



## DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

### MUNICIPAL BUILDING

January 2, 2024

7:00 PM

**PRESIDING:** Alonzo L. Jones, Mayor

**CITY COUNCIL  
MEMBERS:**

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

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

**STAFF:**

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

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

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

#### Time and Place of Meeting

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

#### Communications from Visitors

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

#### Guidelines for Public Hearings

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

## MEETING CALLED TO ORDER

## ROLL CALL

## INVOCATION - L.G. "LARRY" CAMPBELL, JR.

## PLEDGE OF ALLEGIANCE TO THE FLAG

## CONSENT AGENDA

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

- A. Consideration of Approval of Minutes from Regular Council Meeting held on December 5, 2023, and Regular Work Session held on December 5, 2023.  
Council Letter Number CL - 1120.

Consideration of Approval of Minutes from Regular Council Meeting held on December 5, 2023, and Regular Work Session held on December 5, 2023.

- B. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for the 2022 Assistance to Fire Fighters Grant in the amount of \$83,740 with local funding of \$8,374.  
Council Letter Number CL - 967.

An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for a Grant from the Department of Homeland Security in the Amount of \$83,740.22 and a Local Share in the Amount of \$8,374.03 for an Air Compressor/Cascade/Fill Station for a Total Appropriation in the Amount of \$92,114.25 and Appropriating Same.

### **Final Adoption**

## NEW BUSINESS

- A. Consideration of Authorizing and Approving the Transfer of Ownership of Thirty Surplus Vacant Lots throughout the City to the Danville Redevelopment and Housing Authority.  
Council Letter Number CL - 981.

1. Public Hearing

2. A Resolution Declaring Certain City-Owned Property to be Surplus to the Needs of the City and Authorizing the City Manager to Convey Such Property to the Danville Redevelopment and Housing Authority.

- B. Consideration of a Special Use Permit at 618 Craghead Street (Parcel 21749) to Request Waiver of Maximum Density.  
Council Letter Number CL - 1100.

1. Public Hearing

2. An Ordinance Granting Special Use Permit Application PZ23- 00404, filed by Garrett Shifflett, Requesting a Special Use Permit for a Waiver of Maximum Density in Accordance with Article 3., Section C, Item 13 of Chapter 41., Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia to Include Parcel ID 21749.

- C. Consideration of a Rezoning Application Requesting to Rezone Parcels on South Boston Road



from N-C Neighborhood Commercial to HR-C Highway Retail Commercial.  
Council Letter Number CL - 1101.

1. Public Hearing
2. An Ordinance Rezoning from N-C Neighborhood Commercial Zoning District to HR-C Highway Retail Commercial Zoning District Parcel IDS 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 (South Boston Road).

D. Consideration of a Rezoning Application Requesting to Rezone 3411 Westover Drive (Parcel 71202) from N-C Neighborhood Commercial to S-R Suburban Residential.  
Council Letter Number CL - 1102.

1. Public Hearing
2. An Ordinance Rezoning from N-C Neighborhood Commercial Zoning District to S-R Suburban Residential Zoning District Parcel ID 71202 (3411 Westover Drive)

E. Consideration of a Rezoning Application Requesting to Rezone Parcel 73014 from OT-R Old Town Residential to HR-C Highway Retail Commercial.  
Council Letter Number CL - 1103.

1. Public Hearing
2. An Ordinance Rezoning from OT-R Old Town Residential Zoning District to HR-C Highway Retail Commercial Zoning District Parcel ID 73014 (Ash Street).

F. Consideration of a Rezoning Application filed by J. Cubas Holdings, LLC, requesting to Rezone Parcels on Jenny Lane from T-R Threshold Residential to S-R Suburban Residential.  
Council Letter Number CL - 1104.

1. Public Hearing
2. An Ordinance Rezoning from T-R Threshold Residential Zoning District to S-R Suburban Residential Zoning District Parcel IDS 75941, 77419, 77420, 77421, and 77422 (Jenny Lane).

G. Consideration of a Rezoning Application filed by J. Cubas Holdings, LLC, Requesting to Rezone Parcel 78052 on Jenny Lane from T-R Threshold Residential to S-R Suburban Residential.  
Council Letter Number CL - 1105.

1. Public Hearing
2. Consideration of a Rezoning Application filed by J. Cubas Holdings, LLC, Requesting to Rezone Parcel 78052 on Jenny Lane from T-R Threshold Residential to S-R Suburban Residential.

## **COMMUNICATIONS FROM VISITORS**

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

## **COMMUNICATIONS**

*A. City Manager*

*B. Deputy City Manager*

*C. City Attorney*

*D. City Clerk*

*E. Roll Call*

## **ADJOURNMENT**

# Council Letter

## City of Danville, Virginia



**CL - 1120**

**CONSENT AGENDA A.**

### **City Council REGULAR MEETING**

**Meeting Date:** January 2, 2024

**Subject:** Consideration of Approval of Minutes from Regular Council Meeting held on December 5, 2023, and Regular Work Session held on December 5, 2023.

**From:** Susan DeMasi, City Clerk

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### **COUNCIL ACTION**

Consideration of Approval of Minutes from Regular Council Meeting held on December 5, 2023, and Regular Work Session held on December 5, 2023.

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### **Attachments**

1. Meeting Minutes
  2. Meeting Minutes - Work Session
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December 5, 2023

The Regular December meeting of the Danville City Council was held on December 5, 2023, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Bryant Hood, Mayor Alonzo L. Jones, Barry Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

Staff Members present were: City Manager Ken F. Larking, Deputy City Manager Earl B. Reynolds, Jr., City Attorney W. Clarke Whitfield, Jr., and City Clerk Susan M. DeMasi.

Mayor Jones presided.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Vice Mayor Miller gave the Invocation followed by the Pledge of Allegiance.

### **ANNOUNCEMENTS AND SPECIAL PRESENTATIONS**

Presentation: Certificate of Recognition – Big Brothers Big Sisters  
Presented to: Patricia Daniel, CEO of Big Brothers Big Sisters

Mayor Jones recognized Ms. Daniel who stated it was an honor to be recognized by the City of Danville for such an achievement. Ms. Daniel recognized former mayor John Gilstrap, who was on the board of directors for Big Brothers Big Sisters for 29 years, gave a shout out to Chief Coffey, who was a big brother, and Bryant Hood who was on the board of directors. Other board members present included Steven Gould and Gerald Kelly. She closed by stating "always remember it takes a big to be a little". Council thanked Ms. Daniel for the work that she and so many others do for the youth in the community.

### **CONSENT AGENDA**

Mayor Jones opened the floor for a Public Hearing regarding Budget Items on the Consent Agenda. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023. No one present desired to be heard and the Public Hearing was closed.

Council Member Campbell **moved** for adoption of the following Consent Agenda items:

Consideration of Approval of Minutes from Regular Council Meeting held on November 9, 2023.  
Draft copies of the Minutes had been distributed prior to the meeting.

Amending the Fiscal Year 2024 Budget Appropriation Ordinance for USDA Grant Funds for Food Services at W. W. Moore, Jr. Detention Home.

An Ordinance entitled, Ordinance No. 2023-11.10, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance for a Federal Grant in the Amount of Approximately \$54,118 to Aid the Food Service Operations at W. W. Moore, Jr. Detention Home and Appropriating Same.

Amending the Fiscal Year 2024 Budget Appropriation for Virginia Juvenile Community Crime Control Act Funding

An Ordinance entitled: Ordinance No. 2023-11.11, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance for a Grant from the Department of Juvenile Justice in the

December 5, 2023

Amount of \$86,999 and a Local Share of \$39,830, for a Total Appropriation of \$126,829, to provide for the Electronic Monitoring and Outreach Detention Programs, Online Intervention Programs, and Pro-Social Skills Programs for the City of Danville at the W. W. Moore Jr. Detention Home and Appropriating Same.

Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenues to Fund Various Expenditures

An Ordinance entitled: Ordinance No. 2023-11.12, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenues from Interest Income, Sales Taxes, and Meals Taxes to Fund Various Expenditures, an Appropriation in the Amount of \$3,000,000 and Appropriating the Same.

The Motion was **seconded** by Council Member Whittle and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**NEW BUSINESS**

Council Member Buckner **Moved** to **POSTPONE** New Business Items A through I for an indefinite amount of time.

City Manager, Ken Larking, stated these items were being tabled for future consideration after changes were made to the processes in place to make things more efficient for the applicants and other people involved in the process.

The Motion was **seconded** by Council Member Hood and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**Items A – I – Postponed:**

Consideration of a Special Use Permit Application, filed by Deidre Carter, Requesting a Special Use Permit at 350 Hermitage Drive to Allow Short-Term Rental as Principal Use.

**ORDINANCE NO. 2023-12.01**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00348, FILED BY DEIDRE CARTER, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 51905 (350 HERMITAGE DRIVE) IN ACCORDANCE WITH ARTICLE 3.C., SECTION C, ITEM 29.

**Postponed**

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Consideration of a Special Use Permit Application filed by Preferred Management Group Requesting a Special Use Permit at 212 A&B, 214 A&B, and 216 A&B Jefferson Avenue (Parcel 24689) to Allow Short-Term Rental as Principal Use.

**ORDINANCE NO. 2023-12.02**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23-00351, FILED BY PREFERRED MANAGEMENT GROUP, REQUESTING A SPECIAL USE PERMIT TO ALLOW A SHORT-TERM RENTAL AS PRINCIPAL USE AT PARCEL ID 24689 (212 A&B, 214 A&B AND 216 A&B JEFFERSON AVENUE) IN ACCORDANCE WITH ARTICLE 3.G., SECTION C, ITEM 26.

**Postponed**

Consideration of a Special Use Permit Application filed by Mahesh Srinivasaiah Requesting a Special Use Permit at 820 Green Street to Allow Short-Term Rental as Principal Use

**ORDINANCE NO. 2023-12.03**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00355, FILED BY MAHESH SRINIVASIAH, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 22409 (820 GREEN STREET) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

**Postponed**

Consideration of a Special Use Permit Application filed by DM Woodstock Requesting a Special Use Permit at 232 Avalon Drive to Allow Short-Term Rental as Principal Use

**ORDINANCE NO. 2023-12.04**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00364, FILED BY DM WOODSTOCK, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 71105 (232 AVALON DRIVE) IN ACCORDANCE WITH ARTICLE 3.C., SECTION C, ITEM 29.

**Postponed**

Consideration of a Special Use Permit Application filed by Polly Taylor Requesting a Special Use Permit at 129 Stokesland Avenue to Allow Short-Term Rental as Principal Use

**ORDINANCE NO. 2023-12.05**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00371, FILED BY PREFERRED POLLY W. TAYLOR, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 56898 (129 STOKESLAND AVENUE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

**Postponed**

Consideration of a Special Use Permit Application filed by Wasi Bin Saleem Requesting a Special Use Permit at 242 Lipton Lane to Allow Short-Term Rental as Principal Use.

**ORDINANCE NO. 2023.06**

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An Ordinance Granting Special Use Permit Application PZ23-00374, filed by Wasi Bin Saleem, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 56149 (242 Lipton Lane) in Accordance with Article 3.E., Section C, Item 29.

**Postponed**

Consideration of a Special Use Permit Application filed by Jarrod Motley Requesting a Special Use Permit to Allow Short-Term Rental as Principal Use at 249 Parkland Drive.

#### **ORDINANCE NO. 2023-12.07**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00377, FILED BY JARROD MOTLEY, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 56844 (249 PARKLAND DRIVE) IN ACCORDANCE WITH

**Postponed**

Consideration of Remanding Special Use Permit Application filed by Elaine Ratcliffe Requesting a Special Use Permit at 316 Starmont Drive (Parcel 00850) to Allow Short-Term Rental as Principal Use Back to the Planning Commission.

CONSIDERATION OF A REMANDING SPECIAL USE PERMIT APPLICATION FILED BY ELAINE RATCLIFFE REQUESTING A SPECIAL USE PERMIT AT 316 STARMONT DRIVE (PARCEL 00850) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE.

**Postponed**

Consideration of a Special Use Permit Application filed by Tony & Anissa Howerton Requesting a Special Use Permit at 1540 Claiborne Street to Allow Short-Term Rental as Principal Use

#### **ORDINANCE NO. 2023-12.08**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00380, FILED BY TONY AND ANISSA HOWERTON, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 02911 (1540 CLAIBORNE STREET) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

**Postponed**

**CONSIDERATION OF A DENYING A SPECIAL USE PERMIT APPLICATION FILED BY CHARLES MOTLEY TO CONVERT A SINGLE-FAMILY DETACHED DWELLING TO A DUPLEX AT 305 GIRARD STREET**

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 305 Girard Street. Notice of the Public Hearing was published in the *Darville Register & Bee* on November 28, 2023 and December 5, 2023. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption of a Resolution:

#### **RESOLUTION NO. 2023-12.01**

A RESOLUTION DENYING SPECIAL USE PERMIT APPLICATION PZ23- 00280, FILED BY CHARLES MOTLEY, REQUESTING A SPECIAL USE PERMIT IN ACCORDANCE WITH

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ARTICLE 3.E., SECTION C, ITEM 1 TO CONVERT A SINGLE-FAMILY DWELLING TO A DUPLEX AT PARCEL ID 02281 (305 GIRARD STREET).

The Motion was **seconded** by Council Member Mayo.

Council Member Saunders noted there were at least three attempts to have them attend a meeting regarding this and wanted to know if the applicant ever gave a reason as to why they did not show. Director of Planning Renee Burton stated that the last attempt was by email and the applicant stated "with respect, it is not worth my trip to come to Danville to get the Commission's approval". Therefore, the Commission decided to vote to deny.

The **Motion** was carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle (9)  
NAY: None (0)

**CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY KELLY REAL ESTATE REQUESTING A SPECIAL USE PERMIT TO CONVERT A SINGLE-FAMILY DETACHED DWELLING TO A DUPLEX AT 411 WEST MAIN STREET.**

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 411 West Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023.

Mayor Jones recognized Dave Gluhareff, 119 College Avenue, who noted his opposition to this ordinance due to parking, the property not being managed well and was afraid it would get worse. He does not know what would happen if this became a duplex. There were Averett students living there, with music blasting at two in the morning waking them up.

Mayor Jones recognized Gerald Kelly who explained that he purchased 411 West Main Street because it had been on the market for a while and did not sell as a residence. He has been working with Averett to grow their campus. He stated that to put six people in the home it must be rezoned as a duplex. In the past, the home was a duplex because there are still two meters and at some point, it was converted back into residential. Mr. Kelly noted he purchased the house next door because it was in the city alley and he would be able to park the cars at that house off the street. Averett was renting this property and will be taking over the maintenance.

Mayor Jones recognized Don Scism, 156 College Avenue, who stated that the only access to the properties was onto College Avenue, none of the driveways go onto West Main. Directly across were Averett's offices, with four cars on the corner and two in the back. Mr. Scism noted the City or someone was going to have to solve this problem and have the cars come out on West Main.

No one further desired to be heard and the Public Hearing was closed.

Council Member Vogler **moved** for adoption an Ordinance:

**ORDINANCE NO. 2023-12.09**



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AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00375, FILED BY KELLY REAL ESTATE, REQUESTING A SPECIAL USE PERMIT TO CONVERT A SINGLE-FAMILY DWELLING TO A DUPLEX AT PARCEL ID 24051 (411 WEST MAIN STREET) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 2.

The Motion was **seconded** by Vice Mayor Miller.

Vice Mayor Miller asked Ms. Burton if the Planning Commission had any issues with this ordinance. Ms. Burton stated a few individuals from the neighborhood came and spoke, and the vote was 4-2. There were thirty-seven notices sent, twelve were opposed and six were unopposed.

Council Member Buckner asked if a property went from a duplex to a single family that it could not revert, was that correct, and Ms. Burton noted in this particular case it would have a special use permit to be a duplex and could convert back if they chose; the underlying or base zoning was single family zoning. This would not be considered spot zoning.

Council Member Vogler noted he was trying to be consistent with what Council did. Averett was growing, and there weren't enough places in Danville for people to live; this particular issue checks those two boxes. He understands there might be some concerns being worked through and hoped that would continue. The Planning Commission approved this and he hasn't seen anything really standing out to make him not want to approve this based on what he has heard tonight.

The **Motion** was carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY JERAMY NICHOLS ON BEHALF OF OLD OAK PROPERTIES, LLC, REQUESTING A SPECIAL USE PERMIT AT 823 INDUSTRIAL AVENUE**

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 823 Industrial Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023.

Mayor Jones recognized Jeramy Nichols, 127 Southland Court, who introduced himself to Council and explained the building was at 823 Industrial Avenue; it was a large warehouse. They have storage, cabinet work, and the gentlemen who was to rent from him takes golf carts, buys them in bulk, fixes them up and resells them.

No one further desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption an Ordinance:

**ORDINANCE NO. NO. 2023-12.10**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00376, FILED BY JERAMY NICHOLS ON BEHALF OF OLD OAK PROPERTIES, LLC , REQUESTING A SPECIAL

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USE PERMIT TO ALLOW A USE PERMITTED BY RIGHT OR SPECIAL USE PERMIT IN THE HR-C DISTRICT (AUTOMOBILE AND LIGHT VEHICLE DEALERSHIPS AND RETAIL SALES ESTABLISHMENTS (WITH SERVICE AND REPAIR FACILITIES AS AN ANCILLARY USE, WITH COMPLETELY ENCLOSED SERVICE FACILITIES AND SCREENED OUTDOOR STORAGE OF REPAIR VEHICLES) AT PARCEL ID 24094 (823 INDUSTRIAL AVENUE) IN ACCORDANCE WITH ARTICLE 3.O., SECTION C, ITEM 15.

The Motion was **seconded** by Council Member Saunders and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF REZONING APPLICATION FILED BY AVERETT UNIVERSITY REQUESTING REZONING AT 419 WEST MAIN STREET TO REZONE FROM OT-R OLD TOWN RESIDENTIAL TO TO-C TRANSITIONAL OFFICE**

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 823 Industrial Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023.

Mayor Jones recognized Don Aungst, Averett's Chief Financial and Operating Officer, who stated that Averett first acquired the building they thought they were going to put the President there for temporary offices. They renovated her former suite and backed her space into a welcome center for admission's families when they arrive. There were three staff people who work there, the President and two assistants. No one further desired to be heard and the public hearing was closed.

Council Member Campbell **moved** for adoption an Ordinance:

**ORDINANCE NO. 2023-12.11**

AN ORDINANCE REZONING FROM OT-R, OLD TOWN RESIDENTIAL TO "CONDITIONAL" TO-C, TRANSITIONAL OFFICE COMMERCIAL PARCEL ID 22383 (419 WEST MAIN STREET).

The Motion was **seconded** by Council Member Whittle and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY CCKW, LLC REQUESTING A SPECIAL USE PERMIT TO ALLOW ATTACHED RESIDENTIAL DWELLINGS ON PARCELS LOCATED ON MONUMENT, SHELTON, CABELL, AND FRANKLIN STREETS**

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 823 Industrial Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023.

Mayor Jones recognized Steven Gould, representing the applicants, CCKW LLC, who shared a power point presentation with Council regarding the parcels and the vision for the Monument Berryman plan. In December of last year, the City issued a RFP for redevelopment of parcels in this area. In February, CCKW submitted a proposal to construct a mix of apartments and town homes. Two months ago, a community meeting was held to receive input and ideas from neighbors and one item that was brought up in those meetings has been incorporated into the plans. The project includes properties already owned by DRHA or a company that was affiliated with CCKW. No one was required or expected to sell their home or any property they have for this proposal to come to life. Mr. Gould reviewed plans and noted there were six projects along Shelton, Monument, Cabell, Beauregard and Franklin Streets that were part of this proposal with sixty apartments across three buildings, and also thirty townhomes across five different sites. This would result in the addition of two hundred new bedrooms in this area of town and there was an emphasis of blending this new construction with the existing building in and around the community. There were twelve items before Council recommended by the Planning staff; for the majority of those there was full support from CCKW and they have been discussed with Ms. Burton. CCKW does request a change to Item No. 4 to reduce the minimum masonry requirement. It was 45% in the document with Council, they would ask that that be reduced to 35%, and that would maintain the consistency with the brick aesthetic of the River District while also acknowledging that construction and materials costs were significant. Their estimate was that a 10% difference here would save approximately \$4,000 per townhome. Alternatively, if Council was not interested in reducing that number, they would ask that the conditions for the PUD be changed so that the Director of Planning and Zoning would have the ability at the final stage of design approval to go under that 45% if the Director believed that was appropriate under the circumstances.

Mayor Jones recognized Robin Wilson, Cabell Street, who stated she agreed with this project, everything looked beautiful, and asked what type of people will be moving into these locations, will they be retired people or families. The schools were already overcrowded so where were these children going to go to school.

No one further desired to be heard and the public hearing was closed.

Council Member Vogler noted the request the attorney made, if Council wanted to do that, how do they change it. City Attorney Clarke Whitfield explained they would read what was before them, say they would grant the exception, and Council authorizes the reduction from 45% to 35% for masonry.

Council Member Vogler **moved** for adoption an Ordinance:

**ORDINANCE NO. 2023-12.12**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00388, FILED BY CCKW, LLC REQUESTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT ON MONUMENT, SHELTON, CABELL AND FRANKLIN STREETS IN ACCORDANCE WITH ARTICLE 17., ENTITLED "PLANNED UNIT DEVELOPMENTS" OF CHAPTER 41., ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA TO INCLUDE PARCEL ID#S 23320, 23677, 23662, 23661, 20860, 21603, 22885, 20074, 20881, 24445, 22244, 22727, 23040, 21602, 24048, 20749, 21228, 22594, 25347, 24577, 24549, 20071, 20076, 20856, 20862, 21471, 20488, 25184, 21957, 21561, 20637, 24941, 23319, and 22082, and to reduce the masonry requirement to 35%.

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The Motion was **seconded** by Council Member Buckner.

Mayor Jones asked the City Manager to address Mrs. Wilson's concerns. Mr. Gould stated the individuals living there would be a mixture of professionals, singles, and families. Mayor Jones referred to Johnson and Langston being renovated to include more room for students. Mrs. Wilson stated her questions were answered. Council Member Vogler stated this project was mentioned at the Virginia Housing Commission meeting earlier in the day. The City needs housing with more families moving into the area, and asked what was the timeline for this project, and Mr. Gould noted they planned to start in early 2024 and have the project completed in 18 to 24 months. Council Member Saunders stated he appreciated Steven Gould and CCKW, LLC for what they were doing in Danville. This project will help to improve the City's housing. Vice Mayor Miller asked if the reduction in masonry would affect the quality or structural integrity of the building, and Mr. Gould stated that it would not.

The **Motion** was carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF A CODE AMENDMENT REQUEST TO AMEND CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CITY OF DANVILLE, VIRGINIA REGARDING SHORT-TERM RENTALS**

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Code. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption an Ordinance:

**ORDINANCE NO. 2023-12.13**

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 2, SECTION Y, ENTITLED "SHORT TERM RENTALS".

The Motion was **seconded** by Council Member Whittle.

Council Member Vogler stated at one point, these changes were going to include eliminating the accessory use, was that being taken out or was it included. City Manager Ken Larking stated that was not included so it can still have a short-term rental as an accessory use without going through the special use permit process. Parking regulations have also been taken out.

The **Motion** was carried by the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**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"**

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Code. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption an Ordinance:

**ORDINANCE NO. 2023-12.14**

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 15, ENTITLED "DEFINITIONS", SECTION B, ENTITLED "DEFINITIONS".

The Motion was **seconded** by Council Member Mayo and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF A REQUEST TO AMEND CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CITY OF DANVILLE, MORE SPECIFICALLY, TO AMEND ARTICLE 2 SECTION Y ENTITLED "SHORT-TERM RENTALS" TO LIMIT THE NUMBER OF SHORT TERM RENTALS**

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Code. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023.

Mayor Jones recognized Dr. Michael Evans who noted he operates two short-term rentals in Danville and has worked closely with Ms. Burton over the past six months to give feedback and develop policies. This was one item that was not discussed in the focus group and would suggest Council may want to add a clause that this get revisited maybe annually or some other time. Danville was growing, the casino has created a lot of buzz, there has been a lot of short-term rentals and as the City continue to grow, 1% may not be the right answer; there needs to be some flexibility before it was finalized.

No one further desired to be heard and the Public Hearing was closed.

Council Member Vogler **moved** for adoption an Ordinance:

**ORDINANCE NO. 2023-12.15**

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 2., SECTION Y., ITEM 3.

The Motion was **seconded** by Vice Mayor Miller.

December 5, 2023

Council Member Vogler noted what they were about to vote on doesn't even say 1%, it was locked in at 150 units, which was based off of roughly 1% of the housing stock in Danville. In the meetings leading up to this, the thing he pointed out was, if the City locks itself into a fixed number, and 200, 300, 400 houses were built over the next few years, they were not accounting for that with this number. Mr. Vogler noted his suggestion would be that they make it a percentage of the housing in the City so that as Danville grows, that 150 may go up to 170; it would be based off of housing in the City.

Vice Mayor Miller noted he also had a problem with the fixed number and how it was regulated; if they were only checking once a year and ten or fifteen Airbnbs go out of business this year, do people have to wait until January 1<sup>st</sup> to apply for an Airbnb. He believed it ought to be a percent and looked at more often.

Council Member Saunders noted these were growing pains, it was a good thing to grow, and it was new. The City Manager and staff will be looking at this, and asked the City Attorney anything they want to amend and change in the future, can Council do that, and Mr. Whitfield noted they could.

Council Member Buckner stated he thought the Council should take more time and fix this detail, he was fine with everything else it represented. Ms. Burton has done a great job with that but thinks Council should table this for tonight and have a little bit deeper conversations about it, and find out ways to have this number set. Mr. Vogler noted he would be fine with tabling this because he could not vote for it the way that it was, and understands what Mr. Saunders was saying. Mr. Vogler stated he would suggest they do a percentage, or have further discussion; if Council votes on it the way it was now, he would vote no. Vice Mayor Miller noted his agreement with Mr. Vogler, he could not vote for it if it was set at 150; if it needed to be tabled and discussed further, they could.

Council Member Whittle stated he did not want to take a chance of discouraging Air BnB's, and does not know if a fixed number would do that. Mr. Whittle thanked staff for their work on this. Mr. Buckner noted staff has been very diligent to get to this point, but they have 150 operating right now and probably another 150 out there; Council shouldn't cap it just yet until they know exactly what they were dealing with.

Council Member Buckner made a **Motion to Postpone** this Item for an indefinite period. The Motion was seconded by Vice Mayor Miller and carried by the following vote:

VOTE: 6-3  
AYE: Buckner, Campbell, Hood, Miller, Vogler, and Whittle (6)  
NAY: Jones, Mayo, Saunders (3)

**CONSIDERATION OF A REQUEST TO AMEND CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CITY OF DANVILLE, MORE SPECIFICALLY, TO AMEND ARTICLE 3.X SECTION H, TO AMEND THE DEFINITION FOR "HERBAL WELLNESS SHOP" AND "VAPE SHOP"**

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Code. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 28, 2023 and December 5, 2023. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption an Ordinance:

**ORDINANCE NO. 2023-12.16**

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 3.X ENTITLED "WEST MAIN STREET CORRIDOR OVERLAY", SECTION H., ENTITLED "PROHIBITED USES".

The Motion was **seconded** by Council Member Mayo and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**REVIEW OF THE FINAL DRAFT OF THE CITY OF DANVILLE PRESERVATION PLAN.**

Vice Mayor Miller **moved** for adoption a Resolution entitled:

**RESOLUTION NO. 2023-12.02**

A RESOLUTION APPROVING PRESERVATION DANVILLE 2023, A PRESERVATION PLAN FOR THE CITY OF DANVILLE, DATED AUGUST 2023.

The Motion was **seconded** by Council Member Mayo and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF APPROVAL TO RELEASE THREE BLANKET EASEMENTS ON PARCELS IN PITTSYLVANIA COUNTY FOR A PROSPECTIVE DOMINION ENERGY SOLAR FARM**

Vice Mayor Miller **moved** for adoption a Resolution entitled:

**RESOLUTION NO. 2023-12.03**

A RESOLUTION AUTHORIZING THE ABANDONMENT OF THREE CITY BLANKET EASEMENTS ACROSS PROPERTY IN PITTSYLVANIA COUNTY.

The Motion was **seconded** by Council Member Mayo and carried the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF A RESOLUTION APPROVING AND AUTHORIZING A REAL ESTATE PURCHASE AGREEMENT FOR APPROXIMATELY 44.335 ACRES OF LAND LOCATED ON STINSON DRIVE**

Council Member Buckner **moved** for adoption a Resolution entitled:

**RESOLUTION NO. 2023-12.04**

A RESOLUTION APPROVING AND AUTHORIZING A REAL ESTATE PURCHASE AGREEMENT FOR APPROXIMATELY 44.335 ACRES OF LAND LOCATED ON STINSON DRIVE BY AND BETWEEN THE INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE, VIRGINIA AND THE CITY OF DANVILLE VIRGINIA.

The Motion was **seconded** by Council Member Mayo.

Council Member Whittle asked what was being done with the property, and Mr. Larking explained this property was adjacent to the Angler's Park biking trail and will be an access point for people to get on and off the trails. It also connects two of the City's parks. The topography of the land was unusable for building.

The **Motion** was carried by the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,  
Saunders, Vogler, and Whittle, (9)  
NAY: None (0)

**CONSIDERATION OF AMENDING THE FISCAL YEAR 2024 BUDGET APPROPRIATION ORDINANCE FOR THE 2022 ASSISTANCE TO FIRE FIGHTERS GRANT IN THE AMOUNT OF \$83,740 WITH LOCAL FUNDING OF \$8,374**

Upon **Motion** by Council Member Buckner, and **second** by Council Member Whittle, an Ordinance entitled:

**ORDINANCE NO. 2023-12.17**

AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY IN THE AMOUNT OF \$83,740.22 AND A LOCAL SHARE IN THE AMOUNT OF \$8,374.03 FOR AN AIR COMPRESSOR/CASCADE/FILL STATION FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$92,114.25 AND APPROPRIATING SAME.

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

**COMMUNICATIONS**

City Manager Ken Larking acknowledged the work of Deputy City Manager Earl Reynolds, and all those in the City who have been working on the blight eradication program. A school choice option guide for Danville Public Schools has been sent out to the public and it was great for parents to know they have options when it comes to their children's education.

There were no communications from the Deputy City Manager, City Attorney or City Clerk.



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Council Member Saunders noted his appreciation of staff and the citizens for everything they do to make the community better. He thanked Renee Burton for always being prepared and doing her job so well. DCC has a cyber security program and graduated nineteen students last night. He thanked Council members, his wife, and board members who attended last night and for their contributions to the program.

Council Member Vogler wished his mother a very Happy Birthday. This Saturday from 7 a.m. to 11 a.m. was the annual Kiwanis Club Pancake Breakfast. If anyone was interested in attending, to contact him. The rail bridge over the s-curves on Riverside Drive were owned by Norfolk Southern, what was the process for reaching out to them; the condition of that bridge was getting horrible. Mr. Vogler also requested an update soon on the digital billboards being brought to the City, and Mr. Larking stated he would get back with him on those.

Council Member Whittle stated the city was playing catch-up and moving ahead, and city staff was doing a fantastic job. Mr. Whittle noted he was at the Pittsylvania County meeting, and they recognized their firefighters for the job done at Northpointe and they also recognized City firefighters who were there. He asked that everyone keep his mother in their prayers and wished everyone a Merry Christmas.

Council Member Buckner thanked everyone for coming out tonight and being engaged with what was going on in the City and thanked everyone for coming out to the Christmas parade.

Council Member Campbell spoke on the Climate Change Action Project being done by George Mason University; Danville was part of this project. Sessions will begin February 2024 at the PLAN Danville office. The condition of the city armory was not good, and a study needs to be done for improvements.

Council Member Hood acknowledged the citizens of Danville for holding the Council accountable and for trusting their decision making; they were there for the betterment of the city.

Council Member Mayo thanked Mr. Gould for the presentation, and congratulations to Pat Daniel. The Christmas parade was outstanding, the turnout was astronomical, and everyone had a lot of fun. The DCC cyber security program was a very important program and to see those seventeen students be awarded for their accomplishments was phenomenal. Seeing Danville grow was amazing.

Vice Mayor Miller noted that Earl Reynolds barely makes any comments at the meetings but behind the scenes he was dynamite. Dr. Miller noted he remembered all the meetings they had about blight, and he put all this together showing the City where they needed to concentrate to eradicate blight and to see the culmination of this project has just been amazing over the past few years. Mr. Reynolds was a driving factor and thanked him for what he has done. The Christmas tree lighting last weekend was a great event, and the cybersecurity program at DCC was a great addition. Dr. Miller asked everyone to keep Council Member Whittle's mother in their prayers.

Mayor Jones stated that it was wonderful for Council Member Whittle's mother to see both of her sons making a difference, one in Danville and one in Pittsylvania County; Council was praying for her. Mayor Jones gave a shout out to Mark Aron for the superb job he does for River City TV, and thanked the Rotary Club for everything they do for the City and the Christmas parade. The Harry Johnson Holiday Classic had to be tweaked; some tough decisions had to be made like stopping the classic for two years until G.W. was finished. Dr. Hairston said no, let's keep the momentum going, so it will be held at Bonner.

December 5, 2023

Council Member Vogler stated that the dates of the classic will be December 27, 28, and 29. There was a Facebook page for updates and tournament information, just search Harry Johnson Holiday Classic. Council Member Mayo stated there are six boys teams, four girls teams, and middle school teams that will be playing. This took the whole community and committee to get together and it was going to be a great event as always. Mayor Jones added that in 2024 the Council had also put a lot of money into splash parks. They would like to do something where the splash parks can be turned on all at the same time, and asked Parks and Recreation to think about that. Mayor Jones thanked Council for everything they do for the community and thanked all the citizens for believing in Council; the best was yet to come.

Meeting Adjourned at 8:52 p.m.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

December 5, 2023

A Regular Work Session of the Danville City Council convened on December 5, 2023 at 9:01 p.m. in the Conference Room located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Bryant Hood, Mayor Alonzo L. Jones, Barry Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr. and Madison J.R. Whittle (9).

Staff Members present were: City Manager Ken F. Larking, Deputy City Manager Earl B. Reynolds Jr., City Attorney W. Clarke Whitfield, Jr., and City Clerk Susan M. DeMasi.

Mayor Jones presided.

## **MEETING MINUTES**

Upon Motion by Council Member Buckner and second by Council Member Mayo, Minutes of the Regular Work Session held on November 9, 2023, were approved as presented. Draft copies were distributed to Council Members prior to the Meeting.

## **WORK SESSION ITEMS**

### **CONSIDERATION OF APPOINTMENTS TO BOARDS AND COMMISSIONS**

Vice Mayor Miller noted that the Committee on Appointments met earlier that evening and make the following recommendations:

- Employee Retirement System - Reappoint Helm Dobbins and Edgar Love
- Planning Commission - Reappoint Pierre Jones and Ann Evans

### **CONSIDERATION OF AUTHORIZING AND APPROVING THE RELEASE OF TWENTY-THREE NUISANCE ABATEMENT LIENS AFFECTING NINE PARCELS OF LAND**

Council had no questions regarding this item and agreed to put it on an upcoming business agenda.

### **CONSIDERATION OF AUTHORIZING AND APPROVING THE RELEASE OF FOUR NUISANCE ABATEMENT LIENS AFFECTING PARCEL NO. 04500**

Council had no questions regarding this item and agreed to put it on an upcoming business agenda.

### **CONSIDERATION OF AUTHORIZING AND APPROVING THE RELEASE OF SEVEN NUISANCE ABATEMENT LIENS AFFECTING SEVEN PARCELS**

Council had no questions regarding this item and agreed to put it on an upcoming business agenda.

### **CONSIDERATION OF APPROVING AND AUTHORIZING THE RELEASE OF NUISANCE ABATEMENT LIENS AFFECTING PARCEL #04205 ON BRADLEY ROAD**

Council had no questions regarding this item and agreed to put it on an upcoming business agenda.

**CONSIDERATION OF AUTHORIZING AND APPROVING THE RELEASE OF A NUISANCE ABATEMENT LIEN AFFECTING PARCEL #03482 ON BRADLEY ROAD**

Council had no questions regarding this item and agreed to put it on an upcoming business agenda.

**CONSIDERATION OF AUTHORIZING AND APPROVING THE TRANSFER OF OWNERSHIP OF THIRTY SURPLUS VACANT LOTS THROUGH THE CITY TO THE DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY**

Council had no questions regarding this item and agreed to put it on an upcoming business agenda.

**ECONOMIC DEVELOPMENT UPDATES**

Director of Economic Development and Tourism, Corrie Bobe, reminded Council there will be a ribbon cutting on Monday, at 1:30 p.m. to celebrate the completion of the Cyber Park Shell Building.

**CLOSED MEETING**

At 9:05 p.m., Vice Mayor Miller **moved** that this meeting of the City Council of the City of Danville, Virginia be recessed and that Council immediately reconvene in a Closed Meeting for the following purposes: an Economic Development discussion and update concerning a prospective business or industry where no previous announcement has been made and/or the expansion of an existing business or industry where no previous announcement has been made as permitted by Subsection (A)(5) of Section 2.2-3711 of the Code of Virginia, 1950, as amended and more specifically to consider prospective commercial, mixed use, hospitality, and industrial projects considering locating within the City and/or locating within the region in cooperation with the City's regional partners, and discussion or consideration of the investment of public funds where bargaining is involved, where, made public initially, the financial interest of the governmental unit would be adversely affected as permitted by Subsection (A)(6) of Section 2.2-3711 of the Code of Virginia, 1950 as amended, more specifically to consider a grading project.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo,  
Miller, Saunders, Vogler and Whittle (9)  
NAY: None

Upon unanimous vote at 9:37 p.m., Council reconvened in open session and Vice Mayor Miller **moved** for adoption of the following Resolution:

**CERTIFICATE OF CLOSED MEETING**

WHEREAS, the Council convened in Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia, 1950, as amended, requires a Certification by the Council that such Closed Meeting was conducted in conformity with Virginia Law;

December 5, 2023

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements of Virginia Law under Section 2.2-3711 were heard, discussed or considered, and (ii) only such public business matters as were identified in the Motion by which the Closed Meeting was convened were heard, discussed or considered by the Committee.

The Motion was **seconded** by Council Member Mayo and carried by the following vote:

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo,  
Miller, Saunders, Vogler and Whittle (9)  
NAY: None

The City Clerk reviewed and distributed a draft of the annual holiday card from the Mayor and Council Members noting it will be sent out on Friday. Council noted their appreciation.

MEETING ADJOURNED AT 9:49 P.M.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

# Council Letter

## City of Danville, Virginia



CL - 967

CONSENT AGENDA B.

### City Council REGULAR MEETING

**Meeting Date:** January 2, 2024

**Subject:** Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for the 2022 Assistance to Fire Fighters Grant in the amount of \$83,740 with local funding of \$8,374.

**From:** David Coffey, Fire Chief

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### COUNCIL ACTION

An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for a Grant from the Department of Homeland Security in the Amount of \$83,740.22 and a Local Share in the Amount of \$8,374.03 for an Air Compressor/Cascade/Fill Station for a Total Appropriation in the Amount of \$92,114.25 and Appropriating Same.

### Final Adoption

### SUMMARY

The City has received notification from the Department of Homeland Security that the Danville Fire Department has been approved to receive funding from the 2022 Assistance to Firefighters Program in the amount of \$83,740 for the purchase of an air compressor/cascade/fill station with local funding of \$8,374.

### BACKGROUND

Funds from the Department of Homeland Security are given to the Assistance to Firefighters Program to assist in helping localities throughout the Commonwealth upgrade their equipment for the safety of the public and firefighters with respect to fire and fire-related hazards. The grant must be used within twenty-four months of receipt of funds.

### RECOMMENDATION

It is recommended that City Council approve the attached Ordinance Amending the Fiscal Year 2024 Budget by increasing the revenue to anticipate the receipt of the grant funds from the Department of Homeland Security.

---

### Attachments

1. Ordinance
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2023-\_\_\_\_.\_\_\_\_

AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY IN AN AMOUNT OF \$83,740.22 AND A LOCAL SHARE IN THE AMOUNT OF \$8,374.03 FOR AN AIR COMPRESSOR/CASCADE/FILL STATION FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$92,114.25 AND APPROPRIATING SAME.

WHEREAS, the City has been notified by the Department of Homeland Security that the Danville Fire Department has been awarded a grant; and

WHEREAS, the grant funds are to be used to upgrade the existing air compressor/cascade/fill station; and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2024 Budget Appropriation Ordinance be, and is hereby, amended by increasing revenue from the Department of Homeland Security for an air compressor/cascade/fill station and such revenue and appropriation to be as follows:

**ANTICIPATED REVENUE**

| <u>Description</u> | <u>Account No.</u> | <u>Amount</u>      |
|--------------------|--------------------|--------------------|
| Federal: Equipment |                    | <u>\$83,740.22</u> |

**ANTICIPATED EXPENDITURES**

| <u>Description</u> | <u>Account No.</u> | <u>Amount</u>      |
|--------------------|--------------------|--------------------|
| Equipment          |                    | <u>\$83,740.22</u> |

AND BE IT FURTHER ORDAINED that a transfer from Special Grants Unallocated revenue and appropriation is hereby authorized to cover the local share as follows:

**TRANSFER FROM**

| <u>Description</u>            | <u>Account No.</u> | <u>Amount</u>     |
|-------------------------------|--------------------|-------------------|
| Special Grants Unallocated    |                    |                   |
| Transfer In From General Fund |                    | <u>\$8,374.03</u> |

**TRANSFERRED TO**

| <u>Description</u>            | <u>Account No.</u> | <u>Amount</u>     |
|-------------------------------|--------------------|-------------------|
| PPE                           |                    |                   |
| Transfer In From General Fund |                    | <u>\$8,374.03</u> |

AND BE IT FURTHER ORDAINED that this appropriation shall be for one year and will not carry forward from year to year; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2023 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to  
Form and Legal Sufficiency:

\_\_\_\_\_  
City Attorney



# Council Letter City of Danville, Virginia



CL - 981

NEW BUSINESS A.

## City Council REGULAR MEETING

**Meeting Date:** January 2, 2024

**Subject:** Consideration of Authorizing and Approving the Transfer of Ownership of Thirty Surplus Vacant Lots throughout the City to the Danville Redevelopment and Housing Authority.

**From:** Christopher (Ryan) Dodson, Assistant City Attorney

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## COUNCIL ACTION

1. Public Hearing
2. A Resolution Declaring Certain City-Owned Property to be Surplus to the Needs of the City and Authorizing the City Manager to Convey Such Property to the Danville Redevelopment and Housing Authority.

## SUMMARY

City Staff is seeking approval to transfer ownership of thirty (30) surplus vacant lots throughout the City to the Danville Redevelopment and Housing Authority to promote development and assist with the construction of new, affordable housing.

## BACKGROUND

City staff has identified thirty (30) surplus vacant lots located throughout the City that are owned by the City of Danville, that might be better served by being transferred to the ownership of the Danville Redevelopment and Housing Authority.

Staff has determined that the City has no current or future intended use for the lots, and they appear to be surplus to the needs of the City.

City Staff wishes to transfer the surplus lots to the DRHA to incorporate them into the City's redevelopment plans through its existing trust agreement with DRHA. There are not currently any limitations on the disposition or use of the lots. Transferring these lots would help facilitate the development of new, affordable housing, increase neighborhood property values, eliminate blight, reduce City maintenance costs, and allow for more productive use of the idle, surplus properties.

## RECOMMENDATION

City staff recommends approving the transfer of the thirty (30) identified surplus vacant lots to the DRHA to help with the mutual goals of the City and DRHA.

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## Attachments

1. Resolution
-

2. Deed of Gift
  3. Exhibit A
  4. Maps
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

RESOLUTION NO. 2023-\_\_\_\_.\_\_\_\_

A RESOLUTION DECLARING CERTAIN CITY-OWNED PROPERTY TO BE SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE CITY MANAGER TO CONVEY SUCH PROPERTY TO THE DANVILLE REVELOPMENT AND HOUSING AUTHORITY.

WHEREAS, the City owns thirty (30) certain parcels of real property, all of which are vacant, have no current or planned use, and are located within the City of Danville (the “Properties”) and are more particularly identified as follows:

- 1) Baltimore Avenue (Parcel # 59873);
- 2) Baltimore Avenue (Parcel # 59876);
- 3) Briarcliff Lane (Parcel # 59820);
- 4) Carlson Avenue (Parcel # 60492);
- 5) Colquhoun Street (Parcel # 22161);
- 6) Cosby Street (Parcel # 26424);
- 7) Darby Road (Parcel # 26734);
- 8) Dudley Street (Parcel # 26153);
- 9) Dula Street (Parcel # 60491);
- 10) Garfield Street (Parcel # 26725);
- 11) Henry Street (Parcel # 04949);
- 12) High Street (Parcel # 26486);
- 13) Lincoln Street (Parcel # 26724);
- 14) Morris Avenue (Parcel # 60493);
- 15) Mt. Cross Road (Parcel # 77970);
- 16) Piney Forest Road (Parcel # 59927);
- 17) South Street (Parcel # 02839);
- 18) Spring Street (Parcel # 22126);
- 19) Stephens Street (Parcel # 59880);
- 20) Stokes Street (Parcel # 20600);
- 21) Stokes Street (Parcel # 20617);
- 22) Stokes Street (Parcel # 22262);
- 23) Stokes Street (Parcel # 24277);
- 24) Tate Street (Parcel # 73294);
- 25) Valley Street (Parcel # 26394);
- 26) Worsham Street (Parcel # 00980);
- 27) Worsham Street (Parcel # 00981);
- 28) Worsham Street (Parcel # 01583);
- 29) Worsham Street (Parcel # 01697); and
- 30) Worsham Street (Parcel # 04378);

WHEREAS, the City has an interest in promoting for the goal of safe, efficient, and affordable homeownership of its citizens; and

WHEREAS, the City is addressing property blight with a targeted revitalization initiative; and

WHEREAS, the City, through Ordinance No. 2007-01.03, has ordained that all real estate transactions addressing blight as part of the City's targeted revitalization initiative be conducted by the Danville Redevelopment and Housing Authority, acting as agent for the City.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that the Properties are surplus to the City's needs, and that the City's targeted revitalization initiative is better served by the conveyance of the Properties to the Danville Redevelopment and Housing Authority; and

BE IT FURTHER RESOLVED, pursuant to Sections 15.2-1800 and 15.2 1813 of the Code of Virginia 1950, as amended, and in consideration of the public hearing this day held by Council, that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized and directed to convey ownership of the Properties to the Danville Redevelopment and Housing Authority; and

BE IT FINALLY RESOLVED that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such conveyance to the Danville Redevelopment and Housing Authority.

Approved:

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Mayor

Attest:

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City Clerk

Approved as to  
Form and Legal Sufficiency:

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Assistant City Attorney

Prepared by and return to:  
C. Ryan Dodson, Esq. (VSB #90680)  
City of Danville  
P.O. Box 3300  
Danville, VA 24543

***This deed is exempt  
from Grantor's and  
Grantee's tax pursuant  
to Va. Code § 58.1-  
811(D).***

*Tax Map/Parcel ID #s 00980; 00981; 01583; 01697; 02839; 04378; 04949; 20600; 20617; 22126; 22161; 22262;  
24277; 26153; 26394; 26424; 26486; 26724; 26725; 26734; 59820; 59873; 59876; 59880; 59927; 60491; 60492;  
60493; 73294; 77970  
Mail to: DRHA, 135 Jones Xing, Danville, VA 24541  
Title Insurance: None*

THIS **DEED OF GIFT** made this the \_\_\_\_ day of \_\_\_\_\_,  
by and between the **CITY OF DANVILLE, VIRGINIA, a municipal corporation of the  
Commonwealth of Virginia, GRANTOR**, and the **DANVILLE REDEVELOPMENT  
AND HOUSING AUTHORITY, a political subdivision of the Commonwealth of  
Virginia, GRANTEE**,

**W I T N E S S E T H:**

AS A GIFT, and not for consideration, the Grantor does hereby give and grant, with  
general warranty and English covenants of title, unto the Grantee, in trust for the City, in  
fee simple absolute, all those certain lots or parcels of land, together with improvements  
thereon and appurtenances thereto belonging, situate in the City of Danville, Virginia, and  
more particularly described as follows:

See attached "Schedule A" for legal descriptions.

These conveyances are made subject to all easements, rights of way, or restrictive  
covenants now of record or affecting said property.

This conveyance having been authorized by the City Council of the City of  
Danville, Virginia by Resolution No. \_\_\_\_\_, adopted on \_\_\_\_\_,  
pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,  
a municipal corporation of the  
Commonwealth of Virginia**

**BY:**

\_\_\_\_\_  
**KEN F. LARKING**  
**City Manager**

STATE OF VIRGINIA  
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by **KEN F. LARKING**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

**BY:**

\_\_\_\_\_  
**NOTARY PUBLIC**

**My commission expires:**

\_\_\_\_\_

**Notary registration number:**

\_\_\_\_\_

**APPROVED AS TO FORM:**

**BY:**

\_\_\_\_\_  
**C. RYAN DODSON, ESQ.**  
**Assistant City Attorney**  
**VS # 90680**

## **SCHEDULE “A”**

### **PARCEL #1**

#### **TAX PIN #59873 – BALTIMORE AVENUE, DANVILLE, VIRGINIA**

**APPROXIMATELY** 2.711 Acre lot along the rear of property fronting on Baltimore Avenue and Dallas Avenue; being, in fact, all of Tax Map No. 1609-006-000077.000, PIN #59873.

**BEING IN FACT**, a portion of the same property conveyed to the City of Danville from the School Board of the City of Danville, by deed dated August 17, 2007 and recorded in the Clerk’s Office of Circuit Court of Danville, Virginia as part of Instrument #07-4007.

### **PARCEL #2**

#### **TAX PIN #59876 – BALTIMORE AVENUE, DANVILLE, VIRGINIA**

**APPROXIMATELY** 0.2845 Acre lot along the eastern margin of Baltimore Avenue, identified as PID 59876 on Plat of Survey for City of Danville, made by Piedmont Surveying and Design, P.C., dated December 8, 2008, of record in the Clerk’s Office of the Circuit Court of Danville, Virginia as Instrument #09-0003 being also Lot No. 1, Section U as shown on Survey of Property for City of Danville School Board made by E. L. Wilmarth, C.L.S., dated July 20, 1951, of record in the Clerk’s Office of the Circuit Court of Pittsylvania County, Virginia.

**BEING IN FACT**, a portion of the same property conveyed to the City of Danville from the School Board of the City of Danville, by deed dated August 17, 2007 and recorded in the Clerk’s Office of Circuit Court of Danville, Virginia as part of Instrument #07-4007.

### **PARCEL #3**

#### **TAX PIN #59820 – BRIARCLIFF LANE, DANVILLE, VIRGINIA**

**PARCEL “I”** as shown on Plat of Survey for Danville School Board made by Shanks & Wilmarth, Engineers-Surveyors, dated May 17, 1968, File A-2974, recorded in the Clerk’s Office of the Circuit Court of the City of Danville, Virginia, in Deed Book 462, at Page 342.

**BEING IN FACT**, Parcel #1 conveyed to the City of Danville from the School Board of the City of Danville, by deed dated October 23, 2020 and recorded in the



Clerk's Office of Circuit Court of Danville, Virginia as part of Instrument #20-334.

**PARCEL #4**

**TAX PIN #60492 – CARLSON AVENUE, DANVILLE, VIRGINIA**

**LOT NO. 2**, containing 0.344 acres as shown on Plat for Glen Oak, Inc., made by Piedmont Surveying and Design, P.C., dated December 19, 2007, of record in the Clerk's Office of the Circuit Court of Danville, Virginia.

**BEING IN FACT** Lot No. 2 conveyed to the City of Danville from Mervin R. Pruitt, Sr. and Mervin R. Pruitt, Jr. by deed dated March 27, 2008 and recorded in the aforesaid Clerk's Office as part of Instrument #08-1661.

**PARCEL #5**

**TAX PIN #22161 – COLQUHOUN STREET, DANVILLE, VIRGINIA**

**TRIANGULAR LOT** to the rear of Lot 11 as shown on Map of Lots of Thomas Grasty dated November 25, 1881 of record in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 33, at Page 539.

**BEING IN FACT** Parcel No. 3 conveyed to the City of Danville from William B. Smith, Jr. by deed dated July 17, 2014 and recorded in the aforesaid Clerk's Office as part of Instrument #14-2484.

**PARCEL #6**

**TAX PIN #26424 – COSBY STREET, DANVILLE, VIRGINIA**

**LOT NO. 5 IN BLOCK 6**, fronting 50 feet on the southern side of Cosby Street, formerly called Cleveland Street and extending back between parallel lines in a southern direction 147 to 150 feet to an alley in the rear. Said Lots are shown on map of the West End Land Company property, made by W. A. Land, Civil Engineer, recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia, in Deed Book 100, at Page 600.

**BEING IN FACT**, Parcel #5 conveyed to the City of Danville from the School Board of the City of Danville, by deed dated October 23, 2020 and recorded in the Clerk's Office of Circuit Court of Danville, Virginia as part of Instrument #20-334.

**PARCEL #7**

**TAX PIN #26734 – DARBY ROAD, DANVILLE, VIRGINIA**

**APPROXIMATELY** 0.28 Acre lot along the northern margin of Darby Road at its intersection with Sherman Street; being identified as “Park” on Map of Victory Heights, made by H. S. Peirce, dated October 12, 1944, recorded in the Clerk’s Office of the Circuit Court of Danville, Virginia in Deed Book 196, at Pages 424 and 425; being also all of Tax Map No. 2606-007-000051.000, PIN #26734.

**BEING IN FACT**, the same property conveyed to the City of Danville from E. U. Boggs and W. E. Bowlin, by dedication dated October 12, 1944 and recorded in the aforesaid Clerk’s Office in Deed Book 196, at Pages 424 and 425.

**PARCEL #8**

**TAX PIN #26153 – DUDLEY STREET, DANVILLE, VIRGINIA**

**LOT 14, BLOCK 15**, fronting on the Southern margin of Dudley Street, as designated on Map Showing Survey of Property of Butler Lumber Company made by E. L. Moore, C.L.S., dated April 29, 1949 of record in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 242, at Page 475.

**BEING IN FACT** the same property conveyed to the City of Danville from Andrew M. Neville, Special Commissioner on behalf of Circle Court, LLC by Special Commissioner's deed dated June 25, 2018 and recorded in the aforesaid Clerk's Office as Instrument #18-2511.

**PARCEL #9**

**TAX PIN #60491 – DULA STREET, DANVILLE, VIRGINIA**

**LOT NO. 1**, containing 1.611 acres as shown on Plat for Glen Oak, Inc., made by Piedmont Surveying and Design, P.C., dated December 19, 2007, of record in the Clerk's Office of the Circuit Court of Danville, Virginia.

**BEING IN FACT** Lot No. 1 conveyed to the City of Danville from Mervin R. Pruitt, Sr. and Mervin R. Pruitt, Jr. by deed dated March 27, 2008 and recorded in the aforesaid Clerk's Office as part of Instrument #08-1661.

**PARCEL #10**

**TAX PIN #26725 – GARFIELD STREET, DANVILLE, VIRGINIA**

**PART LOT NO. 8, BLOCK B** designated and shaded in blue on Map of Property to be Acquired by City of Danville for Fill Encroachment and Channel Change of Jackson's Branch prepared by the City Engineer, dated October 7, 1948 of record in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 231, at Page 109; being also shown on Map of Industrial Avenue prepared by Linberg Engineers of Burlington, N.C., dated April 29, 1949 of record in the aforesaid Clerk's Office.

**BEING IN FACT** the same property conveyed to the City of Danville from Katie Hall by deed dated October 13, 1948 and recorded in the aforesaid Clerk's Office in Deed Book 231, at Page 106.

**PARCEL #11**

**TAX PIN #04949 – HENRY STREET, DANVILLE, VIRGINIA**

**APPROXIMATELY** 28,450 square feet of abandoned railroad right-of-way; being the property shaded in orange on Map of Southern Railway System Portion of Old L & D R.R. Right of Way to be Conveyed to the City of Danville labeled A-10715, dated March 22, 1950 of record in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 242, at Page 257.

**BEING IN FACT** the same property conveyed to the City of Danville from Southern Railway Company by deed dated April 29, 1950 and recorded in the aforesaid Clerk's Office in Deed Book 242, at Page 255.

**PARCEL #12**

**TAX PIN #26486 – HIGH STREET, DANVILLE, VIRGINIA**

**FRONTING** 69 feet on the northern side of High Street, and running back therefrom between parallel lines 165 feet to a rear line; together with certain rights in and to a nine-foot alley between said Lot and Lot formerly owned by J. P. Hawkins.

**BEING IN FACT** the same property conveyed to the City of Danville from Jessie Hairston, Trustee in Dissolution for Morning Star Lodge No. 189, Improved Benevolent and Protective Order of Elks of the World, Danville, Virginia by deed dated March 9, 1998 and recorded in the Clerk's Office of the Circuit Court of Danville, Virginia as Instrument #98-1239.

**PARCEL #13**

**TAX PIN #26724 – LINCOLN STREET, DANVILLE, VIRGINIA**

**APPROXIMATELY** 0.1442 Acre triangle along the intersection of Lincoln Street with Walter's Mill Road, being, in fact, all of Tax Map No. 2605-009-000012.000, PIN #26724; being part of Lot Nos. 5 – 8 on a Map by T. M. Bass, Surveyor, dated January 12, 1910 and of record in the Clerk's Office of the Circuit Court of Pittsylvania County, in Deed Book 131, at Page 373; being also as shown on Map of Survey of Lots 9 – 11 Lincoln Street dated January 21, 1952 by E. L. Moore, C. L. S., recorded in the aforesaid Clerk's Office in Deed Book 335, at Page 289.

**BEING IN FACT** a portion of the same property conveyed to the City of Danville from Charles M. Bradley and Martha N. Bradley by deed dated January 26, 1976, recorded in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 556, at Page 405.

**PARCEL #14**

**TAX PIN #60493 – MORRIS AVENUE, DANVILLE, VIRGINIA**

**LOT NO. 3**, containing 0.557 acres as shown on Plat for Glen Oak, Inc., made by Piedmont Surveying and Design, P.C., dated December 19, 2007, of record in the Clerk's Office of the Circuit Court of Danville, Virginia.

**BEING IN FACT** Lot No. 3 conveyed to the City of Danville from Mervin R. Pruitt, Sr. and Mervin R. Pruitt, Jr. by deed dated March 27, 2008 and recorded in the aforesaid Clerk's Office as part of Instrument #08-1661.

**PARCEL #15**

**TAX PIN #77970 – MT CROSS ROAD, DANVILLE, VIRGINIA**

**APPROXIMATELY** 0.1733 Acre lot fronting 26 feet, more or less, along the eastern margin of Mt. Cross Road; being Lot No. 132 on Map Showing Part of Carter Springs, Inc., dated May, 1946, revised October 8, 1946, made by W. B. Sours, C.E., recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia, in Map Book R, at Pages 8 and 9.

**BEING IN FACT** a portion of the property conveyed to the City of Danville from \_\_\_\_\_ by deed dated \_\_\_\_\_ and recorded in the aforesaid Clerk's Office \_\_\_\_\_.

**PARCEL #16**

**TAX PIN #59927 – PINEY FOREST ROAD, DANVILLE, VIRGINIA**

**APPROXIMATELY** 0.0538 Acre triangle along the southern margin of Apollo Avenue at its intersection with Piney Forest Road, being, in fact, all of Tax Map No. 1706-001-000009.000, PIN #59927.

**BEING IN FACT** a portion of the same property conveyed to the City of Danville from Barbara C. Scarce, et al. by deed dated February 9, 1970 and recorded in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 477, at Page 262.

**PARCEL #17**

**TAX PIN #02839 – SOUTH STREET, DANVILLE, VIRGINIA**

**LOT 208** as shown on Leversedge's map made in 1880 and recorded in the Clerk's Office of the Circuit Court of the City of Danville, Virginia in Deed Book 423, at Page 47.

**BEING IN FACT**, the same property conveyed to the City of Danville, Virginia from Sarah P. Maitland and Eustace C. Maitland, by deed dated June 6, 1977, recorded in the aforesaid Clerk's Office in Deed Book 585, at Page 333.

**PARCEL #18**

**TAX PIN #22126 – SPRING STREET, DANVILLE, VIRGINIA**

**FRONTING** 116.2 Feet on the northern margin of Spring Street at its intersection with Floyd Street, as shown on Map Showing Survey of Lot for John Letcher Gourley, made by H. S. Peirce, dated September 21, 1954, of record in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 293, at Page 244.

**BEING IN FACT** the same property conveyed to the City of Danville from Howard Lee Price by deed dated December 1, 2003 and recorded in the aforesaid Clerk's Office as Instrument #04-6720.

**PARCEL #19**

**TAX PIN #59800 – STEPHENS STREET, DANVILLE, VIRGINIA**

**FRONTING** 85 feet on the East side of Stephens Street and running back along the line of Lot No. 2, 200 feet and along the line of V.P.I. Campus Street on the North, 207.87 feet to a rear line of 28.37 feet, being Lot No. 1 as shown on map for A. C. Conway, made March 25, 1942, by H.S. Peirce and recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia, in Deed Book 415, at Page 442.

**BEING IN FACT**, Parcel # 8 conveyed to the City of Danville from School Board of the City of Danville, by deed dated October 23, 2020 and recorded in the Clerk's Office of Circuit Court of Danville, Virginia as part of Instrument #20-334.

**PARCEL #20**

**TAX PIN #20600 – STOKES STREET, DANVILLE, VIRGINIA**

LOT NO. 83, fronting 33 feet on the southern side of Stokes Street, and running back therefrom between parallel lines approximately 150 feet, and part of Lot No. 82, fronting 7 feet on the southern side of Stokes Street running back therefrom between parallel lines approximately 150 feet, and being in fact 7 feet on the western side of Lot No. 82, and lying next to Lot No. 83, as shown on map of part of Green Estate, the property of Messers., Boswell and Conway dated August 1905, made by J.R. Edmunds, Surveyor recorded in the Clerk's Office of the Circuit of the City of Danville, Virginia in Deed Book 71, at Page 23.

BEING, in fact, Parcel No. 1 conveyed to the City of Danville, Virginia. from Alfred W. Harper, Jr, by deed dated February 25, 2022 and recorded in the aforesaid Clerk's Office as part of Instrument #22-963.

**PARCEL #21**

**TAX PIN #20617 – STOKES STREET, DANVILLE, VIRGINIA**

**FRONTING** 40 feet on the northern side of Stokes Street and running back therefrom between parallel lines 97.4 feet to a rear line of 40 feet along an alley. Being in fact, Lot No. 73, as shown on a map of part of the Green Estate, the property of Messers, Boswell and Conway, dated August 1905, made by J.R. Edmunds, Surveyor, and of record in the Clerk's Office of the Circuit Court of Danville Virginia, in Deed Book 71, Page 23.

**BEING IN FACT**, Parcel No. 2 conveyed to the City of Danville, Virginia from Alfred W. Harper, Jr, by deed dated February 25, 2022 and recorded in the aforesaid Clerk's Office as part of Instrument #22-963.

**PARCEL #22**

**TAX PIN #22262 – STOKES STREET, DANVILLE, VIRGINIA**

**FRONTING** 40 feet on the northern side of Stokes Street and running back therefrom between parallel lines to an alley; Being Lot No. 72 as shown on map of a part of the Green Homestead Place, belonging formerly to Boswell and Conway made by J.R. Edmunds, C. E., recorded in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 71, Page 23.

**BEING IN FACT**, Parcel No. 3 conveyed to the City of Danville, Virginia. from Alfred W. Harper, Jr, by deed dated February 25, 2022 and recorded in the aforesaid Clerk's Office as part of Instrument #22-963

**PARCEL #23**

**TAX PIN #24277 – STOKES STREET, DANVILLE, VIRGINIA**

**BEING** the western 3 feet of Lot No. 81 and the eastern 33 feet of Lot No. 82, as shown on map of the property of a part of the Green Estate belonging to Messers, Boswell and Conway, dated August 1905, made by J. R. Edmunds, Surveyor, recorded in the Clerk's Office of the Circuit Court of the City of Danville, Virginia, in Deed Book 71 at page 23.

**BEING IN FACT**, the same property conveyed to the City of Danville, Virginia by Oren M, Bray, by deed dated April 9, 2021 and recorded in the aforesaid Clerk's Office as Instrument #21-1619.

**PARCEL #24**

**TAX PIN #73294 – TATE STREET, DANVILLE, VIRGINIA**

**LOT A**, containing approximately 0.1755 acres as shown on Plat of Survey for W. Nat Blanks from W. H. Henderson, made by Shanks & Wilmarth, Engineers and Surveyors, dated August 1, 1963, of record in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Deed Book 433, at Page 335.

**BEING IN FACT** the same property conveyed to the City of Danville from Charles E. Case, Jr. and Timothy R. Case by deed dated October 7, 2005 and recorded in the Clerk's Office of the Circuit Court of Danville, Virginia as Instrument #05-5052.

**PARCEL #25**

**TAX PIN #26394 – VALLEY STREET, DANVILLE, VIRGINIA**

**LOT NO. 6** as shown on Survey for Vivian Keen made March 9, 1961, by Shank's and Wilmarth, Engineers and Surveyors, of record in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 412, at Page 359, ; being also known as Lot No. 6 as shown on a Survey of Lands of Jas. Thomas in the Town of Danville, Virginia, on tracing made May 30, 1888, by C. A. Ballou, copy from his map of March, 1875, said tracing being of record in the aforesaid Clerk's Office in Deed Book 27, at Page 82.

**BEING IN FACT**, the same property conveyed to the City of Danville, Virginia from Vivian Keen and Charles Keen, Jr. by deed dated April 28, 1965, recorded in the aforesaid Clerk's Office in Deed Book 412, at Page 357.

**PARCEL #26 AND #27**

**TAX PIN #00980 & 00981 – WORSHAM STREET, DANVILLE, VIRGINIA**

**LOTS NOS. 16 AND 17**, fronting a total of 120 feet on the eastern margin of Worsham Street, as show on Map of J. N. Wyllie's lots on Breast Works Hill dated May, 1911, by David T. Williams, recorded in the Clerk's Office of the Circuit court of Danville, Virginia, in Deed Book 83, at pages 436 and 437.

**BEING IN FACT**, the same property conveyed to the City of Danville, Virginia from Frank R. Cox, Jr. *et al.* by deed dated February 24, 1982, recorded in the aforesaid Clerk's Office in Deed Book 655, at Page 300.

**PARCEL #28**

**TAX PIN #01583 – WORSHAM STREET, DANVILLE, VIRGINIA**

**LOTS NOS. 20 AND 21** fronting a total of 100 feet on the eastern margin of Worsham Street, as shown on map of J. N. Wyllie's Lots on Breast Works Hill, dated May, 1911, made by David T. Williams, recorded in the Clerk's Office of the Circuit Court of Danville, Virginia, in Deed Book 83, at pages 436 and 437.



**LESS AND EXCEPT** a strip of property which was conveyed to the Worsham Steet, by deed dated March 26, 1948 recorded in the aforesaid Clerk's Office in Deed Book 225, at page 305.

**BEING IN FACT**, the same property conveyed to the City of Danville, Virginia from Louise J. Frye on behalf of E. H. Frye by deed dated March 4, 1982, recorded in the aforesaid Clerk's Office in Deed Book 655, at Page 187.

**PARCEL #29**

**TAX PIN #01697 – WORSHAM STREET, DANVILLE, VIRGINIA**

**LOT NO. 14**, fronting 70 feet, more or less, on the eastern margin of Worsham Street, as shown on Map of J. N. Wyllie's lots on Breast Works Hill, dated May, 1911, made by David T. Williams, recorded in the Clerk's Office of the Circuit Court of Danville, Virginia, in Deed Book 83, at Pages 436 and 437.

**LESS AND EXCEPT** a small strip of property which was conveyed to the City of Danville for the widening of Worsham Street by deed dated March 22, 1948, recorded in the aforesaid Clerk's Office in Deed Book 225, at Page 332;

**BEING IN FACT**, the same property conveyed to the City of Danville, Virginia from James P. Morgan, Sr., and Dean L. Morgan, by deed dated April 5, 1982, recorded in the aforesaid Clerk's Office in Deed Book 657, at Page 262.

**PARCEL #30**

**TAX PIN #04378 – WORSHAM STREET, DANVILLE, VIRGINIA**

**LOT NO. 18**, fronting 50 feet on the eastern margin of Worsham Street, as shown on Map of J. N. Wyllie's lots on Breast Works Hill, dated May, 1911, made by David T. Williams, recorded in the Clerk's Office of the Circuit Court of Danville, Virginia, in Deed Book 83, at Pages 436 and 437.

**BEING IN FACT**, the same property conveyed to the City of Danville, Virginia from Myrtle F. Walker by deed dated May 18, 1982, recorded in the aforesaid Clerk's Office in Deed Book 660, at Page 483.

City-Owned Parcels with potential use by the DRHA

Parcel 1. #59873 Baltimore Ave.

Acquired 2007; unused since 2007

Notes: Former School Board property; Possible expansion of senior housing.

Parcel 2. #59876 Baltimore Ave.

Acquired 2007; unused since 2007

Notes: Former School Board property; Possible expansion of senior housing.

Parcel 3. #59820 Briarcliff Ln.

Acquired 2020; unused since 1969

Notes: Former School Board property; Possible new residential subdivision.

Parcel 4. #60492 Carlson Ave

Acquired 2008; unused since 2008

Notes: Near golf course. Residential lot.

Parcel 5. #26424 Cosby St.

Acquired 2020; unused since 1963

Notes: Former School Board property; Residential lot.

Parcel 6. #22161 Colquhoun St.

Acquired 2014; unused since 2014

Notes: Monument-Berryman Area;  
Possible new residential subdivision.

Parcel 7. #26734 Darby Rd.

Acquired 1944; unused since 1944

Notes: Near Jones Crossing development; Residential lot.

Parcel 8. #60491 Dula St.

Acquired 2008; unused since 2008

Notes: Near golf course. Residential lot.

Parcel 9. #26153 Dudley

Acquired 2018; unused since 2018

Notes: Residential lot.

Parcel 10. #26725 Garfield St.

Acquired 1948; unused since 1948

Notes: Near Jones Crossing development; Residential lot.

Parcel 11. #04949 Henry St.

Acquired 1950; unused since 1950

Notes: Former railroad property; Residential lot.

Parcel 12. #26486 High St.

Acquired 1998; unused since 1998

Notes: River District; Residential lot.

Parcel 13. #26724 Lincoln St.

Acquired 1976; unused since 1976

Notes: Near Jones Crossing development; Residential lot.

Parcel 14. #60493 Morris Ave

Acquired 2008 unused since 2008

Notes: Near golf course. Residential lot.

Parcel 15. #77970 Mt Cross Rd

Acquired 2004; unused since 2004

Notes: Leftover from Right-of-Way expansion; Near County line.

Parcel 16. #59927 Piney Forest Rd

Acquired 1970; unused since 1970

Notes: Leftover from Right-of-Way expansion; Near Bonner Middle School.

Parcel 17. #02839 South St

Acquired 1977; unused since 1977

Notes: Leftover from Right-of-Way expansion; Residential lot.

Parcel 18. #22126 Spring St

Acquired 2003; unused since 2003

Notes: River District; Residential lot.

Parcel 19. #59880 Stephens St.

Acquired 2020; unused since 1965

Notes: Former School Board property; Residential lot.

Parcel 20. #20600 Stokes

Acquired 2022; unused since 2022

Notes: Monument-Berryman Area;  
Residential lot.

Parcel 21. #20617 Stokes

Acquired 2022; unused since 2022  
Notes: Monument-Berryman Area;  
Residential lot.

Parcel 22. #22262 Stokes

Acquired 2022; unused since 2022  
Notes: Monument-Berryman Area;  
Residential lot.

Parcel 23. #24277 Stokes

Acquired 2021; unused since 2021  
Notes: Monument-Berryman Area;  
Residential lot.

Parcel 24. #73294 Tate St.

Acquired 2005; unused since 2005  
Notes: Residential lot.

Parcel 25. #26394 Valley St.

Acquired 1965; unused since 1965  
Notes: Ross-Holbrook Area; Residential lot.

Parcel 26. #00980 Worsham St.

Acquired 1982; unused since 1982  
Notes: Residential lot.

Parcel 27. #00981 Worsham St.

Acquired 1982; unused since 1982  
Notes: Residential lot.

Parcel 28. #01583 Worsham St.

Acquired 1982; unused since 1982  
Notes: Residential lot.

Parcel 29. #01697 Worsham St.

Acquired 1982; unused since 1982  
Notes: Residential lot.

Parcel 30. #04378 Worsham St.

Acquired 1982; unused since 1982  
Notes: Residential lot.





# TRANSFER OF LOTS TO DRHA

Worsham St. -  
00980, 00981,  
01583, 01697, 04378

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared by the Office of the City Engineer 11/27/2022





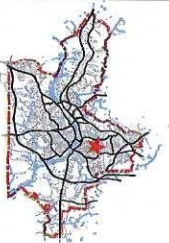


# TRANSFER OF LOTS TO DRHA

South St - 02839

- Lots Being Transferred to DRHA
- City Boundary

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Prepared by the Office of the City Engineer 1/27/2013





## TRANSFER OF LOTS TO DRHA

Henry St. - 04949

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared by the Office of the City Engineer 1/27/2023





# **TRANSFER OF LOTS TO DRHA**

Stokes St. -  
20600, 20617, 22262, 24277

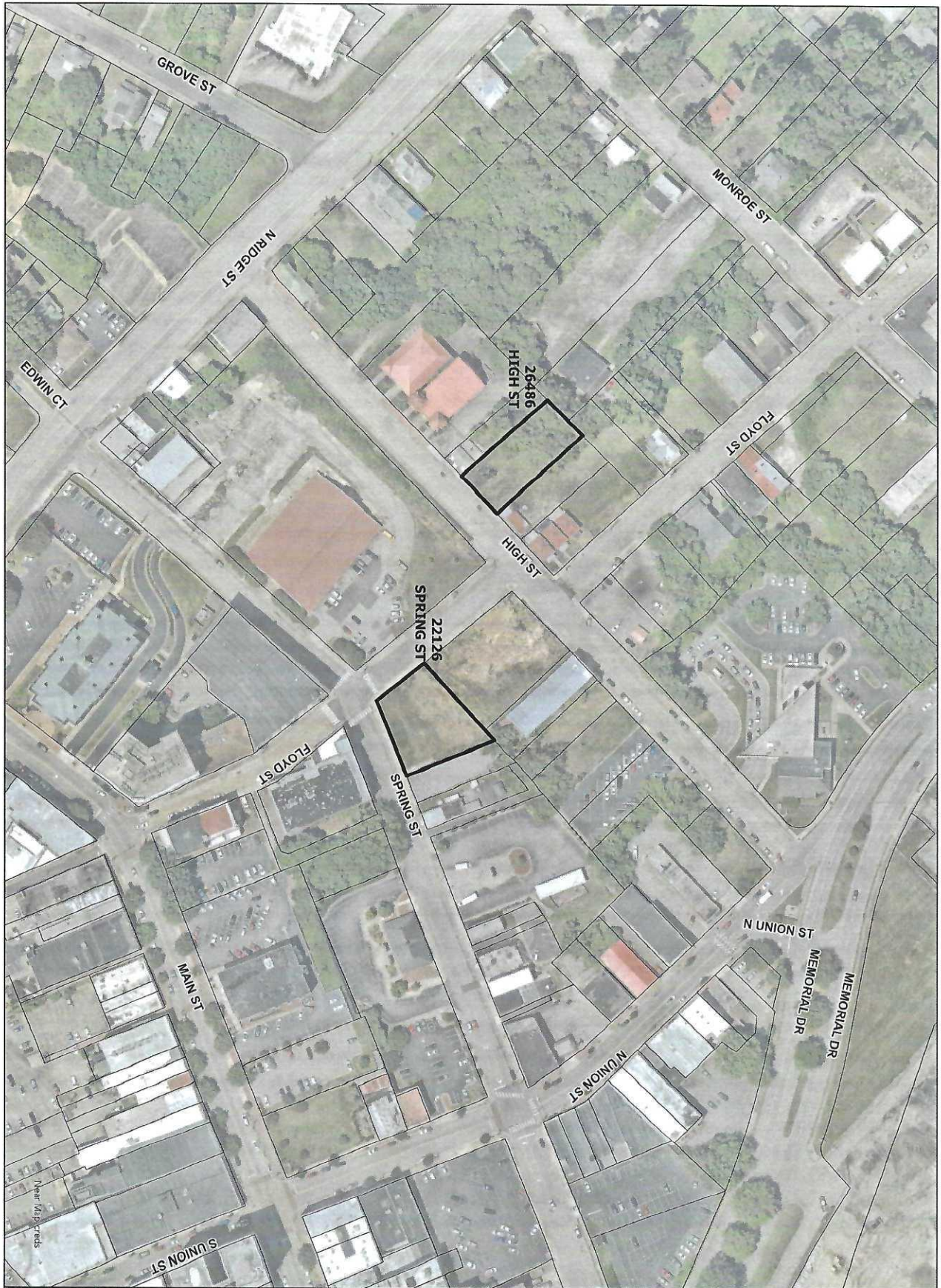
-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared in the Office of the City Engineer 11/17/2013



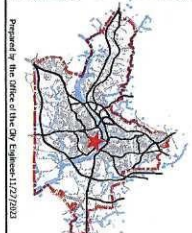


# **TRANSFER OF LOTS TO DRHA**

Spring St. / High St. -  
22126, 26486

- lots Being Transferred to DRHA
- City Boundary

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Prepared by the Office of the City Engineer (12/20/2018)





# TRANSFER OF LOTS TO DRHA

Colquhoun St. - 22161

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared by the Office of the City Engineer (1/17/2020)





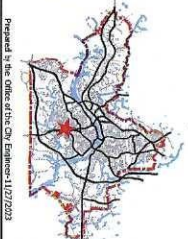


# TRANSFER OF LOTS TO DRHA

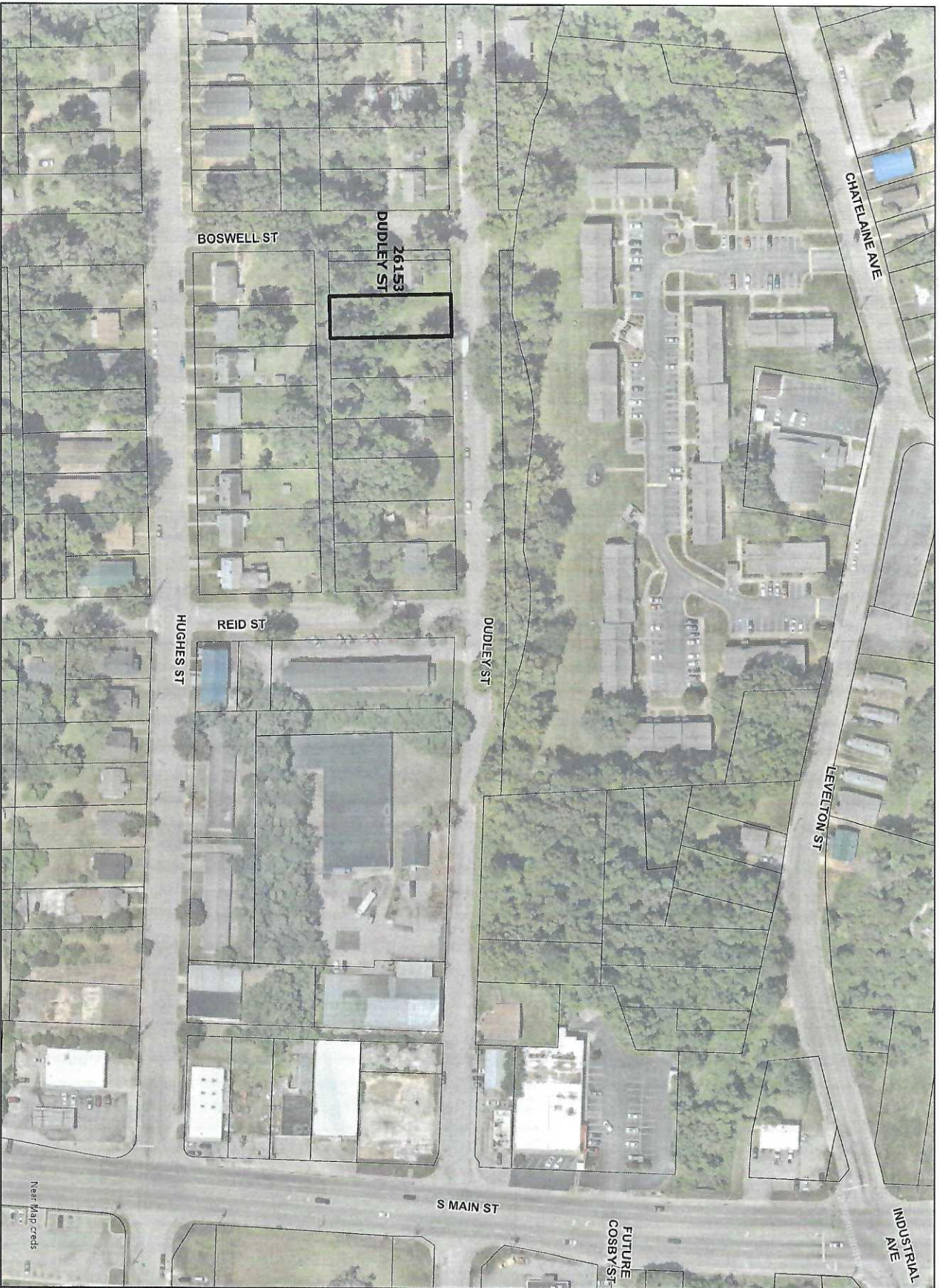
Dudley St - 26153

-  Lots Being Transferred to DRHA
-  City Boundary

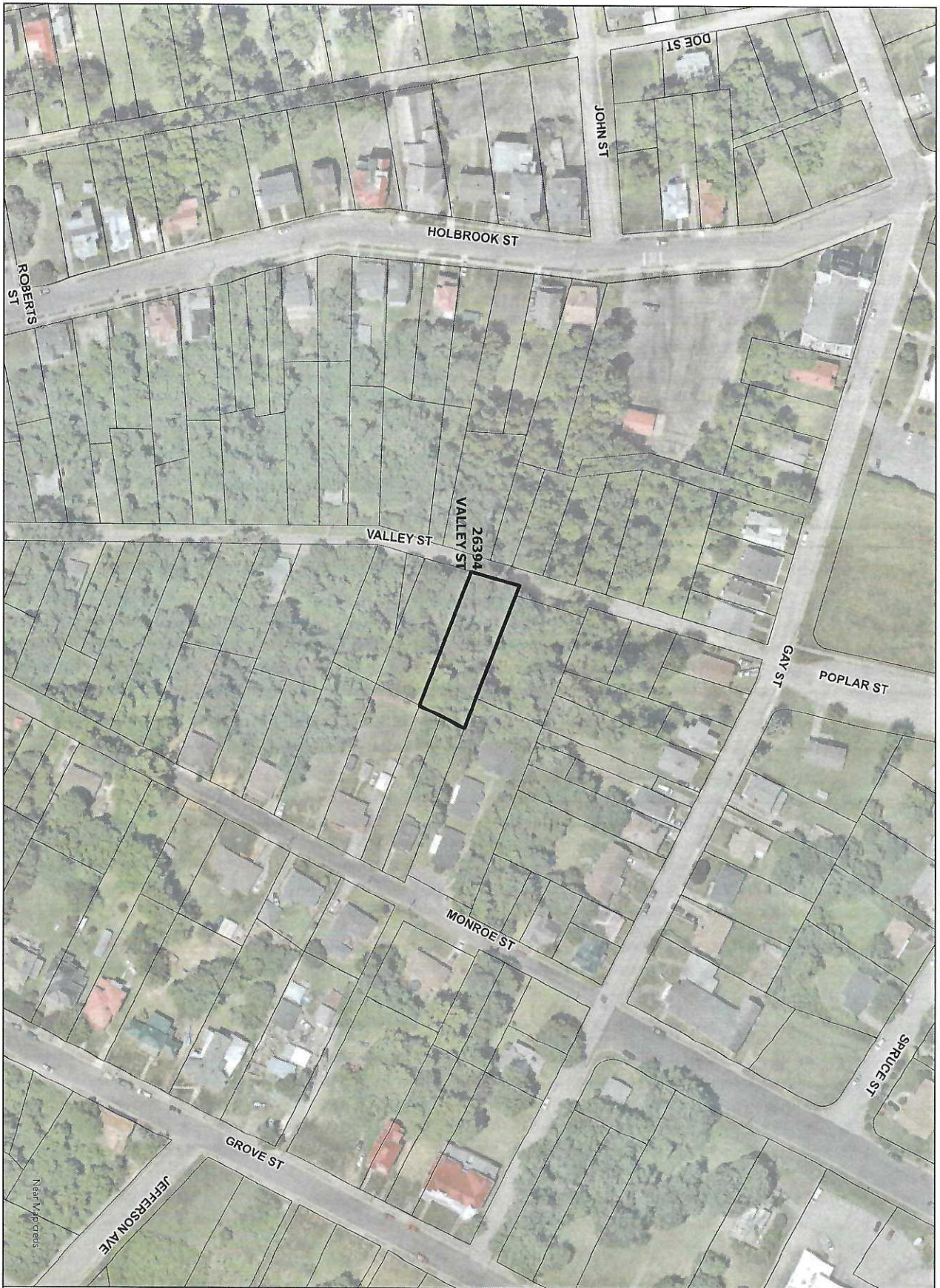
Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy in bearing, dimensions, contours, property boundaries, or placement or location of any map features. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



Prepared by the Office of the City Engineer 1/27/2023





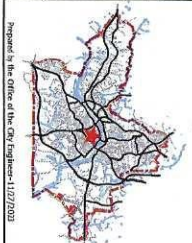


# **TRANSFER OF LOTS TO DRHA**

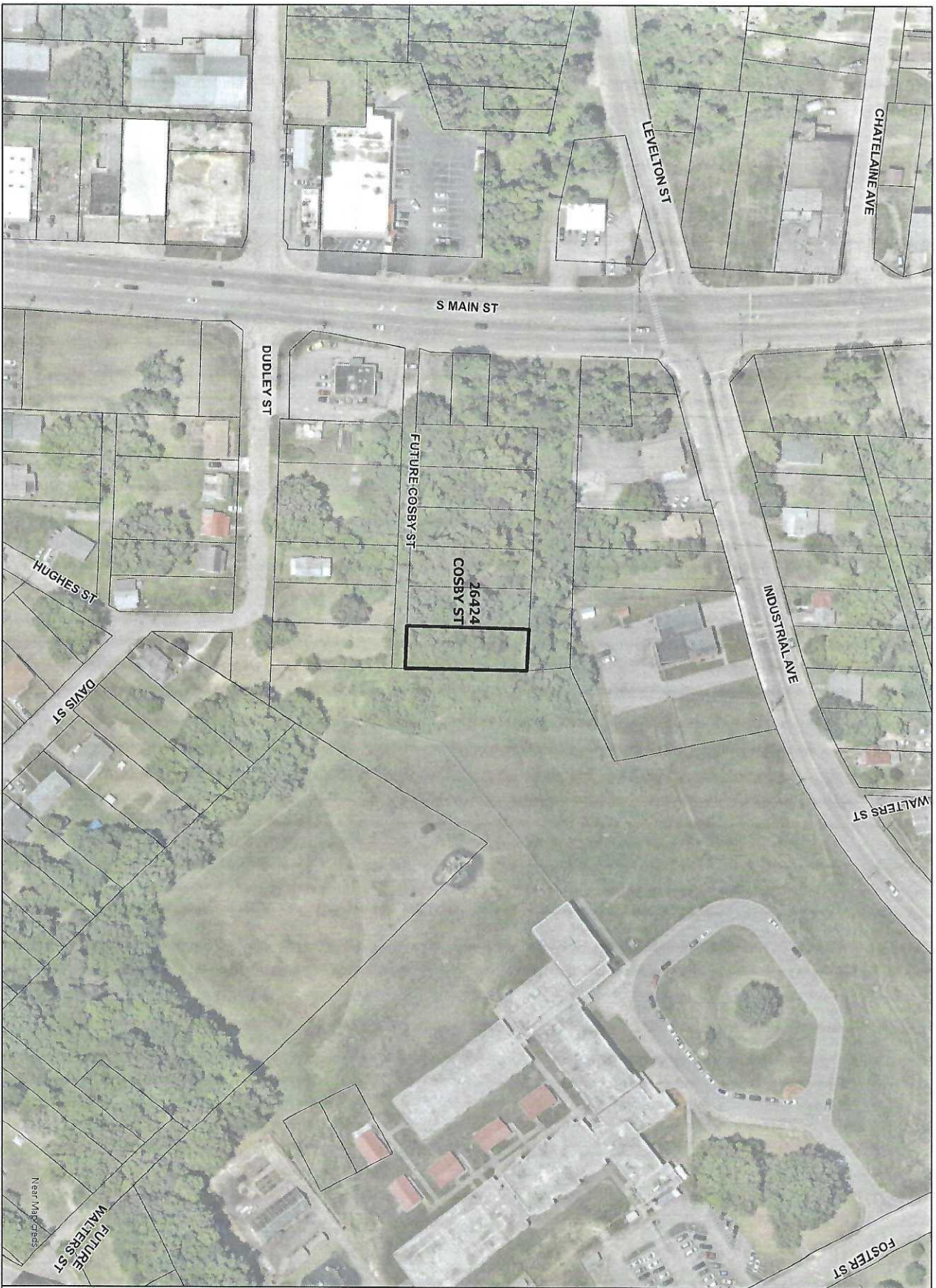
Valley St - 26394

-  Lots Being Transferred to DRHA
-  City Boundary

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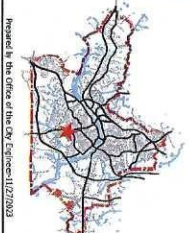


# **TRANSFER OF LOTS TO DRHA**

Cosby St. - 26424

- lots Being Transferred to DRHA
- City Boundary

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Prepared by the Office of the City Engineer 12/20/2013





**TRANSFER OF  
LOTS TO DRHA**

Lincoln St. - 26724

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared by the Office of the City Engineer (1/27/2023)





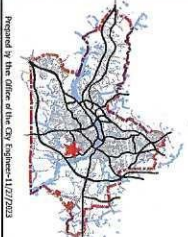


**TRANSFER OF  
LOTS TO DRHA**

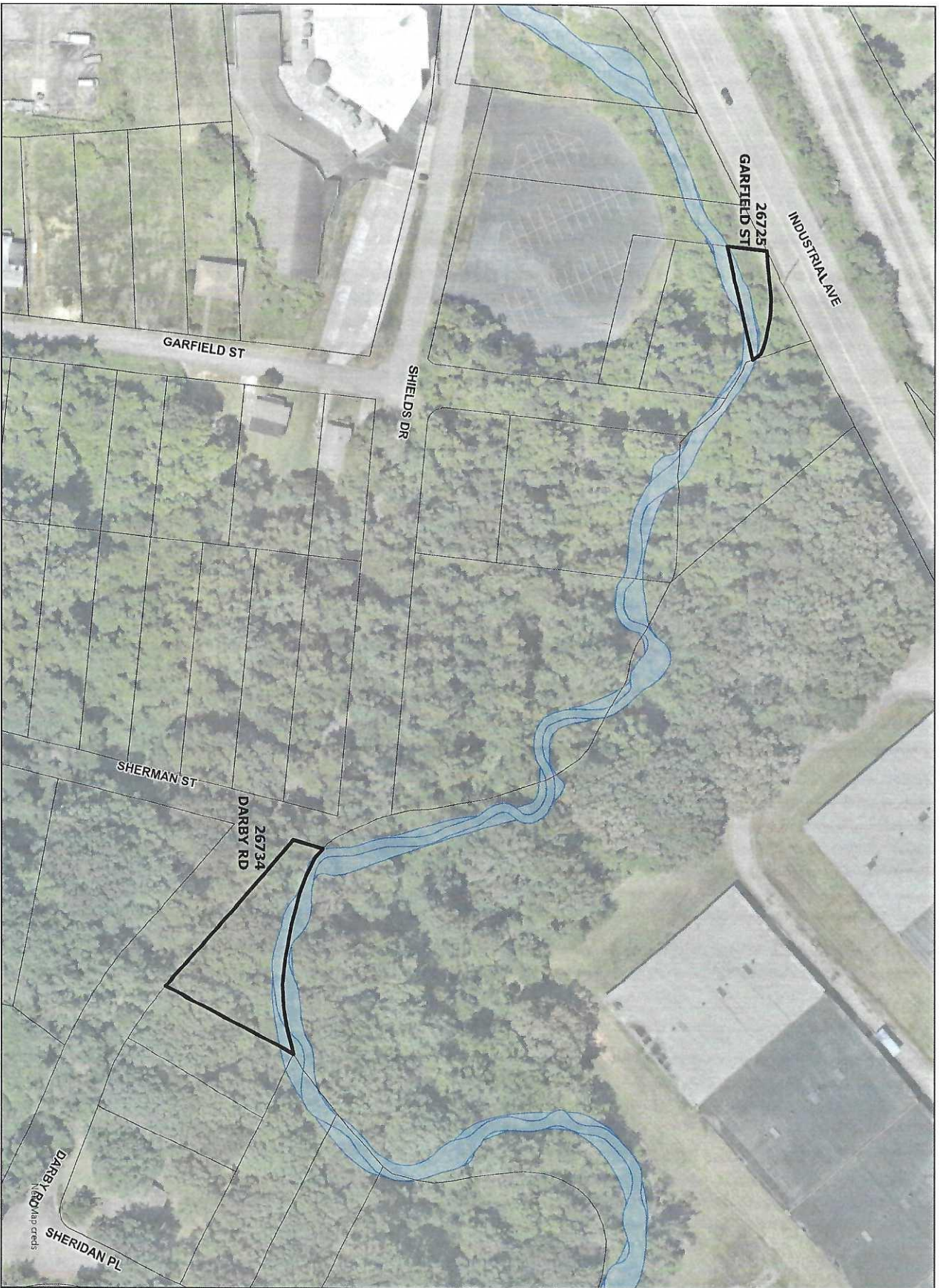
Garfield St / Darby Rd -  
26725, 26734

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared by the Office of the City Engineer-11/27/2023





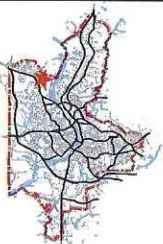


# **TRANSFER OF LOTS TO DRHA**

Briarcliff Ln. - 59820

- ☐ Lots Being Transferred to DRHA
- ☐ City Boundary

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Prepared by the Office of the City Engineer 1/17/2023





# TRANSFER OF LOTS TO DRHA

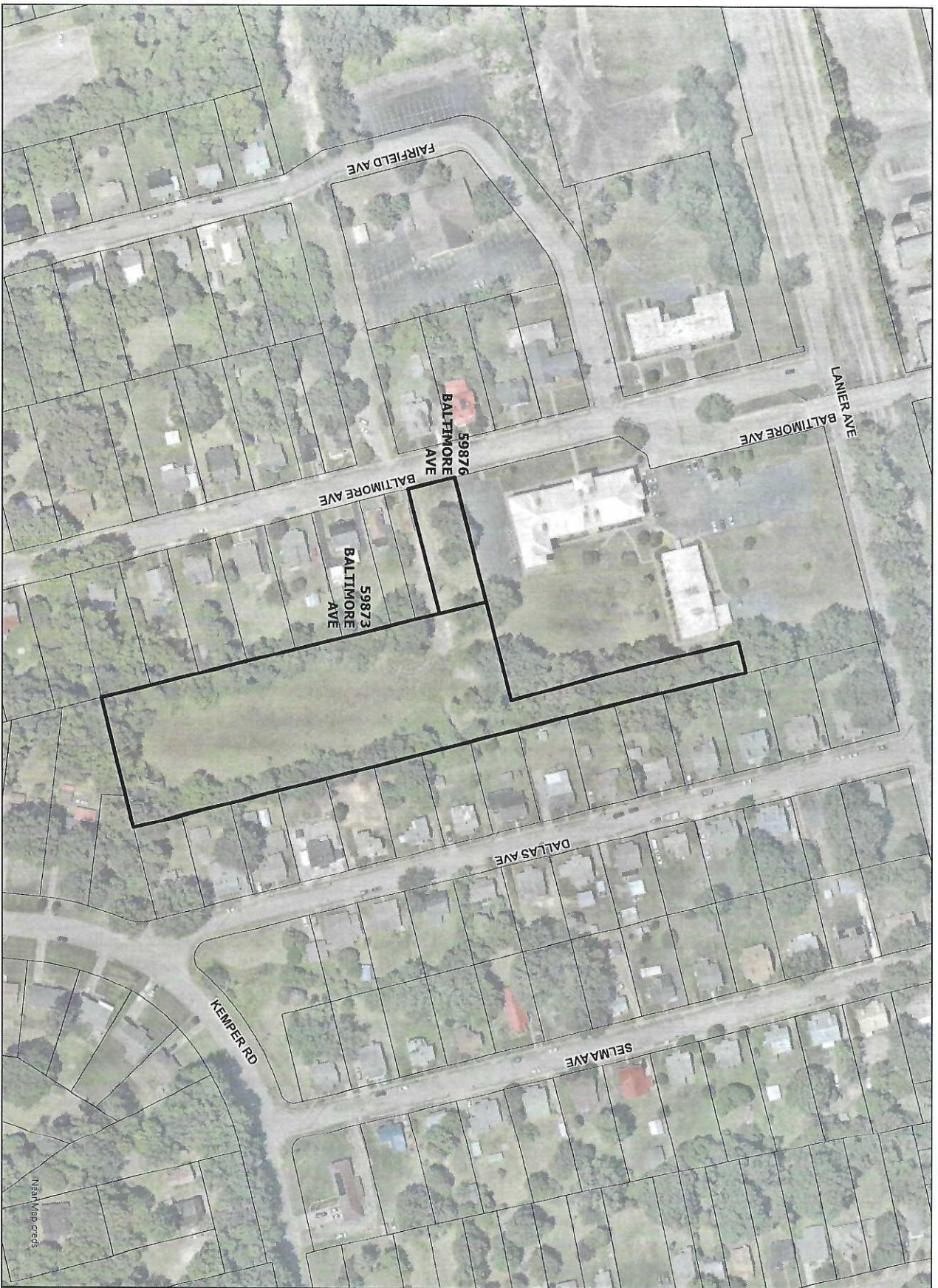
Baltimore Ave. -  
59873, 59876

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared in the Office of the City Engineer 11/12/2020





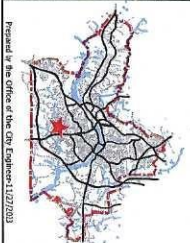


# **TRANSFER OF LOTS TO DRHA**

Stephens St. - 59880

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared in the Office of the City Engineer 11/27/2023



Near Map.dwg



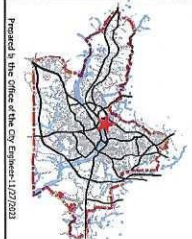


# **TRANSFER OF LOTS TO DRHA**

Piney Forest Rd. - 59927

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared in the Office of the City Engineer 12/27/2023





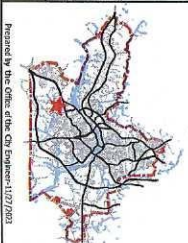


# TRANSFER OF LOTS TO DRHA

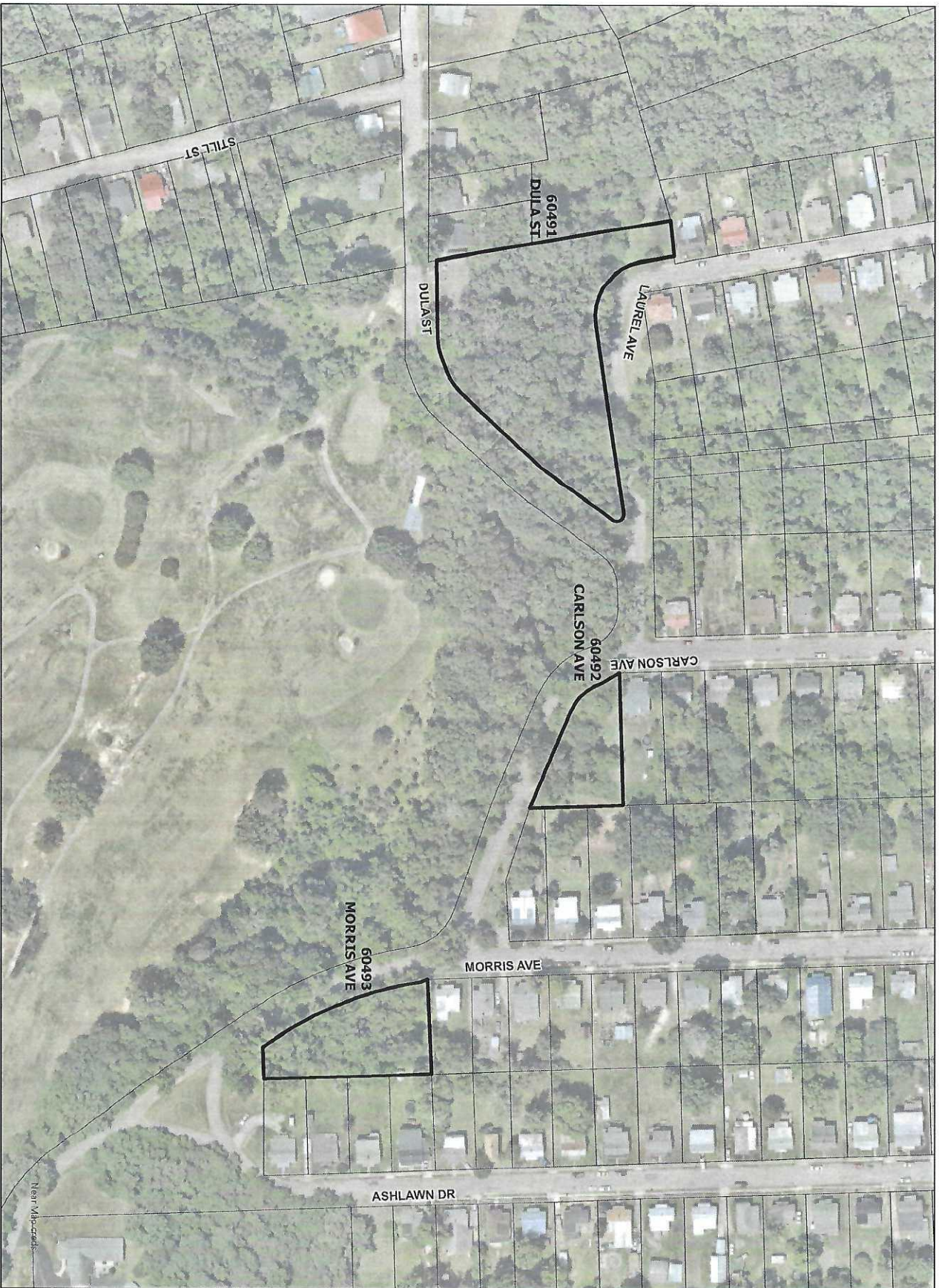
Dula St. / Carlson Ave. /  
Morris Ave. -  
60491, 60492, 60493

-  Lots Being Transferred to DRHA
-  City Boundary

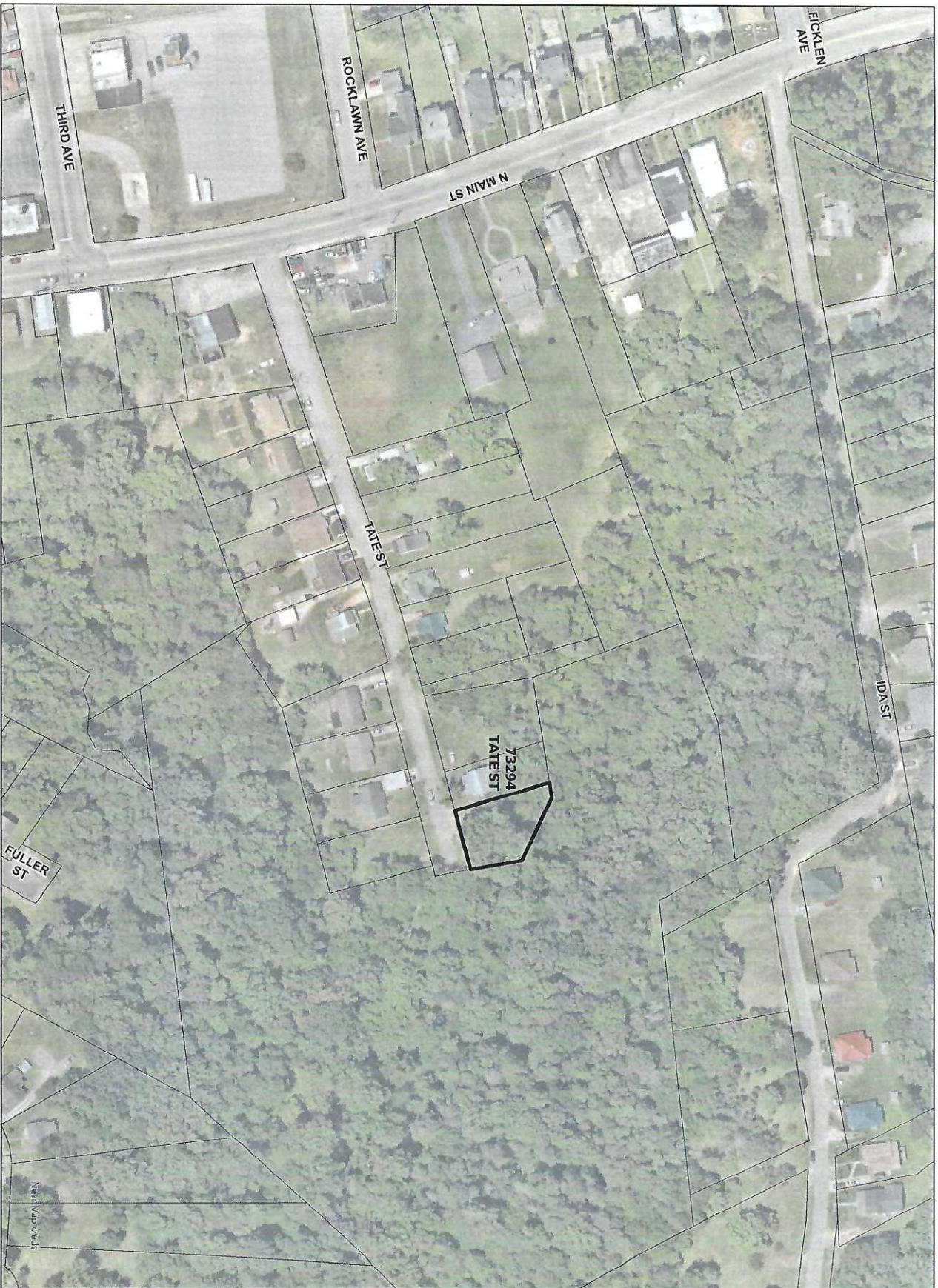
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Prepared by the Office of the City Engineer 11/27/2023





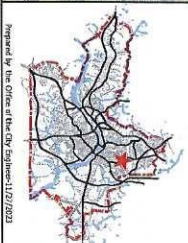


# **TRANSFER OF LOTS TO DRHA**

Tate St. - 73294

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared by the Office of the City Engineer 11/27/2023



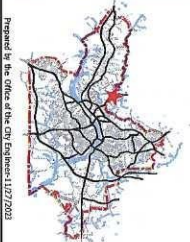


# **TRANSFER OF LOTS TO DRHA**

Mt. Cross Rd. - 77970

-  Lots Being Transferred to DRHA
-  City Boundary

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Prepared by the Office of the City Engineer 11/17/2023





# Council Letter

## City of Danville, Virginia



**CL - 1100**

**NEW BUSINESS B.**

### City Council REGULAR MEETING

**Meeting Date:** January 2, 2024

**Subject:** Consideration of a Special Use Permit at 618 Craghead Street (Parcel 21749) to Request Waiver of Maximum Density.

**From:** Renee Burton, Division Director of Planning

---

### COUNCIL ACTION

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ23- 00404, filed by Garrett Shifflett, Requesting a Special Use Permit for a Waiver of Maximum Density in Accordance with Article 3., Section C, Item 13 of Chapter 41., Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia to Include Parcel ID 21749.

### 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.

On December 11, 2023, the City Planning Commission voted 5-0 to recommend approval for a Special Use Permit request PZ23-00404 to approve a waiver of maximum density in accordance with Article 3., Section C, Item 18 with the following conditions:

1. The development is limited to 88 residential units and a 1,100 square foot commercial space;
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.

## **RECOMMENDATION**

It is recommended that City Council adopt an Ordinance to approve the request for a Special Use Permit to approve a waiver for a maximum density at Parcel ID 21749 (618 Craghead Street) with the following conditions:

1. The development is limited to 88 residential units and a 1,100 square foot commercial space;
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.

---

## **Attachments**

1. Ordinance
  2. Application
  3. Supporting Documents
  4. Additional Supporting Documents
  5. 618 Craghead Aerials
  6. 618 Craghead Owners
  7. 618 Craghead Landuse
  8. Planning Commission Recommendation
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2024\_\_\_\_.\_\_\_\_

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23-00404, FILED BY GARRETT SHIFFLETT, REQUESTING A SPECIAL USE PERMIT FOR A WAIVER OF MAXIMUM DENSITY IN ACCORDANCE WITH ARTICLE 3., SECTION C, ITEM 13 OF CHAPTER 41., ENTITLED “ZONING ORDINANCE” OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA TO INCLUDE PARCEL ID 21749.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia that the report of the Planning Commission recommending approval of Special Use Permit Application PZ23-00404, filed by Garrett Shifflett, requesting a Special Use Permit for a waiver of maximum density in accordance with Article 3., Section C, Item 13 of Chapter 41., entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia to include Parcel ID 21749, be, and the same is hereby, received, subject to the following conditions:

1. The development is limited to 88 residential units and an 1,100 square foot commercial space; and
2. The development’s parking program includes off-stie parking on public surface lots and street, including ADA compliant parking on Deboe Street; and
3. The development provides no less than six (6) bicycle parking spaces.

AND BE IT FURTHER ORDAINED that is consideration of said report and the public hearing this day held by the Council, Special Use Permit Application PZ23-00404 for a waiver of maximum density in accordance with Article 3., Section C, Item 13 of Chapter 41., entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, to include Parcel ID 21749, be, and is hereby, granted and approved, subject to the following conditions:

1. The development is limited to 88 residential units and an 1,100 square foot commercial space; and
2. The development’s parking program includes off-stie parking on public surface lots and street, including ADA compliant parking on Deboe Street; and
3. The development provides no less than six (6) bicycle parking spaces.



Approved:

---

Mayor

Attest:

---

City Clerk

Approved as to  
Form and Legal Sufficiency:

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City Attorney



## **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)

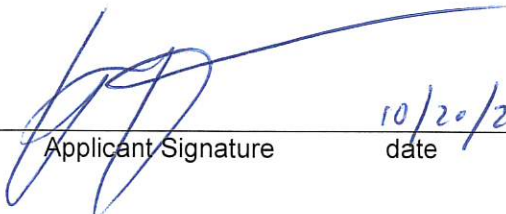
Applicant: Garrett Shifflett

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.

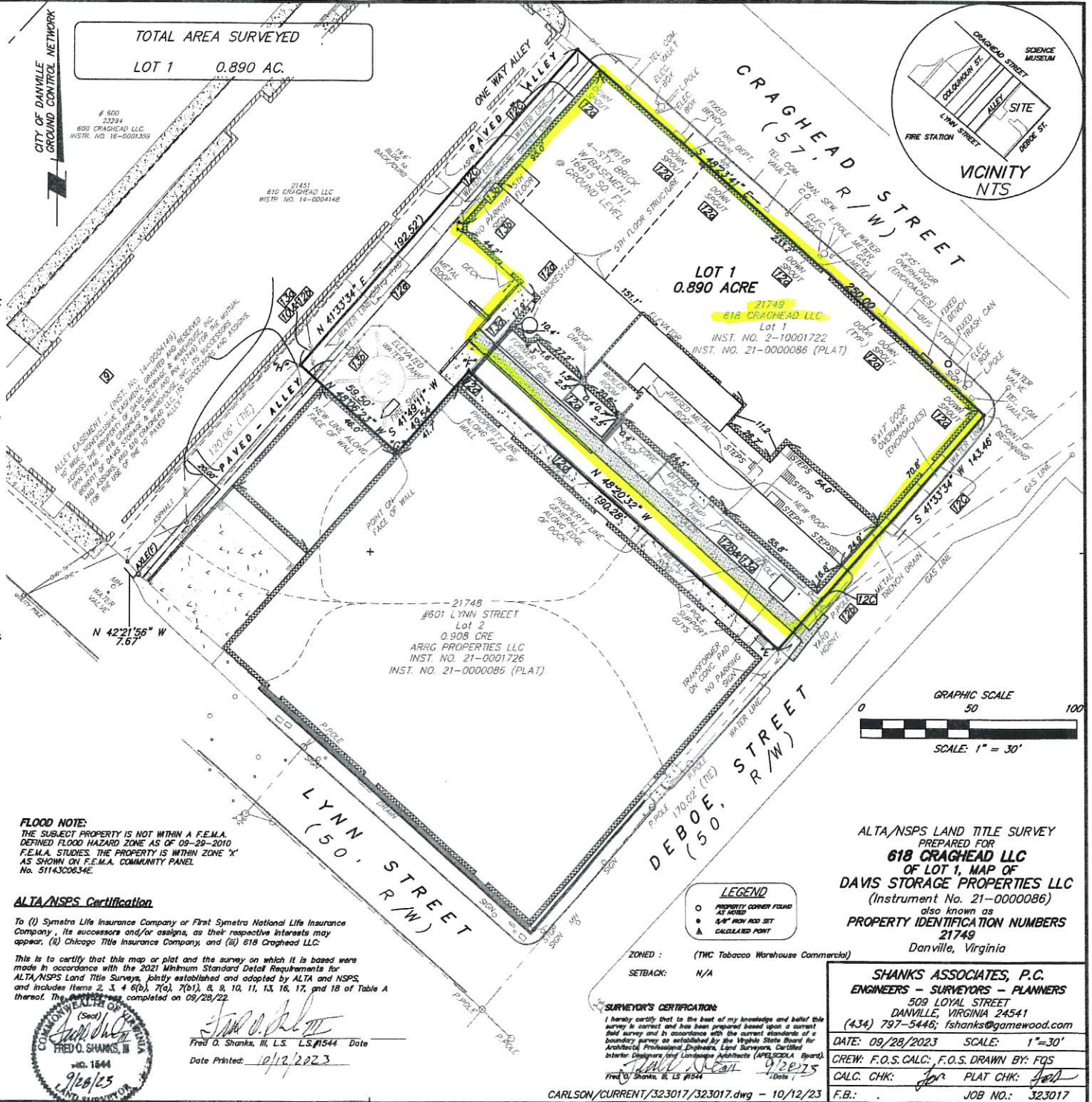
f) Survey made by Shanks Associates, P.C., dated March 12, 2021, entitled "ALTA/NSPS Land Title Survey Prepared for 618 Craghead LLC of Lot 1, David Storage Properties LLC (Instrument No. 21-0000086) also known as Property Identification Numbers 21748, Danville, Virginia," shows the following:

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. 511430263E.

**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 09/28/2023.



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 of 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

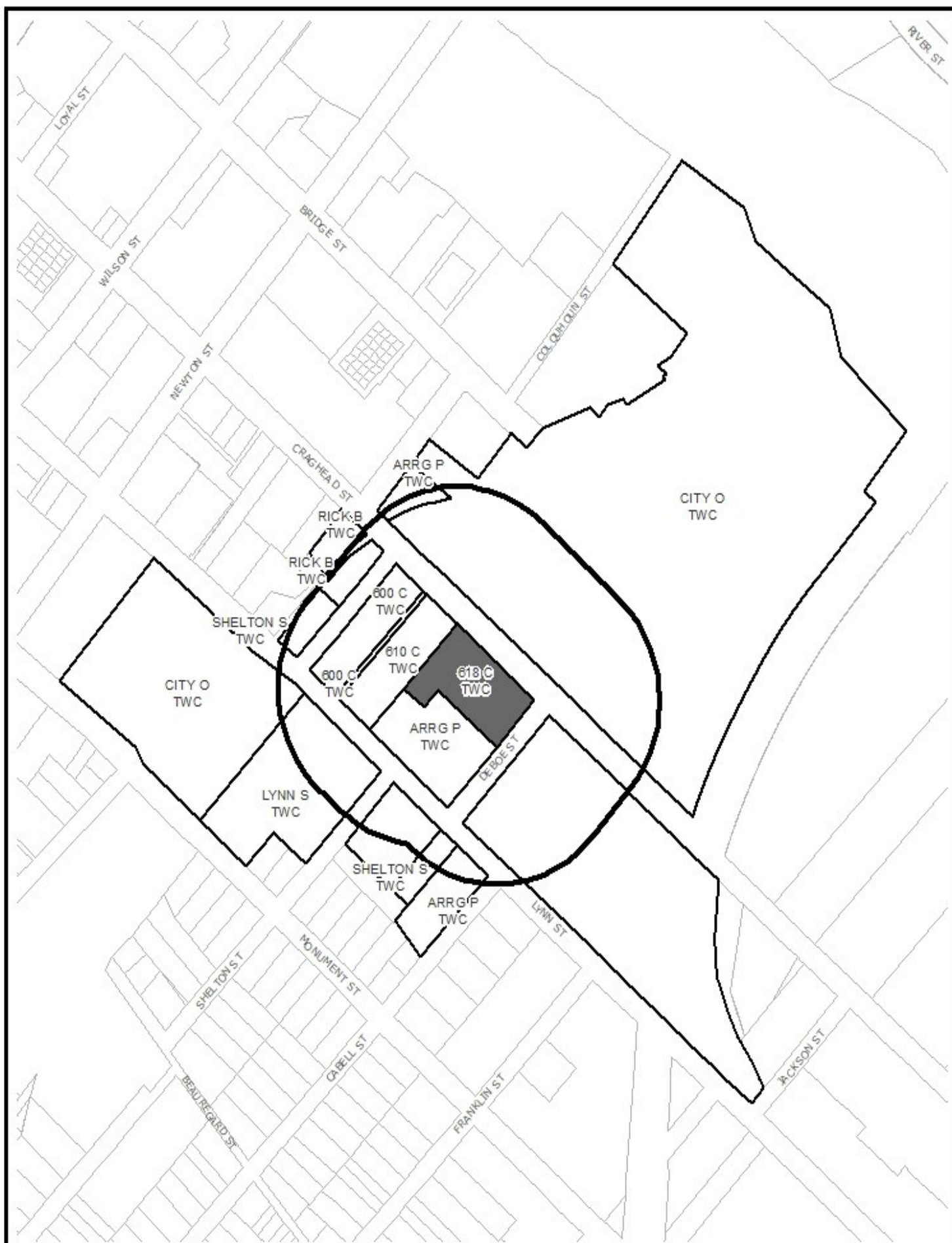
ALTA/NSPS LAND TITLE SURVEY  
PREPARED FOR  
**618 CRAGHEAD LLC**  
OF LOT 1, MAP OF  
**DAVIS STORAGE PROPERTIES LLC**  
(Instrument No. 21-0000086)  
also known as  
**PROPERTY IDENTIFICATION NUMBERS**  
21749  
Danville, Virginia

**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







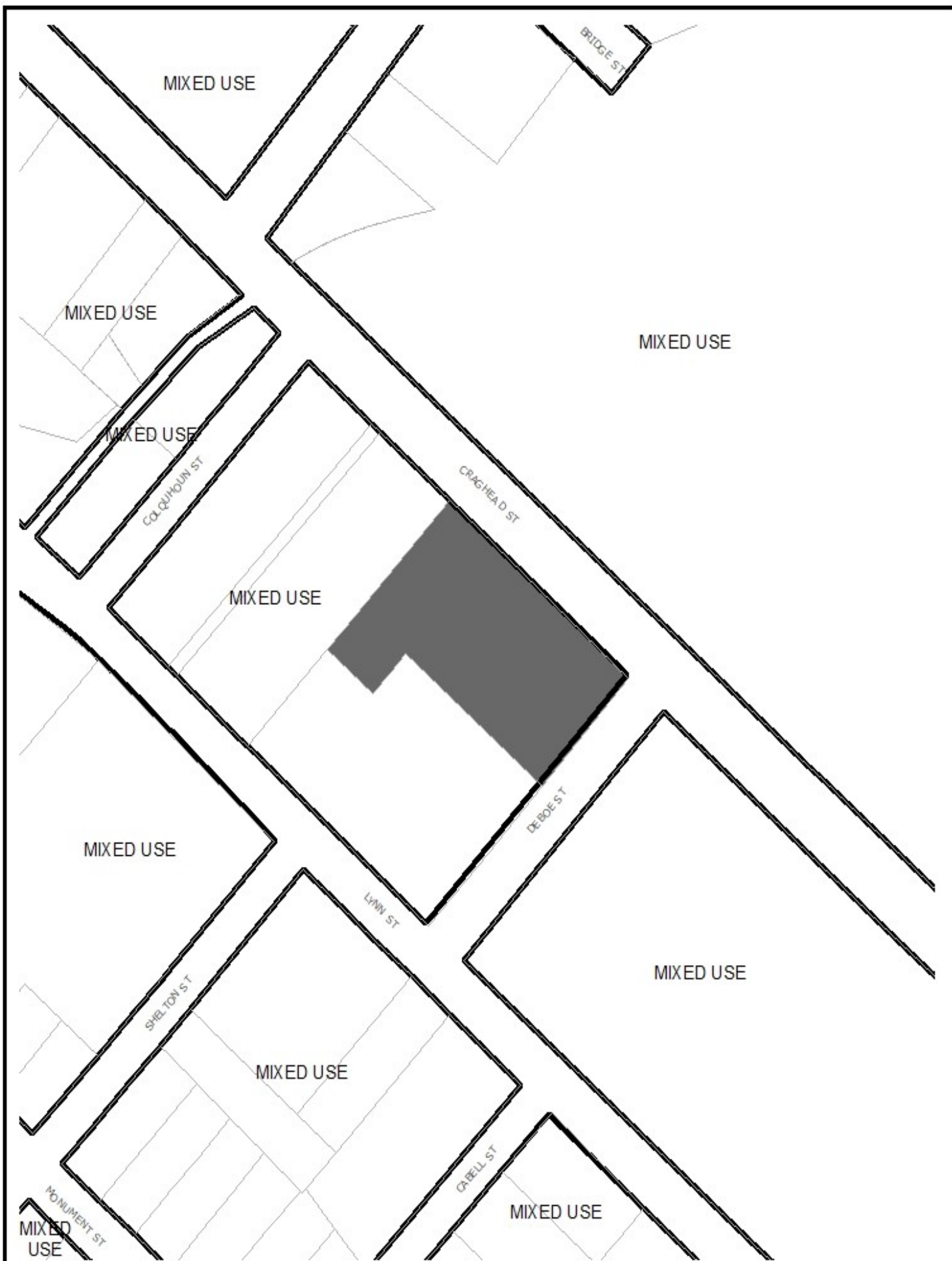


# **SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY**



Prepared by:  
Planning Division  
11/17/2023

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  
11/17/2023

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

## ***City Planning Commission***

# MEMORANDUM

**DATE:** DECEMBER 11, 2023  
**TO:** CITY COUNCIL  
**FROM:** CITY PLANNING COMMISSION  
**RE:** SPECIAL USE PERMIT APPLICATION PZ23-00404

### REQUEST

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.

### RECOMMENDATION

The Planning Commission, at their December 11, 2023, meeting voted 5-0 to recommend approval of Special Use Permit Request PZ23-00404 with conditions per Staff.

 RB

Mr. Steve Petrick, Chair



# Council Letter

## City of Danville, Virginia



**CL - 1101**

**NEW BUSINESS C.**

### City Council REGULAR MEETING

**Meeting Date:** January 2, 2024

**Subject:** Consideration of a Rezoning Application Requesting to Rezone Parcels on South Boston Road from N-C Neighborhood Commercial to HR-C Highway Retail Commercial.

**From:** Renee Burton, Division Director of Planning

---

### COUNCIL ACTION

1. Public Hearing
2. An Ordinance Rezoning from N-C Neighborhood Commercial Zoning District to HR-C Highway Retail Commercial Zoning District Parcel IDS 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 (South Boston Road).

### 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.

On December 11, 2023, the City Planning Commission voted 5 - 0 to recommend approval of Rezoning Request PZ23-00449 to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial at Parcel IDs 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 (South Boston Road).

**RECOMMENDATION**

It is recommended that City Council adopt an Ordinance approving a Rezoning from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial at Parcel IDs 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 (South Boston Road).

---

**Attachments**

1. Ordinance
  2. Application
  3. South Boston Road - Aerials
  4. South Boston Road - Owners
  5. South Boston Road - Land Use
  6. Planning Commission Recommendation
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2024\_\_\_\_.\_\_\_\_

AN ORDINANCE REZONING FROM N-C NEIGHBORHOOD COMMERCIAL ZONING DISTRICT TO HR-C HIGHWAY RETAIL COMMERCIAL ZONING DISTRICT PARCEL IDS 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, AND 76535 (SOUTH BOSTON ROAD).

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Lindsey Wagstaff III and Leslie McKay, have requested to rezone from the N-C Neighborhood Commercial zoning district to the HR-C Highway Retail Commercial zoning district, Parcel IDs 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 (South Boston Road), of the City of Danville, Virginia Zoning District Map.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PZ23-00449, filed by Lindsey Wagstaff III and Leslie McKay, requesting to rezone from the N-C Neighborhood Commercial zoning district to the HR-C Highway Retail Commercial zoning district, Parcel IDs 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535 (South Boston Road) of the City of Danville, Virginia Zoning District Map, be, and is hereby, received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PZ23-00449, filed by Lindsey Wagstaff III and Leslie McKay, requesting to rezone from the N-C Neighborhood Commercial zoning district to the HR-C Highway Retail Commercial zoning district of the City of Danville, Virginia Zoning District Map, be, and is hereby, approved; and

BE IT FINALLY ORDAINED that Parcel IDs 76526, 76527, 76528, 76529, 76530, 76531, 76532, 76533, 76534, and 76535, of the City of Danville, Virginia District Map are hereby amended to reflect the same.



Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to  
Form and Legal Sufficiency:

\_\_\_\_\_  
City Attorney



## 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)

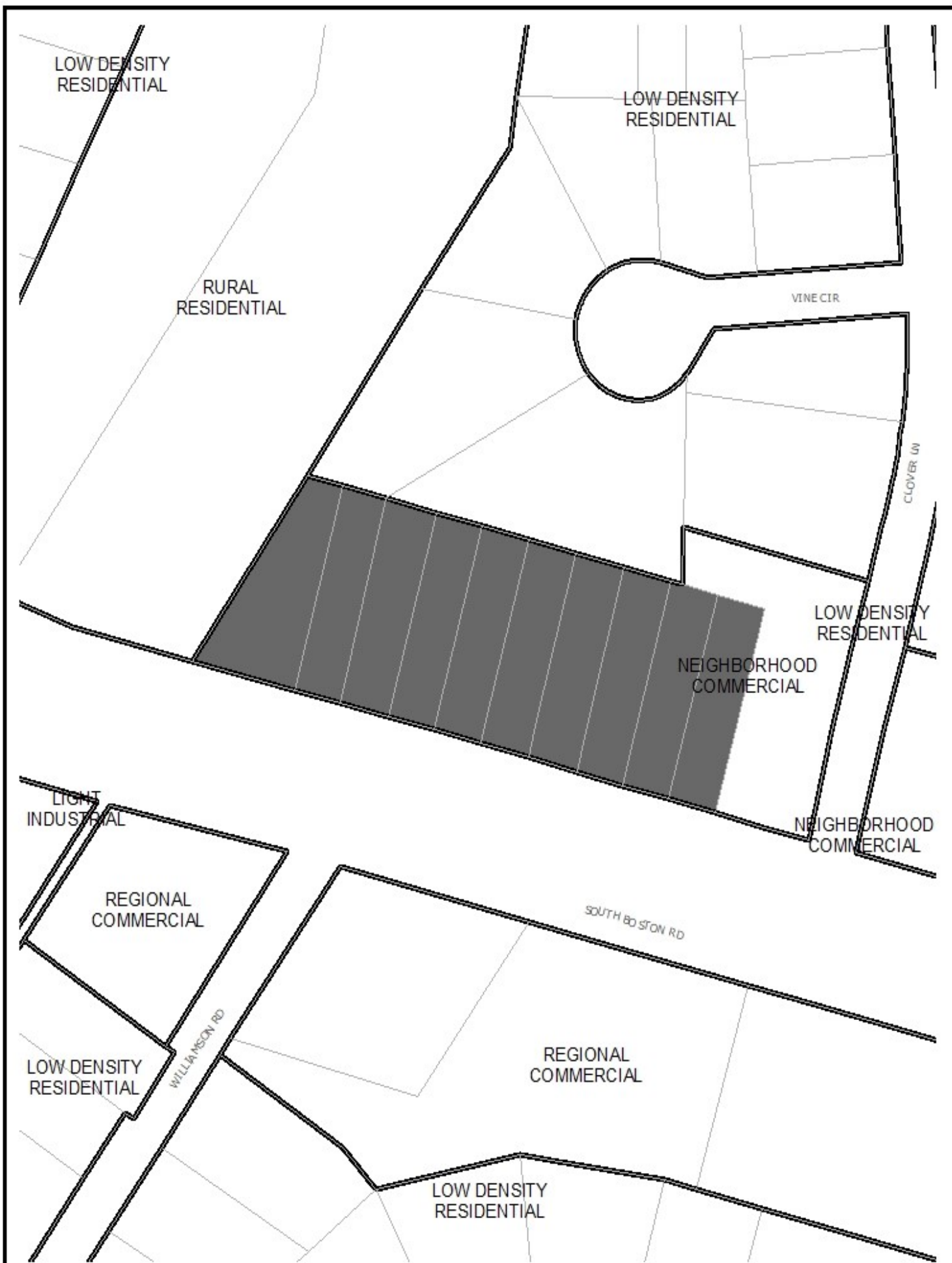












## YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
12/5/2023

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

## ***City Planning Commission***

# MEMORANDUM

DATE: DECEMBER 11, 2023  
TO: CITY COUNCIL  
FROM: CITY PLANNING COMMISSION  
**RE:** REZONING APPLICATION PZ23-00449

### REQUEST

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.

### RECOMMENDATION

The Planning Commission, at their December 11, 2023, meeting voted 5-0 to recommend approval of Rezoning Request PZ23-00449.

 RB

Mr. Steve Petrick, Chair

# Council Letter

## City of Danville, Virginia



**CL - 1102**

**NEW BUSINESS D.**

### City Council REGULAR MEETING

**Meeting Date:** January 2, 2024

**Subject:** Consideration of a Rezoning Application Requesting to Rezone 3411 Westover Drive (Parcel 71202) from N-C Neighborhood Commercial to S-R Suburban Residential.

**From:** Renee Burton, Division Director of Planning

---

### COUNCIL ACTION

1. Public Hearing
2. An Ordinance Rezoning from N-C Neighborhood Commercial Zoning District to S-R Suburban Residential Zoning District Parcel ID 71202 (3411 Westover Drive)

### 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.

On December 11, 2023, the City Planning Commission voted 5 - 0 to recommend approval of Rezoning Request PZ23-00435 to rezone from N-C, Neighborhood Commercial to S-R, Suburban Residential at 3411 Westover Drive (Parcel ID 71202).

### RECOMMENDATION

It is recommended that City Council adopt an Ordinance approving a Rezoning from N-C Neighborhood Commercial to S-R Suburban Residential at Parcel ID 71202 (3411 Westover Drive).

---

### Attachments

1. Ordinance
  2. Application
-



3. 3411 Westover Drive - Aerials
  4. 3411 Westover Drive - Owners
  5. 3411 Westover Drive - Landuse
  6. Planning Commission Recommendation
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2024\_\_\_\_.\_\_\_\_

AN ORDINANCE REZONING FROM N-C NEIGHBORHOOD COMMERCIAL ZONING DISTRICT TO S-R SUBURBAN RESIDENTIAL ZONING DISTRICT PARCEL ID 71202 (3411 WESTOVER DRIVE)

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Anthony Haynes, has requested to rezone from the N-C Neighborhood Commercial zoning district to S-R Suburban Residential zoning district, Parcel ID 71202 (3411 Westover Drive), of the City of Danville, Virginia Zoning District Map.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PZ23-00435, filed by Anthony Haynes, requesting to rezone from the N-C Neighborhood Commercial zoning district to S-R Suburban Residential zoning district, Parcel ID 71202 (3411 Westover Drive) of the City of Danville, Virginia Zoning District Map, is hereby received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PZ23-00435, filed by Anthony Haynes, requesting to rezone from the N-C Neighborhood Commercial zoning district to S-R Suburban Residential zoning district of the City of Danville, Virginia Zoning District Map, be, and is hereby, approved, and

BE IT FINALLY ORDAINED that Parcel ID 71202, of the City of Danville, Virginia District Map is hereby amended to reflect the same.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to  
Form and Legal Sufficiency:

\_\_\_\_\_  
City Attorney





## 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

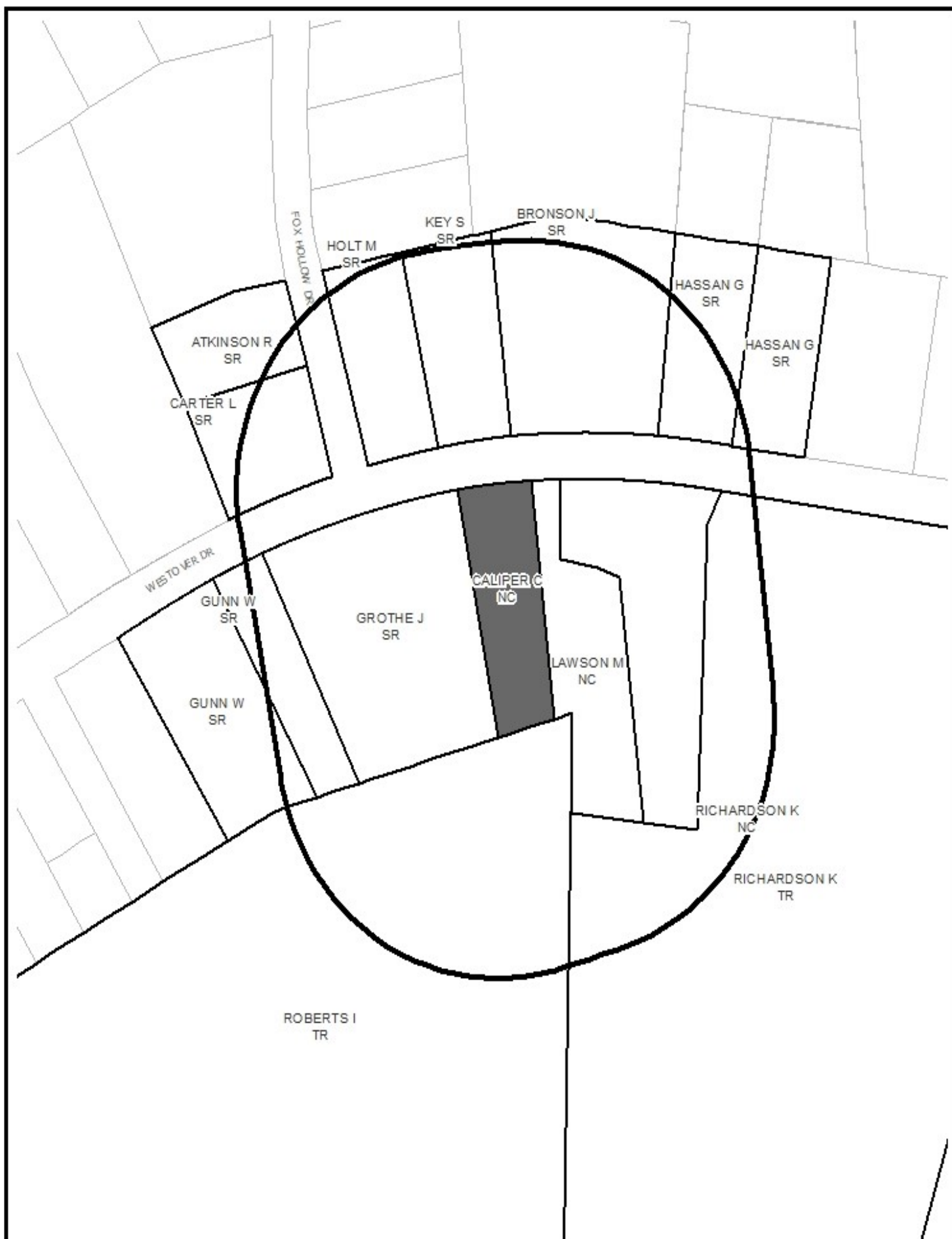
Anthony Haynes 10-30-23  
Applicant Signature date

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







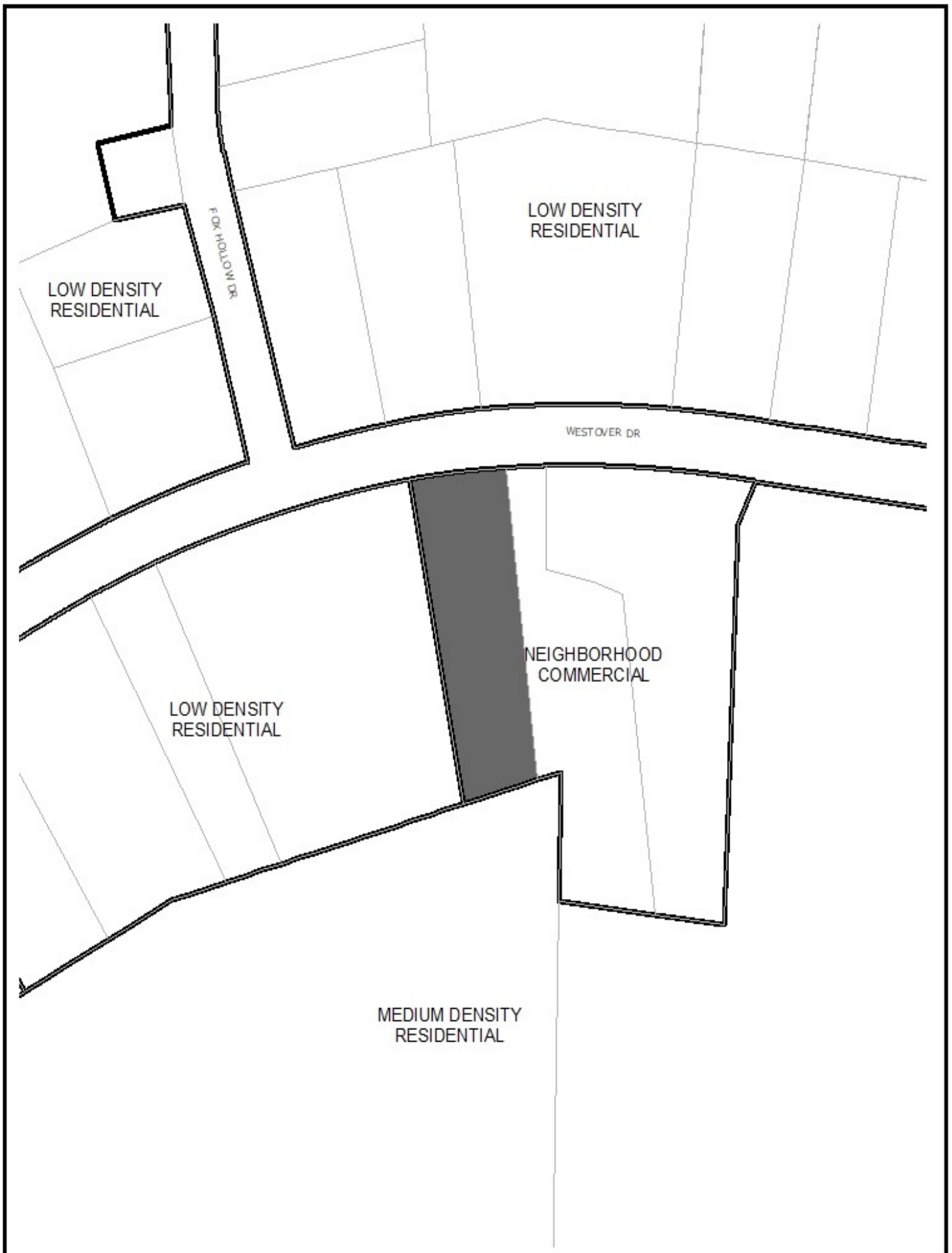


# **SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY**



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

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.



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

## ***City Planning Commission***

# MEMORANDUM

DATE: DECEMBER 11, 2023  
TO: CITY COUNCIL  
FROM: CITY PLANNING COMMISSION  
**RE:** REZONING APPLICATION PZ23-00435

### REQUEST

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.

### RECOMMENDATION

The Planning Commission, at their December 11, 2023, meeting voted 5-0 to recommend approval of Rezoning Request PZ23-00435.

Mr. Steve Petrick, Chair



# Council Letter

## City of Danville, Virginia



**CL - 1103**

**NEW BUSINESS E.**

### City Council REGULAR MEETING

**Meeting Date:** January 2, 2024

**Subject:** Consideration of a Rezoning Application Requesting to Rezone Parcel 73014 from OT-R Old Town Residential to HR-C Highway Retail Commercial.

**From:** Renee Burton, Division Director of Planning

---

### COUNCIL ACTION

1. Public Hearing
2. An Ordinance Rezoning from OT-R Old Town Residential Zoning District to HR-C Highway Retail Commercial Zoning District Parcel ID 73014 (Ash Street).

### 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.

On December 11, 2023, the City Planning Commission voted 5 - 0 to recommend approval of Rezoning Request PZ23-00464 to rezone from OT-R, Old Town Residential to HR-C, Highway Retail Commercial at Parcel ID 73014 (Ash Street).

### RECOMMENDATION

It is recommended that City Council adopt an Ordinance approving a Rezoning from OT-R, Old Town Residential to HR-C, Highway Retail Commercial at Parcel ID 73014 (Ash Street).

---

### Attachments

1. Ordinance
  2. Application
  3. 73014 - Aerials
  4. 73014 - Owners
  5. 73014 - Landuse
  6. Planning Commission Recommendation
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2024\_\_\_\_.\_\_\_\_

AN ORDINANCE REZONING FROM OT-R OLD TOWN RESIDENTIAL ZONING DISTRICT TO HR-C HIGHWAY RETAIL COMMERCIAL ZONING DISTRICT PARCEL ID 73014 (ASH STREET).

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Delabra Osvelio Macedo, has requested to rezone from the OT-R Old Town Residential zoning district to HR-C Highway Retail Commercial zoning district, Parcel ID 73014 (Ash Street), of the City of Danville, Virginia Zoning District Map.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PZ23-00464, filed by Delabra Osvelio Macedo, requesting to rezone from the OT-R Old Town Residential zoning district to HR-C Highway Retail Commercial zoning district, Parcel ID 73014 (Ash Street) of the City of Danville, Virginia Zoning District Map, be, and is hereby, received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PZ23-00464, filed by Delabra Osvelio Macedo, requesting to rezone from the OT-R Old Town Residential zoning district to HR-C Highway Retail Commercial zoning district of the City of Danville, Virginia Zoning District Map, be, and is hereby, approved, and

BE IT FINALLY ORDAINED that Parcel ID 73014, of the City of Danville, Virginia District Map is hereby amended to reflect the same.



Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to  
Form and Legal Sufficiency:

\_\_\_\_\_  
City Attorney

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

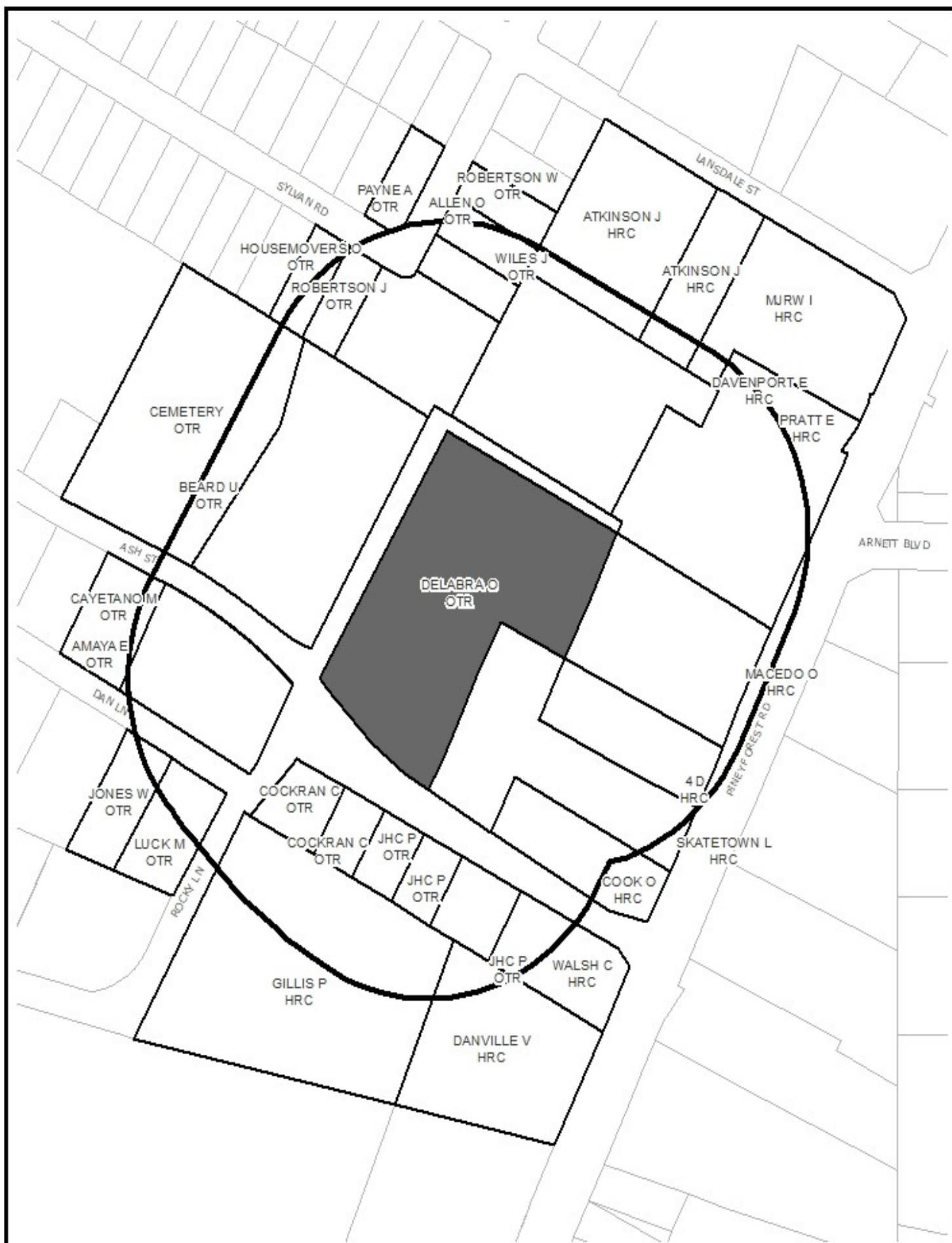
Osvelio Macedo      11/18/12  
Property Owner Signature      date  
(if not applicant)

osveliomacedo@gmail.com







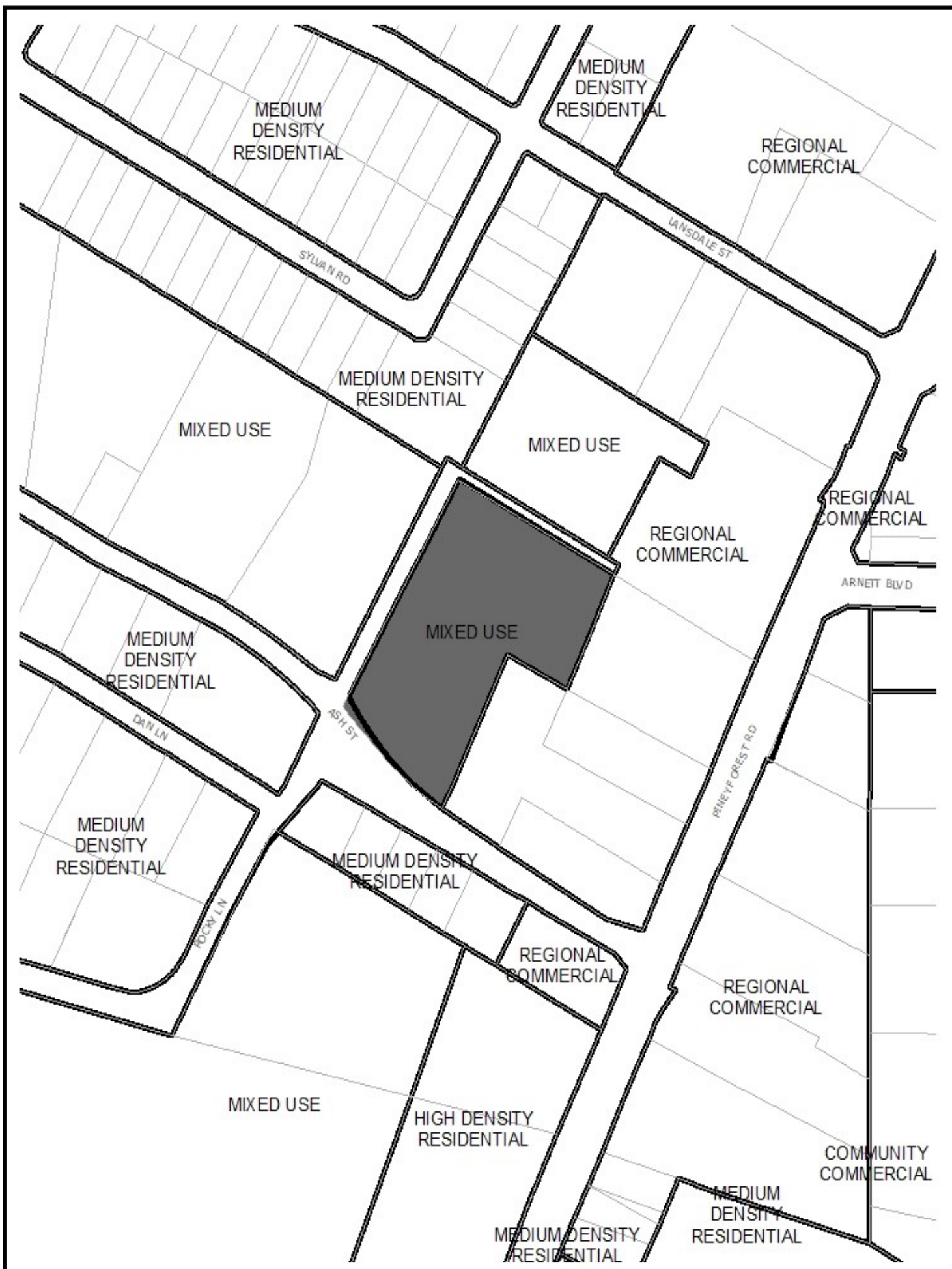


# **SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY**

Prepared by:  
Planning Division  
12/5/2023

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.



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

## ***City Planning Commission***

### **MEMORANDUM**

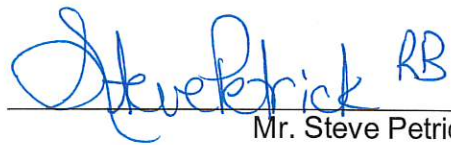
**DATE:** DECEMBER 11, 2023  
**TO:** CITY COUNCIL  
**FROM:** CITY PLANNING COMMISSION  
**RE:** REZONING APPLICATION PZ23-00464

#### **REQUEST**

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.

#### **RECOMMENDATION**

The Planning Commission, at their December 11, 2023, meeting voted 5-0 to recommend approval of Rezoning Request PZ23-00464.

 RB

Mr. Steve Petrick, Chair

# Council Letter

## City of Danville, Virginia



**CL - 1104**

**NEW BUSINESS F.**

### **City Council REGULAR MEETING**

**Meeting Date:** January 2, 2024

**Subject:** Consideration of a Rezoning Application filed by J. Cubas Holdings, LLC, requesting to Rezone Parcels on Jenny Lane from T-R Threshold Residential to S-R Suburban Residential.

**From:** Renee Burton, Division Director of Planning

---

### **COUNCIL ACTION**

1. Public Hearing
2. An Ordinance Rezoning from T-R Threshold Residential Zoning District to S-R Suburban Residential Zoning District Parcel IDS 75941, 77419, 77420, 77421, and 77422 (Jenny Lane).

### **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.

On December 11, 2023, the City Planning Commission voted 5 - 0 to recommend approval of Rezoning Request PZ23-00469 to rezone Parcel IDs 75941, 77419, 77420, 77421, and 77422 from T-R, Threshold Residential to S-R, Suburban Residential.

**RECOMMENDATION**

It is recommended that City Council adopt an Ordinance approving a Rezoning from T-R, Threshold Residential to S-R, Suburban Residential at Parcel IDs 75941, 77419, 77420, 77421, and 77422 (Jenny Lane).

---

**Attachments**

1. Ordinance
  2. Application
  3. Supporting Documents
  4. Jenny Lane - Aerials
  5. Jenny Lane - Owners
  6. Jenny Lane - Landuse
  7. Planning Commission Recommendation
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2024\_\_\_\_.\_\_\_\_

AN ORDINANCE REZONING FROM T-R THRESHOLD RESIDENTIAL ZONING DISTRICT TO S-R SUBURBAN RESIDENTIAL ZONING DISTRICT PARCEL IDS 75941, 77419, 77420, 77421, AND 77422 (JENNY LANE).

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, J. Cubas Holdings, LLC, has requested to rezone from the T-R Threshold Residential zoning district to S-R Suburban Residential zoning district, Parcel IDs 75941, 77419, 77420, 77421, AND 77422 (Jenny Lane), of the City of Danville, Virginia Zoning District Map.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PZ23-00469, filed by J. Cubas Holdings, LLC, requesting to rezone from the T-R Threshold Residential zoning district to S-R Suburban Residential zoning district, Parcel IDs 75941, 77419, 77420, 77421, AND 77422 (Jenny Lane) of the City of Danville, Virginia Zoning District Map, be, and is hereby, received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PZ23-00469, filed by J. Cubas Holdings, LLC, requesting to rezone from the T-R Threshold Residential zoning district to the S-R Suburban Residential of the City of Danville, Virginia Zoning District Map, be, and is hereby, approved, and

BE IT FINALLY ORDAINED that Parcel IDs 75941, 77419, 77420, 77421, AND 77422, of the City of Danville, Virginia District Map is hereby amended to reflect the same.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to  
Form and Legal Sufficiency:

\_\_\_\_\_  
City Attorney



# 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 10<sup>th</sup>, 2023

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**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](http://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

427 Patton St. Suite 208 | Danville, Virginia 24541 | 434.799.5260 | www.danvilleva.gov



**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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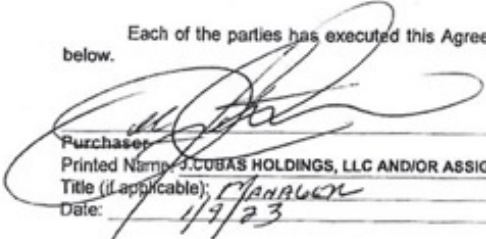
Phone: (434) 792-2088

Fax: (434) 792-2757

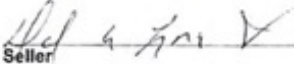
Jenny Lane

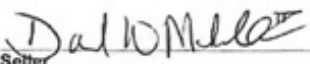
*[Handwritten signatures: DWM, HAL]*

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

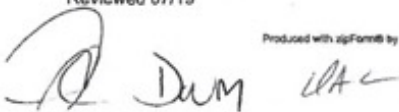
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VR Form 700 Revised 07/19  
Reviewed 07/19

Page 8 of 10

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Jeany Lane

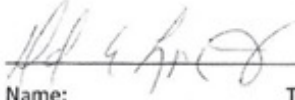




OWNER'S CONSENT

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.

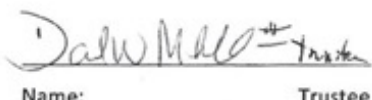
Agreed and Consent:

  
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**

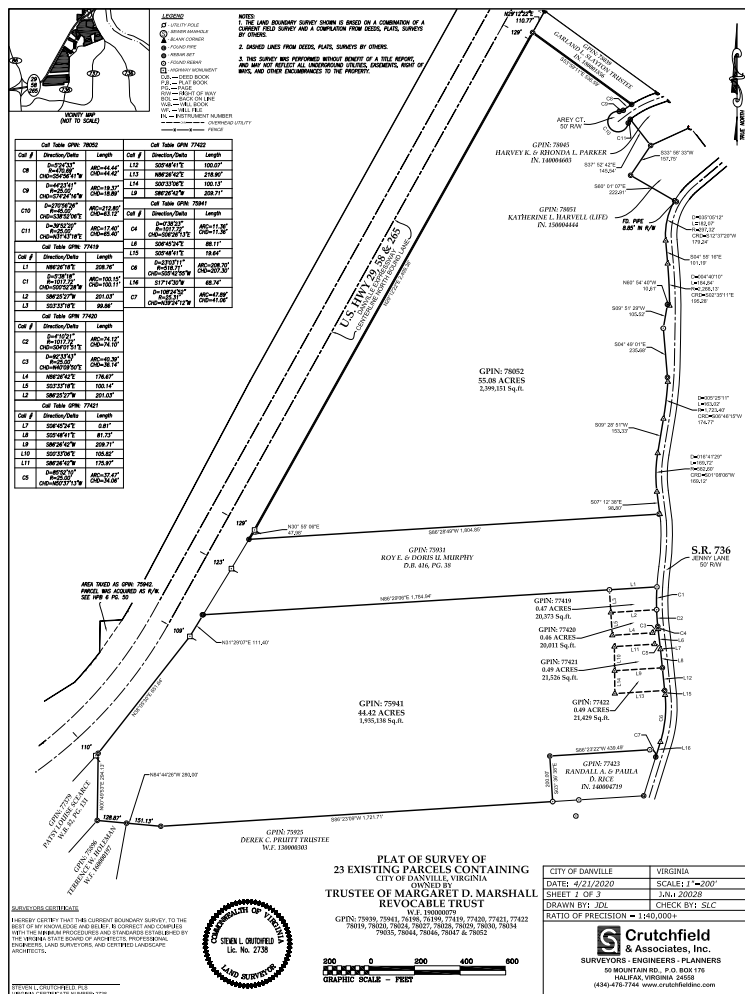
On January 9<sup>th</sup>, 2023, J. Cubas Holdings, LLC, a Florida Limited Liability Corporation, entered into a Commercial Purchase Agreement, included herein, with a Virginia resident to purchase the subject properties; a 55-acre parcel and a 46-acre parcel to develop a residential subdivision that compliments the existing neighborhood. As outlined in the Danville Housing Demand Analysis Report dated April 18<sup>th</sup>, 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

subject properties are presently zoned T-R Threshold Residential and located between the bypass on the north and Jenny Lane on the south.

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.



Therefore, in accordance with the City of Danville's 2030 Comprehensive Plan, Danville Codes & Ordinances, more specifically, Chapter 41 Zoning Ordinance, the Virginia Administrative Code, Chapter 35 of the Statutes of the Commonwealth of Virginia, enclosed please find the



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.

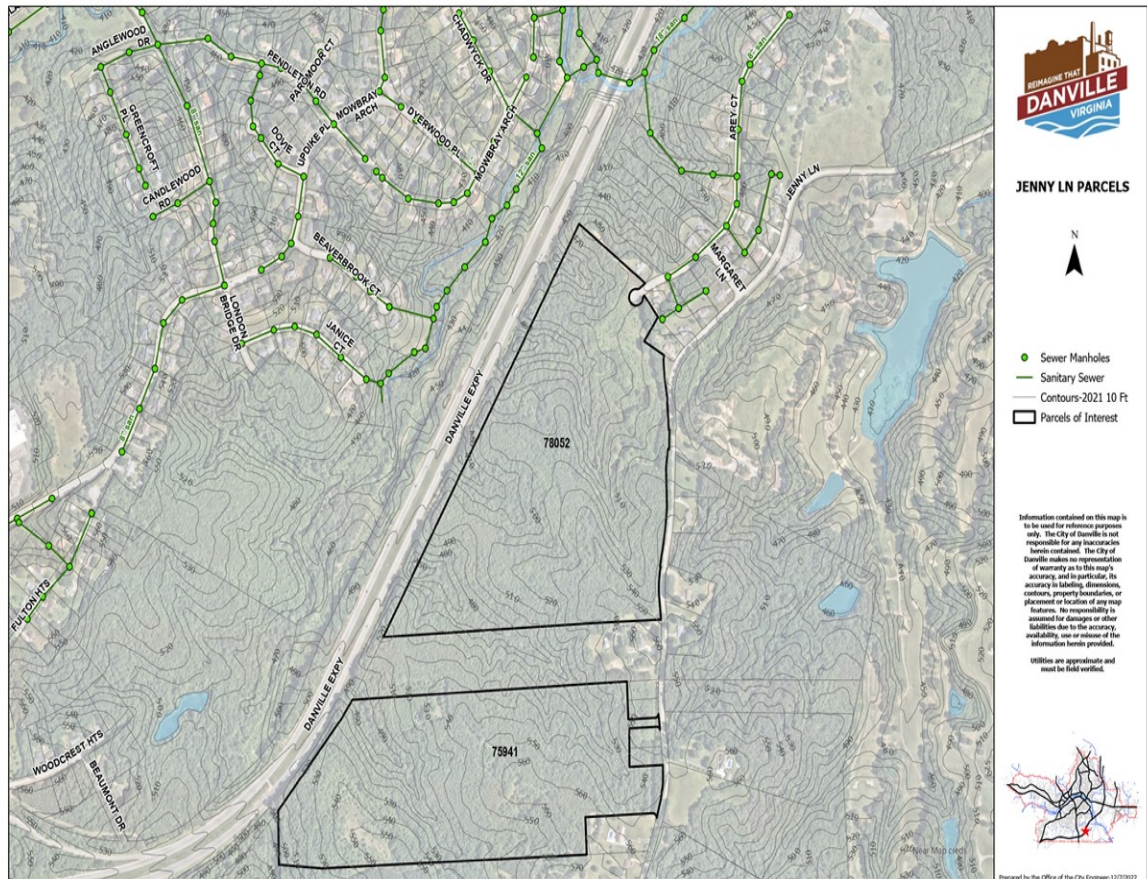
Furthermore, in accordance with Article 3-C, C.5., Cluster residential development shall be encouraged in the S-R District in order to promulgate the City's objectives for environmental preservation, architectural harmony and consistency, adequacy of open space and recreation areas, and enhanced quality 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.*

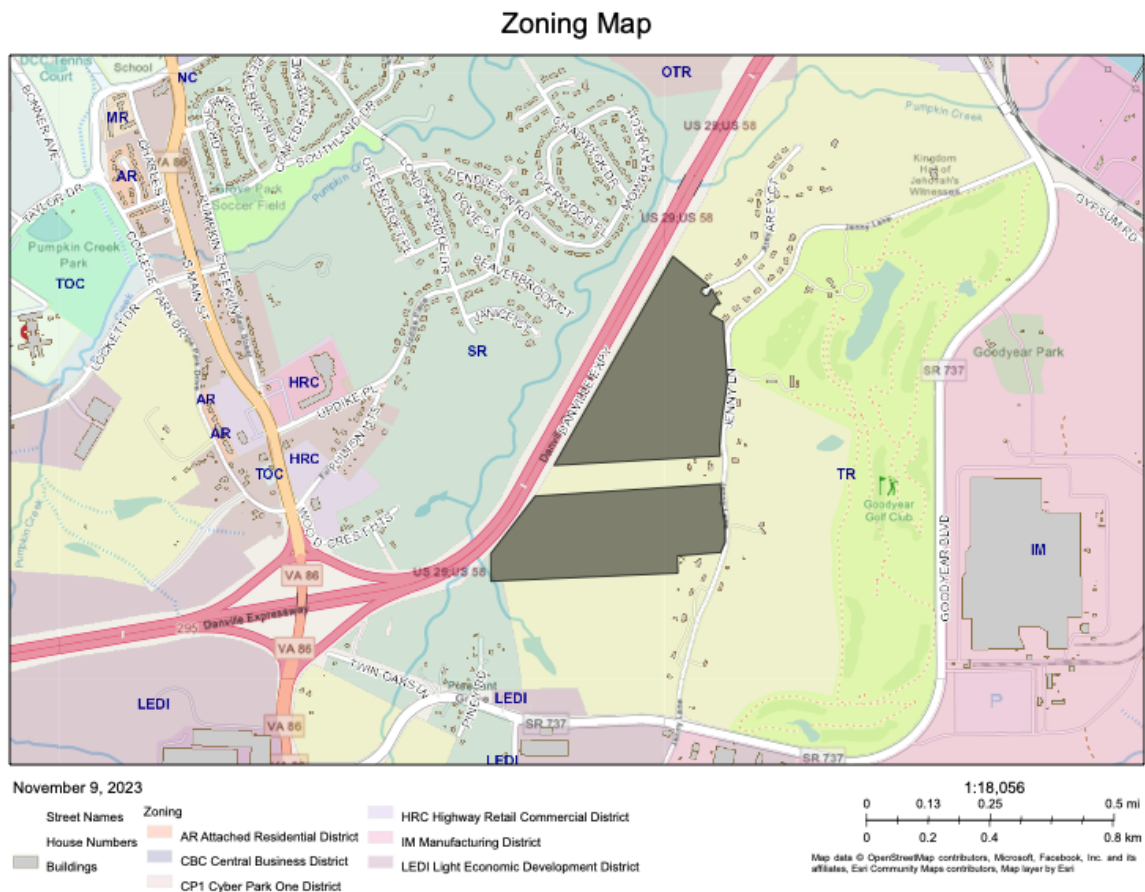
### **3. Compatibility with Surrounding Properties & Adjacent Land Uses**

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.

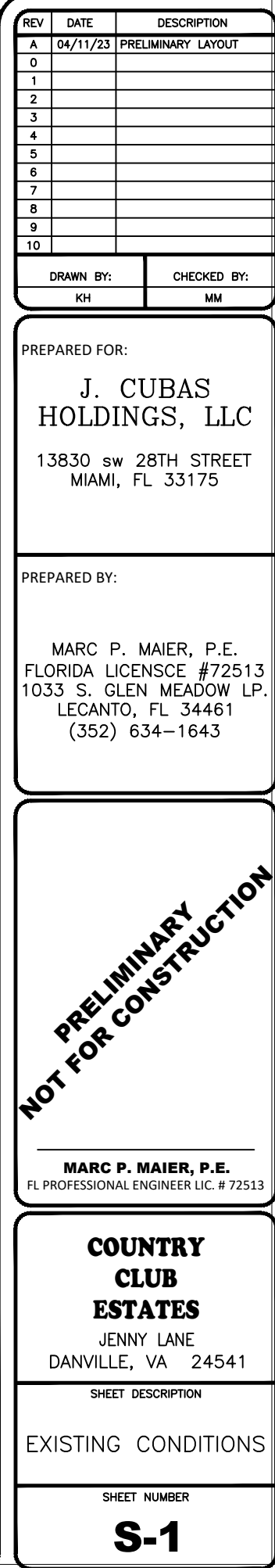
The City of Danville has provided a water & sewer location Map as referenced herein, which shows the general location of main lines next to the subject property. Therefore, the subject property will connect to City water & sewer.

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.

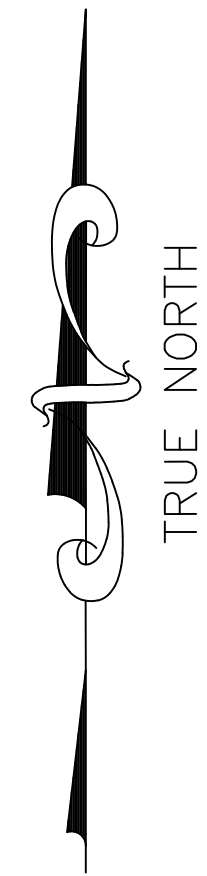
The subject property(s) abut to two residential subdivisions already zoned SR Suburban Residential and T-R Threshold Residential respectively on either side, abuts to the ROW of the bypass on the north and Jenny Lane on the south. The City of Danville has indicated that the water mains are located at 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.

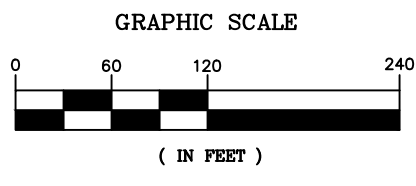
At this time, the Phase I Conceptual Site Plans do not show Impervious Surface Ration (ISR) however, the proposed density is 4.0 units per acre. Upon entitlement approvals and before the design of construction documents, the applicant will coordinate with the City of Danville Engineering & Public Works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







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



| REV | DATE     | DESCRIPTION        |
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| A   | 04/11/23 | PRELIMINARY LAYOUT |
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| DRAWN BY:<br>KH | CHECKED BY:<br>MM |
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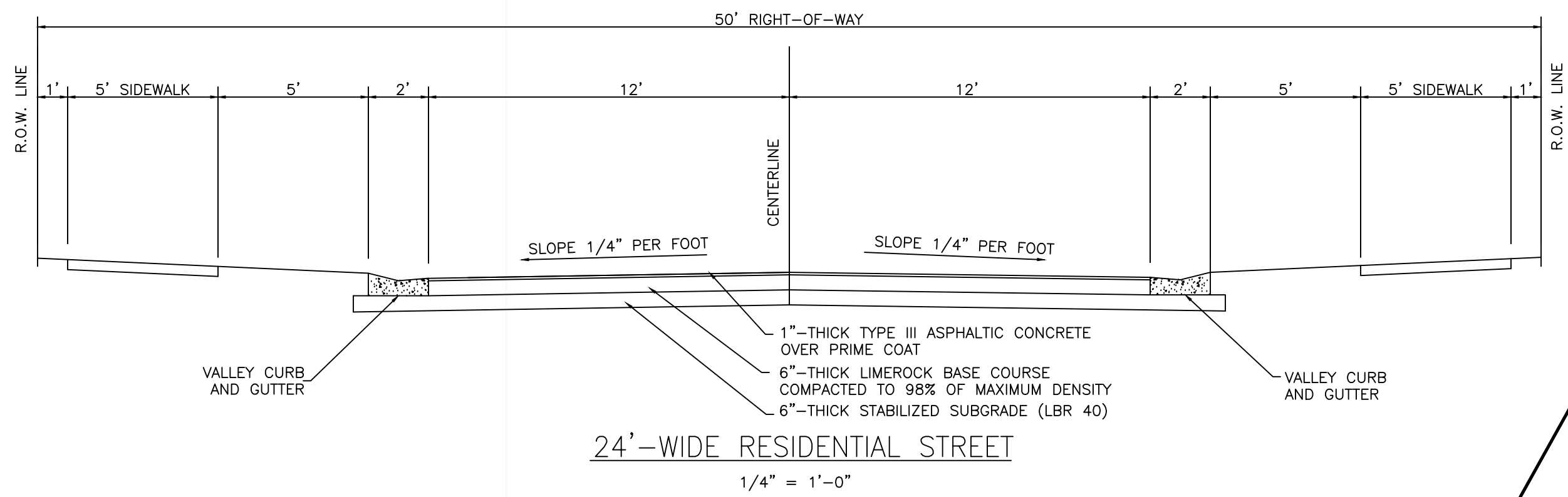
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| PREPARED FOR:<br><b>J. CUBAS HOLDINGS, LLC</b><br>13830 SW 28TH STREET<br>MIAMI, FL 33175                                       |
| PREPARED BY:<br>MARC P. MAIER, P.E.<br>FLORIDA LICENSE #72513<br>1033 S. GLEN MEADOW LP.<br>LECANTO, FL 34461<br>(352) 634-1643 |

|                                                             |
|-------------------------------------------------------------|
| <b>PRELIMINARY</b><br><b>NOT FOR CONSTRUCTION</b>           |
| MARC P. MAIER, P.E.<br>FL PROFESSIONAL ENGINEER LIC. #72513 |

|                                                                 |
|-----------------------------------------------------------------|
| <b>COUNTRY CLUB ESTATES</b><br>JENNY LANE<br>DANVILLE, VA 24541 |
| SHEET DESCRIPTION<br>EXISTING CONDITIONS                        |
| SHEET NUMBER<br><b>C-1</b>                                      |

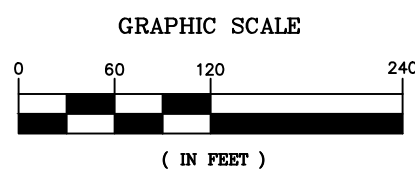


| SITE SCHEDULE                   |              |
|---------------------------------|--------------|
| TOTAL APPLICANT OWNED LAND AREA | 106.76 ACRES |
| TOTAL SITES ALLOWED             | 225          |
| TOTAL SITES PROPOSED            | 221          |



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 |
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| DRAWN BY: | CHECKED BY: |
| KH        | MM          |

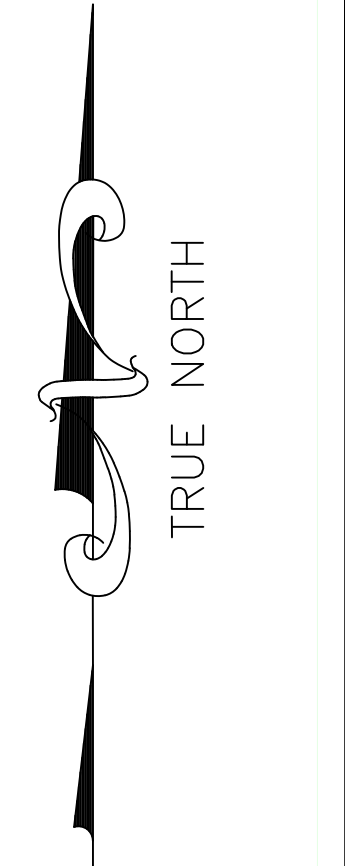
PREPARED FOR:  
J. CUBAS  
HOLDINGS, LLC  
13830 SW 28TH STREET  
MIAMI, FL 33175

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

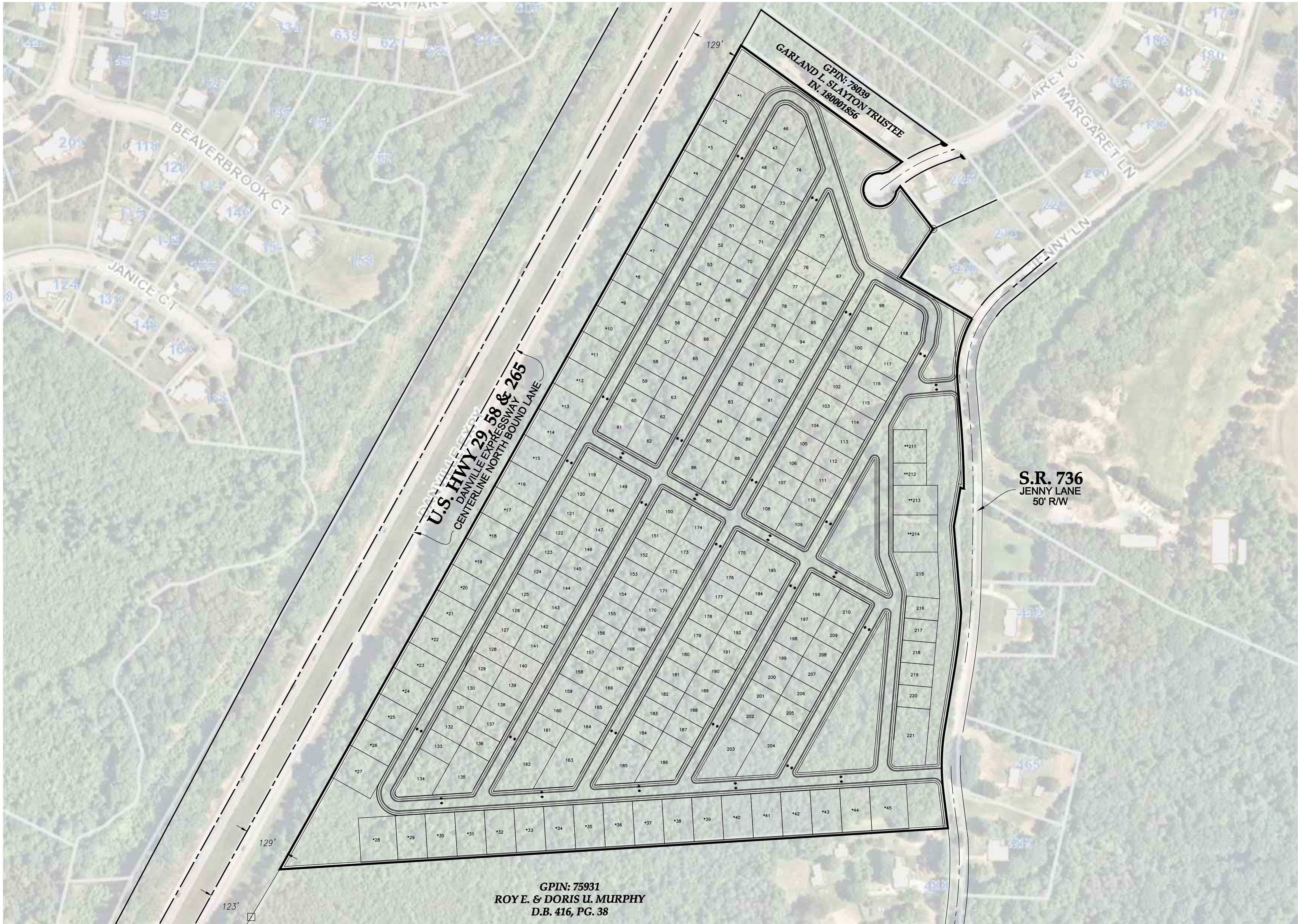
PRELIMINARY  
NOT FOR CONSTRUCTION

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

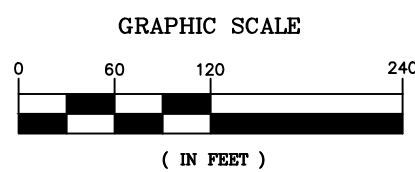
COUNTRY  
CLUB  
ESTATES  
JENNY LANE  
DANVILLE, VA 24541  
SHEET DESCRIPTION  
SITE PLAN  
SHEET NUMBER  
C-2







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



| REV | DATE     | DESCRIPTION        |
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| 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 LP.  
LEICANTO, FL 34461  
(352) 634-1643

**PRELIMINARY**  
**NOT FOR CONSTRUCTION**

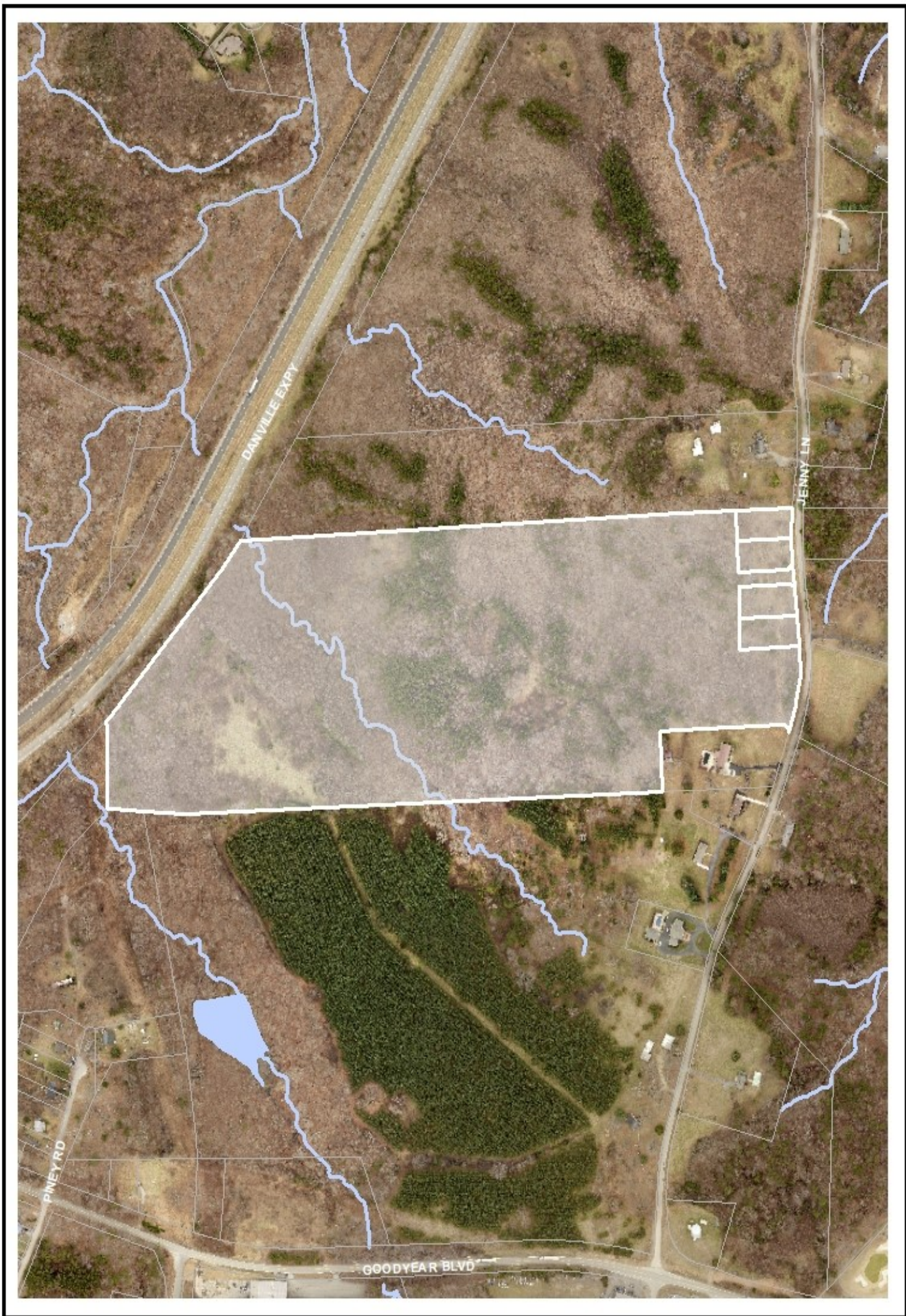
MARC P. MAIER, P.E.  
FLORIDA PROFESSIONAL ENGINEER NO. #72513

**COUNTRY CLUB ESTATES**  
JENNY LANE  
DANVILLE, VA 24541

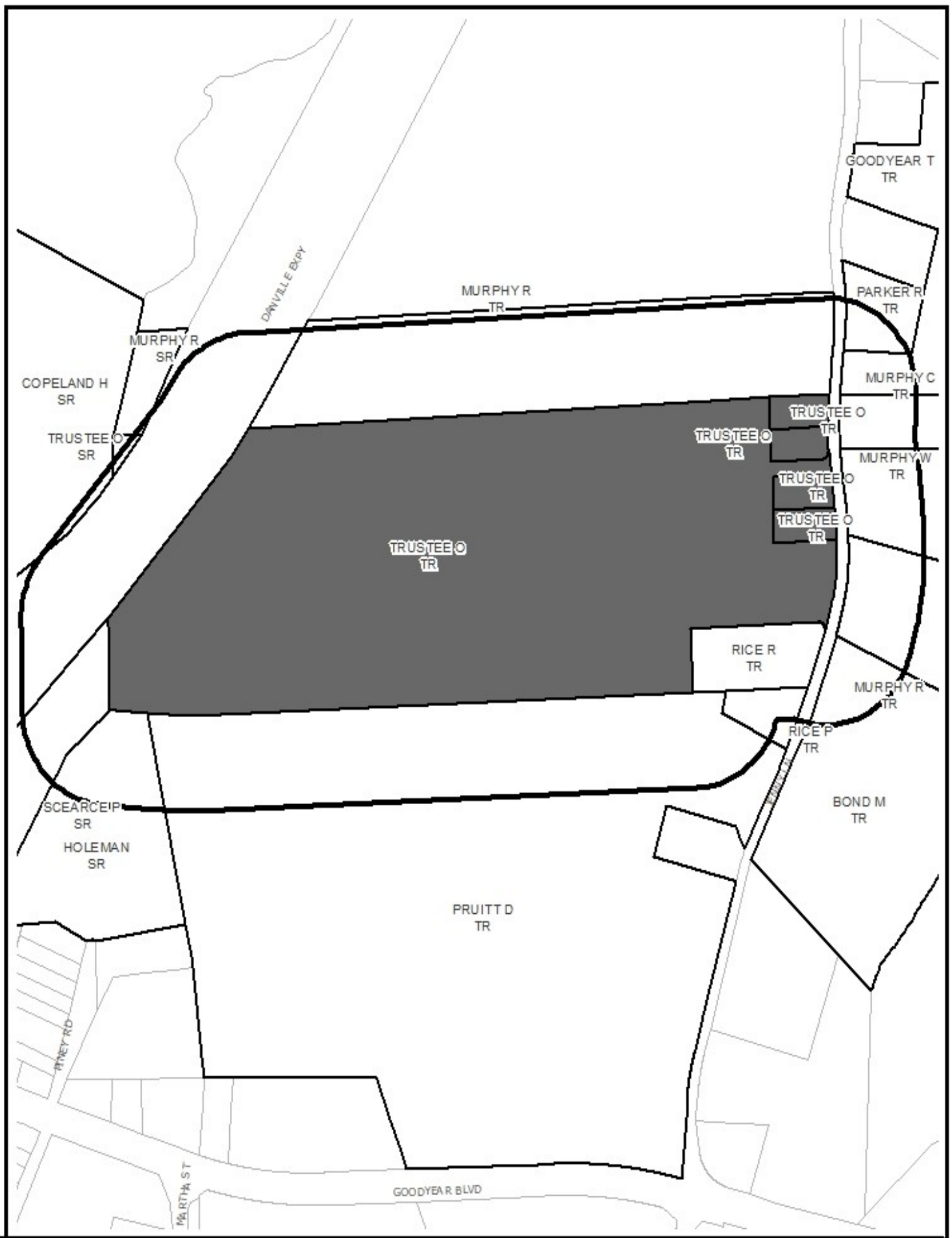
SITE PLAN WITH AERIAL  
SHEET NUMBER

**C-3**







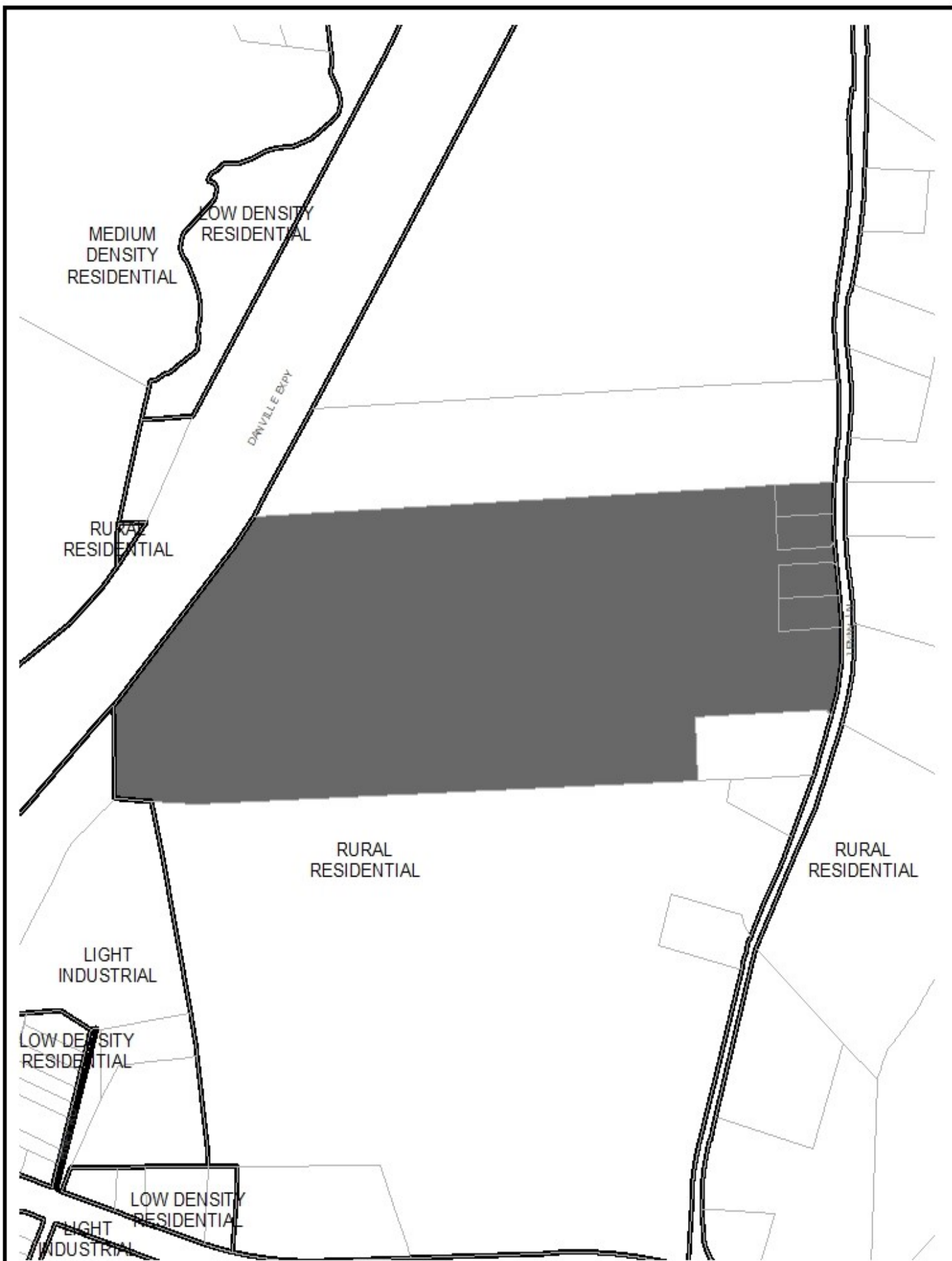


# **SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY**



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

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.



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

## ***City Planning Commission***

### **MEMORANDUM**

**DATE:** DECEMBER 11, 2023  
**TO:** CITY COUNCIL  
**FROM:** CITY PLANNING COMMISSION  
**RE:** REZONING APPLICATION PZ23-00469

#### **REQUEST**

Rezoning Application PZ23-00469 filed by J. Cubas Holdings, LLC, requesting to rezone Parcels 75941, 77419, 77420, 77421, 77422 on Jenny Lane from TR Threshold Residential to S-R Suburban Residential.

#### **RECOMMENDATION**

The Planning Commission, at their December 11, 2023, meeting voted 5-0 to recommend approval of Rezoning Request PZ23-00469.

Mr. Steve Petrick, Chair



# Council Letter

## City of Danville, Virginia



**CL - 1105**

**NEW BUSINESS G.**

### City Council REGULAR MEETING

**Meeting Date:** January 2, 2024

**Subject:** Consideration of a Rezoning Application filed by J. Cubas Holdings, LLC, Requesting to Rezone Parcel 78052 on Jenny Lane from T-R Threshold Residential to S-R Suburban Residential.

**From:** Renee Burton, Division Director of Planning

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### COUNCIL ACTION

1. Public Hearing
2. Consideration of a Rezoning Application filed by J. Cubas Holdings, LLC, Requesting to Rezone Parcel 78052 on Jenny Lane from T-R 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.

On December 11, 2023, the City Planning Commission voted 5 - 0 to recommend approval of Rezoning Request PZ23-00470 to rezone Parcel ID 78052 (Jenny Lane) from T-R, Threshold Residential to S-R, Suburban Residential.

## **RECOMMENDATION**

It is recommended that City Council adopt an Ordinance approving a Rezoning from T-R, Threshold Residential to S-R, Suburban Residential at Parcel ID 78052 (Jenny Lane).

---

### **Attachments**

1. Ordinance
  2. Application
  3. Supporting Documents
  4. Jenny Lane - Aerials
  5. Jenny Lane - Owners
  6. Jenny Lane - Landuse
  7. Planning Commission Recommendation
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2024\_\_\_\_.\_\_\_\_

AN ORDINANCE REZONING FROM T-R THRESHOLD RESIDENTIAL ZONING DISTRICT TO S-R SUBURBAN RESIDENTIAL ZONING DISTRICT PARCEL ID 78052 (JENNY LANE).

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, J. Cubas Holdings, LLC, has requested to rezone from the T-R Threshold Residential zoning district to S-R Suburban Residential zoning district, Parcel ID 78052 (Jenny Lane), of the City of Danville, Virginia Zoning District Map.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PZ23-00470, filed by J. Cubas Holdings, LLC, requesting to rezone from the T-R Threshold Residential zoning district to S-R Suburban Residential zoning district, Parcel ID 78052 (Jenny Lane) of the City of Danville, Virginia Zoning District Map, be, and is hereby received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PZ23-00470, filed by J. Cubas Holdings, LLC, requesting to rezone from the T-R Threshold Residential zoning district to the S-R Suburban Residential of the City of Danville, Virginia Zoning District Map, be, and is hereby approved, and

BE IT FINALLY ORDAINED that Parcel ID 78052, of the City of Danville, Virginia District Map is hereby amended to reflect the same.



Approved:

---

Mayor

Attest:

---

City Clerk

Approved as to  
Form and Legal Sufficiency:

---

City Attorney

# 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 10<sup>th</sup>, 2023

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**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](http://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

427 Patton St. Suite 208 | Danville, Virginia 24541 | 434.799.5260 | www.danvilleva.gov



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

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

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Phone: (434) 792-2088

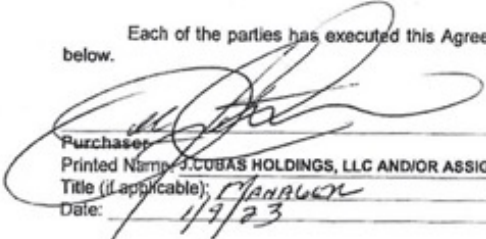
Fax: (434) 792-2757

Jenny Lane

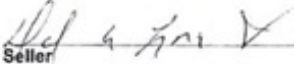
*[Handwritten signatures: DWM, HAL]*

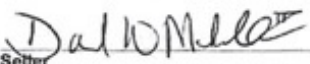


Each of the parties has executed this Agreement in its name pursuant to due authority as of the dates set forth below.

  
Purchaser  
Printed Name: J. COBAS HOLDINGS, LLC AND/OR ASSIGNEES  
Title (if applicable):  
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](mailto: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](mailto:scearce.commercial@gmail.com)

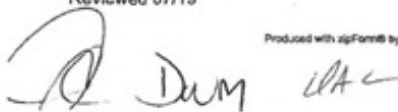
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Reviewed 07/19

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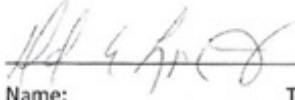
Jeany Lane



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.

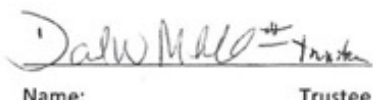
Agreed and Consent:

  
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**

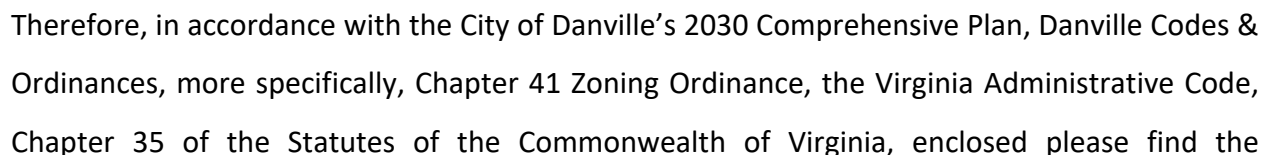
On January 9<sup>th</sup>, 2023, J. Cubas Holdings, LLC, a Florida Limited Liability Corporation, entered into a Commercial Purchase Agreement, included herein, with a Virginia resident to purchase the subject properties; a 55-acre parcel and a 46-acre parcel to develop a residential subdivision that compliments the existing neighborhood. As outlined in the Danville Housing Demand Analysis Report dated April 18<sup>th</sup>, 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.

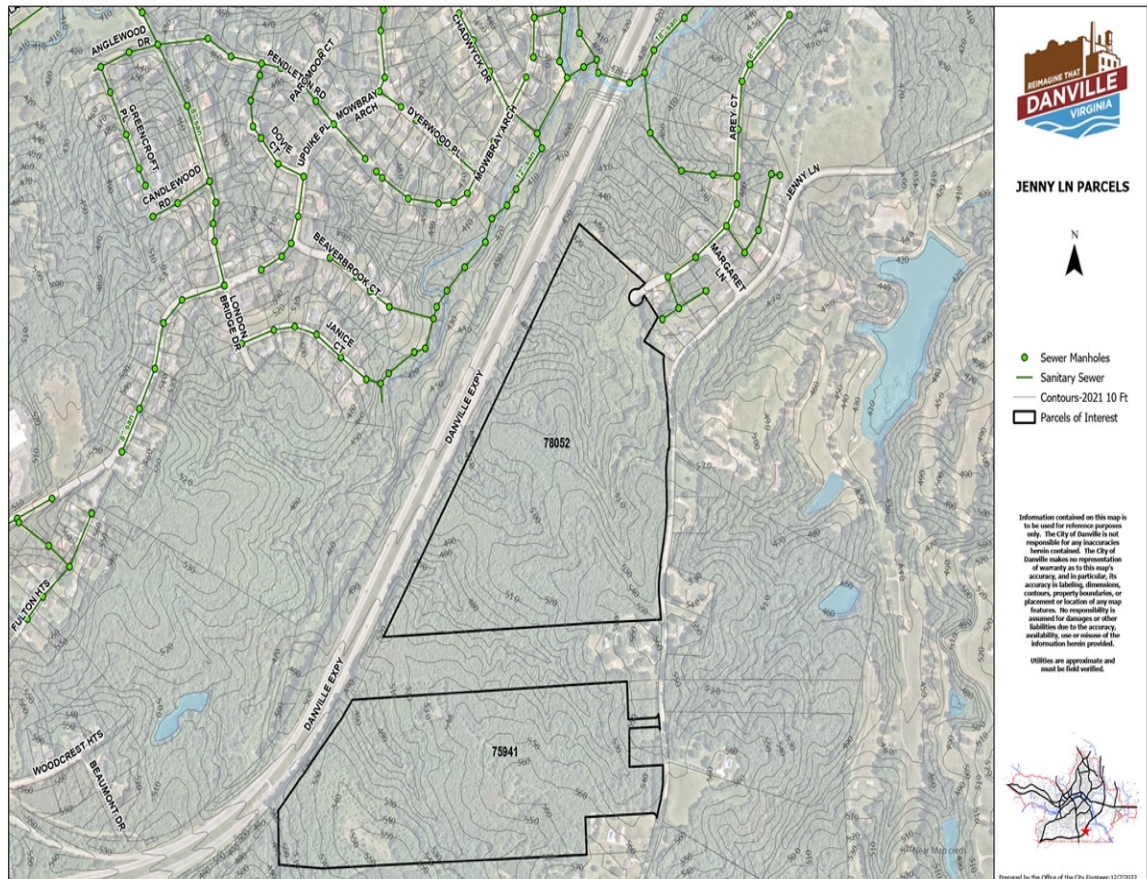
Furthermore, in accordance with Article 3-C, C.5., Cluster residential development shall be encouraged in the S-R District in order to promulgate the City's objectives for environmental preservation, architectural harmony and consistency, adequacy of open space and recreation areas, and enhanced quality 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*



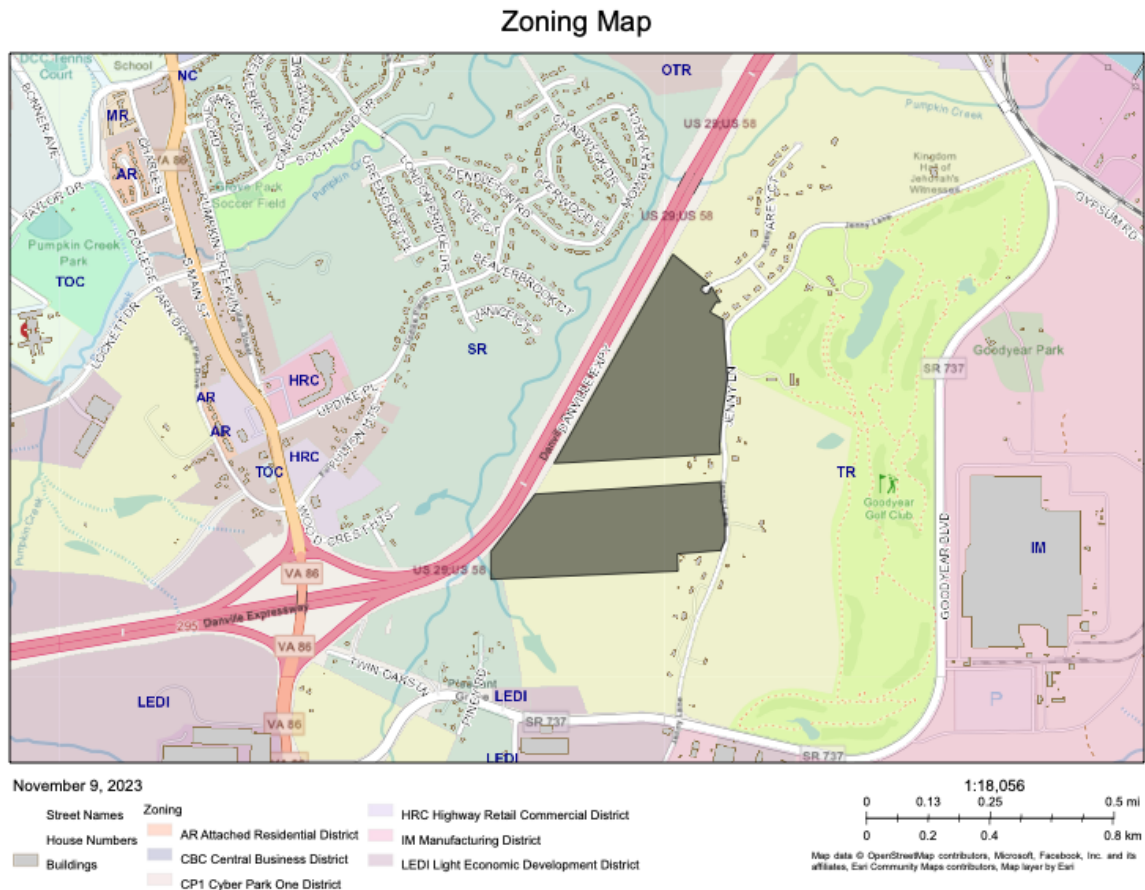
*or damage of any feature determined to be of significant ecological, scenic or historic importance, (4) the proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods. Furthermore, 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.

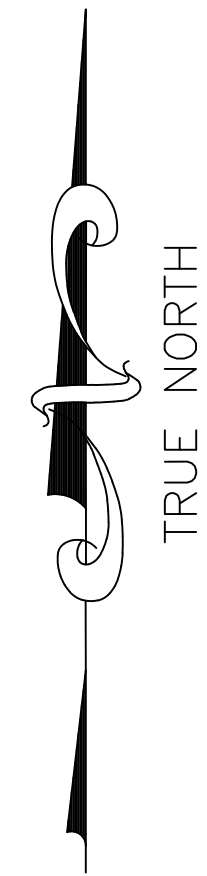
The same applies to sewer. The City of Danville services the adjacent properties within the with sewer facilities. The City of Danville has indicated that the sewer mains are located at the subject property. In accordance with the City of Danville Comprehensive Plan, Chapter 41 and Chapter 450 of the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

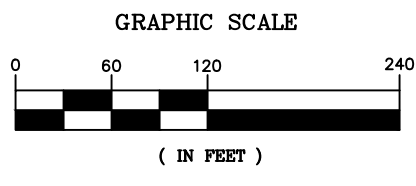








**1**  
**C-1** **EXISTING CONDITIONS**  
**SCALE: 1" = 120'**



| REV | DATE     | DESCRIPTION        |
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| 1   |          |                    |
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|                 |                   |
|-----------------|-------------------|
| DRAWN BY:<br>KH | CHECKED BY:<br>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

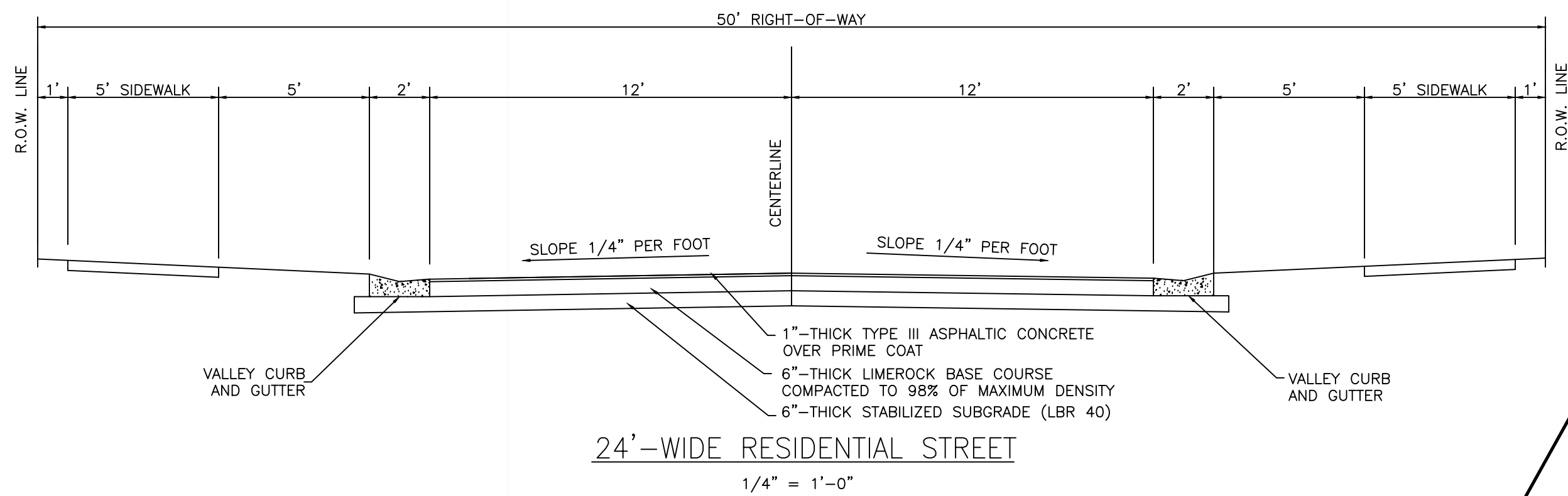
**COUNTRY CLUB ESTATES**  
JENNY LANE  
DANVILLE, VA 24541

SHEET DESCRIPTION  
EXISTING CONDITIONS

SHEET NUMBER  
**C-1**

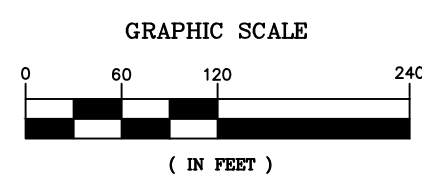


| SITE SCHEDULE                   |              |
|---------------------------------|--------------|
| TOTAL APPLICANT OWNED LAND AREA | 106.76 ACRES |
| TOTAL SITES ALLOWED             | 225          |
| TOTAL SITES PROPOSED            | 221          |



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: | CHECKED BY: |
| KH        | 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 L.P.  
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(352) 634-1643

PRELIMINARY  
NOT FOR CONSTRUCTION

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

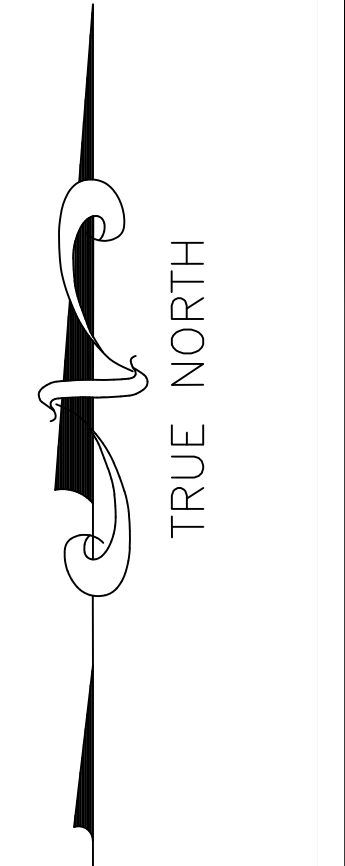
COUNTRY  
CLUB  
ESTATES  
JENNY LANE  
DANVILLE, VA 24541

SHEET DESCRIPTION

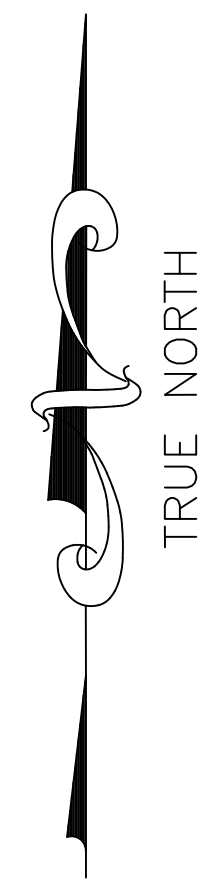
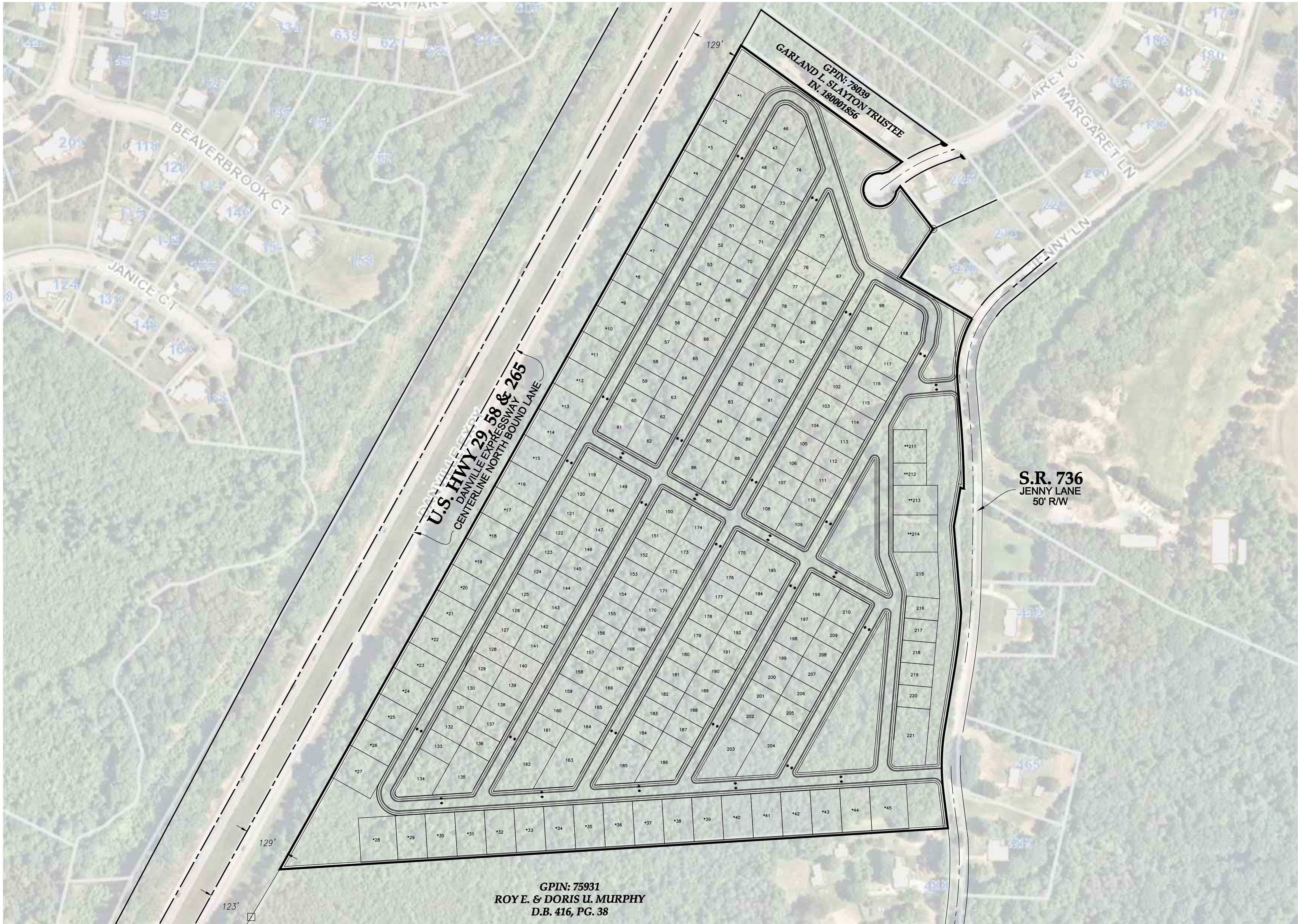
SITE PLAN

SHEET NUMBER

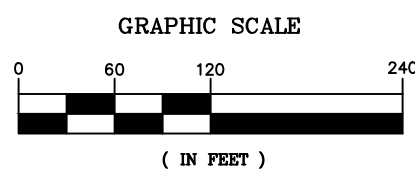
C-2







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



| REV | DATE     | DESCRIPTION        |
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| 10  |          |                    |

|           |             |
|-----------|-------------|
| DRAWN BY: | CHECKED BY: |
| KH        | 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.  
LELAND, FL 34461  
(352) 634-1643

**PRELIMINARY**  
**NOT FOR CONSTRUCTION**

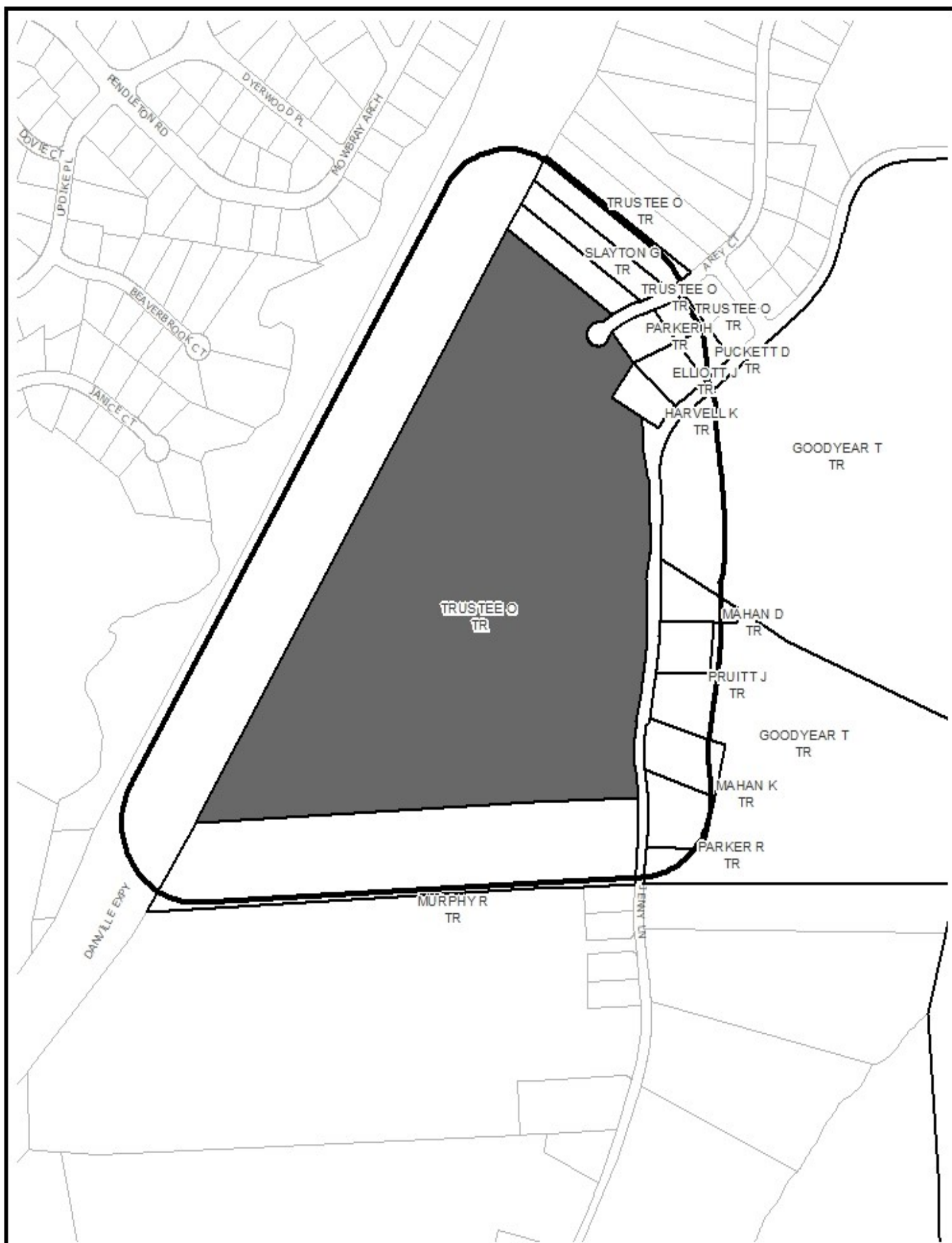
MARC P. MAIER, P.E.  
FLORIDA LICENSE #72513

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







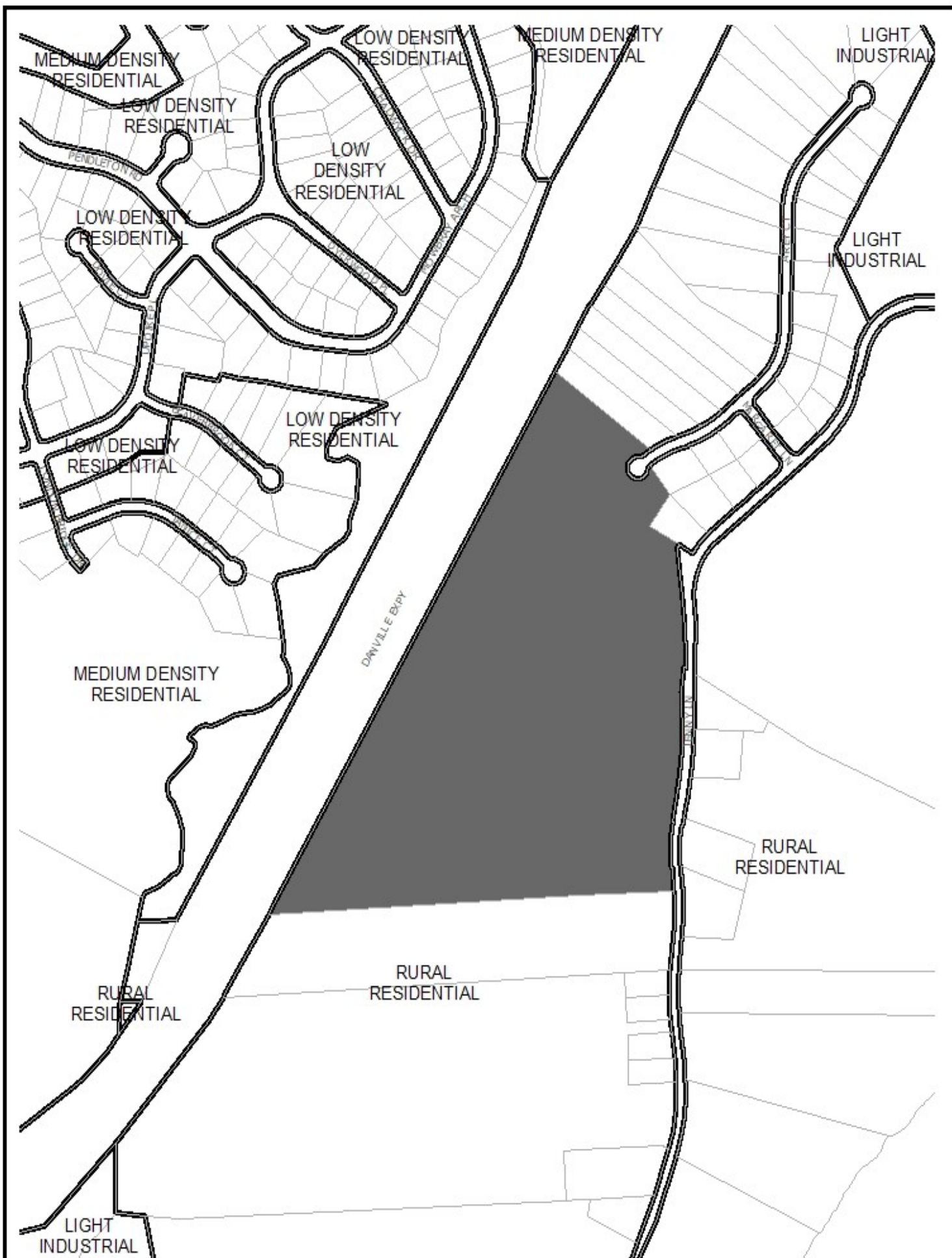


# **SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY**



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

## ***City Planning Commission***

### **MEMORANDUM**

**DATE:** DECEMBER 11, 2023  
**TO:** CITY COUNCIL  
**FROM:** CITY PLANNING COMMISSION  
**RE:** REZONING APPLICATION PZ23-00470

#### **REQUEST**

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.

#### **RECOMMENDATION**

The Planning Commission, at their December 11, 2023, meeting voted 5-0 to recommend approval of Rezoning Request PZ23-00470.

Mr. Steve Petrick, Chair