

January 2, 2024

The Regular January meeting of the Danville City Council was held on January 2, 2024, 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, J. Lee Vogler, Jr., and Madison J.R. Whittle (8). Sherman M. Saunders was absent (1). *Mr. Whittle entered the meeting at 7:03 p.m.*

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

Council Member L.G. "Larry" Campbell, Jr., gave the Invocation followed by the Pledge of Allegiance.

CONSENT AGENDA

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

Minutes from the Regular Council Meeting held on December 5, 2023. Draft copies of the minutes had been distributed prior to the meeting.

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.

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 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.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler, and Whittle, (8)
NAY: None (0)
ABSENT: Saunders (1)

NEW BUSINESS

Vice Mayor Miller **moved** to **Postpone** New Business Item A for an indefinite amount of time.

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

RESOLUTION NO. 2024-01.01

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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.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler, and Whittle (8)
NAY: None (0)
ABSENT: Saunders (1)

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

Vice Mayor Miller **Moved to Postpone** New Business Item F until the next scheduled City Council meeting.

ORDINANCE NO. 2024-01.05

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).

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler, and Whittle (8)
NAY: None (0)
ABSENT: Saunders (1)

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

Vice Mayor Miller **Moved to Postpone** New Business Item G until the next scheduled City Council meeting.

ORDINANCE NO. 2024-01.05

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.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,

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Vogler, and Whittle, (9)
NAY: None (0)
ABSENT: Saunders (1)

CONSIDERATION OF A SPECIAL USE PERMIT AT 618 CRAGHEAD STREET (PARCEL 21749) TO REQUEST WAIVER OF MAXIMUM DENSITY

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 618 Craghead Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 19, 2023 and December 26, 2023. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2024-01.01

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.

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

Council Member Whittle questioned parking, and City Manager Ken Larking stated that in the River District and downtown there were no parking requirements, therefore there were no issues related to parking for this project. Council Member Vogler asked if this project included eighty-eight new apartment units, and Mr. Larking noted that was correct. Vice Mayor Miller asked if there were plans to include future parking, including a parking garage in the downtown area, and Mr. Larking stated that staff was working on a couple of different options for structured parking downtown.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler, and Whittle (8)
NAY: None (0)
ABSENT: Saunders (1)

CONSIDERATION OF A REZONING APPLICATION REQUESTING TO REZONE PARCELS ON SOUTH BOSTON ROAD FROM N-C NEIGHBORHOOD COMMERCIAL TO HR-C HIGHWAY RETAIL COMMERCIAL

Mayor Jones opened the floor for a Public Hearing regarding a Request to Rezone Parcels on South Boston Road. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 19, 2023 and December 26, 2023.

Mayor Jones recognized the following citizens who spoke against the Rezoning:

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Dale Van Austin, 114 Pine Circle, who spoke in opposition to this land being rezoned because it was a flood zone that goes through his back yard. If the channel behind his property was filled in it will cause his yard to be a swamp.

Sharon Casada, 110 Pine Circle, who spoke in opposition of this ordinance due to flood issues of the property and the residents of Green Acres not being aware of what the land will be developed into.

Brendan Kyles, 569 Bermuda Road, who expressed his opposition to a business coming in and taking over the property. These concerns included noise and traffic issues.

Mayor Jones recognized Tom Wagstaff, Roxboro, NC, who spoke on behalf of his son and daughter-in-law who own the land. He stated that this property was turned down 25 years ago for Burger King to be on the property. The zoning board unanimously voted to approve this request. He stated his family has been paying for this property for four generations. It was time for the property to be developed like the rest of 58 that backs up against residential property.

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

Council Member Campbell **moved** to approve an Ordinance entitled:

ORDINANCE NO. 2024-01.02

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).

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

Council Member Campbell stated that it was concerning that citizens were coming in opposition without any discussion having taken place. Council Member Vogler stated that this was like voting blindly because there was no idea what this property may or may not be along with the fact that the community has not been met with. Vice Mayor Miller stated this was a large piece of property and needed to be discussed with the residents; a buffer needed to be put into place. Council Member Mayo stated that there needs to be a clear understanding of what was going to happen, the citizens were concerned, the developer knows what they want to do but there needs to be a discussion. Council Member Hood asked Director of Planning Renee Burton to explain. Ms. Burton stated that 29 notices were sent out to surrounding residents; 24 were received with five being opposed and nineteen not being opposed. It was currently zoned neighborhood commercial, and those businesses were generally less intense than those that were zoned highway commercial like on Piney Forest Road and Riverside Drive. Neighborhood commercial businesses were things like beauty salons, barber shops, banks, and restaurants without drive-thru; any business under 3,000 square feet. Council Member Vogler asked if the Planning Commission was given any idea as to what would be developed on this property, and Ms. Burton noted that there were no development plans at this time. Mayor Jones stated that it would be unjust voting on something that had not been communicated to the community.

Council Member Campbell **moved** to postpone Item C for an indefinite period of time:

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

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VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler, and Whittle (8)
NAY: None (0)
ABSENT: Saunders (1)

CONSIDERATION OF A REZONING APPLICATION REQUESTING TO REZONE 3411 WESTOVER DRIVE (PARCEL 71202) FROM N-C NEIGHBORHOOD COMMERCIAL TO S-R SUBURBAN RESIDENTIAL

Mayor Jones opened the floor for a Public Hearing regarding a Request to Rezone 3411 Westover Drive. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 19, 2023 and December 26, 2023.

Mayor Jones recognized Anthony Haynes, Copper Construction, who noted he was trying to get this rezoned because the way that the homes were zoned, banks do not want to loan money for home purchases.

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

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

ORDINANCE NO. 2024-01.03

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

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler, and Whittle (8)
NAY: None (0)
ABSENT: Saunders (1)

CONSIDERATION OF A REZONING APPLICATION REQUESTING TO REZONE PARCEL 73014 FROM OT-R OLD TOWN RESIDENTIAL TO HR-C HIGHWAY RETAIL COMMERCIAL

Mayor Jones opened the floor for a Public Hearing regarding a Request to Rezone Parcel 73014. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 19, 2023 and December 26, 2023. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2024-01.04

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

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler, and Whittle, (9)
NAY: None (0)
ABSENT: Saunders (1)

COMMUNICATIONS

The City Manager, Deputy City Manager and City Attorney wished everyone a Happy New Year.

Council Member Buckner asked everyone to keep Josh Hearne in their thoughts and prayers; he was in a bad bicycle accident with some serious injuries. Mr. Buckner noted his congratulations to Shawn Wesley and Rick Barker and his team for their New Year's Eve celebration on Craghead Street with the Tobacco Leaf fell at midnight, and wished a Happy New Year to everyone.

Council Member Campbell wished everyone a Happy New Year and stated they were excited about 2024 and what will happen in the City; the prosperity and that prosperity be shared in all areas of the community. Rev. Campbell reminded citizens about the Climate Change workshop in the Plan Danville office on Union Street on February 2, 9, 16, and 23, and asked that the City armory to be looked at with a plan for the future of that historic building.

Council Member Hood wished everyone a Happy New Year, and noted he would like to recognize Curtis Goard, a mentor of his sitting in the back, he was instrumental in a lot young men in his community growing up. Mr. Hood noted his word for 2024 going forward was "thrive" for the City of Danville.

Council Member Mayo wished everyone a Happy New Year, and recognized Casey Cunningham who won an award at the Harry Johnson Holiday Classic for the work she does in the community. Mr. Mayo noted he was looking forward to a prosperous year, and hoped everyone had a wonderful Christmas and a Happy New Year.

Vice Mayor Miller noted the Harry Johnson Holiday Classic was fantastic this year, some of the best high school basketball he has seen. Next year, it will be back at GW with a 2500 seat gymnasium. The Downtown Danville Countdown was amazing, there was a lot going on and everyone had a great time. In the last three weeks Dr. Miller noted he has had patients with flu, covid, and RSV. There were vaccines for all of these and encouraged citizens to get their vaccines.

Council Member Vogler wished everyone a Happy New Year and hoped everyone had a blessed Christmas. The Harry Johnson Holiday Classic was phenomenal, and he cannot speak enough about the volunteers; the players, families, and those in attendance enjoyed it and next year will be even better. Mr. Vogler noted it was an exciting time to be in Danville, the last few years have been unbelievable and there was not a better team in the country than what the City has with staff, council, city employees, and citizens. What they were doing in Danville was truly something special, it was something people were hearing about far and wide, and praising the work that was being done here. Mr. Vogler stated he was proud of the team they have here and what will be

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done, and was more excited about what was coming next. It was time they shared that growth and prosperity with the citizens and community.

Council Member Whittle stated that Mr. Searce told his brother to “buckle up buttercup”, there were a lot of great things coming in 2024.

Mayor Jones noted Frank Ruff has done a great job, and he was proud of Dr. Miller and Mr. Vogler being willing to step up and help Danville move forward and commended all the Council for supporting them. Mayor Jones noted the Harry Johnson Holiday Classic meant more this year; there was a lot of negativity regarding the location, and people said it should be canceled, however, it was a great event. Mayor Jones noted he and his family went to Vance Street for a service, and there were three different preachers; all spoke about Danville and the one word that really stood out to him that they all used was “purpose”. Know your purpose, know what purpose was. Danville had their purpose; their purposes were to improve education, reduce violent crime, and growing Danville. Mayor Jones thanked the citizens for not giving up on Danville and thanked the citizens for supporting Council. The best was yet to come.

ADJOURNED: 7:49 p.m.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK