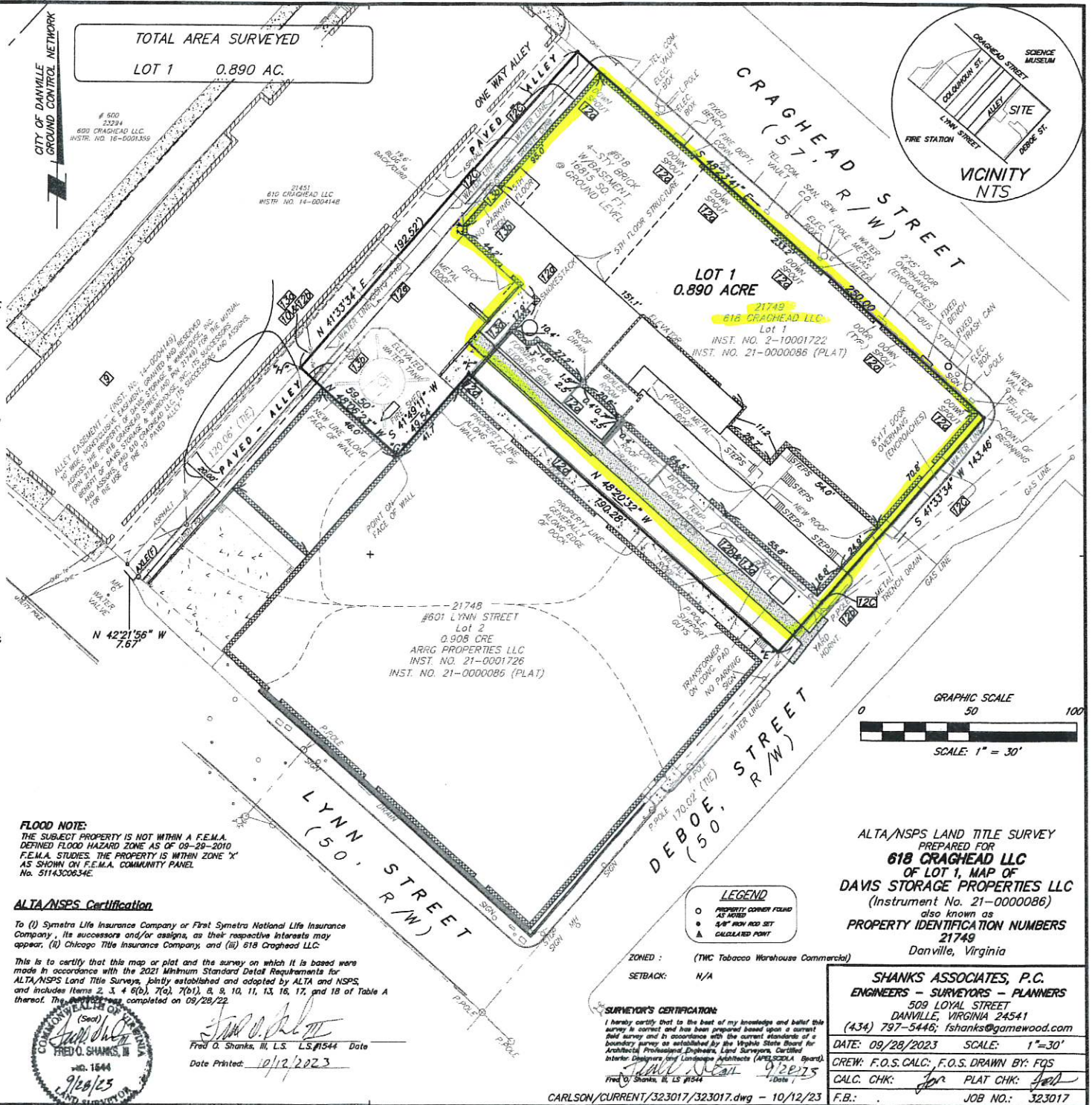
f) Survey made by Shanks Associates, P.C., dated March 12, 2021, entitled "ALTA/NSPS Land Title Survey Prepared for 618 Craghead LLC of Lot 1, David Storage Properties LLC (Instrument No. 21-0000086) also known as Property Identification Numbers 21748, Danville, Virginia," shows the following:

Lot 1 (#21749)

a) railroad spur, overhead utility lines, concrete ditch, power pole, and pit
b) dog waste container and signs
c) elevated walkway crossing from Lot 1 to Lot 2
d) fences do not conform to property lines
AFFECTS SUBJECT PROPERTY AND ARE SHOWN HEREON. ELEVATED WALKWAYS HAVE BEEN DEMOLISHED AND REMOVED.

TOTAL AREA SURVEYED

LOT 1 0.890 AC.



FLOOD NOTE:

THE SUBJECT PROPERTY IS NOT WITHIN A F.E.M.A. DEFINED FLOOD HAZARD ZONE AS OF 03-20-2010 F.E.M.A. STUDIES. THE PROPERTY IS WITHIN ZONE 'X' AS SHOWN ON F.E.M.A. COMMUNITY PANEL No. 511430063H.

ALTA/NSPS Certification

To (i) Symetra Life Insurance Company or First Symetra National Life Insurance Company, its successors and/or assigns, as their respective interests may appear, (ii) Chicago Title Insurance Company, and (iii) 618 Craghead LLC.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6(b), 7(a), 7(b), 8, 9, 10, 11, 13, 16, 17, and 18 of Table A thereof. The survey was completed on 09/28/23.



Fred O. Shanks, III, L.S. #1544 Date
Date Printed: 10/12/2023

ZONED: (TWC Tobacco Warehouse Commercial)
SETBACK: N/A

SURVEYOR'S CERTIFICATION

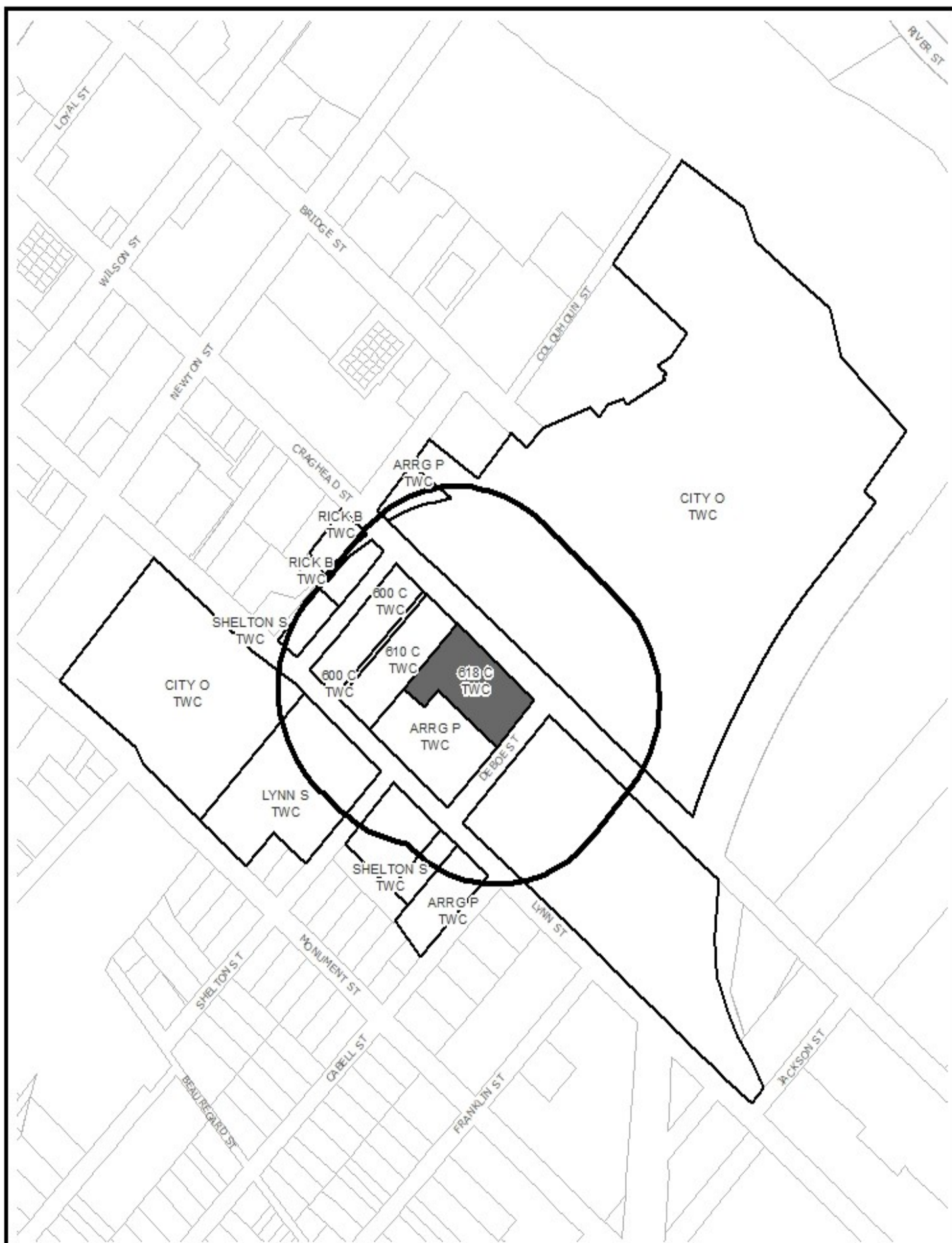
I hereby certify that to the best of my knowledge and belief this survey is correct and has been prepared based upon a current field survey and in accordance with the current standards of a boundary survey as established by the Virginia State Board for Architectural, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APES/CSOLA Board).
Fred O. Shanks, III, L.S. #1544 Date: 9/28/23

CARLSON/CURRENT/323017/323017.dwg - 10/12/23

ALTA/NSPS LAND TITLE SURVEY
PREPARED FOR
618 CRAGHEAD LLC
OF LOT 1, MAP OF
DAVIS STORAGE PROPERTIES LLC
(Instrument No. 21-0000086)
also known as
PROPERTY IDENTIFICATION NUMBERS
21749
Danville, Virginia

SHANKS ASSOCIATES, P.C.
ENGINEERS - SURVEYORS - PLANNERS
509 LOYAL STREET
DANVILLE, VIRGINIA 24541
(434) 797-5446; fshanks@gamewood.com
DATE: 09/28/2023 SCALE: 1"=30'
CREW: F.O.S. CALC: F.O.S. DRAWN BY: FGS
CALC. CHK: for PLAT CHK: for
F.B.: JOB NO.: 323017



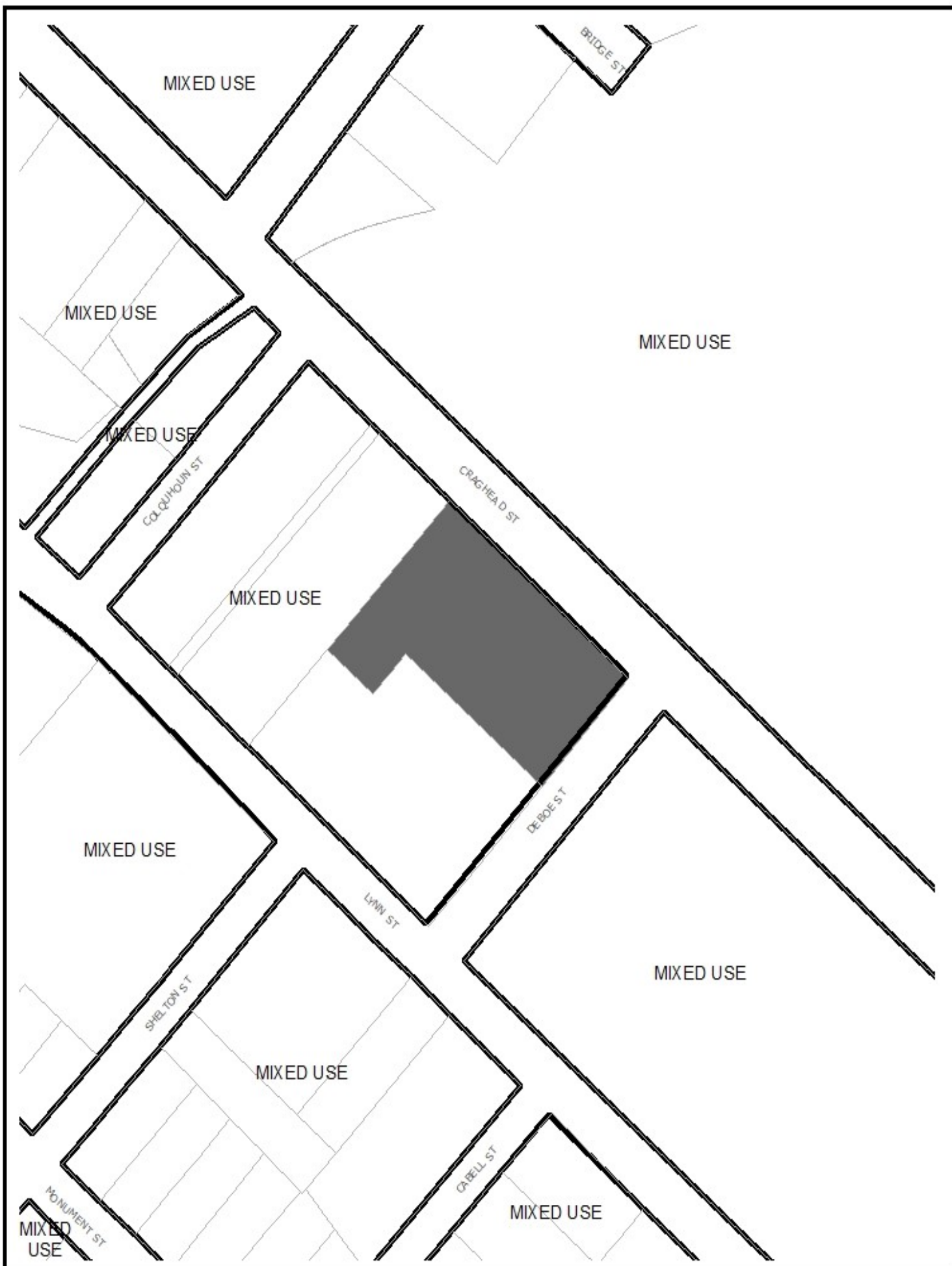


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/17/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/17/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning application PZ23-00449 filed by Lindsey Wagstaff III and Leslie McKay, requesting to rezone Parcels 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 on South Boston Road from N-C Neighborhood Commercial to HR-C Highway Retail Commercial.

SUMMARY

The applicants, Lindsey Wagstaff III and Leslie McKay, are requesting to rezone parcels 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 (total of 2.39 acres) located on South Boston Road. The parcels are vacant and undeveloped. The applicants are requesting to rezone to HR-C, Highway Retail Commercial with the intent of putting them on the market for purchase.

The subject parcels are located in Planning Area 9 of the Comprehensive Plan and are surrounded by S-R, Suburban Residential zoning to the north and west, N-C, Neighborhood Commercial zoning to the east and HR-C, Highway Retail Commercial zoning to the south.

The properties to the south are developed with a gas station, retail store and a fast food restaurant; the properties to the north and east are developed with single family residential development; and the properties to the west are undeveloped.

Rezoning to HR-C, Highway Retail Commercial is compatible with the existing development on South Boston Road and the Comprehensive Plan. Development will require buffers between the commercial uses and the existing residential uses.

Twenty-nine (29) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, twenty-four (24) responses were received, five (5) were opposed, nineteen (19) were unopposed.

RECOMMENDATION

Planning staff recommends that the City Planning Commission recommend approval of PZ23-00449 to rezone parcels 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial. This rezoning request is compatible with the Comprehensive Plan and surrounding development.

ATTACHMENTS

1. Application
2. South Boston Rd_AERIALS
3. South Boston Rd_OWNERS
4. South Boston_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 #: PZ23-00449 PC Meeting Date: Dec 11
Date Received: 11/06 Received By: Williams
Parcel ID: _____ Zoning District: N-C
Existing Zoning: N-C Proposed Zoning: HR-C

APPLICANT PROVIDED INFORMATION

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

Property Address: Parcels on S. Boston Rd Gross Area/Net Area: 2.39 Acres (Gross)

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): Parcels 76526 76527 76528 76529 76530 76531 76532 76533 76534 76535

Applicant: Lidnsey Wagstaff III and Leslie McKay

Applicant's Address: Leslie McKay

Applicant's Phone Number: 919-602-7362

Applicant's E-mail: leslie.wagstaff@yahoo.com

Describe Proposed Request: Rezone to HR-C

Leslie W. McKay 11/8/2023

Applicant Signature

date

Property Owner Signature
(if not applicant)

date

Property Location: N ☒ S ☐ E ☐ W ☐ Side of: US Highway 58 E (S. Boston Rd)

Between: Clover Ln and Crestview Dr

Proffered Conditions (if any, please attach): _____

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

Name: Lindsay Nagitaff II + Leslie McKay Telephone: (336) 598-2531

Mailing Address: 031 Reams Ave, Roxboro NC 27574

Email Address: PirateLTW@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: _____ Telephone: _____

Mailing Address: _____

Email Address: _____

 11/6/2023
Applicant Signature date

Property Owner Signature date
(if not applicant)





YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning Application PZ23-00435 filed by Anthony Haynes, requesting to rezone 3411 Westover Drive (Parcel 71202) from N-C Neighborhood Commercial to S-R Suburban Residential.

SUMMARY

In 2019, Caliper Construction purchased 3411 Westover Drive from American National Bank. The subject property is a single family dwelling that was constructed in 1950. The historic use of the structure is as a single family dwelling and the applicant is requesting that this use continue.

The applicant actively marketed the property for purchase and discovered that the purchase of this property could not be financed as a single family dwelling with a commercial zoning classification. Therefore, the applicant has requested to rezone from the commercial classification of N-C, Neighborhood Commercial to S-R, Suburban Residential.

There are no changes proposed to the property at this time. All permits for construction have been approved.

Fifteen (15) 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. One (1) was opposed and two (2) were unopposed.

RECOMMENDATION

The planning staff recommends that the City Planning Commission recommend approval of rezoning request PZ23-00435 to rezone 3411 Westover Drive from N-C, Neighborhood Commercial to S-r, Suburban Residential. The rezoning request is consistent with the Comprehensive Plan and the surrounding development.

ATTACHMENTS

1. Application
2. 3411 Westover Dr_AERIALS
3. 3411 Westover Dr_OWNERS

4. 3411 Westover_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 #: PZ23-00435 PC Meeting Date: Dec 11
Date Received: 10/30 Received By: S Williams
Parcel ID: 71202 Zoning District: NC
Existing Zoning: NC Proposed Zoning: SR

APPLICANT PROVIDED INFORMATION

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

Property Address: 3411 Westover Dr Gross Area/Net Area: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 3411 Westover

Applicant: Anthony Haynes

Applicant's Address: 321 Grays Park Rd

Applicant's Phone Number: 434-728-1350

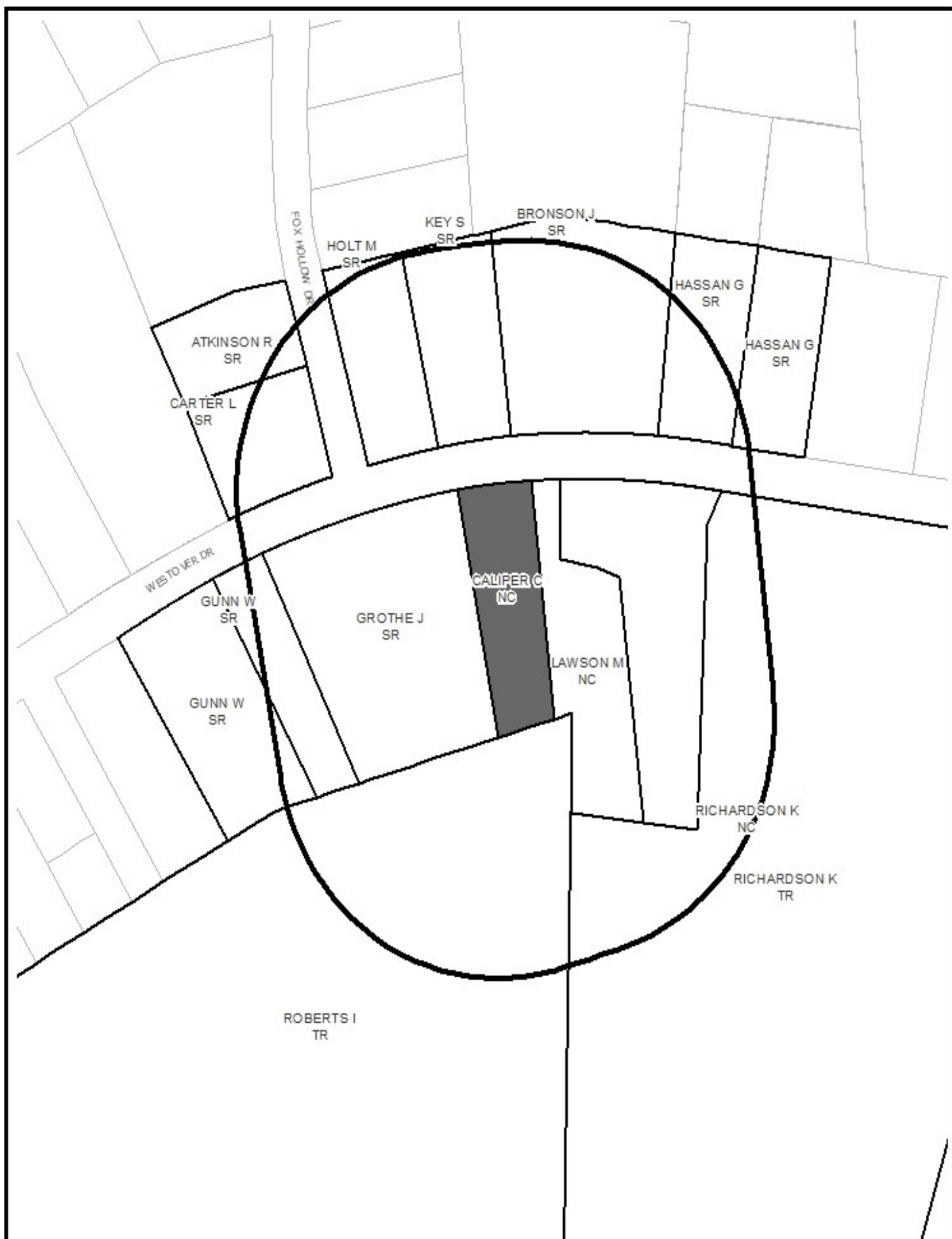
Applicant's E-mail: htcj80@yahoo.com

Describe Proposed Request: Rezone property. Banks dont
want to give loans since house can't be
built back if totaled. Rezone to SR

Anthony Haynes 10-30-23
Applicant Signature date

Anthony Haynes 10-20-23
Property Owner Signature date
(if not applicant)



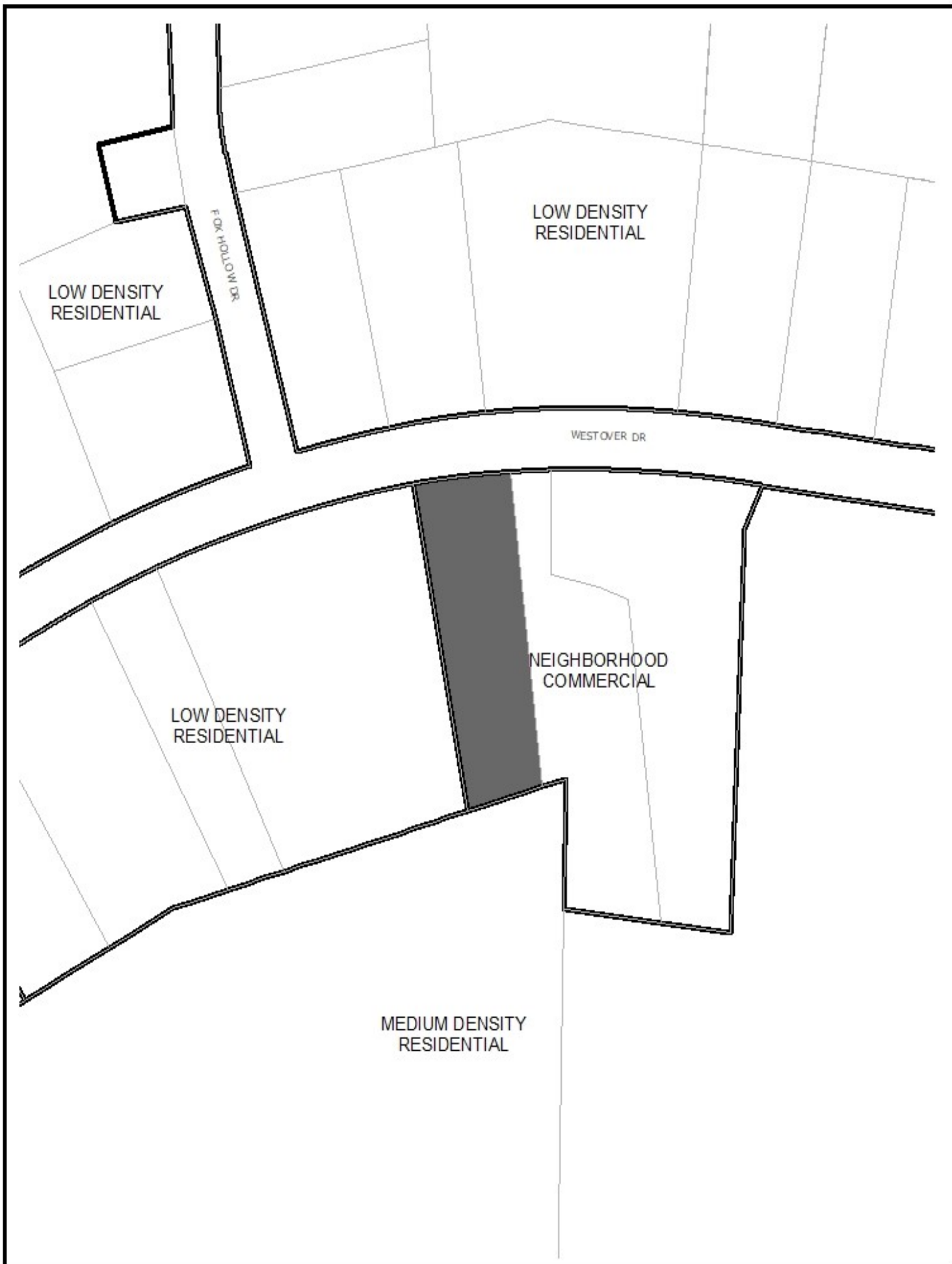


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
12/5/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning Application PZ23-00464 filed by Delabra Osvelio Macedo, requesting to rezone Parcel 73014 from OT-R Old Town Residential to HR-C Highway Retail Commercial.

SUMMARY

The applicant is requesting to rezone the 2.626 acre tract known as Parcel ID #73014. Parcel #73014 is an undeveloped parcel fronting Ash Street that is zoned OT-R, Old Town Residential. The applicant's request is to rezone the parcel from OT-R to HR-C, Highway Retail Commercial to consolidate with 1067 Piney Forest Road.

1067 Piney Forest Road operates as Captain Cook's Restaurant. The success of the operation has created the necessity of a parking lot expansion. The applicant has requested approval to expand the parking lot to the rear of the restaurant, utilizing Parcel ID #73014.

Zoning classifications must match to consolidate parcels, therefore the applicant has submitted rezoning request PZ23-00464.

After rezoning approval, Parcel ID #73014 will be consolidated with 1067 Piney Forest Road (Parcel ID 58249). The applicant has provided a drawing for the parking lot extension that meets Zoning requirements.

Thirty-one (31) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, eleven (11) responses were received, three (3) were opposed and eight (8) were unopposed.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of rezoning request PZ23-00464 to rezone Parcel ID #73014 from OT-R, Old Town Residential to HR-C, Highway Retail Commercial.

ATTACHMENTS

1. Application
2. 73014_AERIALS

3. 73014_OWNERS
4. 73014_LANDUSE

November 9, 2023

City of Danville
Community Development
Planning Division

Planning Commission
Rezoning Application
Planning Division Provided Information

Article 4. Section B. Application Requirements for Rezoning

This request is to rezone City of Danville Parcel ID# 73014 from OT-R to HR-C. The property is proposed to be used as an overflow/employee parking lot with 24 proposed spaces for the existing Captain Cook restaurant. A site plan and erosion control plan for the employee parking lot has been designed and submitted to the city for review and approval.

- The owner anticipates approximately 20 employees to use this lot daily. The existing restaurants hours of operation are 11 a.m. until 9 p.m., 6 days a week (closed Monday).
- Total existing building square footage is 5,099 +/- . Required parking spaces per Article 8 Section G is 70 spaces. Provided spaces = 24 proposed + 70 existing = 94 total spaces.
- Surrounding properties are city right-of-way and properties zoned HR-C.
- Access to the new parking lot would be through the existing Captain Cook parking lot. No new entrances are proposed at this time.



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 #: P223-00464 PC Meeting Date: 12-11-23
Date Received: 11-13-23 Received By: LISA JONES
Parcel ID: 73014 Zoning District: OLD TOWN RESIDENTIAL
Existing Zoning: OT-R Proposed Zoning: HR-C

APPLICANT PROVIDED INFORMATION

Exact legal description of property (Attach if insufficient space). 2.626 AC PT NOS 4-8 ASH ST
Property Address: 000 ASH ST Gross Area/Net Area: 2.625 AC

Property Location: N ☒ S ☐ E ☐ W ☐ Side of: ASH STREET

Between: PINEY FOREST ROAD and ROCKY LANE

Proffered Conditions (if any, please attach): N/A

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

Name: DELABRA OSVELIO MACEDO Telephone: (336) 268-0659

Mailing Address: 1327 HARRISON CROSSROAD LOOP, REIDSVILLE, NC 27320

Email Address: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: _____ Telephone: _____

Mailing Address: _____

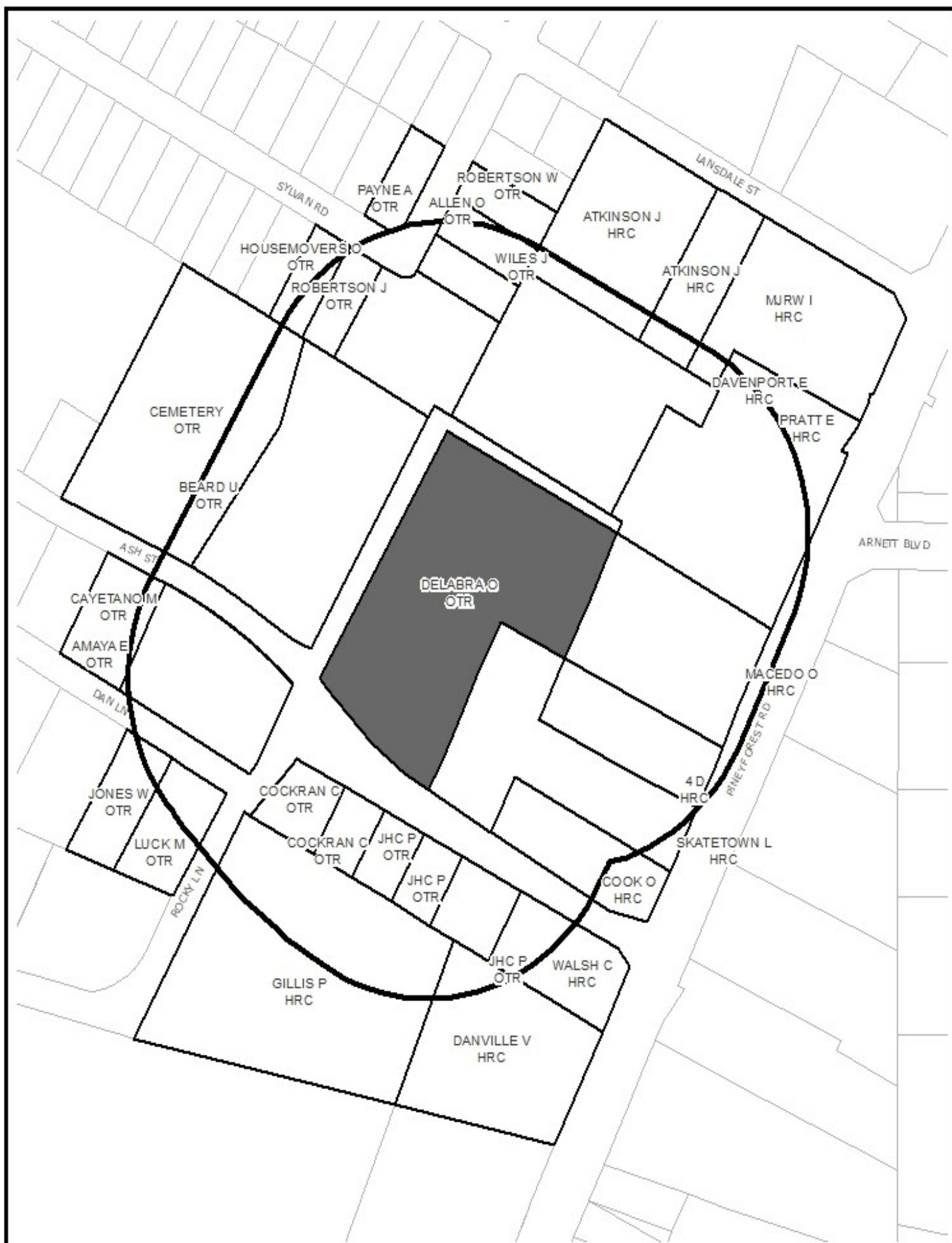
Email Address: _____

Applicant Signature date

Osvelio Macedo 11/18/12
Property Owner Signature date
(if not applicant)

osveliomacedo@gmail.com



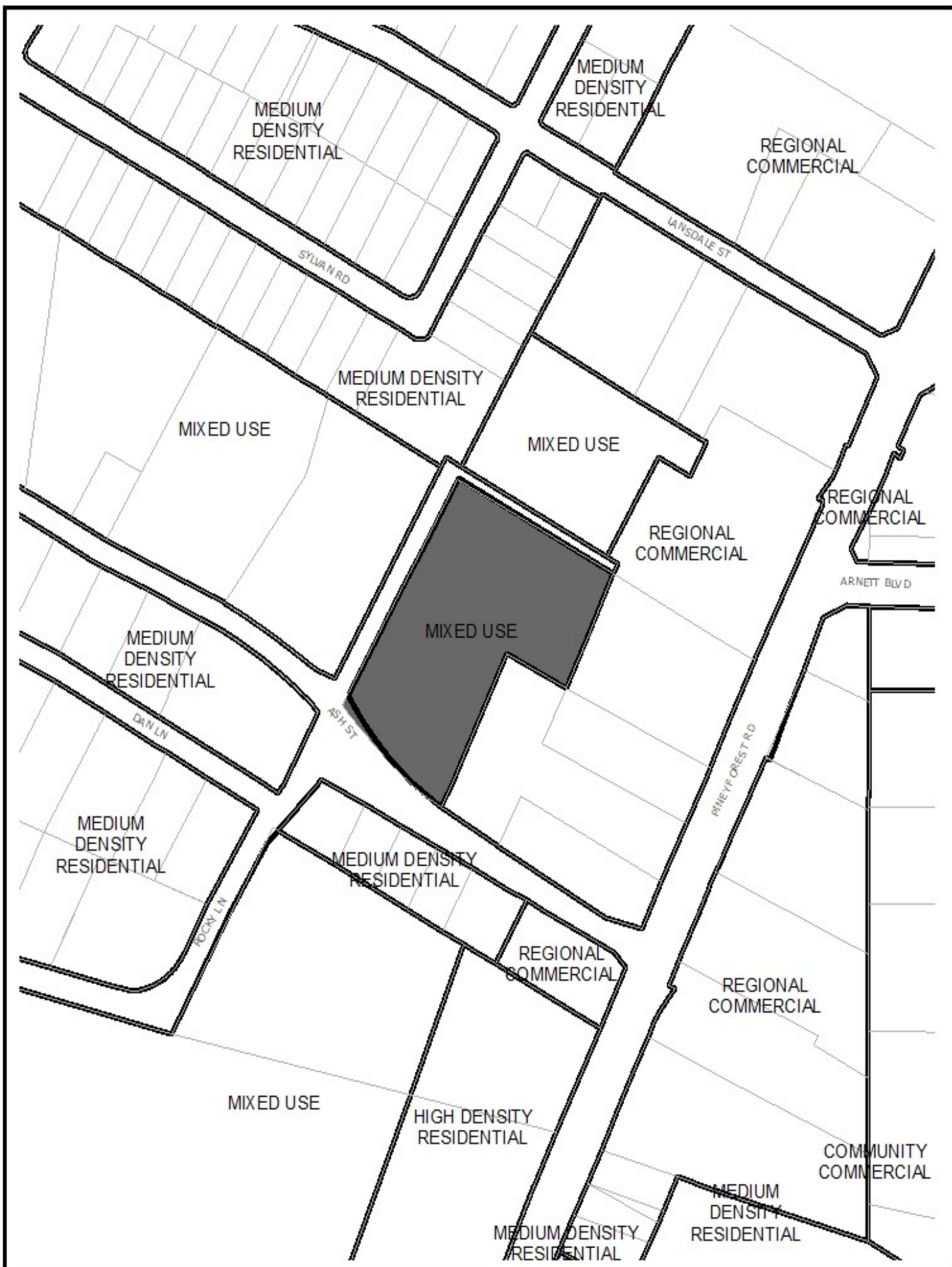


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
12/5/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00465 filed by Powers Signs requesting a special use permit at 540 Central Boulevard (Parcel 26372) to allow a waiver to maximum sign area in accordance with Article 3.I Section C Item 25.

SUMMARY

The applicant, Powers Signs, Inc., is requesting a Special Use Permit to waive the maximum sign area in accordance with 3.I Section C. Item 25 of the Zoning Code at Sacred Heart Catholic Church and School, 540 Central Boulevard (Parcel ID 26372). The existing sign, located in the City r-o-w, was allowed by agreement dated August 2002. The sign is approximately nine feet (9') tall and has a message area of 25 sf. The right-of-way use agreement requires that the sign meets the zoning requirements of the parcel it is adjacent to and advertising. The applicant is requesting that this sign be removed and replaced by a larger sign.

540 Central Boulevard is zoned TO-C, Transitional Office Commercial. The TO-C zoning classification allows for a ground sign with a maximum 32sf in message area, 44sf of architectural elements and 10' in height.

Powers Signs, Inc. has proposed a brick ground sign that is designed to mimic the main entrance of the structure with an attached LED display area of 27sf. Overall, the proposed sign has 168.3 sf of architectural elements, a message area of 43.3 sf and a total height of 19.5'.

The proposed sign does not meet the regulations for the TO-C zoning classification. A Special Use Permit for a waiver of the maximum sign area is necessary to install the proposed ground sign. A new r-o-w use agreement will also be necessary to place the new sign in the existing location.

Staff does not support the application for a waiver of the maximum sign area as submitted. The architectural elements proposed far exceed the maximum square footage of architectural elements allowed in any zoning classification. Staff recommends that the size of the sign be reduced to a maximum of 15' measured at Central Boulevard and the scale of the sign be reduced accordingly. This alteration would lower the square footage of architectural elements

to an amount acceptable in other zoning classifications.

Forty-one (41) 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, one was opposed and four (4) were unopposed.

RECOMMENDATION

Planning Staff recommends that Planning Commission recommend approval of PZ23-00465 with the condition that the maximum height of the sign as measured at Central Boulevard does not exceed 15'.

ATTACHMENTS

1. Application
2. 540 Central Blvd_AERIALS
3. 540 Central Blvd_OWNERS
4. 540 Central Blvd_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 #: P223-00465 PC Meeting Date: 12-11-23
Date Received: 11-13-23 Received By: Lisa Jones
Parcel ID: 26372 Address: 538-540 Central Blvd.
Existing Zoning: TOC Future Land Use: TOC

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 538-540 CENTRAL BLVD ID# 26372

Applicant: TOM POWERS SR POWERS SIGNS

Applicant's Address: 807 INDUSTRIAL AVE DANVILLE, VA 24541

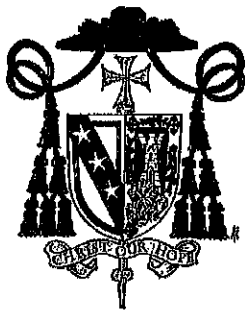
Applicant's Phone Number: 434-793-6351

Applicant's E-mail: SR@POWERSSIGNS.COM

Describe Proposed Request: REPLACE THE EXISTING GROUND SIGN AT
SACRED HEART CHURCH WITH A SIGN THAT
EXCEEDS THE ALLOWED SIZE OF 32 SQ FT.
TEXT 16.3 SQ FT, LED 27 SQ FT, TOTAL SQ FT 43.30.
ARCH. ELEMENT 168.3 SQ FT.

Tom Powers 11-2-2023
Applicant Signature date

Property Owner Signature date
(if not applicant)



Diocese of Richmond

Office of the Bishop

November 8, 2023

Very Rev. Anthony Senyah, V.F.
Sacred Heart Catholic Church and School
538 Central Blvd.
Danville, VA 24541

Dear Fr. Senyah,

I would like to express my gratitude to you, Mr. Matthew Weatherford, and Ms. Mary Foley for your presentation via Zoom to the Building and Renovation Committee (BARC) on Thursday, October 5, 2023.

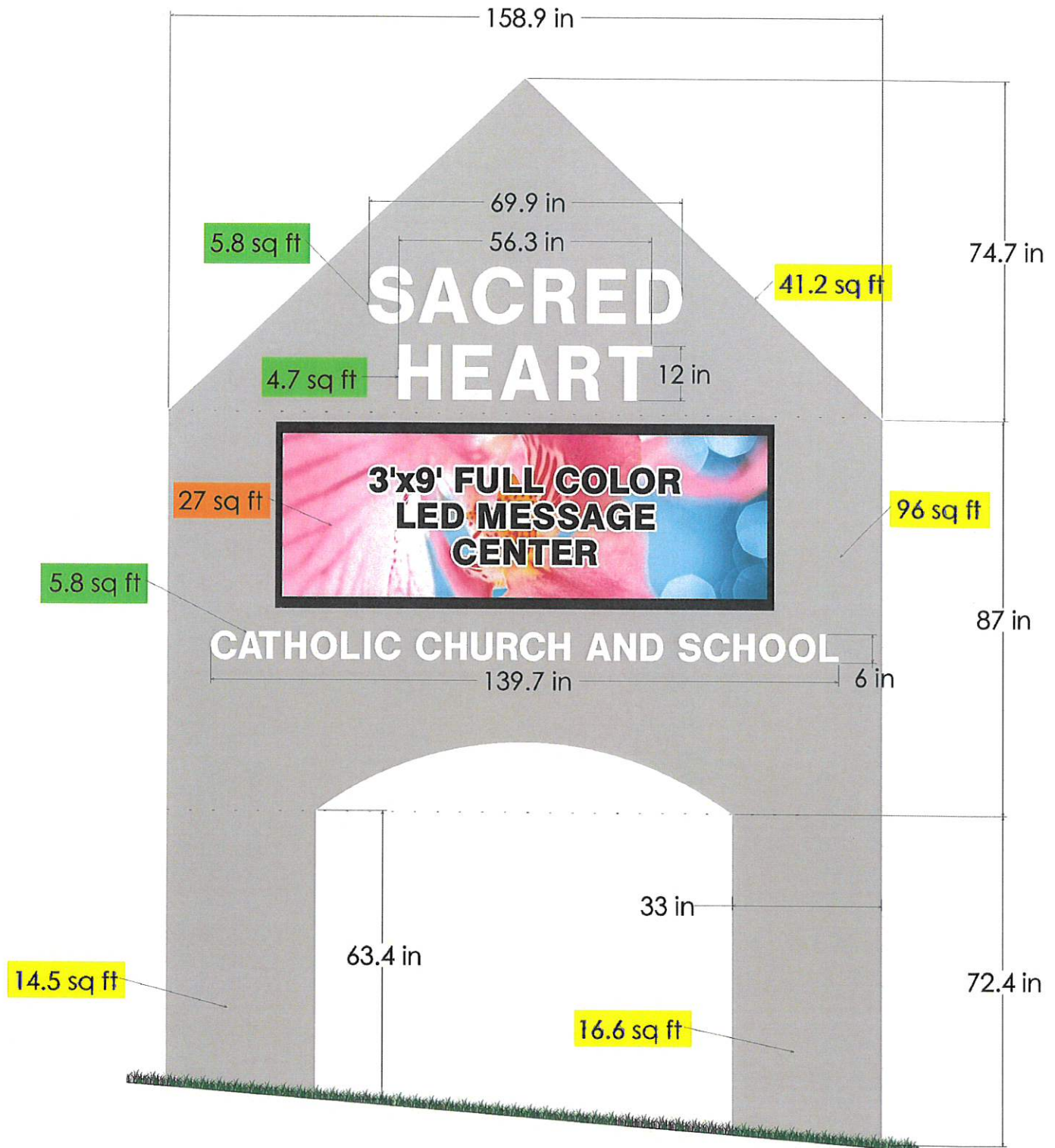
I understand that you presented the new digital sign and roof renovations at Sacred Heart School and parish. Thank you for your due diligence on both projects. I approve these two projects to move forward as presented.

With every best wish, I remain

Sincerely in Christ,

Most Reverend Barry C. Knestout
Bishop of Richmond

cc: Very Rev. Michael G. Boehling, Vicar General and Moderator of the Curia
Rev. Robert J Cole, Chairman of the Diocesan Building and Renovation Committee
Mike McGee, Chief Financial Officer
Mrs. Sarah W. Rabin, Director of Finance
Dr. Jennifer Bigelow, Superintendent of Catholic Schools



LEGEND

- ARCH. ELEMENTS - 168.3 sq ft
- TEXT - 16.3 sq ft
- LED - 27 sq ft

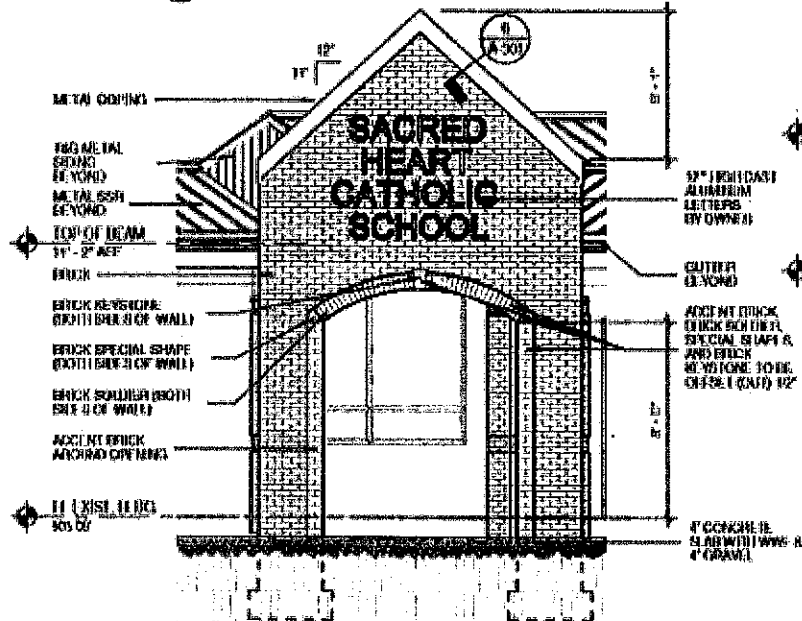
SACRED HEART

**3'x9' FULL COLOR
LED MESSAGE
CENTER**

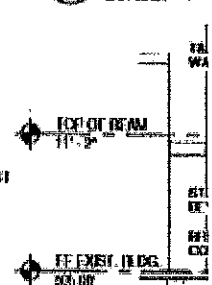
CATHOLIC CHURCH AND SCHOOL



①



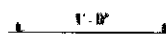
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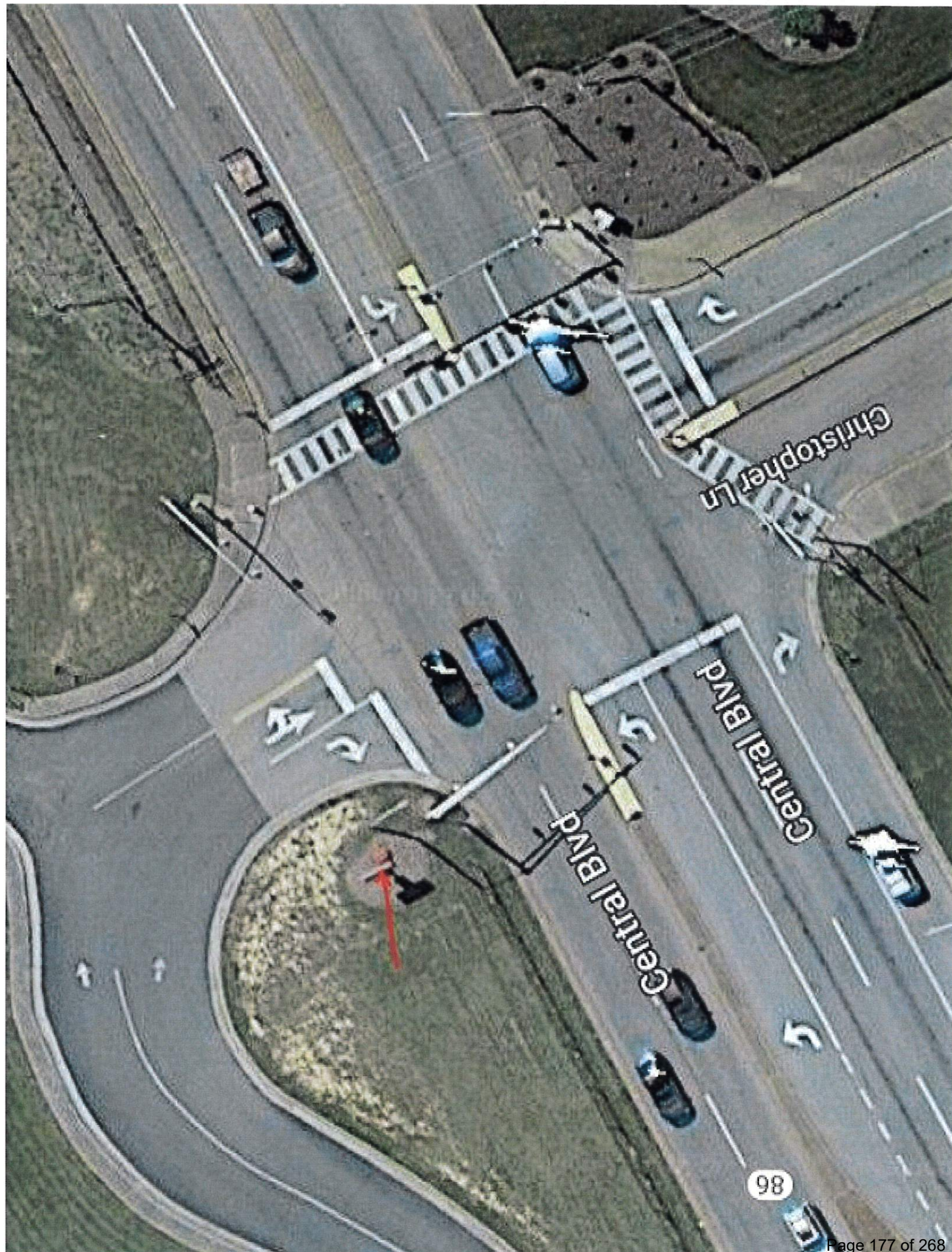


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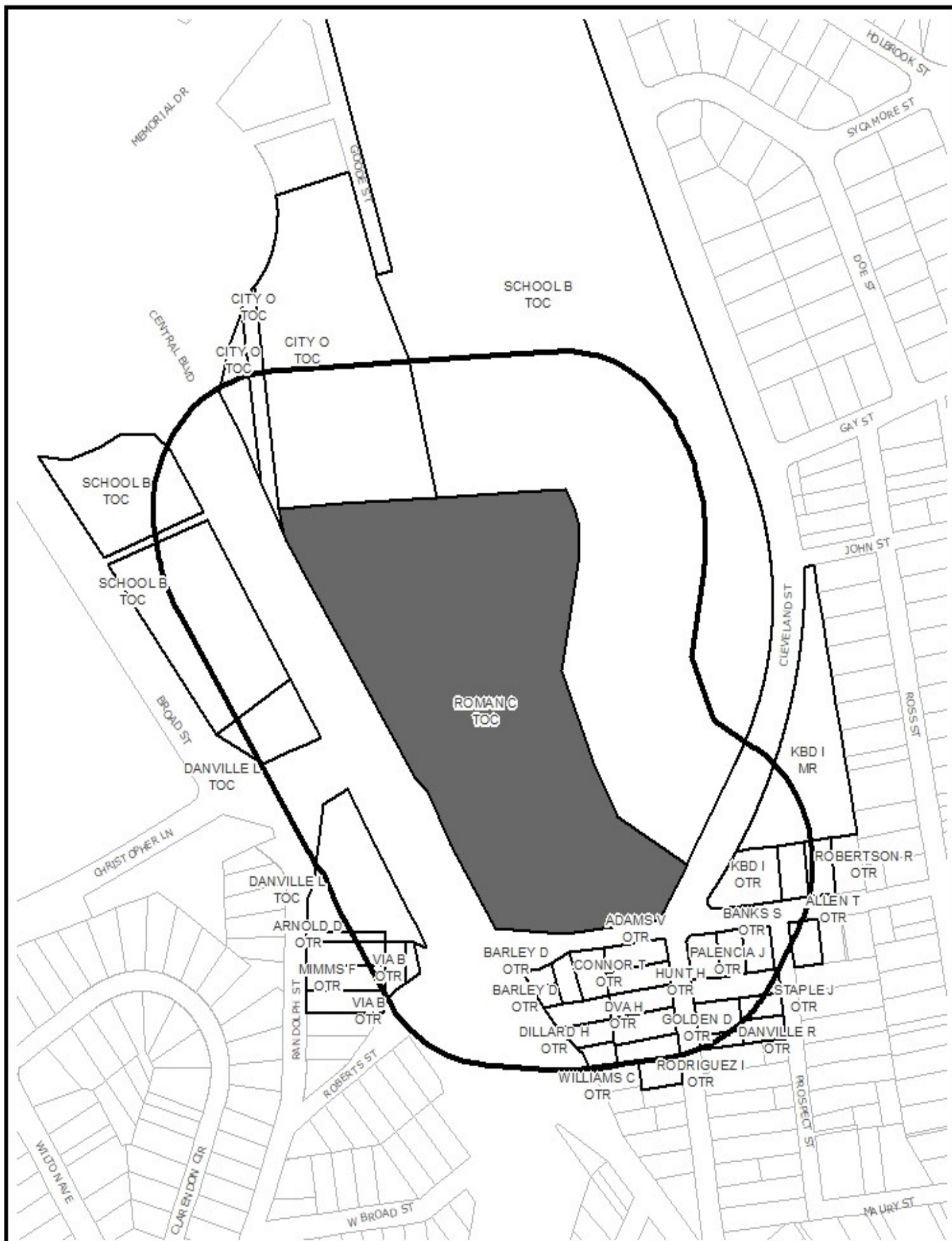


5





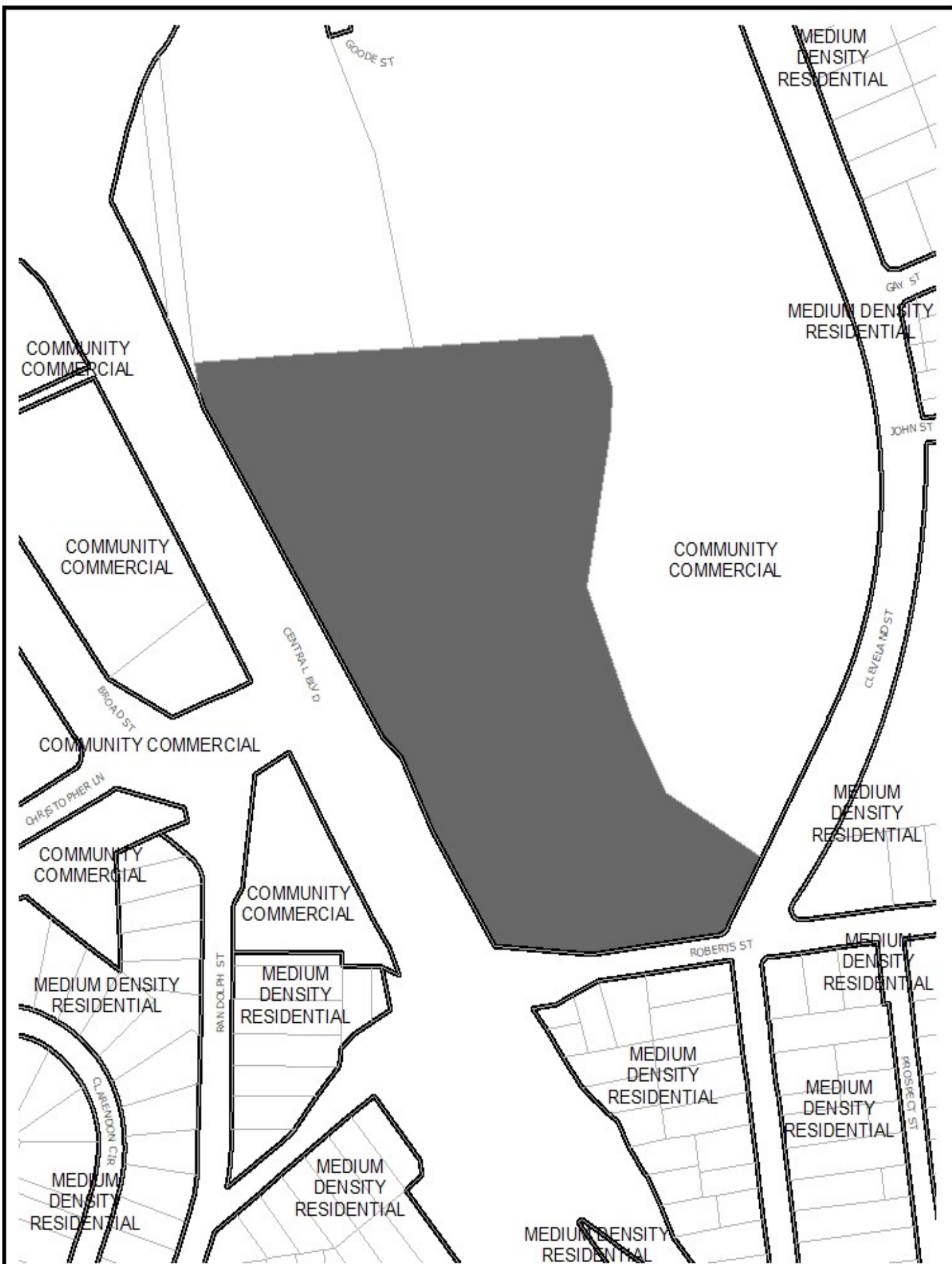




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/5/2023

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STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning Application PZ23-00469 filed by J. Cubas Holdings, LLC, requesting to rezone Parcels 75941, 77419, 77420, 77421, and 77422 on Jenny Lane from TR Threshold Residential to S-R Suburban Residential.

SUMMARY

The applicant, J. Cubas Holdings, LLC is requesting to rezone Parcels 75941, 77419, 77420, 77421, and 77422 from T-R, Threshold Residential to S-R, Suburban Residential. The applicant is under contract for the purchase of these parcels and anticipates a consolidation and single family home development on the subject properties.

Parcels 75941, 77419, 77420, 77421, and 77422 are undeveloped and wooded with no water and sewer utility connections. It is required that connections be established prior to construction. Construction of a single family development would not necessitate a Traffic Impact Analysis or improvements to the existing roadway.

The primary difference between the T-R and S-R zoning classification is its maximum density. There is a maximum density of two (2) single family dwelling units per net developable acre in the T-R district and a maximum density of three (3) single family dwelling units per net developable acre in the S-R district.

The total acreage of the subject properties is 46 acres. If the entire parcel were developed, the current maximum yield would be 92 single family units. If the zoning classification is changed to S-R, the maximum yield would be 138 single family units; yielding a potential of forty (40) additional single family residential units.

The City of Danville has identified a need for additional housing units in the City of Danville. The rezoning and subsequent additional yield of single family dwellings is a benefit to the City as a whole.

Twenty (20) notices were sent to surrounding property owners within three hundred (300) feet of the subject property, including county residents. At the time of this report, thirteen (13)

responses were received, five (5) were opposed, eight (8) were unopposed.

RECOMMENDATION

The Planning Staff recommends that the City of Danville recommend approval of PZ23-00469 to rezone Parcels 75941, 77419, 77420, 77421, and 77422 from T-R, Threshold Residential to S-R, Suburban Residential. The rezoning would increase the potential yield of new single family dwellings and assist to close the gap in the City of Danville's housing shortage.

ATTACHMENTS

1. Application
2. Supporting Documents
3. Jenny Ln_AERIALS
4. Jenny Ln_OWNERS
5. Jenny Ln_LANDUSE

Country Club Estates

Comprehensive Land Use Change

TR-Transitional Residential to SR-Suburban Residential



Subject Properties

Parcel GPIN: 78052, 75941,
77419, 77420, 77421, 77422
Danville, Virginia

Applicant

J. Cubas Holdings, LLC
Joe Cubas, Manager

November 10th, 2023

TABLE OF CONTENTS

City of Danville Comprehensive Land Use Change Re-Zoning Application	3
Contract Purchaser/Owner Sales Agreement	5
Owner's Written Consent	7
 Background	 8
 Comprehensive Land Use Change (Re-Zoning)	 11
1. Consistency with the City of Danville Codes, Ordinances and Virginia Administrative Code	11
2. Consistency with City of Danville 2030 Comprehensive Plan	13
a. Sustainable Growth & Land Use	
b. Transportation	
c. Corridors & Gateway	
d. Housing & Neighborhoods	
e. Historic & Cultural Resources	
f. Economic Development	
3. Compatibility With Surrounding Properties & Adjacent Land Uses	22
4. Master Plan of Development-Letter of Intent	23
 Exhibits	
Conceptual Site Plans	
Existing Surveys	
Aerial View of Subject Property	
City of Danville Zoning Map	
City of Danville Existing Utilities Map	



City of Danville
Community Development
Planning Division

CITY PLANNING COMMISSION

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
 - a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - b. A written statement of proposed project compatibility with the following:
 1. The Comprehensive Plan.
 2. The applicable zoning district.
 3. The surrounding properties.
 4. Current and future neighborhood conditions.
 5. Pedestrian and vehicular traffic patterns, on-site and off-site.
 6. Adequate public facilities.
 - c. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 1. The architectural elevations and floor plans of proposed building(s).
 2. Traffic impact analysis.
 3. Fiscal impact analysis.
 4. Parking and site circulation analysis.
 5. Photographs of property and surrounding area.
 6. Environmental impact statement.
 7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____
Date Received: _____ Received By: _____
Parcel ID: _____ Zoning District: _____
Existing Zoning: _____ Proposed Zoning: _____

APPLICANT PROVIDED INFORMATION

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

Property Address: Parcels ID: 78052, 75941, 77419, 77421, 77421, 77422
Gross Area/Net Area: _____ 101.36 Acres

427 Patton Street | Danville, VA 24541 | 434.799.5260 | www.danvilleva.gov

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

Between: Goodyear Blvd and Goodyear Blvd

Proffered Conditions (if any, please attach): _____

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

Name: Margaret D. Marshall Revocable Trust Telephone: (434) 489-1444

Mailing Address: C/O Hauser Realty Group 523 Main Street, Danville, Va. 24541

Email Address: Scearce.commercial@gmail.com

Name: Elizabeth Marshall Revocable Trust Telephone: (434) 489-1444

Mailing Address: C/O Hauser Realty Group 523 Main Street, Danville, Va. 24541

Email Address: Scearce.commercial@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: J. Cubas Holdings, LLC Telephone: (305) 219-2558

Mailing Address: 13830 SW 28 Street, Miami, Florida 33175

Email Address: Jcubasholdings@aol.com

ESM Trust by Dalw Mdt Trust
11/9/23

Margaret D. Marshall Revocable Trust
11/10/23
Applicant Signature date

Property Owner Signature date
(if not applicant)

11-10-23
J. Cubas Holdings, LLC
Applicant



VIRGINIA REALTORS®
Commercial Purchase Agreement

Each commercial transaction is different. This form may not address your specific purpose. This is a legally binding document. If not understood, seek competent advice before signing.

This Commercial Purchase Agreement (the "Agreement") is dated January 9, 2023, between MARGARET D MARSHALL REVOCABLE TRUST & ELIABETH REVOCABLE TRUST ("Seller") and J CUBAS HOLDINGS, LLC AND/OR ASSIGNS ("Purchaser"). The parties acknowledge that HAUSER REALTY GROUP ("Listing Broker") represents Seller and that HAUSER REALTY GROUP ("Selling Broker") represents [select one]: ☒ Seller ☐ Purchaser. The parties further acknowledge that disclosure of the brokerage relationships was made to them by the real estate licensees involved in this transaction when specific assistance was first rendered and confirmed in writing.

1. **Sale of Property.** Purchaser agrees to buy and Seller agrees to sell the land, all improvements thereon, and all rights and appurtenances thereto belonging, located in the City/County of DANVILLE, Virginia, with a tax parcel no. of TRACT(1) 75941,77419,77420,77421,77422 BEING 46.34 & TRACT(2) 78052 BEING 55.35 AC and a street address of JENNY LANE. Seller discloses that [select one]: ☒ there are no tenants or other parties in possession of the Property OR ☐ there are tenants or persons who are in possession of the Property as set forth on **SCHEDULE A** attached hereto.

2. **Purchase Price.** The purchase price for the Property is Dollars (\$) (the "Purchase Price") and shall be paid to Seller at Settlement, subject to the prorations and adjustments described herein, as follows:

A. **Deposit.** Purchaser shall make a deposit of \$ to be held by WORLD TITLE TRUST (the "Escrow Agent") in the form of: ☐ check ☐ cash ☒ other WIRED FUNDS (the "Deposit"). Purchaser [select one]: ☐ has paid the Deposit to the Escrow Agent OR ☐ will pay the Deposit to the Escrow Agent within 5 days (the "Extended Deposit Date") after the date this Contract is fully executed by the parties. If Purchaser fails to pay the Deposit as set forth herein, then Purchaser shall be in breach of this Contract. At Seller's option and in lieu of all other remedies set forth in this Contract, Seller may terminate this Contract by written notice to Purchaser and neither party shall have any further obligation hereunder.

If the Escrow Agent is a Virginia Real Estate Board ("VREB") licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account by the end of the fifth business banking day following the latter of: (i) the date this Contract is fully executed by the parties, or (ii) the Extended Deposit Date. If the Escrow Agent is not a VREB licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account in conformance with applicable Federal or Virginia law and regulations. The Deposit may be held in an interest bearing account and the parties waive any claim to interest resulting from such Deposit. The Deposit shall not be released by the Escrow Agent until (i) credited toward the purchase price at settlement; (ii) Seller and Purchaser agree in writing as to its disposition; (iii) a court of competent jurisdiction orders a disbursement of the funds; or (iv) disbursed in such manner as authorized by the terms of this Contract or by Virginia law or regulations. Seller and Purchaser agree that Escrow Agent shall have no liability to any party for disbursing the Deposit in accordance with this paragraph, except in the event of Escrow Agent's negligence or willful misconduct.

B. **Balance.** The balance of the Purchase Price shall be paid by Purchaser at Settlement in certified funds or bank wire (inclusive of any loan obtained by Purchaser to purchase the Property).

3. **Settlement.**

A. **Settlement of Property.** Settlement of the purchase and sale of the Property shall be made at WORLD TITLE TRUST, 14750 NW 77 COURT, SUITE # 304 MIAMI LAKES, FL 33016 on August 31, 2023 ("Settlement"). Possession of the Property shall be delivered to Purchaser at Settlement.

VR Form 700 Revised 07/19
Reviewed 07/19

Page 1 of 10

Hauser Realty Group, 513 Main Street Danville VA 24041
Mike Sorensen

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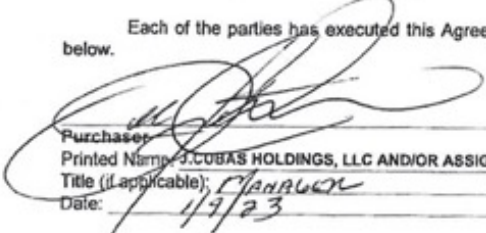
Phone: (434) 792-2088

Fax: (434) 792-2757

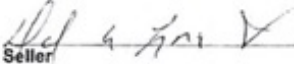
Jenny Lane

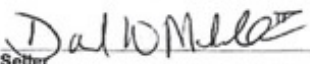
[Handwritten signatures: DWM, HAL]

Each of the parties has executed this Agreement in its name pursuant to due authority as of the dates set forth below.


Purchaser
Printed Name: COBAS HOLDINGS, LLC AND/OR ASSIGNEES
Title (if applicable): General
Date: 1/9/23

Purchaser
Printed Name:
Title (if applicable):
Date:


Seller
Printed Name: MARGARET D MARSHALL REVOCABLE TRUST
Title (if applicable):
Date: 1-10-23


Seller
Printed Name: ELIZABETH S MARSHALL REVOCABLE TRUST
Title (if applicable):
Date: 1/9/2023

Selling Company's Name and Address

HAUSER REALTY GROUP
523 MAIN ST , DANVILLE, VA 24541

Agent's Name MICHAEL W SCEARCE
Agent's tel. no. (434)489-1444
Fax no.
Agent's email scearce.commercial@gmail.com

Listing Company's Name and Address

HAUSER REALTY GROUP
523 MAIN ST , DANVILLE , VA 24541

Agent's Name MICHAEL W SCEARCE
Agent's tel. no. (434)489-1444
Fax no.
Agent's email scearce.commercial@gmail.com

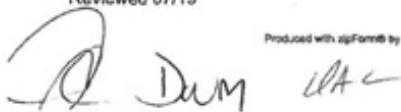
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Reviewed 07/19

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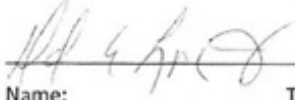
Jeany Lane



OWNER'S CONSENT

On this date, _____, 2023, Margaret D. Marshall Revocable Trust and Elizabeth S. Marshall Revocable Trust, the Owner(s) of record of vacant real estate property located in Danville, Virginia, specifically, Parcel ID 78052, 75941, 77419, 77420, 77421, 77422 with street address on Jenny Lane, through the undersigned legal representatives and Trustees of the respective trusts, grant consent onto J. Cubas Holdings, LLC. as the Contract Purchaser, to pursue a Comprehensive Land Use Change (Rezoning) and a Special Use Permit Application in accordance with City Codes & Ordinances, more specifically, Chapter 41, Zoning Ordinance, Article 3.C: S-R Suburban Residential District to obtain the entitlement approvals for the purposes of developing the subject property into a Residential Subdivision.

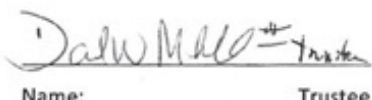
Agreed and Consent:


Name: _____ Trustee

Margaret D. Marshall Revocable Trust

Date: 11-10-23

Agreed and Consent:


Name: _____ Trustee

Elizabeth S. Marshall Revocable Trust

Date: 11-9-23

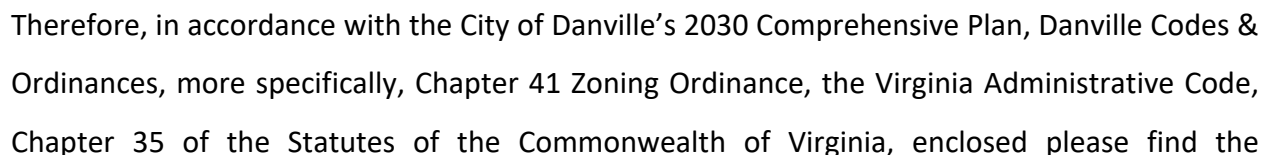
BACKGROUND

On January 9th, 2023, J. Cubas Holdings, LLC, a Florida Limited Liability Corporation, entered into a Commercial Purchase Agreement, included herein, with a Virginia resident to purchase the subject properties; a 55-acre parcel and a 46-acre parcel to develop a residential subdivision that compliments the existing neighborhood. As outlined in the Danville Housing Demand Analysis Report dated April 18th, 2022, the Danville-Danter Housing Study, and the Southern Virginia Regional Alliance, where they indicate that 3,900 new jobs are on the immediate horizon, this application submittal attempts to fill the severe housing shortage in Danville, which is at a critical juncture, having had little new housing added to the market over the past 25 years.



In accordance with the latest Plat of Survey by Crutchfield and Associates dated 4/21/20 provided by the Seller, the subject properties are comprised of 55.08 and 46.33 acres, respectively. The

The purpose of this application submittal package is to request a zoning change from the existing T-R Threshold Residential District to S-R Suburban Residential District in accordance with Chapter 41, Article 3. C. for the purposes of developing a Residential Subdivision.



Comprehensive Land Use Change Application submittal along with the Phase I Conceptual Site Plans and exhibits to secure the required entitlements.

REQUEST FOR LAND USE CHANGE & SPECIAL USE PERMIT

1. Consistency with the City of Danville Code, Ordinances & Virginia Administrative Code

The purpose of this application submittal package is to request a zoning change from the existing T-R Threshold Residential District to S-R Suburban Residential District in accordance with Chapter 41, Article 3. C. for the purposes of developing a Residential Subdivision of 405 detached single-family homes. A Conceptual Site Plan has been submitted for Phase I of the proposed residential subdivision as part of this Comprehensive Land Use Change application submittal.

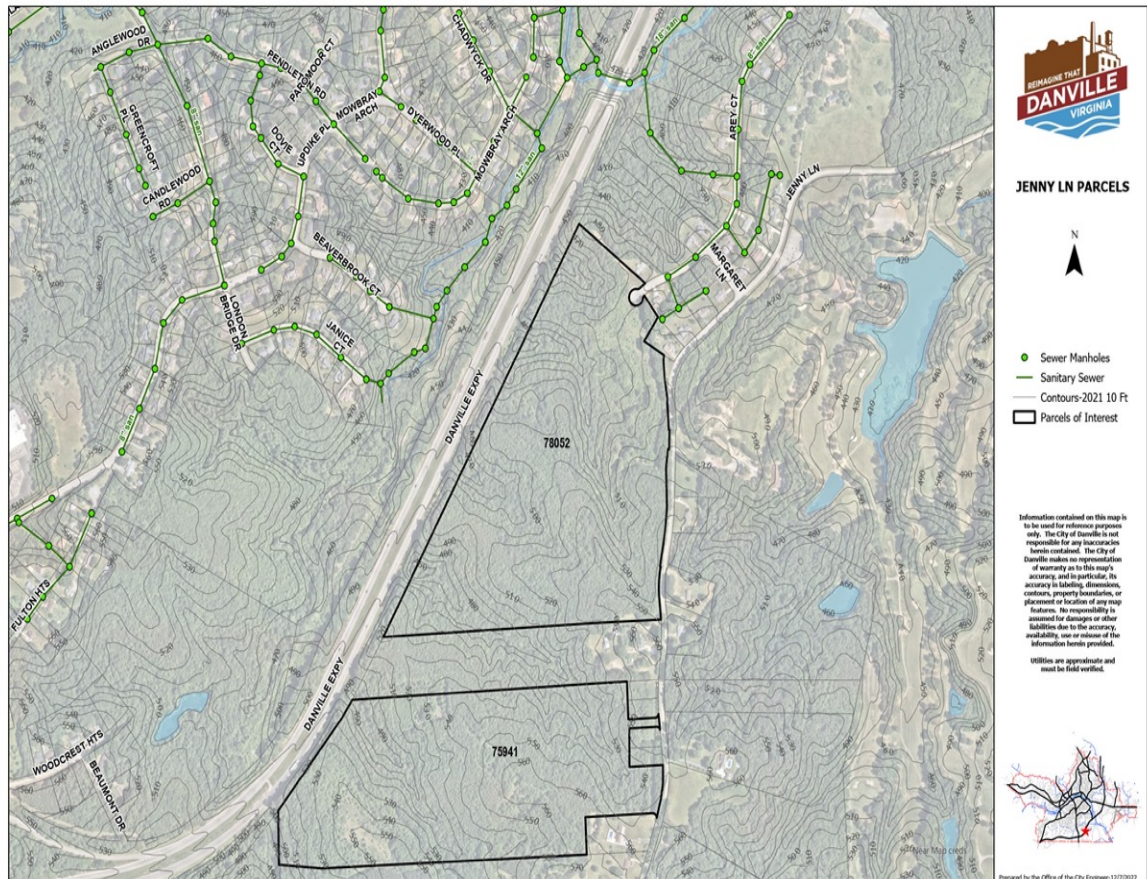
In accordance with Chapter 41, Article 3.C. S-R Suburban Residential District (Single Family Residential District), the purpose and intent of the S-R District is to provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for traditional suburban-scaled residential development in Danville. The average density of three units per acre establishes the S-R District as the City's medium density district for detached residences. The S-R district shall require public water and sewer service, public streets, and sidewalks as minimum subdivision improvements. Recognizing prevailing storm drainage deficiencies in and around the City, new subdivisions shall be constructed with storm drainage conveyance system equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.

Furthermore, in accordance with Article 3-C, C.5., Cluster residential development shall be encouraged in the S-R District in order to promulgate the City's objectives for environmental preservation, architectural harmony and consistency, adequacy of open space and recreation areas, and enhanced quality neighborhood improvements in new residential subdivisions. Provisions are included herein to permit cluster subdivisions with densities up to two-thirds higher than conventional subdivisions.

The S-R District may be applied to both undeveloped tracts and existing stable neighborhoods in appropriate locations recognized by the Comprehensive Plan. The intent of the district shall be to preserve existing natural features and vegetation, promote excellence in site planning and landscape design, facilitate the efficient layout and orientation of public utilities and community infrastructure, and encourage housing with compatible scale and character of architecture. No more than one single family dwelling shall be permitted per subdivision lot. No lots shall be permitted with private domestic wells or septic systems.

In accordance with Chapter 41, Article 3-C. S-R Suburban Residential Subdivision, the subject properties are 55 and 46 acres, respectively. Conceptual Site Plans for Phase I show a total of 221 detached single-family lots with a maximum density of four (4) units per acre on the 55-acre parcel. Phase II of the residential subdivision development will occur on the 46-acre parcel. It will also have a maximum density of four (4) units per acre for a total of 184 detached single-family homes. Combined, the residential subdivision will consist of 405 detached single-family homes. In accordance with Chapter 41, Article 3-C, S-R Suburban Residential Subdivision, the Conceptual Site Plans meet or exceed all the standards outlined in Article 3-C of the Zoning Ordinance. The standards outlined in Sub-paragraphs F., G. and I, will be met through final site plans and construction documents in order to obtain development permits.

The City of Danville has provided a water & sewer location Map as referenced herein, which shows the general location of main lines next to the subject property. Therefore, the subject property(s) will connect to City water & sewer.



2. Consistency with the City of Danville 2030 Comprehensive Plan

Introduction/Purpose

The 2030 Comprehensive Plan is designed to serve as a guide for the physical development of Danville to the year 2030. Towards this end, the overriding purpose of the Plan is to encourage the continued development of a safe and healthy community by offering a distinctive “vision” for the continued growth of Danville.

This Plan focuses on those particular areas in which the City, through its elected leaders and those staff involved in the planning and management of the City’s growth and

development, can and should have a progressive impact, defining what is in the best public interest while ensuring the preservation of private property rights.

Three underlying “themes” for community improvement are obvious in Danville and quickly come out at community meetings. One is the rebuilding and expanding of the City’s economic base beyond the traditional manufacturing that was its former cornerstone to include more high-tech industries that can provide good, well-paying jobs for Danville residents. A second is the desire to redevelop the older parts of the city while at the same time protecting and taking advantage of the historic character and natural resources of the City. A third is the need to provide for the public safety and maintain the quality of life enjoyed by Danville residents over the years. This Comprehensive Plan recognizes these themes, and it is the intent of the Plan and its Future Land Use Map to reflect them in a meaningful and creative manner.

This update to the 2030 Plan also includes a greater emphasis on housing and revitalization opportunities; a prioritization of gateway and corridor improvements; and a stronger connection between ongoing economic development efforts and future land use.

GOALS FOR FUTURE DEVELOPMENT

The most essential (and legally required) element of a Comprehensive Plan is its Future Land Use Map which graphically represents the plans for the future. For it to be of use and value, the Future Land Use Map must be integrally tied to its precedent goals, objectives, and policies.

The goals and policies/objectives outlined in the Comprehensive Plan serve to establish the framework around which the Future Land Use Map and plan were designed. They further establish the framework around which the City’s physical, community, and

economic growth and development can be shaped and guided. The goals are grouped into five general categories and can be stated as:

- A. Sustainable Growth & Land Use
- B. Transportation
- C. Corridors & Gateway
- D. Housing & Neighborhoods
- E. Historic & Cultural Resources
- F. Economic Development

In each plan element contained in this Comprehensive Plan is a statement of policies/objectives. To provide the City with some flexibility, no distinction is made between a policy and an objective. Each policy/objective statement can give birth to more refined policies and/or objectives as the plan is implemented from year to year through additional research and study related to specific projects and through the development of specific actions plans related to a project. In this way, the Plan can be a living, breathing document and is not too quickly outdated.

A. Sustainable Growth & Land Use

Promote a balanced mix of residential, commercial, and industrial uses which will accommodate the needs of existing businesses and residents and encourage well-planned development/redevelopment opportunities for new businesses and residents while at the same time protect the historic, architectural, cultural, and natural environment of Danville.

Policies / Objectives Seek to maintain a viable mix of residential and non-residential uses in Danville, typically defined as 65% residential / 35% nonresidential.

In accordance with the City of Danville Comprehensive Plan's Goals of Sustainable Growth & Land Use policies and objectives, the approval of the Land Use Change for the Residential Subdivision will be compatible with and maintain continuity of the residential uses of the neighborhood as the subject property and surrounding properties are either zoned T-R Threshold Residential or S-R Residential Subdivision, as required under Chapter 41, Zoning Ordinance of the City of Danville.

Policies / Objectives Encourage and direct medium and large-scaled industrial development to vacant parcels in established industrial parks or appropriately situated larger parcels near support services, public utilities, major transportation facilities, and other needed infrastructure.

The purpose and intent of Article 3.C, the S-R, Suburban Residential District is to create and provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for traditional suburban-scaled residential development in Danville.

Furthermore, in accordance with Chapter 41, Article 3-C. S-R Suburban Residential Subdivision, Phase I of the Conceptual Site Plans show a total of 221 detached single-family lots with a maximum density of four (4) units per acre. The size of the subject properties are 55.08 and 46 acres, respectively.

Additionally, the subject properties appear to be located in Planning Area 5: Southwyck and in Sub-Area 9 of the Comprehensive Plan. As such, the subject property is located within the southeast quadrant of the City. The Planning Area contains approximately 1450 total acres, which represents slightly over 5% of the City's total area. It is bordered on the west by the College Park Drive, on the north by the Danville Community College, Oakhill Cemetery and the Liberty View neighborhoods, and on the east and south by Goodyear Boulevard.

The Existing Land Use of the Southwyck Planning Area is largely residential in nature, *although it does support a wide range in residential uses in terms of affordability*. Nonresidential uses include the Southwyck Plaza Shopping Center, Goodyear's private eighteen-hole golf course and Grove Park. Public water service is available throughout the Planning Area however, public sewer is not easily available in the southern half of the planning area yet, the City has indicated that main lines are located at the mouth of the subject property on Jenny Lane, Arey Court and across the bypass.

The Future Land Use as outlined in the Comprehensive Plan for Planning Area 5 is Medium Density SF Residential infill for areas north of the bypass while predominantly threshold and regional commercial and light industrial uses south of the bypass.

Transportation Access to the Planning Area is provided by a network of major and minor thoroughfares (the Danville Expressway and South Main Street, respectively), local collector streets (Goodyear Blvd.) and minor residential streets. Corridors: South Main Street (Route 86 South).

B. Transportation

The purpose of the Comprehensive Plan's Transportation Plan is to ensure that the location, character, and capacity of the City's existing and future transportation facilities (including thoroughfares, arterial highways, local streets, parking facilities, and the airport) are compatible with the Future Land Use Plan, are supportive of sustainable growth, and enhance the City's livability and economic vitality.

Policy /Objectives Compatibility with Comprehensive Plan - To ensure adequate traffic carrying capacities, future transportation improvements should be commensurate with the Future Land Use Plan.

Bicycle and Pedestrian Elements – To enhance the City’s viability as an inviting center for tourism and to better integrate its existing and planned neighborhoods, the City should develop a master planned bicycle and pedestrian system in order to properly integrate these facilities into the existing Transportation Plan.

In accordance with the City’s Transportation Policy / Objective, the subject property is located in Planning Area 5 which provides for a network of major and minor thoroughfares (the Danville Expressway and South Main Street, respectively), local collector streets (Goodyear Blvd.) and minor residential streets. Corridors: South Main Street (Route 86 South). It also sits within close proximity of the intersection of Goodyear Blvd and Jenny Lane located on the south-side of the bypass, a major Collector. Additionally, the residential subdivision will encourage the incorporation of planned bicycle and pedestrian system within the subdivision to hopefully, if possible, integrate these facilities into the City’s existing Transportation Plan thereby, enhance the City’s and the residential subdivision’s viability as an inviting center for tourism.

Furthermore, as per policies and objectives of the Transportation Plan, the Applicant will submit for Subdivision and Site Plan Review at development, to ensure adequate street planning and design in order for the City to carefully evaluate all future residential development proposals in order to provide for appropriate levels of intercommunity traffic circulation in accordance with adopted subdivision standards required by VDOT.

C. Corridors & Gateway. Enhance the major transportation corridors and entrance gateways into the City to instill a sense of pride among residents, create a good impression to occasional and regular travelers through the City, and communicate clearly that Danville is a desirable place to live, work, and play. Goodyear Boulevard and South Main Street (State Road 86) are two of Danville’s principal entrance corridors and Major Gateways into the City.

If the Comprehensive Land Use Change to the residential subdivision is approved, in accordance with the Comprehensive Plan, more specifically, subsections A, Sustainable Growth & Land Use,

B. Transportation and F. Economic Development, the residential subdivision will take access through several access points from Jenny Lane located south of the Bypass and intersecting with Goodyear Boulevard, identified in the Comprehensive Plan as a Major Gateway. Heading north or into the city, Goodyear Boulevard intersects with South Main Street or State Road 86, another major transportation corridor and entrance gateway into the City.

D. Housing & Neighborhoods Promote opportunities for a wide variety of housing types in the city through adaptive reuse, redevelopment, and new development within established neighborhoods and districts and through sustainable and well-planned new development, including mixed use development, on vacant land with an emphasis on providing safe, sanitary, and affordable homes for low- to moderate-income residents as well as residents with higher incomes.

In accordance with Chapter 41, Article 3-C and the City's 2030 Comprehensive Plan, specifically, Sub-paragraph D (Housing & Neighborhoods), the Phase I Conceptual Site Plans and accompanying submittal package for the development of the residential subdivision have been designed precisely with the intent and purpose of this policy and objective as it promotes opportunities for a detached single family residential subdivision in the City through new development within established neighborhoods and districts and through sustainable and well planned new development on vacant land with an emphasis on providing safe, sanitary, and affordable homes for low- to moderate-income residents as well as residents with higher incomes.

E. Historical and Cultural Resources Promote historic and cultural resources by preventing deterioration, promoting rehabilitation and reuse, and promoting heritage tourism in the City.

While the residential subdivision, if approved, is not located at or near any historical and/or cultural resources, as part of its advertising campaigns and in accordance with this section of the

Comprehensive Plan, the subdivision will promote, among other things, Danville as a heritage tourism destination and as an All-American City.

F. Economic Development The City of Danville has a very robust economic development program utilizing its own Economic Development staff supported by the work of the Danville Chamber of Commerce and the staff and resources provided through the Commonwealth of Virginia, most notably, the Virginia Economic Development Partnership and the Tobacco Indemnification and Community Revitalization Commission. The City is also a partner in the West Piedmont Economic Development District, a regional body economic development coordination body required as a condition for receiving U.S.

While success has been hard to come by during the recent poor economy, Danville has continued to build the foundations for future growth.

Another form of economic development is through the growth and development of real estate housing more specifically, in the form of a residential subdivision. Real property tax is governed by State laws. State law requires property tax liabilities to be distributed according to property values and for those values to be at 100% of fair market value. As economic conditions are constantly changing, so are property values. It is the responsibility of the City to perform periodic reviews, adjustments as well as sales, cost, and income analysis that are necessary to maintain an accurate assessment. Assessing all real estate at fair market value assures all property owners are assessed fairly and equitably, thus the costs associated with the City's schools, fire, protection and public services are distributed properly and fairly.

As a basis to project the amount of tax revenue to the City generated by the approval of this application request, 405 single family homes will be used at an average fair market value of \$300,000 per home. Real estate assessment values and tax rates are effective as of July 1 of a given year through June 30 of the following year. The current Real Estate tax rate of the City of Danville is **\$0.84** per \$100 of assessed value. Therefore, based on the current tax rate, the

residential subdivision is projected to initially generate \$1,020,600 in property tax revenue to the City upon completion on an annual basis.

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

Policies / Objectives

Actively market the City as a viable location for business expansion and relocation in light of its position as a manufacturing center, its location at the intersection of US 58 and US 29, its central location within the two states of North Carolina/Virginia, and its proximity to the Research Triangle and Piedmont Triad regions of North Carolina.

Located in the South-Central Piedmont region of Virginia, City of Danville is well positioned to serve the needs of manufacturing and other industry – just a day's shipping distance from two-thirds of the U.S. population.

Consistent with the City's Comprehensive Plan and Zoning Code Ordinance, the subject property(s) lies within the City of Danville, South-Central Piedmont region of Virginia and only a couple miles away from the North Carolina state line where it forms the county's southern boundary.

In accordance with Article 6 of the Zoning Ordinance, this Comprehensive Land Use Change Application Submittal meets all applicable standards in Article 3-C., more specifically, (1) it is in harmony with the adopted Comprehensive Plan, it's in harmony with the intent and purpose of the Residential zoning district in which the use is proposed to be located; and with the character of adjacent properties and the surrounding neighborhoods,(2) the proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities, (3) the proposed use shall not result in the destruction, loss

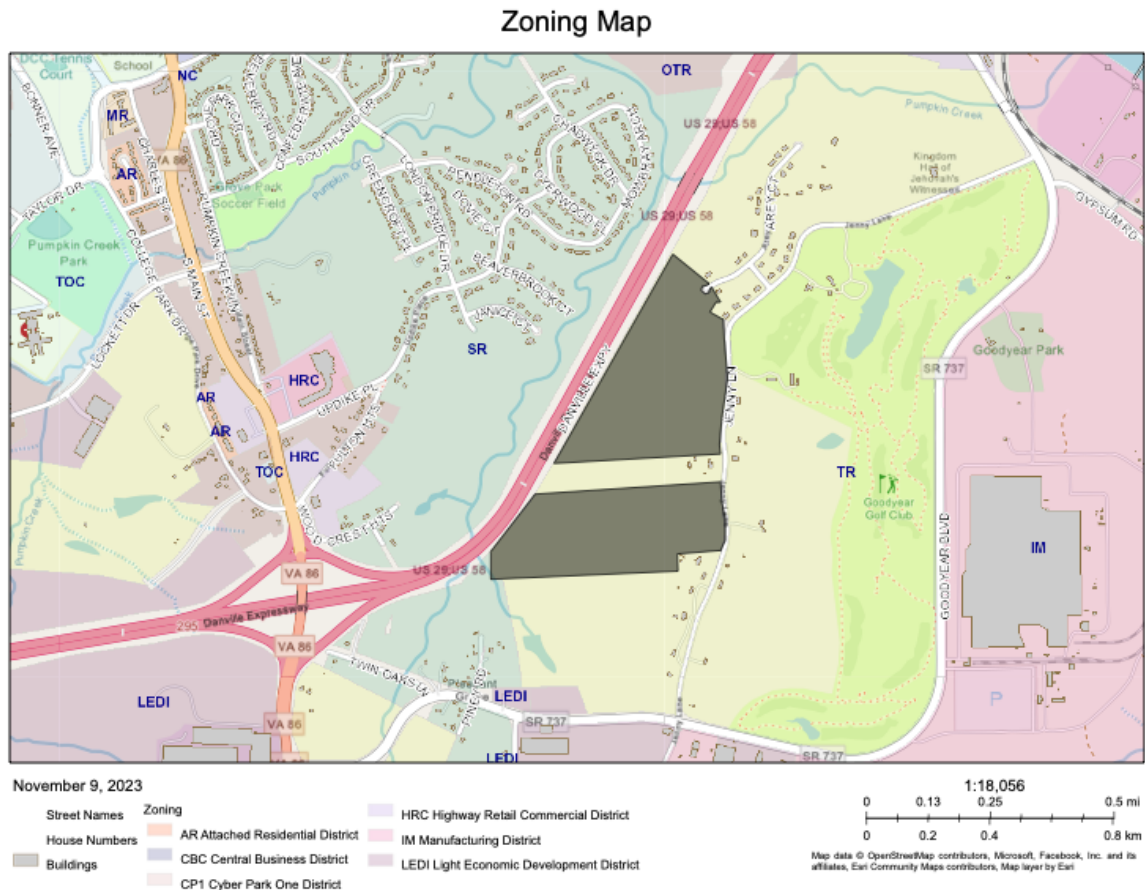
or damage of any feature determined to be of significant ecological, scenic or historic importance, (4) the proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods. Furthermore, it meets the objectives outlined in Economic Development section of the Comprehensive Plan. More specifically, the approval would (1) enhance the long-term visual attractiveness of the City's major commercial corridors, (2) expand job opportunities for City employees, (3) due to its proximity to Goodyear Gold Course, may increase visitation and tourism to the City and (4) promote the City as an attractive location to purchase a home and economic development. Additionally, upon completion, based on the projections mentioned above; the development of 405 single-family homes at a fair market value of \$300,000 and a tax rate of \$0.84 per \$100, the annual projected Property Taxes due to the City will be \$2,520 per home or a total of \$ 1,020,600 per year at the present rate.

3. Compatibility with Surrounding Properties & Adjacent Land Uses

The subject property(s) are in Planning Area 5: Southwyck, and in Sub-Area 9 of the Comprehensive Plan with a Future Land Use of Medium Density Residential. They are presently zoned T-R, Threshold Residential District. As per the Zoning Map from the City's GIS system included herein, the subject properties are surrounded by existing residential subdivisions in the SR district, as well as, the TR district, Goodyear Golf Course and single-family residential across Jenny Lane, the bypass to the north and single-family residential to the east.

Therefore, in accordance with Chapter 41, Articles 3.B and 3-C, the subject property(s) already have the appropriate residential district to develop a single-family residential development. The purpose of this Comprehensive Land Use Change application request is to increase the density from 2 units per acre under the existing TR Residential District to a maximum of 4 units per acre under the SR Residential Subdivision District. As such, the subject property(s) will maintain compatibility with the residential nature of the area, adjoining and /or surrounding properties &

adjacent land uses while continuing to provide continuity to the existing neighborhood as shown in the City's GIS Zoning Map below.



4. MASTER PLAN OF DEVELOPMENT

The Phase I Conceptual Site Plan has been designed in accordance and is consistent with, the City of Danville Comprehensive Plan and City Codes & Ordinances more specifically, Chapter 41 Zoning Ordinance and the Virginia Administrative Code, Chapter 450, Title 12, Health, Agency 5 and Department of Health.

The Phase I Conceptual Site Plan shows residential lots and the required open space as per Article 3-C, SR Residential Subdivision.

The purpose of this application submittal package is to request a zoning change from the existing T-R Threshold Residential District to S-R Suburban Residential District in accordance with Chapter 41, Article 3. C. for the purposes of developing a Residential Subdivision of 405 detached single-family homes.

In accordance with Chapter 41, Article 3-C. S-R Suburban Residential Subdivision, the subject properties are 55 and 46 acres, respectively. Conceptual Site Plans for Phase I show the development of 221 detached single-family lots with a maximum density of four (4) units per acre. The development of Phase II of the residential subdivision will occur on the 46-acre parcel. It will also have a maximum density of four (4) units per acre for a total of 184 detached single-family homes. Upon completion, the overall residential subdivision development will consist of 405 detached single-family homes. In accordance with Chapter 41, Article 3-C, C.5, S-R Suburban Residential Subdivision, the Conceptual Site Plans meet or exceed all the standards outlined in Article 3-C of the Zoning Ordinance.

Furthermore, in accordance with Article 3-C, C.5., Cluster residential development shall be encouraged in the S-R District in order to promulgate the City's objectives for environmental preservation, architectural harmony and consistency, adequacy of open space and recreation areas, and enhanced quality neighborhood improvements in new residential subdivisions. Provisions are included herein to permit cluster subdivisions with densities up to two-thirds higher than conventional subdivisions.

The S-R District may be applied to both undeveloped tracts and existing stable neighborhoods in appropriate locations recognized by the Comprehensive Plan. The intent of the district shall be to preserve existing natural features and vegetation, promote excellence in site planning and landscape design, facilitate the efficient layout and orientation of public utilities and community infrastructure, and encourage housing with compatible scale and character of architecture. No more than one single family dwelling shall be permitted per subdivision lot. No lots shall be permitted with private domestic wells or septic systems.

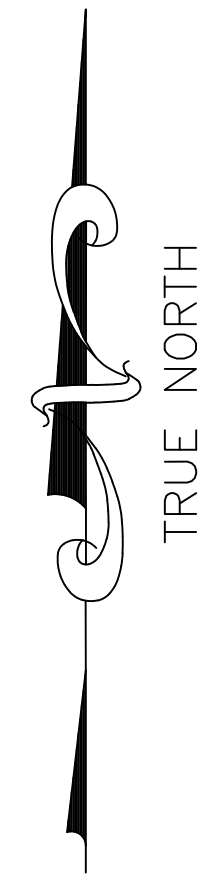
The City of Danville has provided a water & sewer location Map as referenced herein, which shows the general location of main lines next to the subject property. Therefore, the subject property will connect to City water & sewer.

Although architectural or engineered construction drawings have not been created at this time pending entitlement approvals, the applicant will abide by all applicable sections of Chapter 41 of the City Ordinance and Chapter 450 of the Virginia Administrative Code as they relate to the development of the residential subdivision.

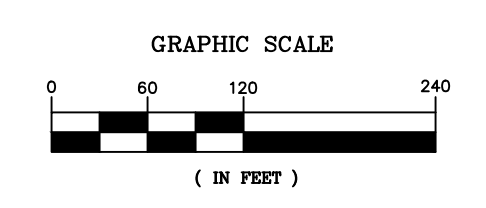
The subject property(s) abut to two residential subdivisions already zoned SR Suburban Residential and T-R Threshold Residential respectively on either side, abuts to the ROW of the bypass on the north and Jenny Lane on the south. The City of Danville has indicated that the water mains are located at the subject property. In accordance with the City of Danville Comprehensive Plan, Chapter 41 and Chapter 450 of the Virginia Administrative Code, the subject property will connect to City water.

The same applies to sewer. The City of Danville services the adjacent properties within the with sewer facilities. The City of Danville has indicated that the sewer mains are located at the subject property. In accordance with the City of Danville Comprehensive Plan, Chapter 41 and Chapter 450 of the Virginia Administrative Code, the subject property will connect to City sewer.

At this time, the Phase I Conceptual Site Plans do not show Impervious Surface Ration (ISR) however, the proposed density is 4.0 units per acre. Upon entitlement approvals and before the design of construction documents, the applicant will coordinate with the City of Danville Engineering & Public Works Departments to design and meet the requirements for stormwater retention.



1
C-1 **EXISTING CONDITIONS**
SCALE: 1" = 120'



REV	DATE	DESCRIPTION
A	04/11/23	PRELIMINARY LAYOUT
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

DRAWN BY: KH	CHECKED BY: MM
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PREPARED FOR:
J. CUBAS HOLDINGS, LLC
13830 SW 28TH STREET
MIAMI, FL 33175

PREPARED BY:
MARC P. MAIER, P.E.
FLORIDA LICENSE #72513
1033 S. GLEN MEADOW LP.
LECANTO, FL 34461
(352) 634-1643

**PRELIMINARY
NOT FOR CONSTRUCTION**

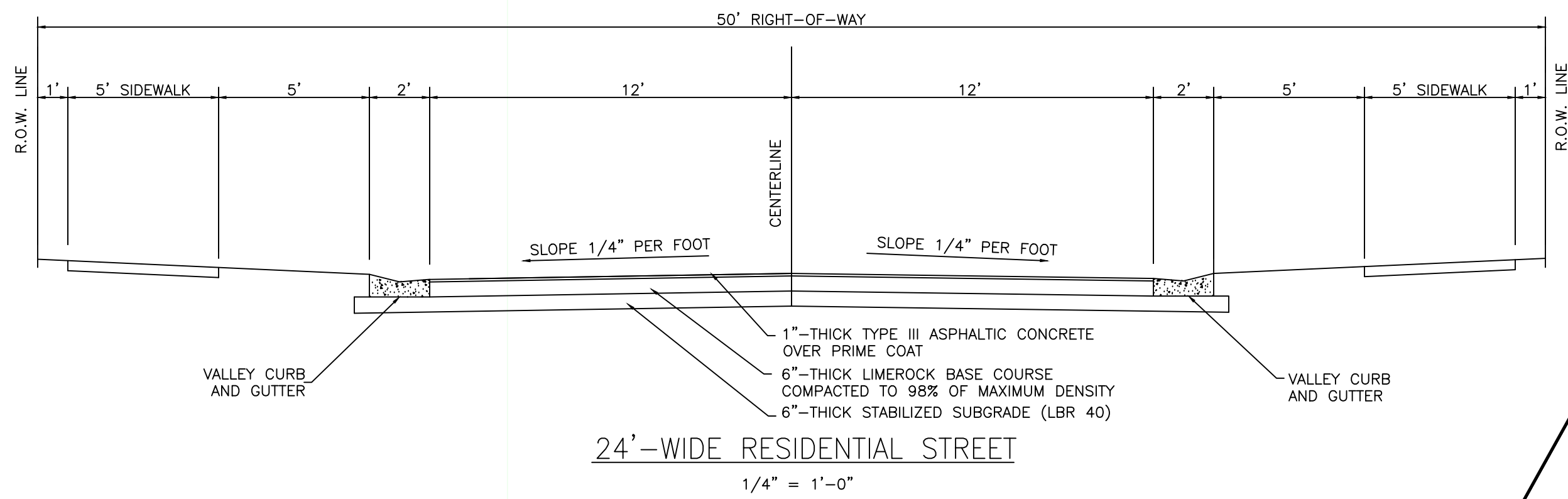
MARC P. MAIER, P.E.
FL PROFESSIONAL ENGINEER LIC. #72513

COUNTRY CLUB ESTATES
JENNY LANE
DANVILLE, VA 24541

SHEET DESCRIPTION
EXISTING CONDITIONS

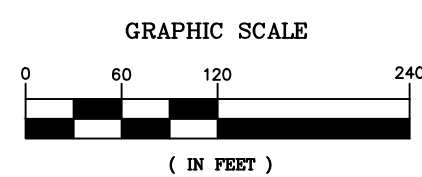
SHEET NUMBER
C-1

SITE SCHEDULE	
TOTAL APPLICANT OWNED LAND AREA	106.76 ACRES
TOTAL SITES ALLOWED	225
TOTAL SITES PROPOSED	221



GPIN: 75931
ROY E. & DORIS U. MURPHY
D.B. 416, PG. 38

1
C-2
SITE PLAN
SCALE: 1" = 120'



REV	DATE	DESCRIPTION
A	04/11/23	PRELIMINARY LAYOUT
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

DRAWN BY: KJH
CHECKED BY: MW

PREPARED FOR:
J. CUBAS
HOLDINGS, LLC
13830 SW 28TH STREET
MIAMI, FL 33175

PREPARED BY:
MARC P. MAIER, P.E.
FLORIDA LICENSE #72513
1033 S. GLEN MEADOW L.P.
LECANTO, FL 34461
(352) 634-1643

PRELIMINARY
NOT FOR CONSTRUCTION

MARC P. MAIER, P.E.
FLORIDA PROFESSIONAL ENGINEER LIC. #72513

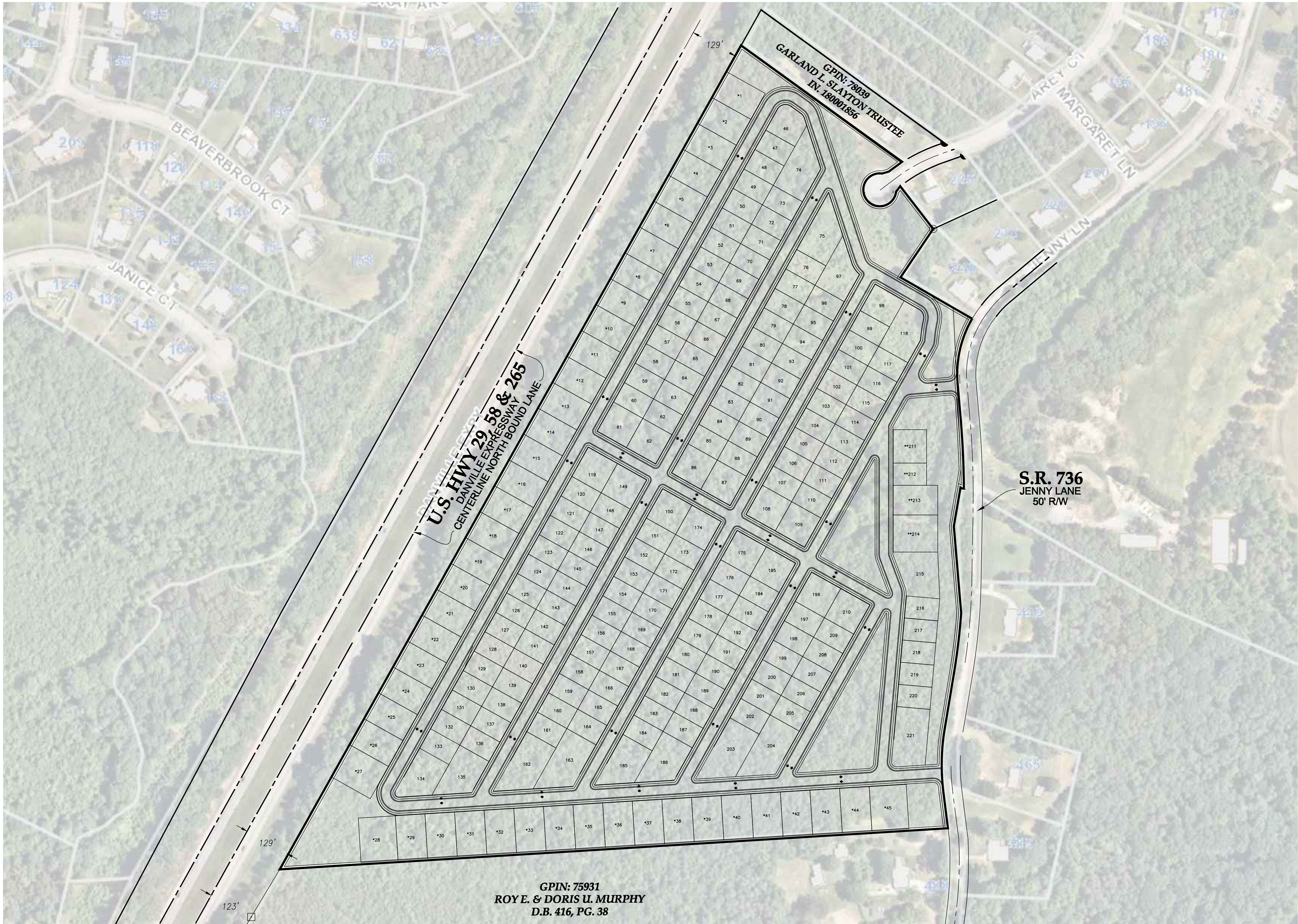
COUNTRY
CLUB
ESTATES
JENNY LANE
DANVILLE, VA 24541

SHEET DESCRIPTION

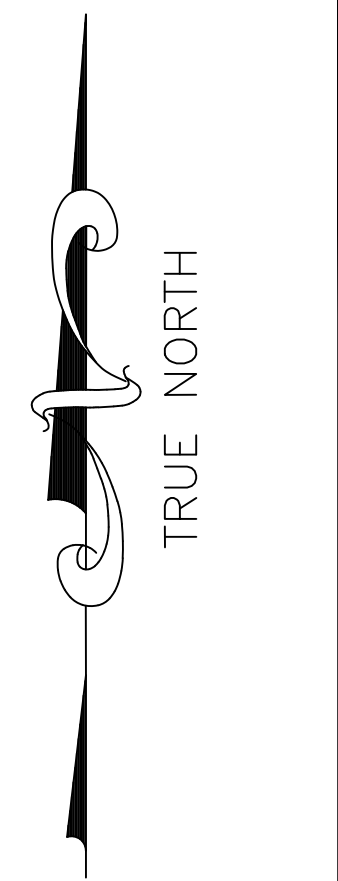
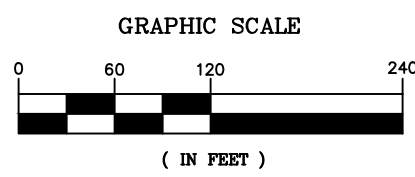
SITE PLAN

SHEET NUMBER

C-2



1 SITE PLAN WITH AERIAL
C-2 SCALE: 1" = 120'



REV	DATE	DESCRIPTION
A	04/11/23	PRELIMINARY LAYOUT
0		
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

DRAWN BY: KKH CHECKED BY: MM

PREPARED FOR:
J. CUBAS HOLDINGS, LLC
13830 SW 28TH STREET
MIAMI, FL 33175

PREPARED BY:
MARC P. MAIER, P.E.
FLORIDA LICENSE #72513
1033 S. GLEN MEADOW LP.
LECANTO, FL 34461
(352) 634-1643

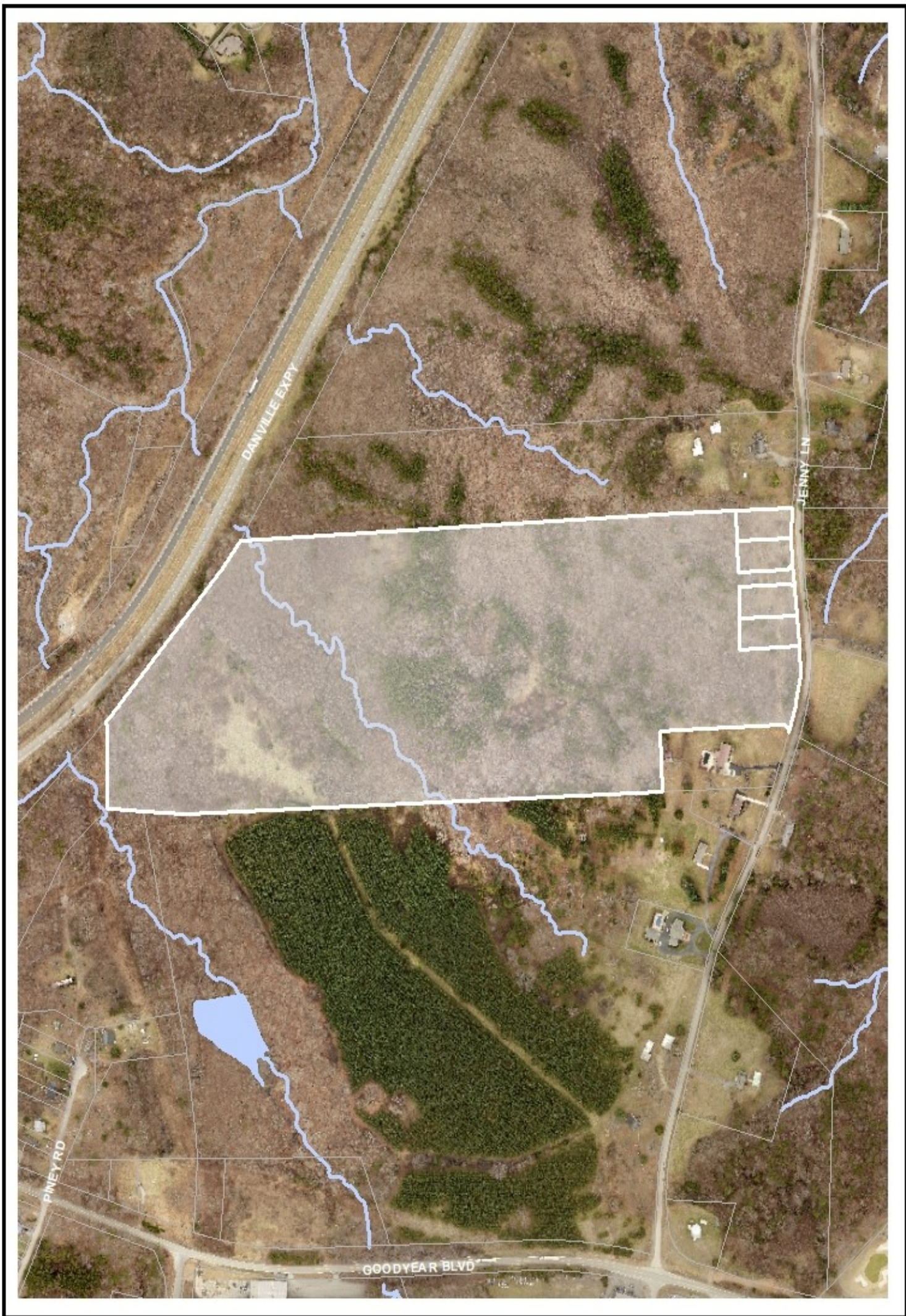
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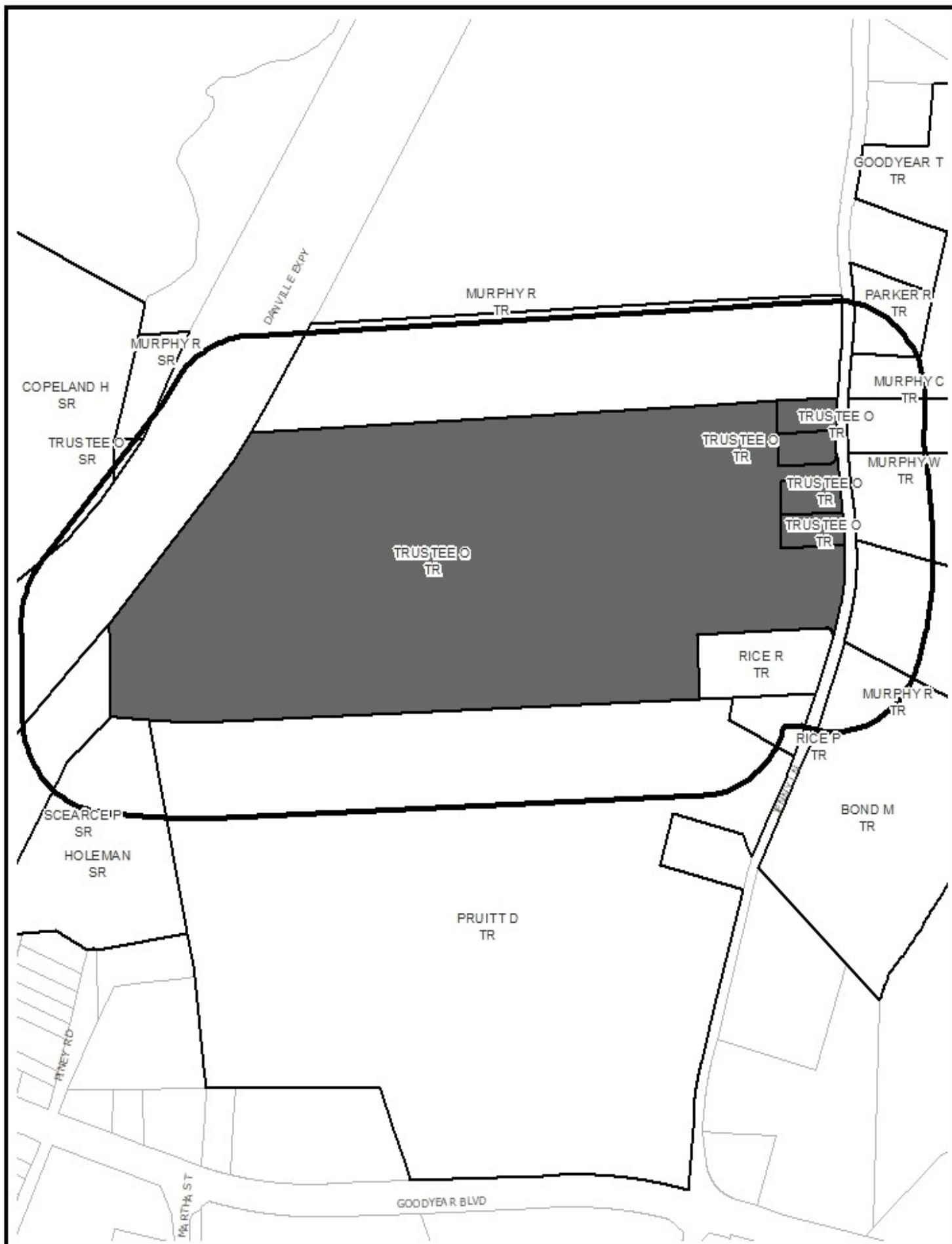
MARC P. MAIER, P.E.
FL PROFESSIONAL ENGINEER LIC. #72513

COUNTRY CLUB ESTATES
JENNY LANE
DANVILLE, VA 24541

SHEET DESCRIPTION
SITE PLAN WITH AERIAL

SHEET NUMBER
C-3



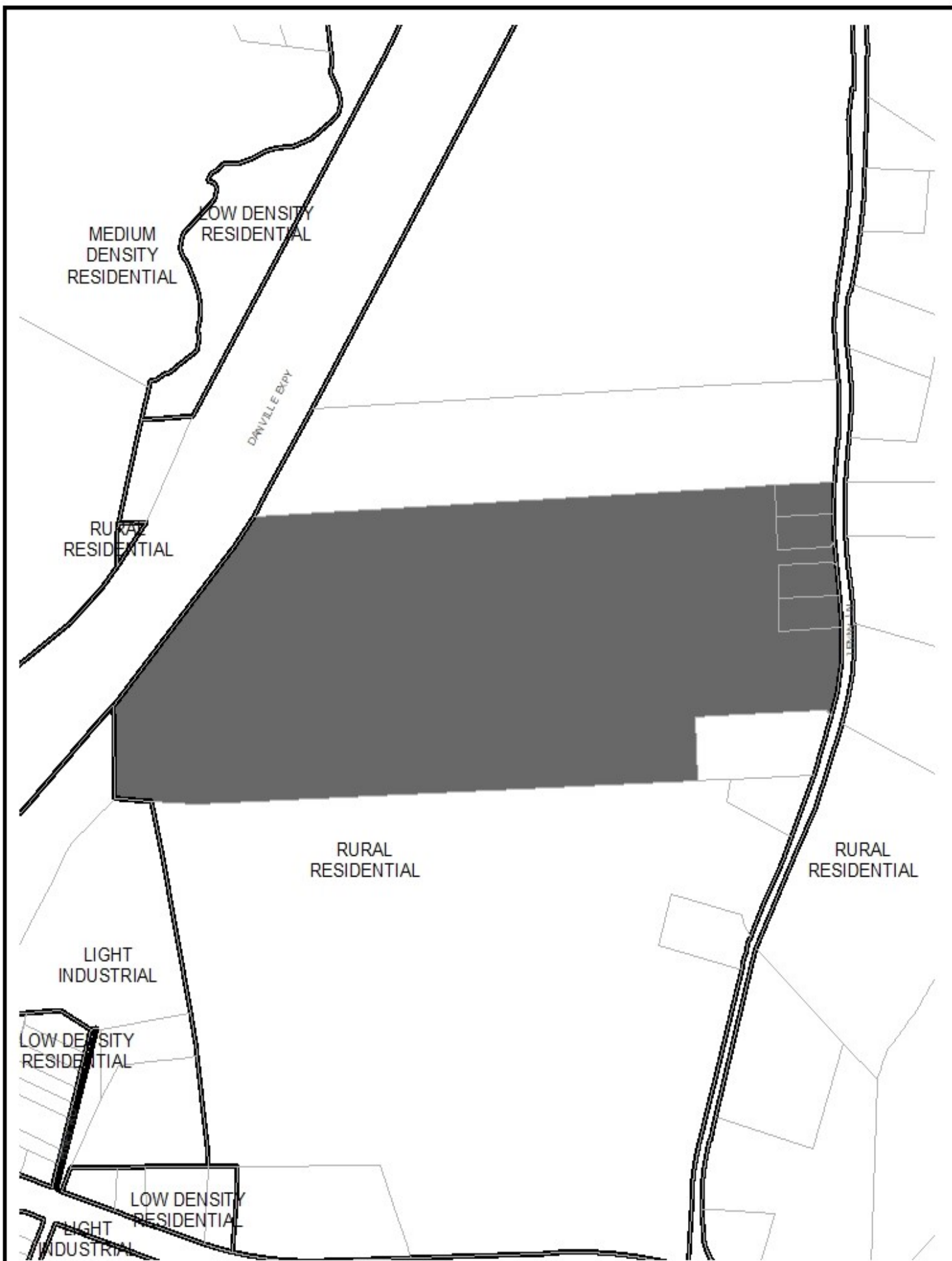


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
12/5/2023

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
12/5/2023

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.



STAFF REPORT

DATE: December 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning Application PZ23-00470 filed by J. Cubas Holdings, LLC, requesting to rezone Parcel 78052 on Jenny Lane from TR Threshold Residential to S-R Suburban Residential.

SUMMARY

The applicant, J. Cubas Holding, LLC, is requesting to rezone Parcel ID 78052 from T-R, Threshold Residential to S-R, Suburban Residential. The applicant is under contract for the purchase of this parcel and anticipates construction of a single family home development on the subject property.

Parcel ID 78052 is undeveloped and wooded with water and sewer utility connections to the north. Construction of a single family development would not necessitate a Traffic Impact Analysis or improvements to the existing roadway.

The primary difference between the T-R and S-R zoning classification is its maximum density. There is a maximum of two (2) units per net developable acre in the T-R district and a maximum of three (3) units per net developable acre in the S-R district.

The total acreage for Parcel ID 78052 is 55 acres. If the entire parcel was developed, the current maximum yield would be 110 single family dwelling units. If the zoning classification is changed to S-R, the maximum yield would be 165 single family dwelling units; yielding a potential for fifty-five (55) additional single family residential dwelling units.

The City of Danville has identified a need for additional housing units. The rezoning and subsequent additional yield of single family dwelling units is a benefit to the City as a whole.

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

RECOMMENDATION

The Planning Staff recommends that the City of Danville recommend approval of PZ23-00470 to rezone Parcels 75941, 77419, 77420, 77421, and 77422 from T-R, Threshold Residential to

S-R, Suburban Residential. The rezoning would increase the potential yield of new single family dwellings and assist to close the gap in the City of Danville's housing shortage.

ATTACHMENTS

1. Application
2. Supporting Documents
3. Jenny Ln2_AERIALS
4. Jenny Ln2_OWNERS
5. Jenny Ln2_LANDUSE

Country Club Estates

Comprehensive Land Use Change

TR-Transitional Residential to SR-Suburban Residential



Subject Properties

Parcel GPIN: 78052, 75941,
77419, 77420, 77421, 77422
Danville, Virginia

Applicant
J. Cubas Holdings, LLC
Joe Cubas, Manager

November 10th, 2023

TABLE OF CONTENTS

City of Danville Comprehensive Land Use Change Re-Zoning Application	3
Contract Purchaser/Owner Sales Agreement	5
Owner's Written Consent	7
 Background	 8
 Comprehensive Land Use Change (Re-Zoning)	 11
1. Consistency with the City of Danville Codes, Ordinances and Virginia Administrative Code	11
2. Consistency with City of Danville 2030 Comprehensive Plan	13
a. Sustainable Growth & Land Use	
b. Transportation	
c. Corridors & Gateway	
d. Housing & Neighborhoods	
e. Historic & Cultural Resources	
f. Economic Development	
3. Compatibility With Surrounding Properties & Adjacent Land Uses	22
4. Master Plan of Development-Letter of Intent	23
 Exhibits	
Conceptual Site Plans	
Existing Surveys	
Aerial View of Subject Property	
City of Danville Zoning Map	
City of Danville Existing Utilities Map	



City of Danville
Community Development
Planning Division

CITY PLANNING COMMISSION

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
 - a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - b. A written statement of proposed project compatibility with the following:
 1. The Comprehensive Plan.
 2. The applicable zoning district.
 3. The surrounding properties.
 4. Current and future neighborhood conditions.
 5. Pedestrian and vehicular traffic patterns, on-site and off-site.
 6. Adequate public facilities.
 - c. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 1. The architectural elevations and floor plans of proposed building(s).
 2. Traffic impact analysis.
 3. Fiscal impact analysis.
 4. Parking and site circulation analysis.
 5. Photographs of property and surrounding area.
 6. Environmental impact statement.
 7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____
Date Received: _____ Received By: _____
Parcel ID: _____ Zoning District: _____
Existing Zoning: _____ Proposed Zoning: _____

APPLICANT PROVIDED INFORMATION

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

Property Address: Parcels ID: 78052, 75941, 77419, 77421, 77421, 77422
Gross Area/Net Area: _____ 101.36 Acres

427 Patton Street | Danville, VA 24541 | 434.799.5260 | www.danvilleva.gov

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

Between: Goodyear Blvd and Goodyear Blvd

Proffered Conditions (if any, please attach): _____

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

Name: Margaret D. Marshall Revocable Trust Telephone: (434) 489-1444

Mailing Address: C/O Hauser Realty Group 523 Main Street, Danville, Va. 24541

Email Address: Scearce.commercial@gmail.com

Name: Elizabeth Marshall Revocable Trust Telephone: (434) 489-1444

Mailing Address: C/O Hauser Realty Group 523 Main Street, Danville, Va. 24541

Email Address: Scearce.commercial@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: J. Cubas Holdings, LLC Telephone: (305) 219-2558

Mailing Address: 13830 SW 28 Street, Miami, Florida 33175

Email Address: Jcubasholdings@aol.com

ESM Trust by Dalw Mdt Trust
11/9/23

Margaret D. Marshall Revocable Trust
11/10/23
Applicant Signature date

Property Owner Signature date
(if not applicant)

11-10-23
J. Cubas Holdings, LLC
Applicant



VIRGINIA REALTORS®
Commercial Purchase Agreement

Each commercial transaction is different. This form may not address your specific purpose. This is a legally binding document. If not understood, seek competent advice before signing.

This Commercial Purchase Agreement (the "Agreement") is dated January 9, 2023, between MARGARET D MARSHALL REVOCABLE TRUST & ELIABETH REVOCABLE TRUST ("Seller") and J CUBAS HOLDINGS, LLC AND/OR ASSIGNS ("Purchaser"). The parties acknowledge that HAUSER REALTY GROUP ("Listing Broker") represents Seller and that HAUSER REALTY GROUP ("Selling Broker") represents [select one]: ☒ Seller ☐ Purchaser. The parties further acknowledge that disclosure of the brokerage relationships was made to them by the real estate licensees involved in this transaction when specific assistance was first rendered and confirmed in writing.

1. **Sale of Property.** Purchaser agrees to buy and Seller agrees to sell the land, all improvements thereon, and all rights and appurtenances thereto belonging, located in the City/County of DANVILLE, Virginia, with a tax parcel no. of TRACT(1) 75941,77419,77420,77421,77422 BEING 46.34 & TRACT(2) 78052 BEING 55.35 AC and a street address of JENNY LANE. Seller discloses that [select one]: ☒ there are no tenants or other parties in possession of the Property OR ☐ there are tenants or persons who are in possession of the Property as set forth on **SCHEDULE A** attached hereto.

2. **Purchase Price.** The purchase price for the Property is Dollars (\$) (the "Purchase Price") and shall be paid to Seller at Settlement, subject to the prorations and adjustments described herein, as follows:

A. **Deposit.** Purchaser shall make a deposit of \$ to be held by WORLD TITLE TRUST (the "Escrow Agent") in the form of: ☐ check ☐ cash ☒ other WIRED FUNDS (the "Deposit"). Purchaser [select one]: ☐ has paid the Deposit to the Escrow Agent OR ☐ will pay the Deposit to the Escrow Agent within 5 days (the "Extended Deposit Date") after the date this Contract is fully executed by the parties. If Purchaser fails to pay the Deposit as set forth herein, then Purchaser shall be in breach of this Contract. At Seller's option and in lieu of all other remedies set forth in this Contract, Seller may terminate this Contract by written notice to Purchaser and neither party shall have any further obligation hereunder.

If the Escrow Agent is a Virginia Real Estate Board ("VREB") licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account by the end of the fifth business banking day following the latter of: (i) the date this Contract is fully executed by the parties, or (ii) the Extended Deposit Date. If the Escrow Agent is not a VREB licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account in conformance with applicable Federal or Virginia law and regulations. The Deposit may be held in an interest bearing account and the parties waive any claim to interest resulting from such Deposit. The Deposit shall not be released by the Escrow Agent until (i) credited toward the purchase price at settlement; (ii) Seller and Purchaser agree in writing as to its disposition; (iii) a court of competent jurisdiction orders a disbursement of the funds; or (iv) disbursed in such manner as authorized by the terms of this Contract or by Virginia law or regulations. Seller and Purchaser agree that Escrow Agent shall have no liability to any party for disbursing the Deposit in accordance with this paragraph, except in the event of Escrow Agent's negligence or willful misconduct.

B. **Balance.** The balance of the Purchase Price shall be paid by Purchaser at Settlement in certified funds or bank wire (inclusive of any loan obtained by Purchaser to purchase the Property).

3. **Settlement.**

A. **Settlement of Property.** Settlement of the purchase and sale of the Property shall be made at WORLD TITLE TRUST, 14750 NW 77 COURT, SUITE # 304 MIAMI LAKES, FL 33016 on August 31, 2023 ("Settlement"). Possession of the Property shall be delivered to Purchaser at Settlement.

VR Form 700 Revised 07/19
Reviewed 07/19

Page 1 of 10

Hauser Realty Group, 513 Main Street Danville VA 24041
Mike Sweeney

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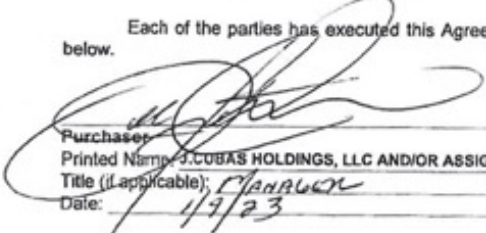
Phone: (434) 792-2088

Fax: (434) 792-2757

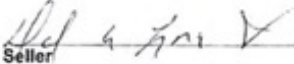
Jenny Lane

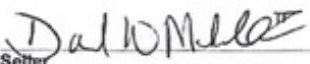
[Handwritten signatures: DWM, HAL]

Each of the parties has executed this Agreement in its name pursuant to due authority as of the dates set forth below.


Purchaser
Printed Name: COBAS HOLDINGS, LLC AND/OR ASSIGNEES
Title (if applicable): General
Date: 1/9/23

Purchaser
Printed Name:
Title (if applicable):
Date:


Seller
Printed Name: MARGARET D MARSHALL REVOCABLE TRUST
Title (if applicable):
Date: 1-10-23


Seller
Printed Name: ELIZABETH S MARSHALL REVOCABLE TRUST
Title (if applicable):
Date: 1/9/2023

Selling Company's Name and Address

HAUSER REALTY GROUP
523 MAIN ST , DANVILLE, VA 24541

Agent's Name MICHAEL W SCEARCE
Agent's tel. no. (434)489-1444
Fax no.
Agent's email scearce.commercial@gmail.com

Listing Company's Name and Address

HAUSER REALTY GROUP
523 MAIN ST , DANVILLE , VA 24541

Agent's Name MICHAEL W SCEARCE
Agent's tel. no. (434)489-1444
Fax no.
Agent's email scearce.commercial@gmail.com

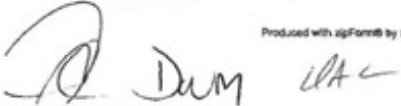
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VR Form 700 Revised 07/19
Reviewed 07/19

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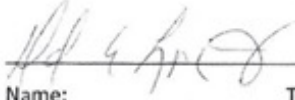
Jeany Lane



OWNER'S CONSENT

On this date, _____, 2023, Margaret D. Marshall Revocable Trust and Elizabeth S. Marshall Revocable Trust, the Owner(s) of record of vacant real estate property located in Danville, Virginia, specifically, Parcel ID 78052, 75941, 77419, 77420, 77421, 77422 with street address on Jenny Lane, through the undersigned legal representatives and Trustees of the respective trusts, grant consent onto J. Cubas Holdings, LLC. as the Contract Purchaser, to pursue a Comprehensive Land Use Change (Rezoning) and a Special Use Permit Application in accordance with City Codes & Ordinances, more specifically, Chapter 41, Zoning Ordinance, Article 3.C: S-R Suburban Residential District to obtain the entitlement approvals for the purposes of developing the subject property into a Residential Subdivision.

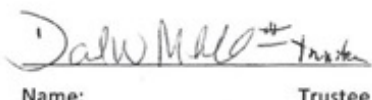
Agreed and Consent:


Name: _____ Trustee

Margaret D. Marshall Revocable Trust

Date: 11-10-23

Agreed and Consent:


Name: _____ Trustee

Elizabeth S. Marshall Revocable Trust

Date: 11-9-23

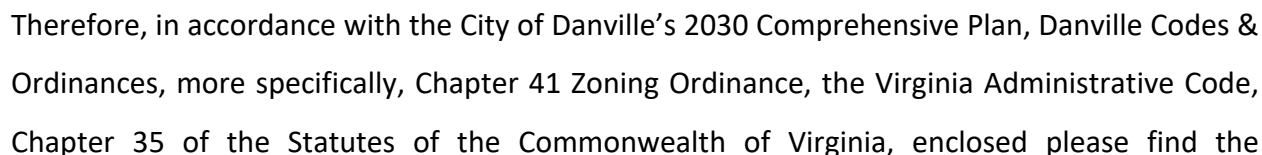
BACKGROUND

On January 9th, 2023, J. Cubas Holdings, LLC, a Florida Limited Liability Corporation, entered into a Commercial Purchase Agreement, included herein, with a Virginia resident to purchase the subject properties; a 55-acre parcel and a 46-acre parcel to develop a residential subdivision that compliments the existing neighborhood. As outlined in the Danville Housing Demand Analysis Report dated April 18th, 2022, the Danville-Danter Housing Study, and the Southern Virginia Regional Alliance, where they indicate that 3,900 new jobs are on the immediate horizon, this application submittal attempts to fill the severe housing shortage in Danville, which is at a critical juncture, having had little new housing added to the market over the past 25 years.



In accordance with the latest Plat of Survey by Crutchfield and Associates dated 4/21/20 provided by the Seller, the subject properties are comprised of 55.08 and 46.33 acres, respectively. The

The purpose of this application submittal package is to request a zoning change from the existing T-R Threshold Residential District to S-R Suburban Residential District in accordance with Chapter 41, Article 3. C. for the purposes of developing a Residential Subdivision.



Comprehensive Land Use Change Application submittal along with the Phase I Conceptual Site Plans and exhibits to secure the required entitlements.

REQUEST FOR LAND USE CHANGE & SPECIAL USE PERMIT

1. Consistency with the City of Danville Code, Ordinances & Virginia Administrative Code

The purpose of this application submittal package is to request a zoning change from the existing T-R Threshold Residential District to S-R Suburban Residential District in accordance with Chapter 41, Article 3. C. for the purposes of developing a Residential Subdivision of 405 detached single-family homes. A Conceptual Site Plan has been submitted for Phase I of the proposed residential subdivision as part of this Comprehensive Land Use Change application submittal.

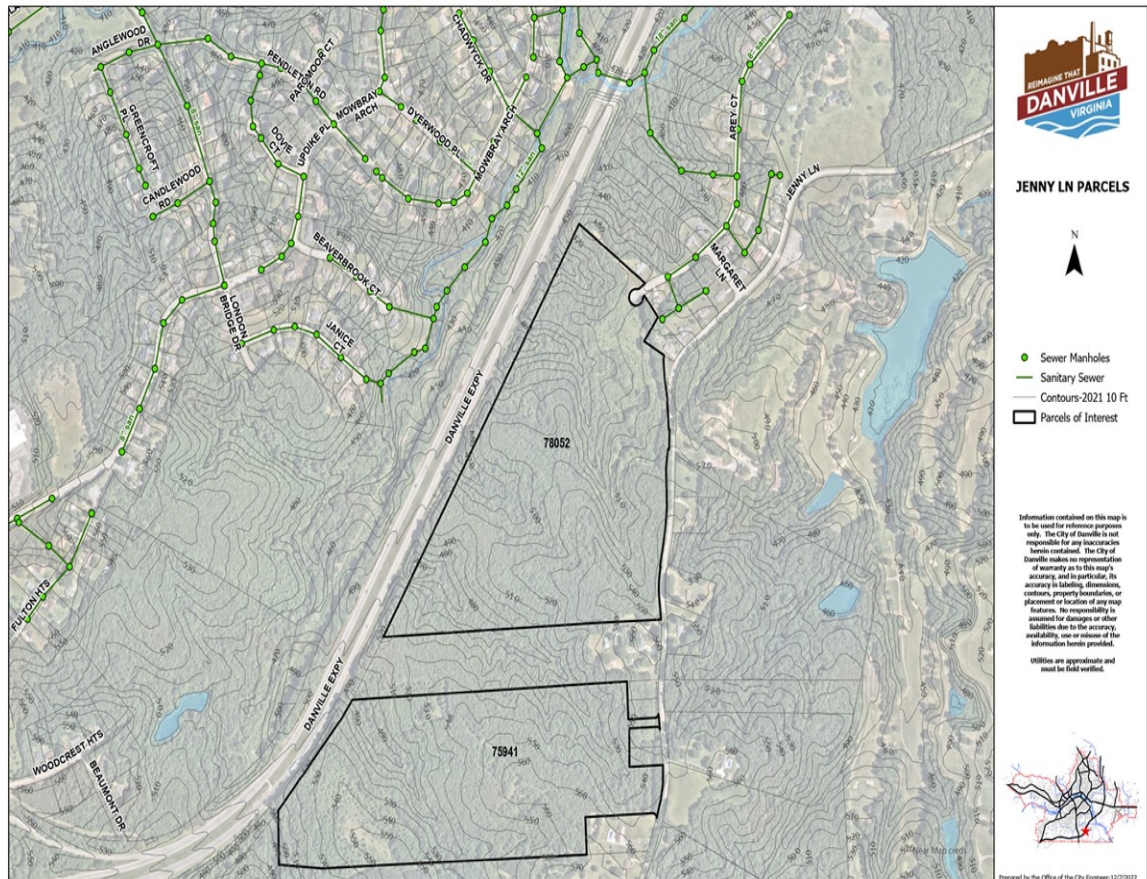
In accordance with Chapter 41, Article 3.C. S-R Suburban Residential District (Single Family Residential District), the purpose and intent of the S-R District is to provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for traditional suburban-scaled residential development in Danville. The average density of three units per acre establishes the S-R District as the City's medium density district for detached residences. The S-R district shall require public water and sewer service, public streets, and sidewalks as minimum subdivision improvements. Recognizing prevailing storm drainage deficiencies in and around the City, new subdivisions shall be constructed with storm drainage conveyance system equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.

Furthermore, in accordance with Article 3-C, C.5., Cluster residential development shall be encouraged in the S-R District in order to promulgate the City's objectives for environmental preservation, architectural harmony and consistency, adequacy of open space and recreation areas, and enhanced quality neighborhood improvements in new residential subdivisions. Provisions are included herein to permit cluster subdivisions with densities up to two-thirds higher than conventional subdivisions.

The S-R District may be applied to both undeveloped tracts and existing stable neighborhoods in appropriate locations recognized by the Comprehensive Plan. The intent of the district shall be to preserve existing natural features and vegetation, promote excellence in site planning and landscape design, facilitate the efficient layout and orientation of public utilities and community infrastructure, and encourage housing with compatible scale and character of architecture. No more than one single family dwelling shall be permitted per subdivision lot. No lots shall be permitted with private domestic wells or septic systems.

In accordance with Chapter 41, Article 3-C. S-R Suburban Residential Subdivision, the subject properties are 55 and 46 acres, respectively. Conceptual Site Plans for Phase I show a total of 221 detached single-family lots with a maximum density of four (4) units per acre on the 55-acre parcel. Phase II of the residential subdivision development will occur on the 46-acre parcel. It will also have a maximum density of four (4) units per acre for a total of 184 detached single-family homes. Combined, the residential subdivision will consist of 405 detached single-family homes. In accordance with Chapter 41, Article 3-C, S-R Suburban Residential Subdivision, the Conceptual Site Plans meet or exceed all the standards outlined in Article 3-C of the Zoning Ordinance. The standards outlined in Sub-paragraphs F., G. and I, will be met through final site plans and construction documents in order to obtain development permits.

The City of Danville has provided a water & sewer location Map as referenced herein, which shows the general location of main lines next to the subject property. Therefore, the subject property(s) will connect to City water & sewer.



2. Consistency with the City of Danville 2030 Comprehensive Plan

Introduction/Purpose

The 2030 Comprehensive Plan is designed to serve as a guide for the physical development of Danville to the year 2030. Towards this end, the overriding purpose of the Plan is to encourage the continued development of a safe and healthy community by offering a distinctive “vision” for the continued growth of Danville.

This Plan focuses on those particular areas in which the City, through its elected leaders and those staff involved in the planning and management of the City’s growth and

development, can and should have a progressive impact, defining what is in the best public interest while ensuring the preservation of private property rights.

Three underlying “themes” for community improvement are obvious in Danville and quickly come out at community meetings. One is the rebuilding and expanding of the City’s economic base beyond the traditional manufacturing that was its former cornerstone to include more high-tech industries that can provide good, well-paying jobs for Danville residents. A second is the desire to redevelop the older parts of the city while at the same time protecting and taking advantage of the historic character and natural resources of the City. A third is the need to provide for the public safety and maintain the quality of life enjoyed by Danville residents over the years. This Comprehensive Plan recognizes these themes, and it is the intent of the Plan and its Future Land Use Map to reflect them in a meaningful and creative manner.

This update to the 2030 Plan also includes a greater emphasis on housing and revitalization opportunities; a prioritization of gateway and corridor improvements; and a stronger connection between ongoing economic development efforts and future land use.

GOALS FOR FUTURE DEVELOPMENT

The most essential (and legally required) element of a Comprehensive Plan is its Future Land Use Map which graphically represents the plans for the future. For it to be of use and value, the Future Land Use Map must be integrally tied to its precedent goals, objectives, and policies.

The goals and policies/objectives outlined in the Comprehensive Plan serve to establish the framework around which the Future Land Use Map and plan were designed. They further establish the framework around which the City’s physical, community, and

economic growth and development can be shaped and guided. The goals are grouped into five general categories and can be stated as:

- A. Sustainable Growth & Land Use
- B. Transportation
- C. Corridors & Gateway
- D. Housing & Neighborhoods
- E. Historic & Cultural Resources
- F. Economic Development

In each plan element contained in this Comprehensive Plan is a statement of policies/objectives. To provide the City with some flexibility, no distinction is made between a policy and an objective. Each policy/objective statement can give birth to more refined policies and/or objectives as the plan is implemented from year to year through additional research and study related to specific projects and through the development of specific actions plans related to a project. In this way, the Plan can be a living, breathing document and is not too quickly outdated.

A. Sustainable Growth & Land Use

Promote a balanced mix of residential, commercial, and industrial uses which will accommodate the needs of existing businesses and residents and encourage well-planned development/redevelopment opportunities for new businesses and residents while at the same time protect the historic, architectural, cultural, and natural environment of Danville.

Policies / Objectives Seek to maintain a viable mix of residential and non-residential uses in Danville, typically defined as 65% residential / 35% nonresidential.

In accordance with the City of Danville Comprehensive Plan's Goals of Sustainable Growth & Land Use policies and objectives, the approval of the Land Use Change for the Residential Subdivision will be compatible with and maintain continuity of the residential uses of the neighborhood as the subject property and surrounding properties are either zoned T-R Threshold Residential or S-R Residential Subdivision, as required under Chapter 41, Zoning Ordinance of the City of Danville.

Policies / Objectives Encourage and direct medium and large-scaled industrial development to vacant parcels in established industrial parks or appropriately situated larger parcels near support services, public utilities, major transportation facilities, and other needed infrastructure.

The purpose and intent of Article 3.C, the S-R, Suburban Residential District is to create and provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for traditional suburban-scaled residential development in Danville.

Furthermore, in accordance with Chapter 41, Article 3-C. S-R Suburban Residential Subdivision, Phase I of the Conceptual Site Plans show a total of 221 detached single-family lots with a maximum density of four (4) units per acre. The size of the subject properties are 55.08 and 46 acres, respectively.

Additionally, the subject properties appear to be located in Planning Area 5: Southwyck and in Sub-Area 9 of the Comprehensive Plan. As such, the subject property is located within the southeast quadrant of the City. The Planning Area contains approximately 1450 total acres, which represents slightly over 5% of the City's total area. It is bordered on the west by the College Park Drive, on the north by the Danville Community College, Oakhill Cemetery and the Liberty View neighborhoods, and on the east and south by Goodyear Boulevard.

The Existing Land Use of the Southwyck Planning Area is largely residential in nature, *although it does support a wide range in residential uses in terms of affordability*. Nonresidential uses include the Southwyck Plaza Shopping Center, Goodyear's private eighteen-hole golf course and Grove Park. Public water service is available throughout the Planning Area however, public sewer is not easily available in the southern half of the planning area yet, the City has indicated that main lines are located at the mouth of the subject property on Jenny Lane, Arey Court and across the bypass.

The Future Land Use as outlined in the Comprehensive Plan for Planning Area 5 is Medium Density SF Residential infill for areas north of the bypass while predominantly threshold and regional commercial and light industrial uses south of the bypass.

Transportation Access to the Planning Area is provided by a network of major and minor thoroughfares (the Danville Expressway and South Main Street, respectively), local collector streets (Goodyear Blvd.) and minor residential streets. Corridors: South Main Street (Route 86 South).

B. Transportation

The purpose of the Comprehensive Plan's Transportation Plan is to ensure that the location, character, and capacity of the City's existing and future transportation facilities (including thoroughfares, arterial highways, local streets, parking facilities, and the airport) are compatible with the Future Land Use Plan, are supportive of sustainable growth, and enhance the City's livability and economic vitality.

Policy /Objectives Compatibility with Comprehensive Plan - To ensure adequate traffic carrying capacities, future transportation improvements should be commensurate with the Future Land Use Plan.

Bicycle and Pedestrian Elements – To enhance the City’s viability as an inviting center for tourism and to better integrate its existing and planned neighborhoods, the City should develop a master planned bicycle and pedestrian system in order to properly integrate these facilities into the existing Transportation Plan.

In accordance with the City’s Transportation Policy / Objective, the subject property is located in Planning Area 5 which provides for a network of major and minor thoroughfares (the Danville Expressway and South Main Street, respectively), local collector streets (Goodyear Blvd.) and minor residential streets. Corridors: South Main Street (Route 86 South). It also sits within close proximity of the intersection of Goodyear Blvd and Jenny Lane located on the south-side of the bypass, a major Collector. Additionally, the residential subdivision will encourage the incorporation of planned bicycle and pedestrian system within the subdivision to hopefully, if possible, integrate these facilities into the City’s existing Transportation Plan thereby, enhance the City’s and the residential subdivision’s viability as an inviting center for tourism.

Furthermore, as per policies and objectives of the Transportation Plan, the Applicant will submit for Subdivision and Site Plan Review at development, to ensure adequate street planning and design in order for the City to carefully evaluate all future residential development proposals in order to provide for appropriate levels of intercommunity traffic circulation in accordance with adopted subdivision standards required by VDOT.

C. Corridors & Gateway. Enhance the major transportation corridors and entrance gateways into the City to instill a sense of pride among residents, create a good impression to occasional and regular travelers through the City, and communicate clearly that Danville is a desirable place to live, work, and play. Goodyear Boulevard and South Main Street (State Road 86) are two of Danville’s principal entrance corridors and Major Gateways into the City.

If the Comprehensive Land Use Change to the residential subdivision is approved, in accordance with the Comprehensive Plan, more specifically, subsections A, Sustainable Growth & Land Use,

B. Transportation and F. Economic Development, the residential subdivision will take access through several access points from Jenny Lane located south of the Bypass and intersecting with Goodyear Boulevard, identified in the Comprehensive Plan as a Major Gateway. Heading north or into the city, Goodyear Boulevard intersects with South Main Street or State Road 86, another major transportation corridor and entrance gateway into the City.

D. Housing & Neighborhoods Promote opportunities for a wide variety of housing types in the city through adaptive reuse, redevelopment, and new development within established neighborhoods and districts and through sustainable and well-planned new development, including mixed use development, on vacant land with an emphasis on providing safe, sanitary, and affordable homes for low- to moderate-income residents as well as residents with higher incomes.

In accordance with Chapter 41, Article 3-C and the City's 2030 Comprehensive Plan, specifically, Sub-paragraph D (Housing & Neighborhoods), the Phase I Conceptual Site Plans and accompanying submittal package for the development of the residential subdivision have been designed precisely with the intent and purpose of this policy and objective as it promotes opportunities for a detached single family residential subdivision in the City through new development within established neighborhoods and districts and through sustainable and well planned new development on vacant land with an emphasis on providing safe, sanitary, and affordable homes for low- to moderate-income residents as well as residents with higher incomes.

E. Historical and Cultural Resources Promote historic and cultural resources by preventing deterioration, promoting rehabilitation and reuse, and promoting heritage tourism in the City.

While the residential subdivision, if approved, is not located at or near any historical and/or cultural resources, as part of its advertising campaigns and in accordance with this section of the

Comprehensive Plan, the subdivision will promote, among other things, Danville as a heritage tourism destination and as an All-American City.

F. Economic Development The City of Danville has a very robust economic development program utilizing its own Economic Development staff supported by the work of the Danville Chamber of Commerce and the staff and resources provided through the Commonwealth of Virginia, most notably, the Virginia Economic Development Partnership and the Tobacco Indemnification and Community Revitalization Commission. The City is also a partner in the West Piedmont Economic Development District, a regional body economic development coordination body required as a condition for receiving U.S.

While success has been hard to come by during the recent poor economy, Danville has continued to build the foundations for future growth.

Another form of economic development is through the growth and development of real estate housing more specifically, in the form of a residential subdivision. Real property tax is governed by State laws. State law requires property tax liabilities to be distributed according to property values and for those values to be at 100% of fair market value. As economic conditions are constantly changing, so are property values. It is the responsibility of the City to perform periodic reviews, adjustments as well as sales, cost, and income analysis that are necessary to maintain an accurate assessment. Assessing all real estate at fair market value assures all property owners are assessed fairly and equitably, thus the costs associated with the City's schools, fire, protection and public services are distributed properly and fairly.

As a basis to project the amount of tax revenue to the City generated by the approval of this application request, 405 single family homes will be used at an average fair market value of \$300,000 per home. Real estate assessment values and tax rates are effective as of July 1 of a given year through June 30 of the following year. The current Real Estate tax rate of the City of Danville is **\$0.84** per \$100 of assessed value. Therefore, based on the current tax rate, the

residential subdivision is projected to initially generate \$1,020,600 in property tax revenue to the City upon completion on an annual basis.

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

Policies / Objectives

Actively market the City as a viable location for business expansion and relocation in light of its position as a manufacturing center, its location at the intersection of US 58 and US 29, its central location within the two states of North Carolina/Virginia, and its proximity to the Research Triangle and Piedmont Triad regions of North Carolina.

Located in the South-Central Piedmont region of Virginia, City of Danville is well positioned to serve the needs of manufacturing and other industry – just a day's shipping distance from two-thirds of the U.S. population.

Consistent with the City's Comprehensive Plan and Zoning Code Ordinance, the subject property(s) lies within the City of Danville, South-Central Piedmont region of Virginia and only a couple miles away from the North Carolina state line where it forms the county's southern boundary.

In accordance with Article 6 of the Zoning Ordinance, this Comprehensive Land Use Change Application Submittal meets all applicable standards in Article 3-C., more specifically, (1) it is in harmony with the adopted Comprehensive Plan, it's in harmony with the intent and purpose of the Residential zoning district in which the use is proposed to be located; and with the character of adjacent properties and the surrounding neighborhoods,(2) the proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities, (3) the proposed use shall not result in the destruction, loss

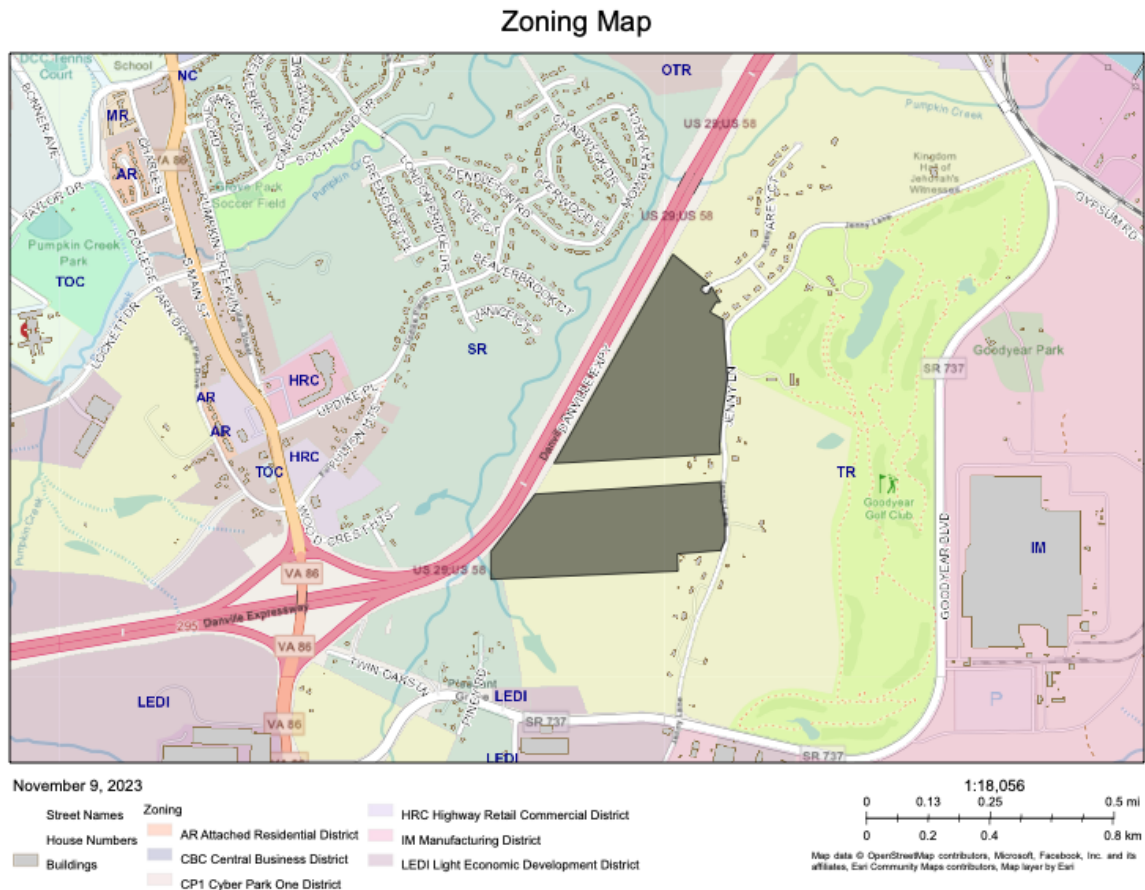
or damage of any feature determined to be of significant ecological, scenic or historic importance, (4) the proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods. Furthermore, it meets the objectives outlined in Economic Development section of the Comprehensive Plan. More specifically, the approval would (1) enhance the long-term visual attractiveness of the City's major commercial corridors, (2) expand job opportunities for City employees, (3) due to its proximity to Goodyear Gold Course, may increase visitation and tourism to the City and (4) promote the City as an attractive location to purchase a home and economic development. Additionally, upon completion, based on the projections mentioned above; the development of 405 single-family homes at a fair market value of \$300,000 and a tax rate of \$0.84 per \$100, the annual projected Property Taxes due to the City will be \$2,520 per home or a total of \$ 1,020,600 per year at the present rate.

3. Compatibility with Surrounding Properties & Adjacent Land Uses

The subject property(s) are in Planning Area 5: Southwyck, and in Sub-Area 9 of the Comprehensive Plan with a Future Land Use of Medium Density Residential. They are presently zoned T-R, Threshold Residential District. As per the Zoning Map from the City's GIS system included herein, the subject properties are surrounded by existing residential subdivisions in the SR district, as well as, the TR district, Goodyear Golf Course and single-family residential across Jenny Lane, the bypass to the north and single-family residential to the east.

Therefore, in accordance with Chapter 41, Articles 3.B and 3-C, the subject property(s) already have the appropriate residential district to develop a single-family residential development. The purpose of this Comprehensive Land Use Change application request is to increase the density from 2 units per acre under the existing TR Residential District to a maximum of 4 units per acre under the SR Residential Subdivision District. As such, the subject property(s) will maintain compatibility with the residential nature of the area, adjoining and /or surrounding properties &

adjacent land uses while continuing to provide continuity to the existing neighborhood as shown in the City's GIS Zoning Map below.



4. MASTER PLAN OF DEVELOPMENT

The Phase I Conceptual Site Plan has been designed in accordance and is consistent with, the City of Danville Comprehensive Plan and City Codes & Ordinances more specifically, Chapter 41 Zoning Ordinance and the Virginia Administrative Code, Chapter 450, Title 12, Health, Agency 5 and Department of Health.

The Phase I Conceptual Site Plan shows residential lots and the required open space as per Article 3-C, SR Residential Subdivision.

The purpose of this application submittal package is to request a zoning change from the existing T-R Threshold Residential District to S-R Suburban Residential District in accordance with Chapter 41, Article 3. C. for the purposes of developing a Residential Subdivision of 405 detached single-family homes.

In accordance with Chapter 41, Article 3-C. S-R Suburban Residential Subdivision, the subject properties are 55 and 46 acres, respectively. Conceptual Site Plans for Phase I show the development of 221 detached single-family lots with a maximum density of four (4) units per acre. The development of Phase II of the residential subdivision will occur on the 46-acre parcel. It will also have a maximum density of four (4) units per acre for a total of 184 detached single-family homes. Upon completion, the overall residential subdivision development will consist of 405 detached single-family homes. In accordance with Chapter 41, Article 3-C, C.5, S-R Suburban Residential Subdivision, the Conceptual Site Plans meet or exceed all the standards outlined in Article 3-C of the Zoning Ordinance.

Furthermore, in accordance with Article 3-C, C.5., Cluster residential development shall be encouraged in the S-R District in order to promulgate the City's objectives for environmental preservation, architectural harmony and consistency, adequacy of open space and recreation areas, and enhanced quality neighborhood improvements in new residential subdivisions. Provisions are included herein to permit cluster subdivisions with densities up to two-thirds higher than conventional subdivisions.

The S-R District may be applied to both undeveloped tracts and existing stable neighborhoods in appropriate locations recognized by the Comprehensive Plan. The intent of the district shall be to preserve existing natural features and vegetation, promote excellence in site planning and landscape design, facilitate the efficient layout and orientation of public utilities and community infrastructure, and encourage housing with compatible scale and character of architecture. No more than one single family dwelling shall be permitted per subdivision lot. No lots shall be permitted with private domestic wells or septic systems.

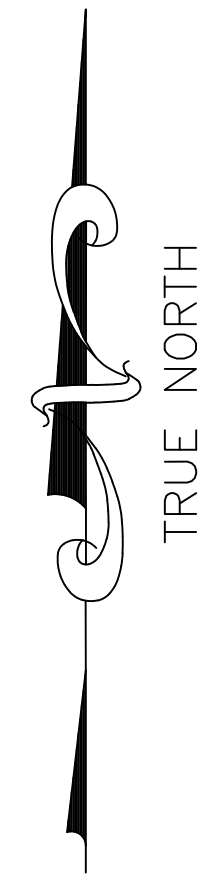
The City of Danville has provided a water & sewer location Map as referenced herein, which shows the general location of main lines next to the subject property. Therefore, the subject property will connect to City water & sewer.

Although architectural or engineered construction drawings have not been created at this time pending entitlement approvals, the applicant will abide by all applicable sections of Chapter 41 of the City Ordinance and Chapter 450 of the Virginia Administrative Code as they relate to the development of the residential subdivision.

The subject property(s) abut to two residential subdivisions already zoned SR Suburban Residential and T-R Threshold Residential respectively on either side, abuts to the ROW of the bypass on the north and Jenny Lane on the south. The City of Danville has indicated that the water mains are located at the subject property. In accordance with the City of Danville Comprehensive Plan, Chapter 41 and Chapter 450 of the Virginia Administrative Code, the subject property will connect to City water.

The same applies to sewer. The City of Danville services the adjacent properties within the with sewer facilities. The City of Danville has indicated that the sewer mains are located at the subject property. In accordance with the City of Danville Comprehensive Plan, Chapter 41 and Chapter 450 of the Virginia Administrative Code, the subject property will connect to City sewer.

At this time, the Phase I Conceptual Site Plans do not show Impervious Surface Ration (ISR) however, the proposed density is 4.0 units per acre. Upon entitlement approvals and before the design of construction documents, the applicant will coordinate with the City of Danville Engineering & Public Works Departments to design and meet the requirements for stormwater retention.



REV	DATE	DESCRIPTION
A	04/11/23	PRELIMINARY LAYOUT
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DRAWN BY:	CHECKED BY:
RM	MM

PREPARED FOR:
J. CUBAS HOLDINGS, LLC
13830 SW 28TH STREET
MIAMI, FL 33175

PREPARED BY:
MARC P. MAIER, P.E.
FLORIDA LICENSE #72513
1033 S. GLEN MEADOW LP.
LECANTO, FL 34461
(352) 634-1643

**PRELIMINARY
NOT FOR CONSTRUCTION**

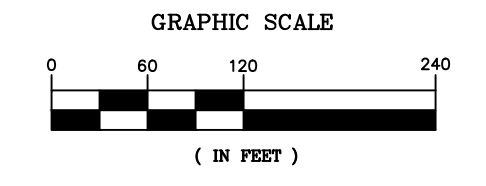
MARC P. MAIER, P.E.
FL PROFESSIONAL ENGINEER LIC. #72513

COUNTRY CLUB ESTATES
JENNY LANE
DANVILLE, VA 24541

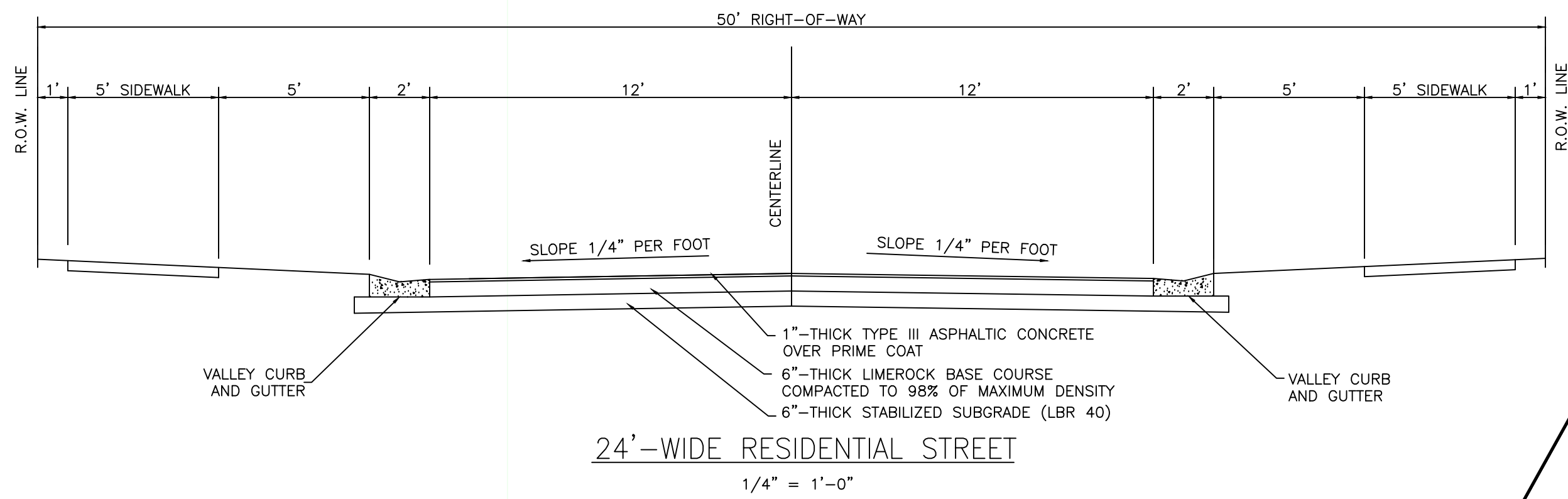
SHEET DESCRIPTION
EXISTING CONDITIONS

SHEET NUMBER
C-1

1
C-1 **EXISTING CONDITIONS**
SCALE: 1" = 120'

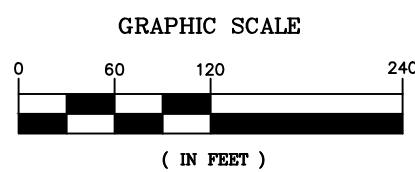


SITE SCHEDULE	
TOTAL APPLICANT OWNED LAND AREA	106.76 ACRES
TOTAL SITES ALLOWED	225
TOTAL SITES PROPOSED	221



GPIN: 75931
ROY E. & DORIS U. MURPHY
D.B. 416, PG. 38

1
C-2
SITE PLAN
SCALE: 1" = 120'



REV	DATE	DESCRIPTION
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DRAWN BY: KJH
CHECKED BY: MW

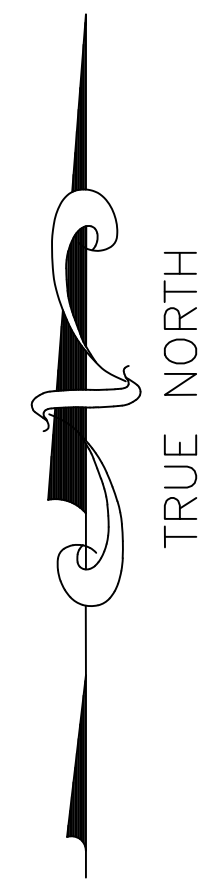
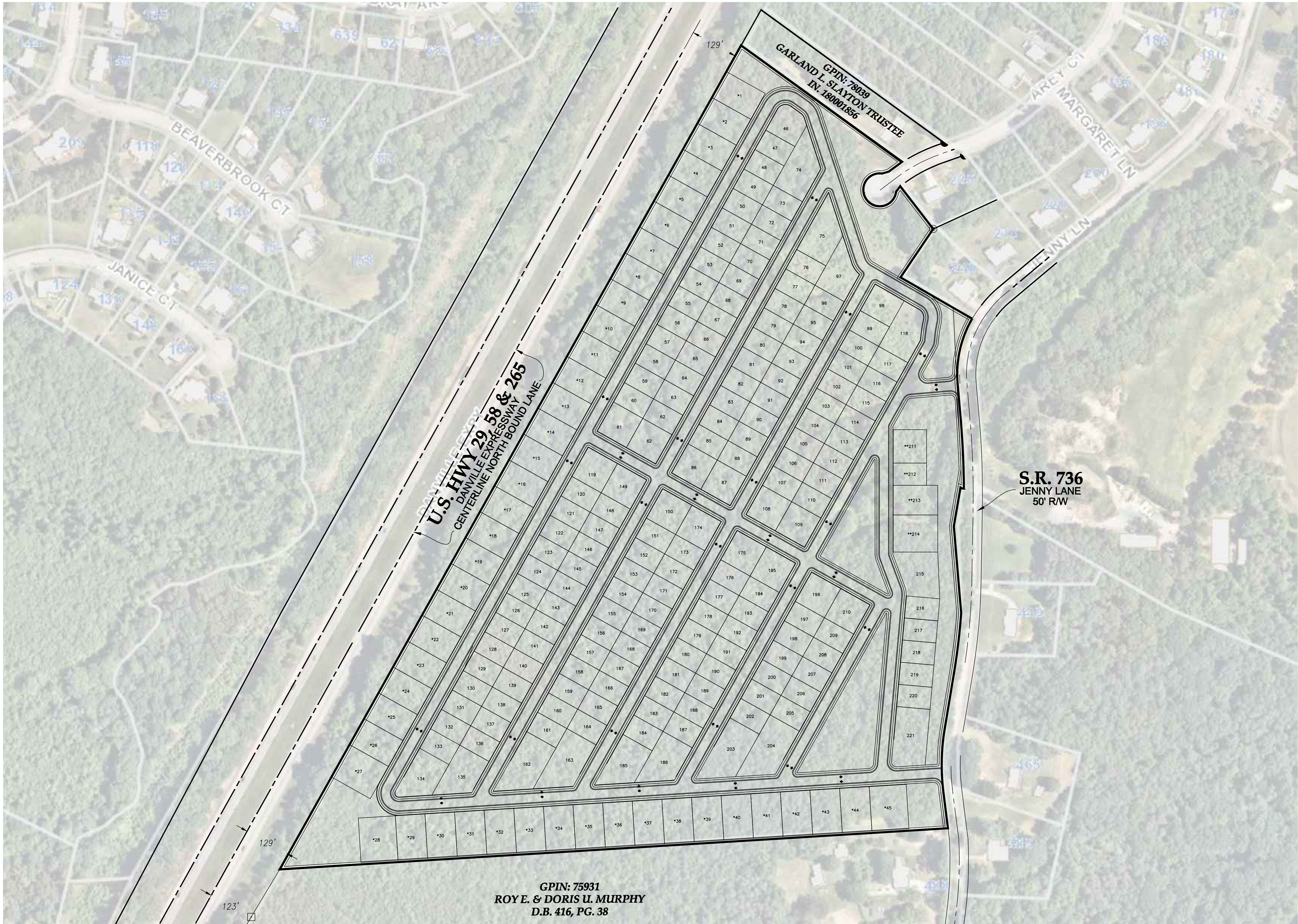
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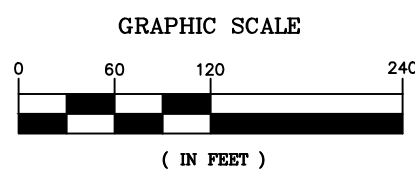
PRELIMINARY
NOT FOR CONSTRUCTION

MARC P. MAIER, P.E.
FLORIDA PROFESSIONAL ENGINEER LICENSE #72513

COUNTRY
CLUB
ESTATES
JENNY LANE
DANVILLE, VA 24541
SHEET DESCRIPTION
SITE PLAN
SHEET NUMBER
C-2



1 SITE PLAN WITH AERIAL
C-2 SCALE: 1" = 120'



REV	DATE	DESCRIPTION
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DRAWN BY: KJH
CHECKED BY: MW

PREPARED FOR:
J. CUBAS HOLDINGS, LLC
13830 SW 28TH STREET
MIAMI, FL 33175

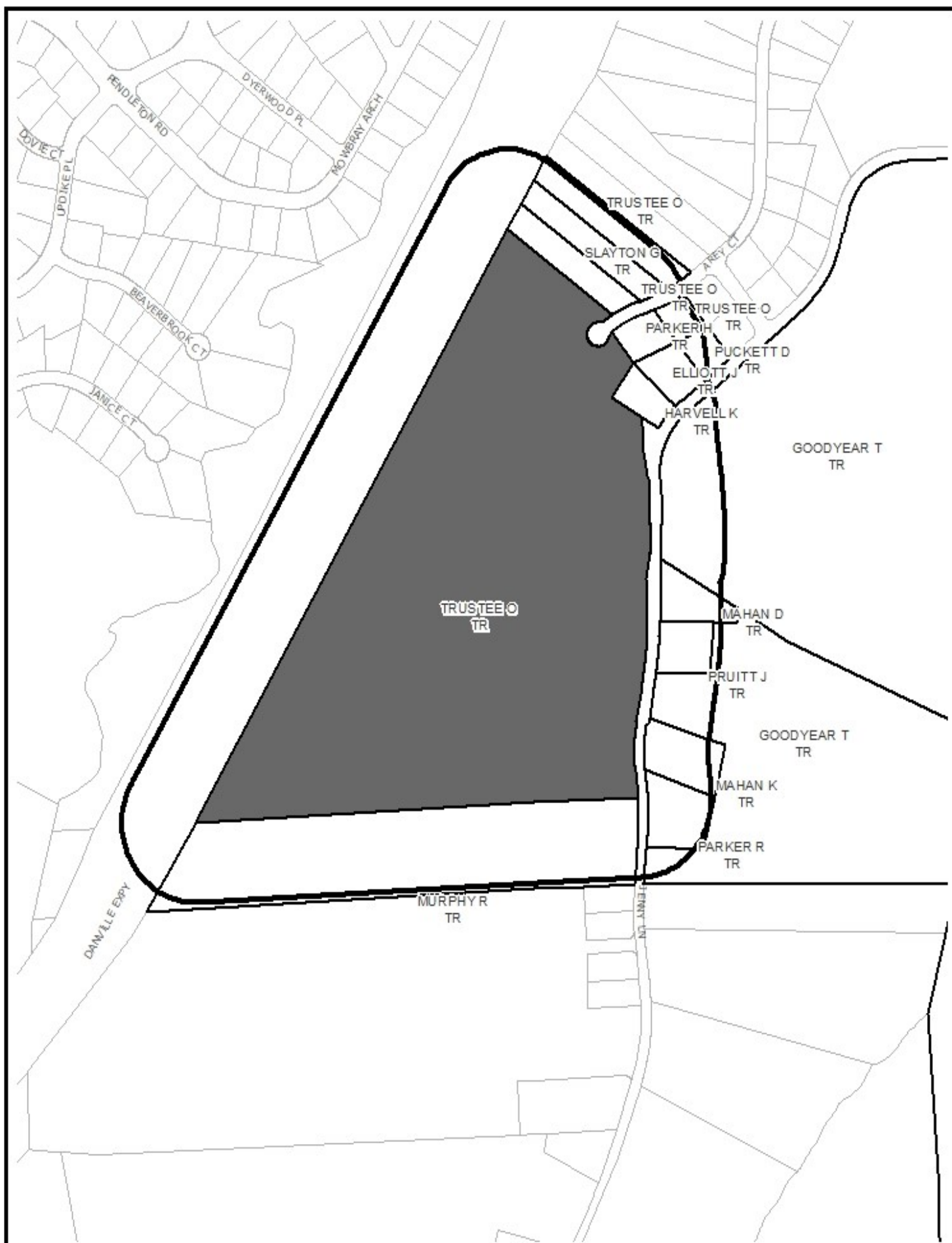
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LECAUTO, FL 34461
(352) 634-1643

COUNTRY CLUB ESTATES
JENNY LANE
DANVILLE, VA 24541
SITE PLAN WITH AERIAL
SHEET NUMBER
C-3



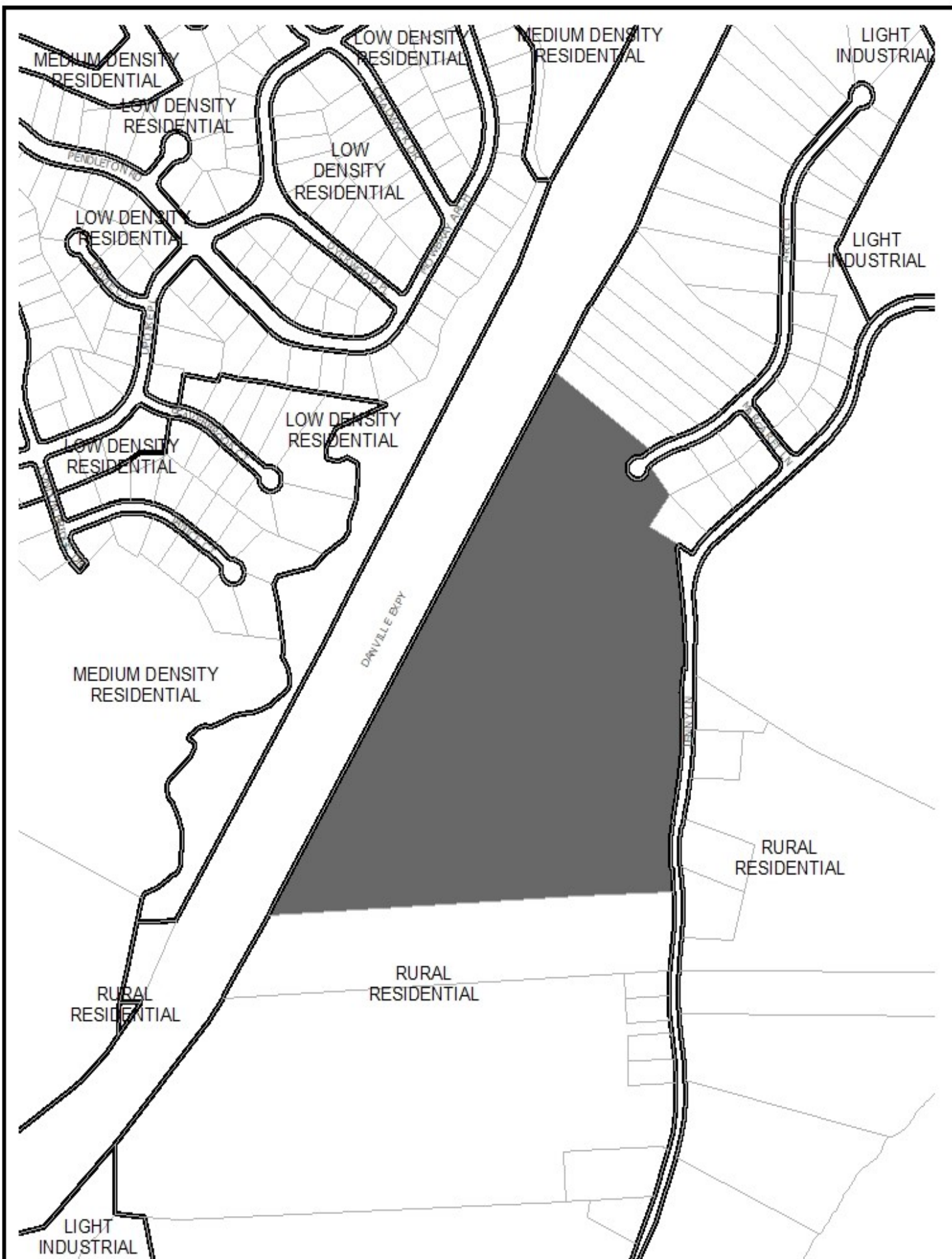


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
12/5/2023

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
12/5/2023

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PLANNING COMMISSION MINUTES

November 13, 2023

MEMBERS PRESENT

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

MEMBERS ABSENT

Mr. Ranson

STAFF

Cynthia Lester
Renee Burton
Clarke Whitfield
Shanika Williams

I. ITEMS FOR PUBLIC HEARING

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. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. Renee did anyone reach out to you as to why they are not here again.

Ms. Burton stated. Just the email that is in your packet that's the only correspondence we have.

Mr. Kahn stated. How many times is he absent.

Ms. Burton stated. This is the third.

Mr. Petrick stated. Mr. Motley is not going to be attending period.

Ms. Burton stated. That is my understanding from his email.

Ms. Evans stated. You know how I feel about people attending the meeting when they have applied. I think it's very important, I understand he lives in Florida and would have to come up here multiple times. If approved to work on the project but I have concerns that he nor anyone from community services that apparently, he does not have a formal agreement with are not here.

Mr. Bolton stated. The property is not in good repair, I'm not sure that driveway is a driveway. It's an opening in the curb. I'm not sure we could move to a recommend approval with a denial be in order or another postponement.

Mr. Kahn stated. I have a concern that he's absent three times and I don't know which terminology to use but if he's absent three times, I agree with what is to tell us here that you have any interest at all in the process. I think it's a total derogation of that duty.

Mr. Petrick stated. Staff has some serious questions that have not been answered.

Ms. Burton stated. Yes.

**Ms. Evans made a motion to deny Special Use Application PZ23-00280 as submitted.
Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.**

- 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.*

**Mr. Bolton made a motion to postpone Special Use Application PZ23-00298 until December.
Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.**

- 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.*

Mr. Petrick opened the Public Hearing.

Ms. Carter stated. Owner of the property from Martinsville.

Mr. Bolton stated. You are living in the house.

Ms. Carter stated. Yes.

Mr. Bolton stated. And when you do the Airbnb will you be there as well?

Ms. Carter stated. Yes, I will be able to come back and forth and maintain. And I do have different connections in the area for lawn maintenance. I understand the rules and stipulations to make sure like for the quiet times.

Ms. Evans stated. Who will be responsible for taking out the trash each time your guest leaves.

Ms. Carter stated. I will have rules about that having the city trash can labeled there, and if I have to be the person to come in and do that, I do have someone available to come in and do that each week.

Ms. Evans stated. Put it out on the curb.

Ms. Carter stated. Yes.

Ms. Evans stated. And return it to the residence.

Ms. Carter stated. Yes.

Ms. Evans stated. Have you been operating this property in the past as an Airbnb.

Ms. Carter stated. No, I've been living there myself.

Ms. Evans stated. You know it would be the entire house.

Ms. Carter stated. Yes.

Mr. Bolton stated. Do you generally go somewhere else when you rent it.

Ms. Carter stated. I will be relocating to a different house close enough to get here in a good amount of time.

Ms. Evans stated. 30 minutes.

Ms. Carter stated. It's about 35 minutes, the person I have like my property manager is also within 30 to 35 minutes as well.

Ms. Evans stated. Rule 30 minutes, Ms. Burton.

Ms. Burton stated. It's 50 miles currently.

Ms. Evans stated. But subject to change.

Ms. Carter stated, Ms. Burton made me aware of some changes about that and because I am from Martinsville, I do have a lot of connections in the area. So. I'll be able to make adjustments if needed.

Ms. Ballard stated. I live at 134 Briar Cliff Lane which backs up to Hermitage and I'm opposed to the rezoning request and having a transient Airbnb in our neighborhood for various reasons. One is the quietness of the neighborhood, the other is transient have no stake in where we live. They don't pay taxes.

Mr. Simile stated. I live at 135 Briarcliff Lane. I oppose this request for the same reasons, neighborhood children can be abused by transient people coming in and out of the community. It's a long-term neighborhood where people have been there for a while, this will change our property value. We have the casino coming in, we feel the Airbnb will take tax money away and for various reasons we oppose this.

Mr. Ballard stated. The one thing that wasn't mentioned is the house that's beside us just sold and they are redoing that house. My question is the property is turnover to business, what effect will that have on my next-door neighbor on my street. Is that a whole new issue or how does that work?

Mr. Petrick stated. As far as what they decide to do with their property.

Mr. Ballard stated. Exactly, could they do the very same thing, I don't know how far the zoning goes. If you were to approve this could the property right beside me do the same thing.

Mr. Petrick stated. Short-term rentals are available in most residential areas by special use permit, and they would go through the same process as Ms. Carter.

Mr. Ballard stated. That concerns me as soon as you get one going it's going to be hard to say you can have this house, but you can't have this house. The neighborhood would totally change, and we would like to have it go somewhere different.

Ms. Evans stated. A lot of people come to us and say they don't have anything against Airbnb but not in a neighborhood. Where do you have them? Where can they go.

Mr. Ballard stated. Best place is a destination, it's a alternative to a motel. I can only imagine the lot behind me working is the casino. I just don't think it fits in that neighborhood.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. 27 notice were sent, and we only got back 4 and those were split, 2 opposed and 2 unopposed, if the neighborhood is against these, I think you need to be more diligent about sending those letters in, coming to the meetings. 27 letters sent and only 4 returned that's pretty silent from a lot of people.

Mr. Bolton made a motion to approve Special Use Permit PZ23-00348 as submitted. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

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.*

Mr. Petrick opened the Public Hearing

Ms. Newcomb stated. Owner of the Preferred Management Group, currently have 2 Airbnb at the Monticello apartments at Jefferson, why I have no plans to do anymore Airbnb there. It just an option to have in the future. Should I choose to exercise it. I spoke to Ms. Burton as far as the parking recommendations, I understand the need for parking and have come up with a few solutions if it is approved conditionally based on parking. As you see by the unopposed neighbors on the street neither of my units have had any issues or cause issues for the neighbors.

Mr. Petrick stated. Is there access? I assume off street parking would be in the rear of the building. Correct.

Ms. Newcomb stated. The beginning of the development of the property that showed some parking in the back. That was not done when they renovated the property. It would be that I would rent spaces or figure out something else. I'm not sure if it's feasible to have parking back there it is currently graded. I have also tried to convince Ms. Burton to partial off part of the lot beside us, of course the city owns it. We would love to offer off-street parking if there was a way to manage that somewhere in that area, we would be all for it. We have to find those options.

Ms. Evans stated. You are operating 2 units as Airbnb, and how long have you been doing that.

Ms. Newcomb stated. One since January of this year, the other one since June of 2022.

Ms. Evans stated. Not come to ask for special use permit prior to.

Ms. Newcomb stated. That was prior to it being a requirement to get business license clearance. I think that went into effect in March this year.

Mr. Jones stated. You said you have a few solutions, ideas as far as parking is one of those where you stated renting spaces, where would they be rented at.

Ms. Newcomb stated. One option would be at Epiphany's parking lot. Also, some parking down Jefferson I think its Patton Street that would all be temporary, my goal is to obtain off-street parking for that apartment as well as the other.

Mr. Bolton stated. You think in the meantime, you would because this may take some time. Rent those out long-term.

Ms. Newcomb stated. Sure, there are 2 there that are short-term the rest are long-term rentals and as I said I have no plan to do anymore of my own personal as short-term rentals in Danville.

Mr. Bolton stated. Just give you an option, if we get the conditional.

Ms. Newcomb stated. Yes.

Ms. Evans stated. Where is those tenants parking now?

Ms. Newcomb stated. Its off street parking. It's street parking all the way up Jefferson Avenue on both sides.

Ms. Evans stated. Those spaces typically full every day.

Ms. Newcomb stated. No, generally my Airbnb guest has just one car, the guest in the six plex has 2 cars and the other two have 1 car.

Mr. Petrick closed the Public Hearing

Mr. Bolton stated. On a long-term rental they are not required to have off-street parking are they.

Ms. Burton stated. This particular address, 212, 214, 216 Jefferson is considered legal non-conforming, so it does not require that they provide any off-street parking.

Mr. Petrick stated. So, the special use would be a new use and be a requirement.

Ms. Burton stated. Right, you can condition that.

Mr. Petrick stated. Not extend to long-term tenants.

Ms. Burton stated, That's right.

Mr. Bolton made a motion to approve Code Amendment Request PZ23-00351 with condition of off-street parking be provided at a rate of 1 space per 2 bedroom.

Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

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.*

Mr. Petrick opened the Public Hearing.

Mr. Srinivasaiah stated. I currently operate 2 Airbnb in the historic district.

Mr. Bolton stated. How long have you own it.

Mr. Srinivasaiah stated. 4 years.

Mr. Bolton stated Are you the person that have most of the work.

Mr. Srinivasaiah stated. Yes, I did a complete rehab to the property.

Mr. Bolton stated. It looks nice.

Ms. Evans stated. You plan to rent the entire house or just rooms?

Mr. Srinivasaiah stated. The entire house.

Ms. Evans stated. Do you plan to improve the driveway?

Mr. Srinivasaiah stated. I was not sure whether I could do it or not. I can improve it if it's a requirement.

Ms. Evans stated. That is a very rough driveway for someone to park in.

Mr. Srinivasaiah stated. I was operating it as a rental for the last year after I did a complete renovation, so I had my tenants park there. But if it needs to be improved, I'm not sure what I can do. In the historic district guidelines as to what can be done and what cannot be done, so if it needs to be improved, I will do it.

Mr. Dodson stated. How many occupants would have as a maximum if you rented it out.

Mr. Srinivasaiah stated. It is a very large house with four large bedrooms, so I was thinking 2 per bedroom so that would be 8 people. Parking up to 4 cars can park, that how it was being use when it was a rental.

Ms. Evans stated. Four cars in the driveway.

Mr. Srinivasaiah stated. Yes, I have cleared out a very large space, in the back side so 4 cars can park there.

Ms. Evan stated. Just getting back there, it looks like its very rough to get back there.

Mr. Srinivasaiah stated. I graded it yes; the driveway is deep and if I need to do anything more I will.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. Ms. Burton can you tell us why the Commissioners of Architectural Review voted not to make a recommendation.

Ms. Burton stated. There were no additional comments made during the meeting. There was a motion made making no recommendation for this particular address and then the separate recommendation that they made on Jefferson Avenue. There were no additional comments.

Mr. Bolton stated. Right now, I know we have in the works some possibilities of requiring the off-street parking be paved or crush and run, dust free but we haven't done that yet. Correct.

Ms. Burton stated That's correct.

Mr. Bolton stated. So, if we were to approve it, he would be grandfathered into that. He wouldn't have to do that unless we made a condition now.

Ms. Burton stated. That's correct.

Mr. Petrick stated. Just for clarification some of these larger properties like this gentleman's house on Green Street that can accommodate 8 people. That is 8 people in the same family. He can't rent out to 8 individual people can he.

Ms. Burton stated. The property itself and it rental will be for 8 persons. It does not state that they all need to be related or within the same family. If it is to be a long-term rental, when it's occupied by a single-family dwelling, the code states it is no more than 3 unrelated individuals. But this is separate because it is a short-term rental. This is different.

Mr. Petrick stated. If it's not occupied by the owner, we offer no restriction on whether each individual room can be rented.

Ms. Burton stated. Yes, they cannot be all rented. It has to be the entire home as one rental. Cannot be individual rooms.

Mr. Petrick stated. As one room.

Ms. Burton stated. A rental of individual rooms is the definition of a boarding house by our zoning code.

Mr. Petrick stated. I think it's not very clear with the public exactly how this works.

Mr. Bolton stated. I think it a little unfair if we put conditions about the driveway now since there are none in light that we might have them. I think the Airbnb competitiveness would probably require him at some point if everywhere else has nice driveways. He'll probably feel the need to do that, and he seems willing to do it.

Mr. Bolton made a motion to approve Special Use Permit application PZ23-00355 as submitted.

Mr. Kahn seconded the motion. The motion was approved by a 5-1 vote.

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.*

Mr. Petrick opened the Public Hearing.

Ms. Adams stated. I am currently operating an Airbnb in the Schoolfield District and it's doing very well so we want to open another on Avalon Drive.

Mr. Petrick stated. You are in the Schoolfield District. Are there any issues that have surprise you in your rental there.

Ms. Adams stated. No.

Mr. Petrick stated. Are you listed with Airbnb?

Ms. Adams stated. Yes

Ms. Evans stated. Who puts out the trash on the one you currently have.

Ms. Adams stated. I do.

Ms. Evans stated. You pull it to the street on pickup day and take it back.

Ms. Adams stated. Yes.

Ms. Evans stated. And you will do the same for this one.

Ms. Adams stated. Yes.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Special Use Permit PZ23-00364 as submitted.

Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

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.*

Mr. Petrick opened the Public Hearing.

Ms. Taylor stated. Owner and I have four pieces of rental properties that I operate with integrity and plan to do the same with this one and I would live in the house myself, that is how I operate. I request that it be approved.

Mr. Dodson stated. Do you live in Danville.

Ms. Taylor stated. No, I do not. I live in Amherst County, and I do have Preferred Management that will be taking care of the maintenance for me.

Ms. Evans stated. If I remember correctly that driveway needs improving.

Ms. Taylor stated. Yes, it does, and I am going to put in a new driveway and also put a deck on the back, and a new stoop in the front and I have renovated the inside. With a new bathroom, new electrical work.

Mr. Petrick closed the Public Hearing.

Mr. Dodson made a motion to approve Special Use Permit application PZ23-000371 as submitted.

Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

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.*

Mr. Petrick opened the Public Hearing.

Mr. Saleem stated. I am the owner and applicant. I'm here to answer any questions.

Mr. Bolton stated. The first house on the left if you are coming from Park Avenue or the second house I can't tell from the picture.

Mr. Saleem stated. It is the second house. The first house is also an Airbnb it's my friend.

Mr. Bolton stated. They have done a lot of work on that one as well.

Ms. Evans stated. Are you currently running it as an Airbnb?

Mr. Saleem stated. No, I'm not.

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

Mr. Saleem stated. I will be me at the moment. I have a family house in Cascade that not more than 20 minutes away.

Ms. Evans stated. Who will pull the trash to the street on pickup day?

Mr. Saleem stated. That will also be me.

Mr. Petrick stated. I see the certificate of occupancy has not been approved yet. Are you working on those items.

Mr. Saleem stated. Yes, because of the storm last month, we have some trees in our backyard, and they wanted me to get them cleaned up. It will be cleaned up real soon.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Special Use Permit PZ23-00374 as submitted.

Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

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.*

Mr. Petrick opened the Public Hearing.

Mr. Kelly stated. I want to convert this house into a duplex which it has been a duplex in the past and continues to have the two meters in the wall. I have a partnership with Averett University and my goal there is to continue to grow with Averett in the section directly across in order to rent to have enough students in there for Averett to rent the building from me. I need to turn it into a duplex. I would rather rent to Averett. I don't rent to Averett students. I have a contract with Averett. Therefore, giving safety and control to the building. Averett or the president's office there can easily take a student out in one hour where I would have to go to the court to remove rentals if I rent that last house I can't control it and I think the image Averett took over the landscaping. I want to be a part of watching Averett grow in that area. I also have a contract on the house directly beside it for more parking I intend to open that up to the alley and have a parking place back there to clean up the street there and to make it as beautiful as we possibly can.

Mr. Petrick stated. This is off campus student housing.

Mr. Kelly stated. Yes.

Mr. Bolton stated. You have any other properties rented to Averett students.

Mr. Kelly stated. No, I don't rent to any students.

Mr. Dodson stated. How many bedrooms are in the house.

Mr. Kelly stated. I think it six.

Mr. Dodson stated. How many students will be allowed in there.

Mr. Kelley stated. According to the code they wouldn't allow but six. I had considered later if it works out to do some type of housing there like a dorm or either if I can do the parking keep it the nostalgia that I would like for it to be there or maybe just a short-term rental in the future. But right now, I would only be allowed to do what the code allow me to put in there. It is a very big house upstairs and downstairs.

Ms. Evans stated. You have a contract on the property next door?

Mr. Kelly stated. Yes.

Ms. Evans stated. And you plan to do the exact same thing to that.

Mr. Kelly stated. No, not right now just want that for the parking lot. In the future maybe if Averett needs it.

Ms. Evans stated. What do you plan to do with property other than use the parking area.

Mr. Kelly stated. I'm not sure right now, I will hold on to it until Averett continue to grow.

Mr. Gluhareff stated. 119 College Avenue, there is a lot of management issues and secondly, we got the duplex will change all of our values. We don't have parking issues, but this house we are speaking of may have five or six cars there through the day. Some night it may be even seven or eight, I'm assuming it's college kids. I don't think it's managed really well. The other issue is a lot of us neighbors are feeling sort of like it coming in on us. Also, there is a tax issue, we don't know if there are sex offender we don't know who is coming in. There is a lot of traffic in the area.

Mr. Jones stated. Question directed to Mr. Kelly; I know he's in alliance with Averett College they are paying for the building but who is in charge of maintenance of the building. As far as trash and things of that nature.

Mr. Kelly stated. Averett as well, their maintenance take care of all the yard, the trash.

Mr. Petrick stated. Your agreement is with Averett College so actually, it their property to manage and supervise.

Mr. Kelly stated. Yes

Mr. Petrick stated. So, any complaints should go to Averett.

Mr. Kelly stated. Yes.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. The three ladies that are there now, do you know that each one has a car each.

Mr. Kelly stated. I really don't know them, but I do know they don't all have a vehicle.

Ms. Evans stated. It is six ladies there correct.

Mr. Kelly stated. I'm not sure exact number.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. All the homes on West Main Street becoming duplexes or offices. These are beautiful, single residence homes that someone would love to buy and maintain. You have downtown where single-family residence became duplexes and apartments and people are now buying those and returning them to their original purpose, and I am very concerned especially with the growth of Danville. New people coming in we are taking houses off the market. For single family homes.

Mr. Bolton stated. About 37 notices were sent out, they get eight, three unopposed, five opposed.

Mr. Bolton made a motion to approve Special Use Permit PZ23-00375 with conditions that the property maintain a minimum of three off-street parking spaces.

Mr. Dodson seconded the motion. The motion was approved by a 4-2 vote.

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.*

Mr. Petrick opened the Public Hearing.

Mr. Nichols stated. I am the owner we want to take about 1000 sq feet in the back left corner and we've installed a ramp to go in the back of the building, so the building is completely handicap accessible we have ADA bathroom for the public. Mr. Brad Cruz is wanting to operate where they bring in golf carts and trick them out and do customizations. We have taken with the building; I have divided it up and as space has been lease whether for storage or whatever and we built temporary walls around it.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. Ms. Burton just the parking requirements down here. They are in the zoning code, and they don't need to be a condition of the special use, right?

Ms. Burton stated. That's correct. They do not need to be a condition.

**Mr. Bolton made a motion to approve Special Use Permit PZ23-00376 as submitted.
Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.**

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.*

Mr. Petrick opened the Public Hearing.

Mr. Motley stated. Current owner of the property, I grew up there. I also own the property next door 245 Parkland.

Mr. Dodson stated. Do you take care of all the properties you rent now?

Mr. Motley stated. Yes.

Mr. Dodson stated. Do you live in Danville.

Mr. Motley stated. Yes. Right now, this is my current residence, but I just bought a house in Ringgold and will be Airbnb this property.

Mr. Petrick stated. Do you plan to be registered with Airbnb.

Mr. Motley stated. Yes.

Ms. Evans stated. And you will be the property manager. And put the trash out.

Mr. Motley stated. Yes.

Mr. Petrick closed the Public Hearing.

**Mr. Jones made a motion to approve Special Use Permit PZ23-00377 as submitted.
Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.**

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.*

Mr. Petrick opened the Public Hearing.

Ms. Ratcliffe stated. I am the owner and applicant; I purchased two Airbnb and one long-term rental. Airbnb will not only be revenue but also occupancy tax and sales tax. My overall rating is 4.5 out of 5. My Airbnb provide off street parking, I keep my properties maintained which is a benefit to the City appearance. Would like to clarify a couple items one was my error and my special use application which stated I had a certificate of occupancy on file. In correction, I meant to say 431 West Main was inspected and passed inspection for my application for a special use permit by previous inspector for a maximum of 6 unrelated guests base on the square footage of living space. I verified this last week with Seth Hawker. Property maintenance supervisor for the City of Danville. The other clarification I would like to provide is in response to Ms. Burton reason for recommendation to postpone approval of my special use permit for 431 West Main Street, due to her understanding of multiple units located in the house. Ms. Burton need to postpone was for addition time to assess the need for an additional special use permit. I understand the listing can be confusing. I use 2 online platforms for guest to make reservations. I use Airbnb prime platform which permits you to list your room individually. And I also use VRBO or Vacation Rental By Owner platform which only allows whole house listings, in order to use both. I listed my main level at 431 Main Street as an entire unit on Verbo. I did this to reach short-term guests who want to use a full-sized kitchen and have their own private living area and bathroom. I can charge more per night for this space and less nightly for a room upstairs that shares common areas. This is my business strategy to attract guests with various needs and price point. I do not rent to local resident or long-term I only host temporary guests. Would like to give a shout our to two of your staff members that was exceptionally helpful, seems to enjoy their jobs and are very professional, Shanika Williams your Associate Planner, and Francisco Medrano, your Northside Property Maintenance Inspector. I am here to work toward compliance with your zoning regulations. Any Questions?

Mr. Bolton stated. Did you mention anything about what you've done about your business license?

Ms. Ratcliffe stated. My understanding of the process is that you get your property inspected and then you apply for a certificate of occupancy, once that done you get your business license. I am working toward getting my business license.

Mr. Petrick stated. Did you say you have another location Airbnb?

Ms. Ratcliffe stated. I do and it's the next item agenda.

Ms. Evans stated. How long have you been operating these illegally?

Ms. Ratcliffe stated. The first one about a year and this last one since January of this year. I do want to be in compliance.

Mr. Petrick stated. You were not aware of the requirements to operate a Airbnb?

Ms. Ratcliffe stated. Not initially.

Ms. Evans stated. How long do you rent them for, is it 30 days or more.

Ms. Ratcliffe stated. It depends on the guests, I do mostly short-term if my guest needs 30 or more days, then I'll do mid-term rental.

Ms. Evans stated. A short-term rental is for 30 days or less.

Ms. Ratcliffe stated. That's correct.

Mr. Petrick closed the Public Hearing.

Mr. Jones stated. Question for Ms. Burton she stated if the customer does need more than 30 days, that she will rent for mid-term. Is that special or a different pilot regulation for a license for that or she has that option.

Ms. Burton stated. Anything greater than 30 days is considered long term. We do not have a midterm rental within our zoning code. It is either short-term or long-term. So, if she decides to extend that beyond the 30 days, it will meet the definition of long-term.

Mr. Jones stated. That's not legal, correct.

Ms. Burton stated. It can change from short-term to long-term if you maintain a long-term rental for more than 2 years you lose the right to return to a short-term rental.

Mr. Bolton stated. You heard her speak and you say in your comments, your recommendations, an additional special use permit may be necessary and her business license and certificate of occupancy. Are you still feeling that way I don't know what she could say coming back. Any more information could we approve it conditionally that these would be done. Or do you still see a need that we need more information.

Ms. Burton stated. That concern was the advertisement for the property stated that it was a one-bedroom main-level rental, when the property itself is two levels. A short-term rental itself is for a whole house. So, you would need to rent the entire property, not a room itself which is what's being advertised on Airbnb at the moment.

Mr. Bolton stated. But she answered that I think.

Ms. Burton stated. Yes, I believe it was answered but it was answered stating that she was renting one room. And that is not allowed. It must be the entire structure. Can not be one room or it is the definition of a boarding house at that moment.

Mr. Bolton stated. If she wished to keep doing that and we will need more information.

Ms. Ratcliffe stated. VRBO states you have to list. In this house I have 4 bedrooms upstairs, so I can rent to a group the upstairs but there's no kitchen and so I have a different price point. I can charge more for Airbnb the main level unit on Verbo and charge more because there is a kitchen, they draw a level of client. Airbnb, they tend to draw one price point more so than Verbo. So, it's not that I'm renting one as a total unit per say but one is listed on Verbo.

Mr. Petrick stated. Here's the question? Do you rent both at the same time.

Ms. Ratcliffe stated. No. I can rent the whole house. Or I can rent the main level, or I can rent the upper level.

Mr. Petrick stated. I understand it is confusing when you have a large property like this, where you can and can't do and I think we all have to come to an understanding what you can do.

Ms. Burton stated. To be in compliance with the zoning code you must rent the entire structure as one rental. You may not split that up into two separate rental units unless you apply for an additional special use permit for a duplex dwelling.

Ms. Ratcliffe stated. Even though I rent the upper level and not the lower level at the same time.

Ms. Burton stated. They are two separate units. It's not allowed.

Ms. Ratcliffe stated. If I rent the whole house, I see what you are saying.

Mr. Petrick stated. Ms. Ratcliffe you need to take up and continue with planning department to see if you can get this work out.

Ms. Ratcliffe stated. Okay, would you consider moving forward on the condition that this is ironed out, I would like to keep this process moving and with the commission meeting only once a month.

Ms. Burton stated. The only way that the rental will be in compliance with the zoning code is if it is an entire house rental. That it the only way to move forward at this point. If you choose to move forward with two separate units then we do need to apply for another special use permit. In addition to this.

Ms. Ratcliffe stated. I understand.

**Mr. Bolton made a motion to postpone Special Use Permit PZ23-00378 for a date uncertain.
Mr. Kahn seconded the motion. The motion was approved by a 6-0 vote.**

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.

Mr. Petrick opened the Public Hearing.

Ms. Ratcliffe stated. I would like to request approval to move forward with my certificate of occupancy and approval to operate as a short-term rental.

Mr. Petrick closed the Public Hearing.

Mr. Petrick stated. Many people that have come to us after operating illegally without the proper licensing and the approvals. At this time there is not penalty for that. Is that correct?

Ms. Burton stated. That is correct.

**Mr. Bolton made a motion to approve Special Use Permit PZ23-00379 as submitted.
Mr. Kahn seconded the motion. The motion was approved by a 6-0 vote.**

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.

Mr. Petrick opened the Public Hearing.

Mr. Howerton stated. I am the owner of that property wanting to get an approval, I had the inspector come through he said on the particular patio, there's a rocking in it so I have a guy coming tomorrow to fix it and Ricky will be there Monday to inspect and get the okay with that. Any questions.

Ms. Evans stated. Have you satisfied the lien that your property at 1540.

Ms. Howerton stated. Yes, we will be able to satisfy the lien, I didn't realize that was something that had to be done.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. Ms. Burton is the paying of the lien has to be a condition.

Ms. Burton stated. No, it does not need to be a condition.

**Mr. Bolton made a motion to approve Special Use Permit PZ23-00380 as submitted.
Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.**

14. Rezoning Application PZ23-00389 filed by Averett University requesting a rezoning at 419 West Main Street to rezone from OT-R Old Town Residential to TO-C Transitional Office.

Mr. Petrick opened the Public Hearing.

Mr. Aungst stated. I am the university Chief Financial Officer and what we plan to do is maintain the character of the building. Also trying to identify a place to put a welcome center for families and students when they come visit. The building currently provides office space for the president and two of our staff members, executive assistant, meetings take place in the building, there is a conference room on the second floor and occasionally, the president will host small luncheons in the property. We have maintained the historic character. We haven't changed any of the rooms layouts, and what we aimed to do is enhance the neighborhood and maintain the historic character of that property.

Ms. Evans stated. Parking, you have a lot of visitors. Parking in front at the bus stop I've seen those spaces taken up I have seen employee park on the side rather than parking in parking places at Averett. This is a residential area. How do you plan to address that.

Mr. Aungst stated. The 3 people that have offices there, park in the driveway behind the house or on College Avenue. Guest that come if they are university guest, they maintain their existing space they don't drive over to 419. If they are out of town or neighborhood guest, we direct them to the spaces we have in the West Main Church parking lot or allow them to park right in front of the building, but there's very few cases where people driving to visit 419 West Main Street.

Ms. Evans stated. There is a bus stop there in the front people have parked there.

Mr. Aungst stated. Our campus safety and security, if our students or others park there, we warn them then we will ticket them.

Mr. Petrick stated. Averett has an agreement with West Main Baptist.

Mr. Aungst stated. Yes, we lease 20 spaces from them Monday thru Friday.

Mr. Kelly stated. Front piece is beautiful for the community I am for it and I think all the neighbors are too.

Mr. Haynesworth stated. Averett has done so much to make this property spic and span. I would be in favor for this use for this property.

Ms. Franks stated. President of Averett University, just want to respond as far as parking.

Ms. Evans stated. All the houses on Robertson are in horrible disrepair.

Ms. Franks stated. Indeed, they are.

Ms. Evans stated. Will all the other properties become like those.

Ms. Franks stated. No, the house on Robertson, as you know we didn't own all of them. They were owned by various people. We gradually tried to acquire them over time because its very difficult to

have the interruptions in the space. Our vision would be we don't need to have each of those properties. The houses were in disrepair long before Averett acquired them. We have no plan for houses along Robertson. We need the green space. We have a vision for turning behind the book sellers, and library. That space into much more of quad kind of area. None of those house are not adding value to this space.

Ms. Evans stated. The green space that was there is now trampled by the four wheelers and the trailers. They go up to that first house from Townes. It is just a dirt path now. It is no longer green space.

Ms. Franks stated. I was not aware of that. I will look at that myself because we need green space through there.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. Question of staff, for office if by chance way down in the future Averett chooses to sell this house that is now become transitional office commercial. Can doctor's office go in there? And where would they park. With the staff and the patients of a doctor's office that may weigh down will probably never happen. But my concern is it's not just for Averett this goes with this piece of property forever and ever.

Ms. Burton stated. Right, let me clarify. If it were a medical office where patients were coming in, no that would not be allowed based on the conditions within exhibit A. If it was a specific just office where one individual and they were a doctor and kept the files and that's how they operated there, that could be allowed, yes. They wouldn't be able to provide medical treatment or care there based on the conditions of exhibit A. If that's approved no that would not be allowed. If there is a change of use from this particular office to a use that has more traffic that requires greater need for parking, then yes, at that time, we would look at the requirements for off-street parking and that could be required either in the rear. There's some area there or one of the neighboring parking lots nearby.

Mr. Bolton made a motion to approve conditional Rezoning Application PZ23-00389 with the attached proffers.

Mr. Kahn seconded the motion. The motion was approved by a 5-1 vote.

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.*

Mr. Petrick opened the Public Hearing.

Mr. Gould stated. I'm the attorney with Sova legal our firm represents CCKW.



inspectionsfax@da
nvilleva.gov_202311;

Mr. Dodson stated. Any idea how soon this will begin if approved.

Mr. Gould stated. As quickly as possible is the goal, both of these projects are aimed to take advantage of the new incentives that the city has put in place for housing. Those agreements are going to require

that construction be completed within a pretty tight time frame about the middle of 2025. Hopefully in the new year if we can get everything moving.

Ms. Evans stated. Will the traffic impact be done prior to construction?

Mr. Gould stated. Yes.

Mr. Bolton stated. Twelve conditions seem fine, that they listed.

Mr. Gould stated. The only one that we requested potential tweak to was just that masonry requirement. If there was a little flexibility possible reduce that from 45% while recognizing that there would be a substantial masonry requirement but not just at the 45% level. But otherwise, no concerns.

Mr. Bolton stated. Ms. Burton when does that get tweaked?

Ms. Burton stated. Planning Commission can do that tonight. It would be up to the commission member if they chose to change that from 45 to 35.

Mr. Bolton stated. Big issue.

Mr. Gould stated. Every little bit helps. It's not going to stop the project, but every little bit helps with costs as they are today.

Ms. Burton stated. Staff believes that 45% is appropriate because if it's adjacent to the River District, the River District itself and their design guidelines require masonry on all construction.

Ms. Evans stated. The River District approved this project?

Ms. Burton stated. No, it's not within the River District, its across the street. So, it adjacent to the boundaries of River District.

Ms. Evans stated. We should keep within the appearance of the River District with the 45 percent.

Ms. Burton stated. That is staff's opinion, yes.

Mr. Petrick stated. Mr. Gould are you anticipating marketing these townhouses to begin with.

Mr. Gould stated. Yes, the townhomes are expected to be for sale, the asking price would be between 250,000 and 300,000 for each of those units. If they do not sell within a year, the goal would be to rent those but hopefully with the demand as it exists now in Danville, there wouldn't be a need for rental because they would be spoken for.

Ms. Hudgins stated. My grandmother is Mary Adams, and we live at 521 Cabel Street. I understand that the River District is building, I am not opposed. When I went to the meeting, they held on the monument Franklin building. I noticed in the picture that my grandmother home and I live with and take care of her now, there is driveways on both sides and that is a great concern. That is dangerous for our family. The plans that they have, and the designs have put the parking surrounding the yard. We have to be concerned with all the traffic, people coming in and out not to mention these driveways that are on both sides of the home is one way in, and one way out and my grandmother sit in the middle. I really have a big concern of that. I understand the River District growing I'm not opposed to Danville growing.

Ms. Wilson stated. My biggest concern is the drive thru coming between the two neighbors' homes.

Ms. Carter stated. I own the property 618 Shelton Street. My concern is what is the plan for Shelton Street and the parking area.

Mr. Gould stated. The only implication for Shelton Street in this project is the block in between Monument and Beauregard. There would be access to those townhomes and access to the parking lot that is shared by the apartment buildings. We do not go any further down Shelton Street. The only impact to Shelton Street is just on that particular block. Nothing else on Shelton Street is contemplated in the project.

Ms. Carter stated. Right now.

Mr. Gould stated. Yes.

Ms. Burton stated. The property is owned by the city of Danville. It was once a park several years ago, the equipment was removed but I'm not aware of any future plans for that property.

Mr. Gould stated. The concerns Ms. Hudgins raised because we are to the extent that there are aspects of the project that are still evolving. The big focus is figuring out if there is a different way to have the access to those three townhomes rather than them splitting those two houses. But given what we have available to us are the parcels that are owned by DRHA and that have been obtained by those associated with CCKW. Our hands are a little bit tired, but we are continuing to see if we can add other parcels or if there are other creative ways because certainly don't want to inconvenience anyone, but if that driveway does go forward, the plan is absolutely to make sure that there's an appropriate landscape buffer to address any concerns with privacy, you do everything you can to limit anyone from crossing that driveway. One other that driveway will serve only three townhomes' units so it should be very limited traffic.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. Going back to the one item Mr. Gould was going to tweak between now and when it goes to City Council could they tweak this. If they saw fit. I know you've said it. It is still your recommendation would he have the opportunity to tweak one of those conditions that came up.

Ms. Burton stated. Yes, the applicant could state they wanted to change that between now and then.

Mr. Bolton stated. With Council

Mr. Bolton made a motion to approve Special Use Permit PZ23-00388 with conditions proposed by staff.

Mr. Kahn seconded the motion. The motion was approved by a 6-0 vote.

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".

Mr. Petrick opened the Public Hearing.

Ms. Evans stated. Shouldn't that include information about curbs, gutters and drainage improvement?

Ms. Burton stated. Those are items that are required for parking lots, not specifically for off-street parking in general which with this definition can also include a driveway. So, it does not include curbs and gutters because they are not required in a driveway situation.

Ms. Evans stated. You have to have a curb cut.

Ms. Burton stated. Yes, within the right of way.

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve a Request to Amend Chapter 41 entitled “Zoning Ordinance” of the City of Danville

Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

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”.

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve a Request to Amend Chapter 41 entitled “Zoning Ordinance” of the City of Danville

Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

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".

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Mr. Petrick stated. I guess we need to start a tally if this was to be decided of what is and what isn't, I'm curious as to the feedback you've gotten from those you contacted who are operating illegally.

Ms. Burton stated. This stage we have issued twenty-eight violations and we have received ten applications for compliance and those will be in December packet. Six of those have decided to remove their items from the website. In those two, we actually the result of fraud. So we are looking in to that which was a concern of why we were requesting the permit process to try to eliminate that. We had one that was a rental property, and the property owner was unaware their tenant was renting it as short-term rental. We had another that it appears that there were photos were taken without their permission and listed short-term rentals. We still have around sixty, almost seventy more we believe are operating illegally so we're taking them in chunks.

Ms. Evans stated. What about the ones that been denied that continue to operate illegally? Because I know the one on College is operating illegally. I've seen it.

Ms. Burton stated. The one on College is to be operating as an accessory use. Meaning that it is less than 50% of its structure is allowed to be rented. It is not allowed to rent the entire parcel.

Ms. Evans stated. Wasn't that denied.

Ms. Burton stated. Rental of the entire structure was denied but there was still a provision in the code that allows it to be operating as an accessory use. Th code amendments says that you have approve before City Council would eliminate that opportunity but as it stands right now, that is still an option.

Mr. Petrick stated. That is coming before Council to consider elimination of that. Is that what you are saying.

Ms. Burton stated. Yes, it was presented to them in a previous meeting and was postponed. So, we are still in discussions.

Ms. Evans stated. How would that be addressed if that is approved?

Mr. Whitfield stated. Got a vested right, so there's nothing you can do. So, it's basically not grandfather what most people consider a grandfather. If he is operating in accordance with the code, as it stands now as an accessory feature. Accessory use. He can continue to do so.

Ms. Evans stated. Not sure the neighbors are aware of that. And I see parking in front of the fire hydrant located right in front of his house.

Mr. Petrick stated. These are policing issues; we have no control.

Ms. Evans stated. I know just making comments. On Virginia Avenue I believe was denied by City Council last week. I know when it came to the Planning Commission, she indicated the owner would go another route if it was not approved and I just want to see how the city was going to address that.

Ms. Burton stated. If it was operating in a manner that it is in violation of the zoning code, they will be cited. We will first send them a letter. I'm trying to establish communication so that we can discuss it and debate the situation, if it continues, it will go further in the process and eventually end up in a day before the court.

Mr. Bolton stated. You did say in our work session that if we did do the 150 units, that if a need was created three years from now, we could come back to it.

Ms. Burton stated. That is correct.

Mr. Bolton made a motion to approve a Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville to Amend Article 2 Section Y entitled "Short-term rentals". To put a cap of 150 Airbnb unit's city wide.

Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

19. Review final draft of the City of Danville Preservation Plan.

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to adopt the final draft of the City of Danville Preservation Plan

Ms. Evans seconded the motion. The motion was approved by a 6-0 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 6:00 p.m.

APPROVED