



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

April 8, 2024

3:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. OLD BUSINESS

1. Special Use Permit application PZ24-00064 filed by Janet Reed to allow a group home in accordance with Article 3.E Section C Item 9 at 18 Selma Avenue (Parcel 55273).
2. Special Use Permit application PZ24-00097 filed by Carl Norton to allow retail sales in accordance with Article 3.I Section C at 108 West Main Street (Parcel 26034).

IV. NEW BUSINESS

1. Special Use Permit application PZ24-00131 filed by Chris Koontz for a waiver of side yard requirement for accessory uses in accordance with Article 3.E Section C Item 20 at 136 Gatewood Avenue (Parcel 57476).
2. Rezoning application PZ24-00135 filed by Fred Webb, Donna Webb, Jennifer Turner, and Sarah Kubic to rezone 533 Piney Forest Road (Parcel 56964) from PS-C Planned Shopping Center Commercial to HR-C Highway Retail Commercial.
3. Special Use Permit application PZ24-00134 filed by FHC Holdings LLC to allow uses permitted by right and by special use permit in the HR-C District in accordance with Article 3.O Section C Item 15 at 874 Cahill Court (Parcel 23207).

4. Rezoning application PZ24-00136 filed by David McLaughlin to rezone 221 South Main Street (Parcels 24101 and 25694) from OT-R Old Town Residential to TO-C Transitional Office.
5. Special Use Permit application PZ24-00137 filed by Dewberry to allow a waiver of yard requirements in accordance with Article 3.O Section C Item 25 at 424 Airport Drive (Parcel 76366).
6. Special Use Permit application PZ24-00152 filed by Henry Leggett to allow waiver of lot frontage requirements on a public street and waiver of requirements for public water in accordance with Article 3.A Section C Items 18 and 19 at 201 Little River Road (Parcel 70874).
7. Code Amendment Request PZ24-00153 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically, amend Article 3.X Section H to create Item 19 "Car washes".

V. NOT FOR PUBLIC HEARING

1. Plat Dedication of right of way

VI. APPROVAL OF MINUTES

1. Minutes from March 11, 2024.

VII. ADJOURNMENT

VIII. PLANNING DIRECTOR'S REPORT



STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00064 filed by Janet Reed to allow a group home in accordance with Article 3.E Section C Item 9 at 18 Selma Avenue (Parcel 55273).

SUMMARY

The applicant, Janet Reed, is requesting a Special Use Permit to operate a group home at 18 Selma Avenue. The property is zoned OT-R Old Town Residential. Operation of a group home requires a Special Use Permit in accordance with Article 3.E. Section C Item 9.

18 Selma Avenue is located within the City of Danville's Southside Rental Inspection District. During a rental inspection in January, it was discovered that a non-compliant group home was operating at 18 Selma Avenue. A zoning violation letter was issued in January for the operation of a group home without a Special Use Permit, business license or zoning clearance. The applicant applied for a special use permit shortly thereafter.

A Certificate of Occupancy inspection for a group home was completed in January and violations were found. Minor repairs are needed before the certificate can be issued. Based on the size of the home, a Certificate of Occupancy may be issued to no more than seven (7) persons. However, without a license from the Commonwealth of Virginia, the Department of Social Services limits the care at this location to no more than four (4) individuals.

Article 15 of the Zoning Code defines group home as "[a] residential facility with one or more resident counselors or other staff persons, in which more than: (a) eight (8) mentally ill, mentally challenged or developmentally disabled persons reside and such home is licensed by the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services; or (b) eight (8) mentally challenged persons reside and such home is licensed by the Virginia Department of Social Services; or (c) eight (8) handicapped persons reside, with handicapped defined in accordance with the Federal Fair Housing Amendments Act of 1988; or (d) three (3) non-related children (defined as being under the age of 18) who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct".

State and local regulations for group homes vary based on occupancy, and service needs. The Planning division staff additional time to further continue communications between state and local agencies to clarify regulations and the Planning division's role within those regulations.

Forty-six (46) notices were sent out to property owners within three hundred (300) feet. Nine (9) notices were received. Two (2) were unopposed, seven (7) were opposed.

RECOMMENDATION

The Planning Staff recommends that the Planning Commission postpone approval of PZ24-00064. Planning staff is aware this case has been previously postponed but has been unable to schedule a meeting with State Licensing Agency and would like additional time to clarify group home regulations.

ATTACHMENTS

1. Application- 18 Selma Avenue
2. 18 Selma Ave_AERIALS
3. 18 Selma Ave_OWNERS
4. 18 Selma Ave LANDUSE



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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

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

PLANNING DIVISION PROVIDED INFORMATION

Application #: P224-00064 PC Meeting Date: March 11, 2024
Date Received: 1-29-24 Received By: Lisa Jones
Parcel ID: 55273 Address: 18 Selma Ave.
Existing Zoning: OTR Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#):

18 Selma Ave Danville VA 24541

Applicant:

Janet Reed

Applicant's Address:

29 Edgewood Drive Danville VA 24541

Applicant's Phone Number:

904 537-5693

Applicant's E-mail:

JReed0216@yahoo.com

Describe Proposed Request:

Group Home

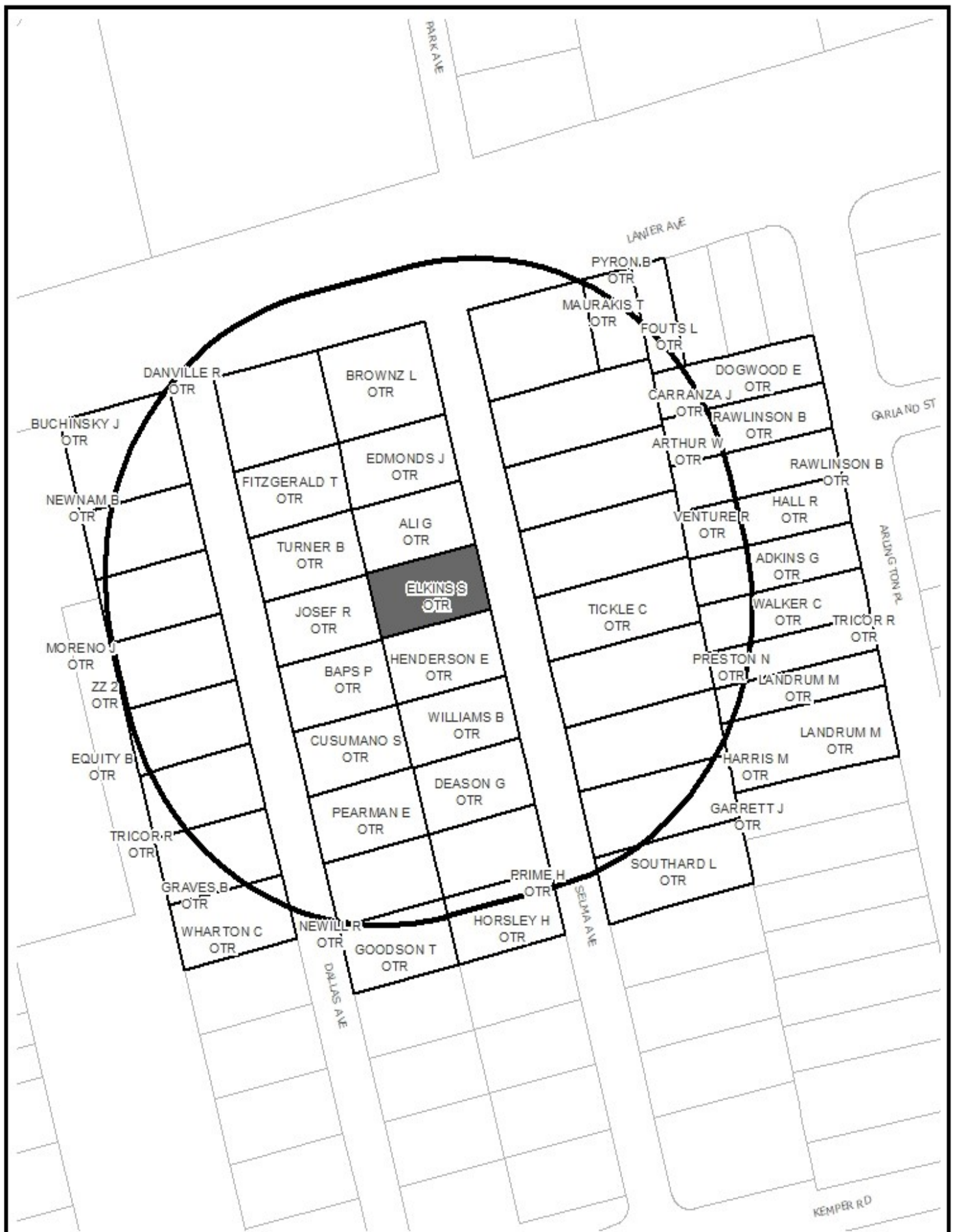
Applicant Signature

date

Property Owner Signature
(If not applicant)

date





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
2/20/2024

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
2/20/2024

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STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00097 filed by Carl Norton to allow retail sales in accordance with Article 3.I Section C at 108 West Main Street (Parcel 26034).

SUMMARY

108 West Main Street is zoned TO-C, Transitional Office Commercial. The office of the Commissioner of Revenue shows that there has not been an active business license at this location since 2013, but the property was previously used as offices and a medical practice. The applicant is proposing a retail establishment. Code Amendment request PZ24-00098 was approved by City Council on April 2, 2024 to allow retail by Special Use Permit, limited to indoor display and storage.

108 West Main Street is located in the West Main Corridor Overlay. This overlay is developed to encourage economic growth and development that is compatible with the surrounding areas. The applicant has requested a Special Use Permit to operate a retail establishment of apparel and accessories. The property has a paved parking lot in the rear of the structure that will adequately serve the retail operation on the main level and a potential office on the upper level.

During the March 12, 2024 Planning Commission meeting, the Planning Commission voted to postpone review of this agenda item due to the absence of the applicant or representative for the request.

Twenty-one (21) notices were sent out to property owners within three hundred (300) feet. Three (3) unopposed notices were received.

RECOMMENDATION

The Planning Staff recommends that Planning Commission recommend approval of PZ24-00097 to allow retail sales in accordance with Article 3.I Section C Item 10 with the hours of operation limited to 8:00 am to 8:00 pm.

ATTACHMENTS

1. Application
2. Supporting Docs
3. 108 W Main St_AERIALS
4. 108 W Main St_OWNERS
5. 108 W Main St_LANDUSE



Deadline: 02-12-2024
8:36 AM

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 #: PZ24-00697 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: 100 WEST MAIN Gross Area/Net Area: 3253 SQ FT

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

Between: 136 WEST MAIN and 1124 MAIN STREET

Proffered Conditions (if any, please attach): _____

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

Name: CARL NORTON Telephone: _____

Mailing Address: 108 WEST MAIN ST. DANVILLE, VA 24541

Email Address: INFO@NORTHURST.COM

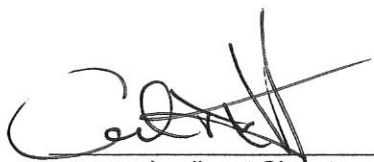
APPLICANT (PLEASE TYPE OR PRINT):

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

Name: SAME AS ABOVE Telephone: _____

Mailing Address: _____

Email Address: _____

 14 FEB 2024
Applicant Signature date

Property Owner Signature date
(if not applicant)

14 February 2024

City of Danville Community Development
Director of Planning and Zoning
427 Patton Street
Danville, VA 24541

Director of Planning and Zoning,

Per the directions outlined in the rezoning application, please find the following details.

Section 2 – Paragraph A – Description of the Proposed Use

It is our intent to utilize the property for retail sales. The property is currently listed as Commercial TOC – Office. There are 50 parking spaces located in the parking lot on the property. There is also handicap access (concrete ramp) to the building. The proposed hours of operation are from 8:00am to 6:30pm Monday thru Saturday – Closed Sunday. Anticipated number of employees will be 4 (four).

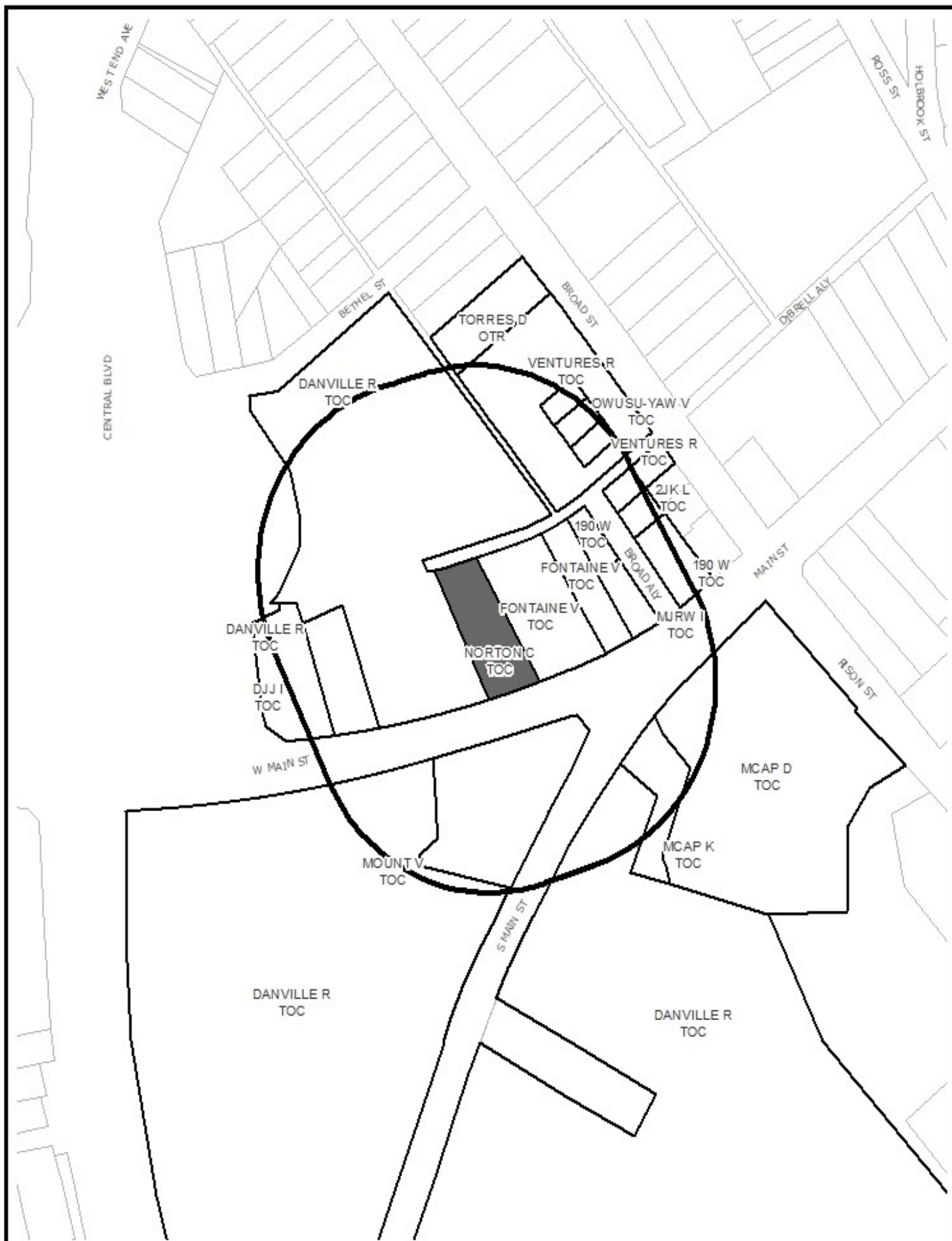
Section 2 – Paragraph B – Statement of Proposed Compatibility

1. The Comprehensive Plan – Our plan is to provide retail services from this commercial location. We plan to utilize the first floor for retail space and the second floor will remain office space.
2. The Applicable Zoning District – Our property is located in a commercial district and is currently zoned for commercial use.
3. The Surrounding Properties - Our property is surrounded by commercial property. To the left side of the property is the SOVAH hospital employee parking lot. To the rear of the property is an alley and the bottom half of the SOVAH hospital employee parking lot. To the right side of the property is a doctor's office that is currently owned privately. In front of the property is Mount Vernon Church and the SOVAH hospital.
4. Current and Future Neighborhood Conditions – The current neighborhood is commercial. As almost all of the structures in the neighborhood are commercial buildings it is anticipated that the neighborhood will remain commercial.
5. Pedestrian and Vehicular Traffic Off-site – To the front of the property is West Main Street with vehicular traffic operating in 2 directions. There are sidewalks on both sides of West Main Street for pedestrian traffic. There are 50 parking spaces on the property so there will be no on-street parking required.

Pedestrian and Vehicular Traffic On-site – There is a “One Way” Vehicle Entrance onto the property from West Main Street which leads to the rear of the property and a 50 space parking lot. There is a “One Way” exit at the rear of the property thru an asphalt paved public alley road. Vehicles will only be authorized to enter the property from West Main Street and exit to the rear of the property via the asphalt paved alley road. There are dedicated walkways from the parking lot to the entrance of the building.

6. Adequate Public Facilities - There is a concrete handicap ramp affixed to the front of the building for wheelchair access to the building.



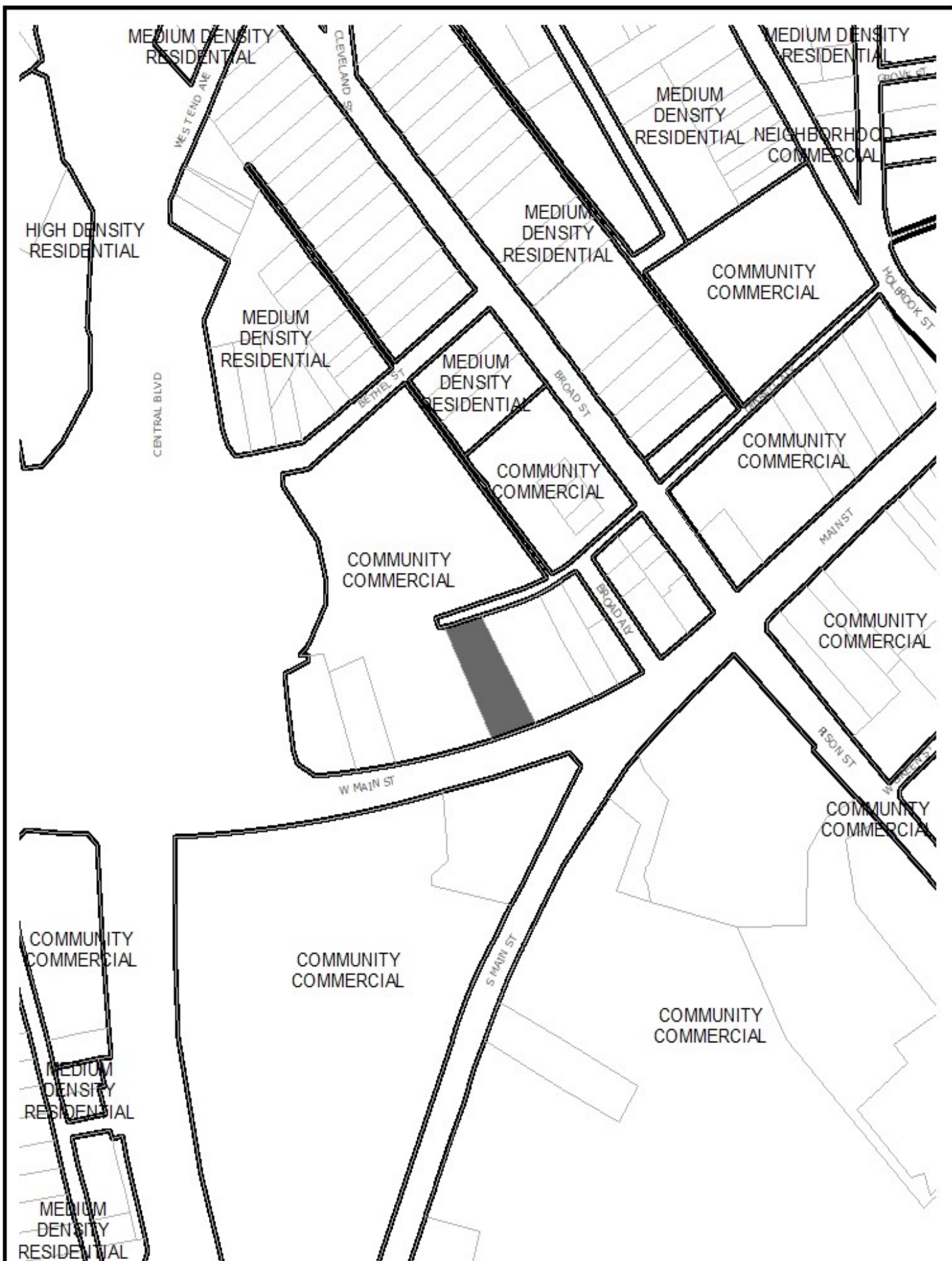


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
2/21/2024

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
2/21/2024

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STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00131 filed by Chris Koontz for a waiver of side yard requirement for accessory uses in accordance with Article 3.E Section C Item 20 at 136 Gatewood Avenue (Parcel 57476).

SUMMARY

The applicant is requesting a Special Use Permit to retain an existing 8-foot by 12-foot accessory structure located within the side yard setback at 136 Gatewood Avenue. 136 Gatewood Avenue is zoned OT-R, Old Town Residential. The side yard setback for an accessory building is a minimum of five (5) feet from the property line.

A zoning violation letter was issued in January due to the construction of the accessory structure without a zoning clearance or building permit. Following receipt of the violation notice, Mr. Kootz contacted the Planning Office. A site inspection by the Planning Staff discovered that the construction encroached onto the required side yard setbacks. A request for a Special Use Permit to waive the side yard setbacks must be approved for the accessory structure to remain in its current location.

Article 3.E. Section C Item 20 allows a "waiver of side yard requirement for accessory uses" as a use permitted by Special Use Permit within the OT-R zoning district. The subject accessory structure is located approximately one (1) foot from the side property line. A Special Use Permit will be necessary for the structure to remain in its current location.

Thirty-six (36) notices were sent out to property owners within three hundred (300) feet. Five (5) unopposed notices were received.

RECOMMENDATION

The Planning Division recommends that the Planning Commission recommend approval of special use permit request PZ24-00131 with the condition that the structure may be no closer than one (1) foot to the side property line.

ATTACHMENTS

1. Special Use Permit 136 Gatewood Avenue

2. Picture
3. 136 Gatewood Ave_AERIALS
4. 136 Gatewood Ave_OWNERS
5. 136 Gatewood Ave_LANDUSE
6. Violation Letter - 136 Gatewood Avenue



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 #: P224-00131 PC Meeting Date: _____
Date Received: 3-11-24 Received By: LISA JONES
Parcel ID: 57476 Address: 136 Gatewood Avenue
Existing Zoning OTR Future Land Use: OTR

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 136 Gatewood Ave Danville Va 24541

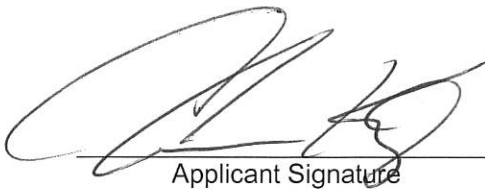
Applicant: Chris Koontz

Applicant's Address: 136 Gatewood Ave.

Applicant's Phone Number: 304-767-8736

Applicant's E-mail: muskeyhunter1967@gmail.com

Describe Proposed Request: to allow 8x12 utility building to remain in place in side yard

 3/11/24
Applicant Signature date

 3/11/24
Property Owner Signature date
(if not applicant)

C. - Uses Permitted by Special Use Permit.

1. Attached residential (townhouse dwellings).
2. Duplex residential dwellings (one dwelling per subdivided lot).
3. Bed and breakfast inn, or tourist home (as defined).
4. Cemeteries.
5. Commercial swimming pools and tennis courts (except as may be approved on a general development plan).
6. Cupolas, spires and steeples for public and semi-public uses.
7. Day care centers (adult and child).
8. Golf course, not including a miniature golf course.
9. Group home.
10. Libraries.
11. Museums, historic sites and shrines.
12. Nursery schools.
13. Private swimming pools and tennis courts.
14. Schools, colleges and universities (public or private).
15. Public uses and utilities.
16. Private clubs and lodges.
17. Private community facilities, recreation uses and other common area improvements normally associated with a planned residential development limited to use by residents.
18. Storage lots for recreational vehicles (for residences within the OT-R District).
19. Temporary real estate marketing offices for new subdivisions.
20. Waiver of side yard requirement for accessory uses.
21. Waiver of minimum lot size and width for single family detached residences located on infill lots with existing public street frontage.
22. Zero lot line residential units (only permitted for new construction).
23. Accessory building or accessory use without a primary building being located on the parcel.
24. Family day care home.
25. Transitional living shelter.
26. Post-release housing.
27. Agriculture.
28. Urban agriculture.
29. Short-term rental, as principal use.







YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
3/18/2024

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City of Danville
Community Development
Planning Division

January 18, 2024

CHRISTOPHER & JENNIFER KOONTZ
136 GATEWOOD AVENUE
DANVILLE, VA 24541

RE: Zoning Violations at 136 Gatewood Avenue

Dear Property Owners:

The purpose of this letter is to inform you of a violation of the Zoning Code at 136 Gatewood Avenue.

This violation involves the following:

Chapter 41 - ZONING ORDINANCE ARTICLE 2. – Q. Fences or walls up to **four (4) feet tall may project into or enclose front** and street side yards. Fences or walls up to eight (8) feet tall may project into or enclose interior side and rear yards.

Chapter 41 – Zoning Ordinance Article 3. E. F. 2. Minimum yard requirements. The building is closer than 6 feet to the side property line and there was no zoning clearance issued.

You, have Ten (10) DAYS from the date of this letter to comply with the provisions of the Code. If you have any questions, please contact me at (434) 799-5260.

Sincerely,

Lisa Jones
Planning Technician
434-799-526 Ext. 3783
joneslk@danvilleva.gov







STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning application PZ24-00135 filed by Fred Webb, Donna Webb, Jennifer Turner, and Sarah Kubic to rezone 533 Piney Forest Road (Parcel 56964) from PS-C Planned Shopping Center Commercial to HR-C Highway Retail Commercial.

SUMMARY

533 Piney Forest Road is a 3.7 acre tract with a vacant single family structure that is currently zoned PS-C Planned Shopping Center Commercial. The adjoining properties, 525 Piney Forest Road to the south and 541 Piney Forest Road to the north, are owned by the applicants and are zoned HR-C Highway Retail Commercial. A rezoning is necessary to allow the owners to consolidate these parcels for sale and potential commercial development.

Rezoning to HR-C, Highway Retail Commercial is compatible with the zoning of the adjacent properties, surrounding area and the Comprehensive Plan. There is no particular development plan at this time.

Forty-one (41) notices were sent out to property owners within three hundred (300) feet. Six (6) notices were received; four (4) unopposed and two (2) opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission recommend approval of rezoning request PZ24-00135. The Highway Retail Commercial classification is compatible with the Comprehensive Plan and surrounding land use.

ATTACHMENTS

1. Rezoning Application 533 Piney Forest Road
2. 533 Piney Forest Rd_AERIALS
3. 533 Piney Forest Rd_OWNERS
4. 533 Piney Forest Rd_LANDUSE



CITY PLANNING COMMISSION

REZONING APPLICATION

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

PLANNING DIVISION PROVIDED INFORMATION

Application #: P224-00135 PC Meeting Date: April 8, 2024
Date Received: 3-11-24 Received By: Renee Burton
Parcel ID: 56964 Zoning District: PSC
Existing Zoning: PSC Proposed Zoning: HRC

APPLICANT PROVIDED INFORMATION

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

Property Address: 533 Piney Forest Rd (PIN 56964) Gross Area/Net Area: 3.728 acres

Property Location: N ☐ S ☐ E ☐ W ☒ Side of: Piney Forest Rd.

Between: 525 Piney Forest Rd. (PIN 51287) and 541 Piney Forest Rd. (PIN 50176)

Proffered Conditions (if any, please attach): _____

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

Name: Fred Webb, Donna Webb, Jennifer Turner, and Sarah Kubic Telephone: (434) 251-7529 (Fred)

Mailing Address: 131 Hemlock Dr, Danville, VA 24540 (Fred)

Email Address: knightsgm60@gmail.com (Fred)

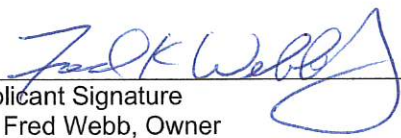
APPLICANT (PLEASE TYPE OR PRINT):

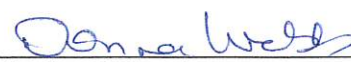
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

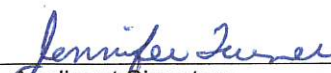
Name: See above Telephone: See above

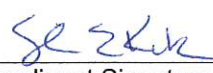
Mailing Address: See above

Email Address: See above

 3/3/24
Applicant Signature date
By: Fred Webb, Owner

 3/3/24
Applicant Signature date
Donna Webb, Owner

 3/3/24
Applicant Signature date
By: Jennifer Turner, Owner

 3-3-24
Applicant Signature date
Sarah Kubic, Owner

March 11, 2024

Via Hand Delivery and Electronic Mail

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

Re: Application for Rezoning submitted by Fred K. Webb, Jr., Donna Webb, Jennifer Turner, and Sarah Kubic

Dear Ms. Burton:

On behalf of Fred K. Webb, Jr., Donna Webb, Jennifer Turner, and Sarah Kubic (the "Applicants"), I am pleased to submit the enclosed application, which is marked as Exhibit A (the "Application"), to rezone Parcel Identification Number 56964 (the "Parcel").

Also enclosed is a check in the amount of \$360.00, representing the City's fee associated with the Application.

Relevant Background Information

In addition to the Parcel, the Applicants own the separate vacant lots – PINs 51287 and 50176, respectively (the "Neighboring Lots") – on either side of the Parcel. While the Neighboring Lots are zoned HRC (Highway Retail Commercial), the Parcel is zoned PS-C (Planned Shopping Center Commercial).

Application for Rezoning

The Applicants request that the Parcel be rezoned HRC, which will allow for (1) consistent zoning across it and the Neighboring Lots and (2) the subsequent replatting of these three properties as one combined parcel, which will allow for easier ultimate disposition of this inherited property.

In addition to conforming the Parcel's zoning designation to that of the Neighboring Lots, rezoning the Parcel as HRC will result in its designation being consistent with nearly all nearby properties on the active commercial corridor of Piney Forest Road.

Compatibility Considerations

The rezoning requested in the Application is in harmony with multiple goals of the City's 2030 Comprehensive Plan: it both (1) has potential to enhance further the Piney Forest Road corridor if the Applicants or another owner desired to pursue commercial development of the

Parcel (other than through a planned shopping center) and, in doing so, (2) would support the continued economic development of the region in a manner that promotes sustainable land use.

Furthermore, the desired rezoning is compatible with that of surrounding properties, given the long-standing commercial activity within this corridor and the HRC designations that reflect this activity.

Finally, the rezoning is also compatible with existing pedestrian and vehicular traffic patterns and preserves the status quo in both respects. The Parcel is also served by public facilities, and the rezoning sought here will not change or require expansion of such service.

Application Requirements for Rezoning

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

* * *

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

Sincerely,



Steven P. Gould

Enclosures

cc: Fred K. Webb, Jr. (w/encls.) [via electronic mail]



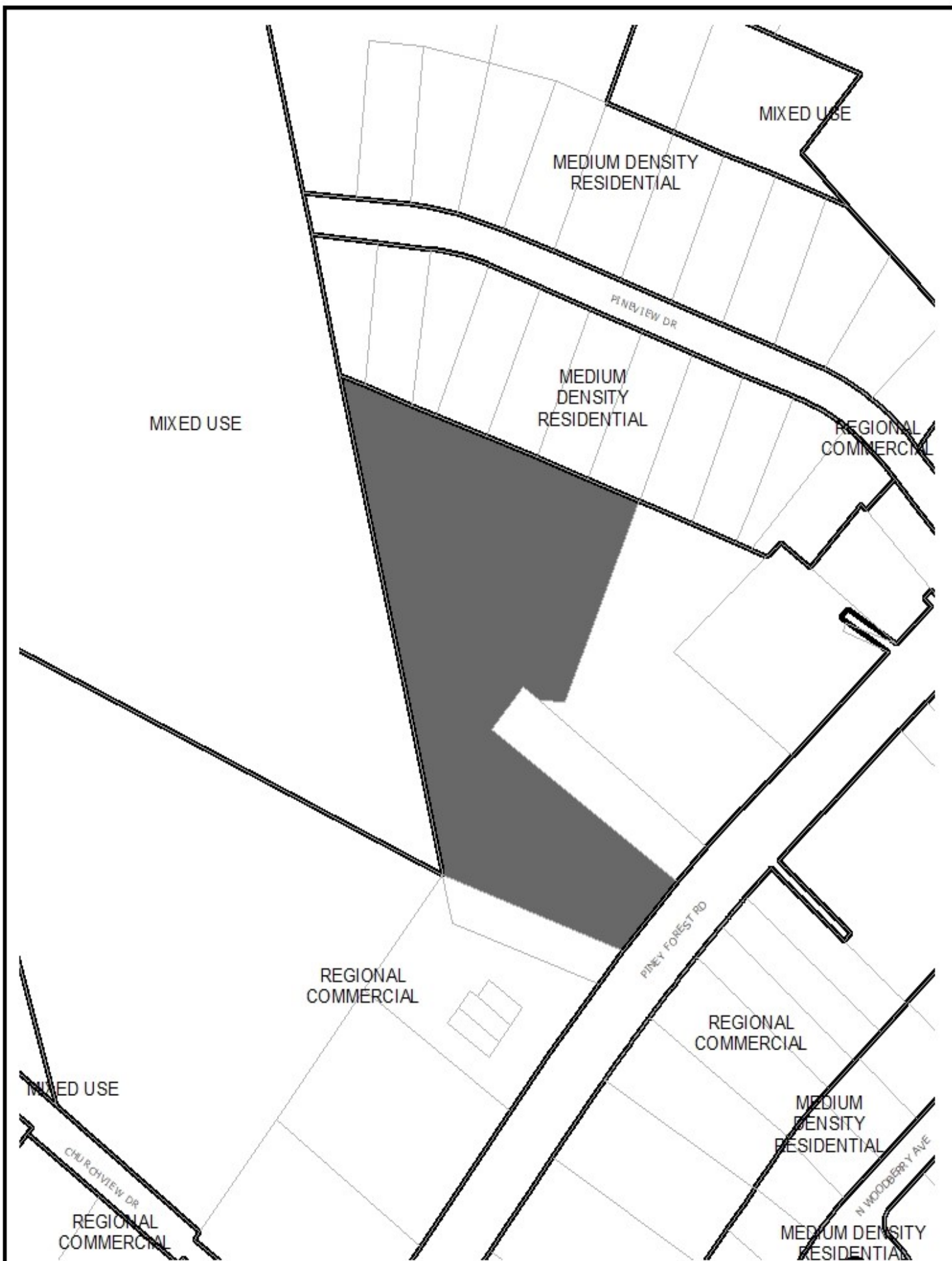


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
3/18/2024

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
3/18/2024

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



STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00134 filed by FHC Holdings LLC to allow uses permitted by right and by special use permit in the HR-C District in accordance with Article 3.O Section C Item 15 at 874 Cahill Court (Parcel 23207).

SUMMARY

874 Cahill Court is the location of a sixty-six thousand square foot warehouse with frontage on the Dan River. The structure was once used by the Dan River Mills Company and is zoned LED-I Light Economic Development. The applicant, FHC Holdings LLC, proposes a contractor's shop, warehouse, offices and associated indoor retail sales at this location.

The property will be occupied by J.W. Squire Company, Inc. J.W. Squire supplies and installs interior finishes such as paint, flooring, counter tops, window treatments and tiles for ceilings and walls. The new location at 874 Cahill Court will allow the company to consolidate the company's services from multiple buildings to one. The operation will require off-street parking. While there is no on-site parking, the applicant has proposed a parking solution by providing nearby parking facility for the project.

LED-I, Article 3.O, does not allow for contractor offices or retail sales by right. However, Article 3.O Section C Item 15 of the Zoning Code allows uses that are permitted by right and special use permit in the HR-C District, Article 3.M, to occur with the approval of a Special Use Permit. Items 26 and 34 in the HR-C zoning classification allow retail sales and contractor offices, respectively.

Ten (10) notices were sent out to property owners within three hundred (300) feet. Two (2) unopposed notices were received.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of PZ24-00134 to grant a Special Use Permit in accordance with Article 3.0 Section C Item 15 to allow a contractor's office and retail sales at 874 Cahill Court.

ATTACHMENTS

1. Special Use Permit Application 874 Cahill Court
2. 874 Cahill Ct_AERIALS
3. 874 Cahill Ct_OWNERS
4. 874 Cahill Ct_LANDUSE



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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

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

PLANNING DIVISION PROVIDED INFORMATION

Application #: P224-00134 PC Meeting Date: April 8, 2024
Date Received: 3-11-24 Received By: Renee Burton
Parcel ID: 23207 Address: 874 Cahill Court
Existing Zoning LEDI Future Land Use: LEDI

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 874 Cahill Court

Applicant: FHC Holdings LLC

Applicant's Address: 2795 Loop Road, Keeling, VA 24566

Applicant's Phone Number: (434) 792-3822

Applicant's E-mail: SMerricks@jwsquirecoinc.com

Describe Proposed Request: See attached letter

Steve D. Zell 3/11/2024
Applicant Signature date
Counsel for FHC Holdings LLC

Property Owner Signature date
(if not applicant)

March 11, 2024

Via Hand Delivery and Electronic Mail

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

Re: Application for Special Use Permit submitted by FHC Holdings LLC

Dear Ms. Burton:

On behalf of FHC Holdings LLC (the “Applicant”), I am pleased to submit the enclosed application, which is marked as Exhibit A (the “Application”), for a special use permit for Parcel Identification Number 23207 (the “Parcel”).

Also enclosed is a check in the amount of \$360.00, representing the City’s fee associated with the Application.

Relevant Background Information

The Parcel is home to a storage warehouse that is currently zoned LED-I (Light Economic Development – Industrial). The Applicant acquired the Parcel in December 2023 and wishes to operate a contractor’s office and shop with associated retail sales.

Application for Special Use Permit

Article 3.O.B of the City of Danville’s Zoning Ordinance allows, as a special use on LED-I-zoned parcels, “[u]ses permitted by right and by special use permit in the HR-C District.”

Article 3.M.B identifies both “[c]ontractor’s offices and shops” and “[r]etail sales and leasing establishments, with screened outdoor sales or display of products limited to no greater than 15% of the net developable lot area” as permitted uses on HR-C-zoned parcels.

As such, the Applicant seeks a special use permit for these two specific uses.

Please note that (i) the Applicant does not anticipate any outdoor sales or display and (ii) sales will be a secondary use of the Parcel.

The Applicant is also in the process of securing parking to serve the Parcel should these additional uses be approved; in the event there is any delay in securing the same, the Applicant may request that consideration of its Application be delayed for a short period by the Planning Commission.

Compatibility Considerations

The rezoning requested in the Application is in harmony with the City's 2030 Comprehensive Plan, as it supports and promotes the City's existing economic base: the Parcel will provide support for multiple local businesses that are actively engaged in, or provide key support to, the construction industry.

Furthermore, the desired rezoning is compatible with that of surrounding properties, given the long-standing commercial activity in this area.

Finally, the rezoning is also compatible with existing pedestrian and vehicular traffic patterns and preserves the status quo in both respects. The Parcel is also served by public facilities, and the rezoning sought here will not change or require expansion of such service.

Application Requirements for Rezoning

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

* * *

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

Sincerely,

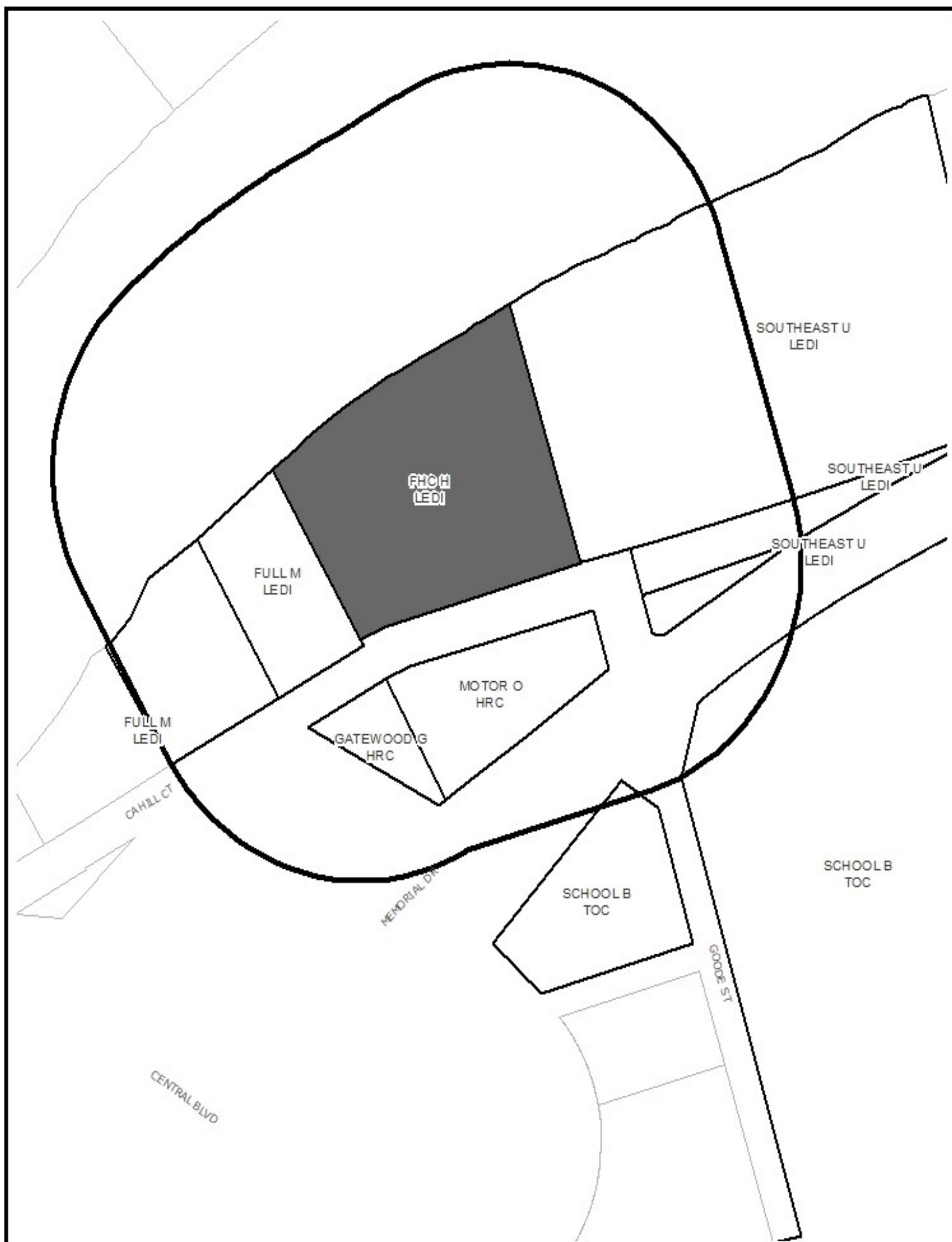


Steven P. Gould

Enclosures

cc: FHC Holdings LLC (w/encls.) [via electronic mail]



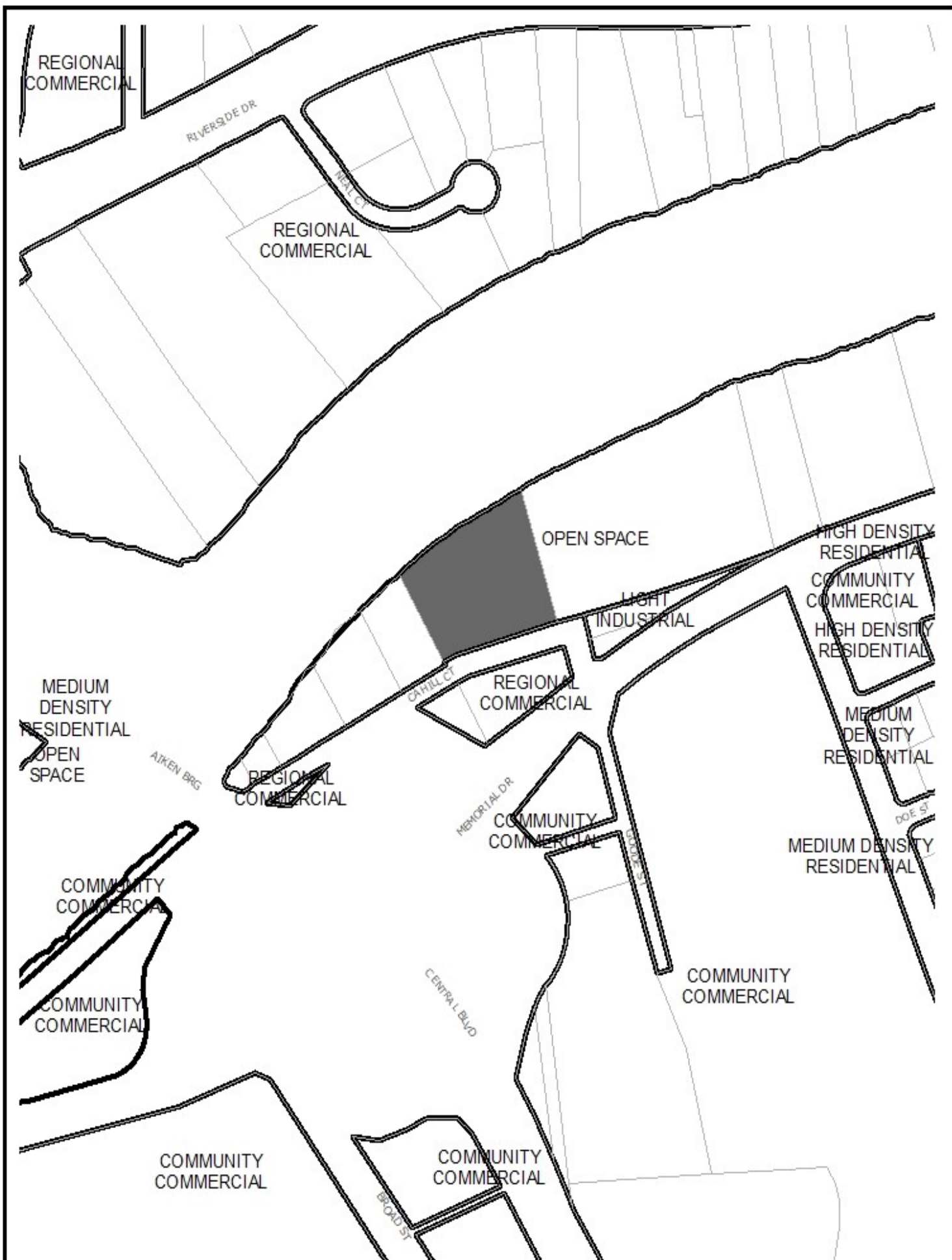


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
3/18/2024

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
3/18/2024

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STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning application PZ24-00136 filed by David McLaughlin to rezone 221 South Main Street (Parcels 24101 and 25694) from OT-R Old Town Residential to TO-C Transitional Office.

SUMMARY

221 South Main Street and the adjacent parking lot (Parcel ID 25694) is zoned OT-R, Old Town Residential. The structure has been historically utilized as the L.H. Brooks funeral home, but has remained vacant since 2007. Funeral home operations were conducted at this location under a legal non-conforming or grandfathered status from 2004-2007. The OT-R zoning classification does not allow funeral home operations, but due to its historic and continued use as a funeral home, it was allowed to remain in operation. The vacancy of the structure since 2007 has void the non-conforming status. Any proposed use must comply with the regulations of the OT-R designation.

The applicant, David McLaughlin, has requested to return the structure to its historic use as a funeral home. Approval of a rezoning request from OT-R to TO-C, Transitional Office Commercial, is necessary for this proposal. The TO-C zoning classification allows the operation of funeral home services by right. The adjacent parking lot must be rezoned from OT-R to TO-C as well to allow consolidation of the two (2) parcels.

To the north of the subject is a medical facility zoned TO-C, to the west are medical facilities and floral shop zoned N-C, Neighborhood Commercial and to the south and east there is a mixture of N-C and OT-R zoning for structures used commercially and as single family dwellings.

Forty (40) notices were sent out to property owners within three hundred (300) feet. One (1) unopposed notice was received.

RECOMMENDATION

The Planning Staff recommends that City Planning Commission recommend approval of PZ24-00136 to rezone 221 South Main Street and Parcel ID 25694 with the condition that the parcels be consolidated prior to operation. The requested rezoning is consistent with the

surrounding zoning and land use.

ATTACHMENTS

1. Rezoning Application 221 S Main Street
2. 221 S Main St_AERIALS
3. 221 S Main St_OWNERS
4. 221 S Main St_LANDUSE



CITY PLANNING COMMISSION

REZONING APPLICATION

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

PLANNING DIVISION PROVIDED INFORMATION

Application #: P224-00136 PC Meeting Date: April 8, 2024
Date Received: 3-12-24 Received By: LIBA JONES
Parcel ID: 24101 Zoning District: OTR
Existing Zoning: OTR Proposed Zoning: Toc

APPLICANT PROVIDED INFORMATION

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

Property Address: 221 S Main St Gross Area/Net Area: 6540
Danville Va 24541

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

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

Name: David L. McLaughlin Telephone: 202-577-7548

Mailing Address: 221 S. Main St, Danville VA 2454

Email Address: dimgoodman2007@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: _____

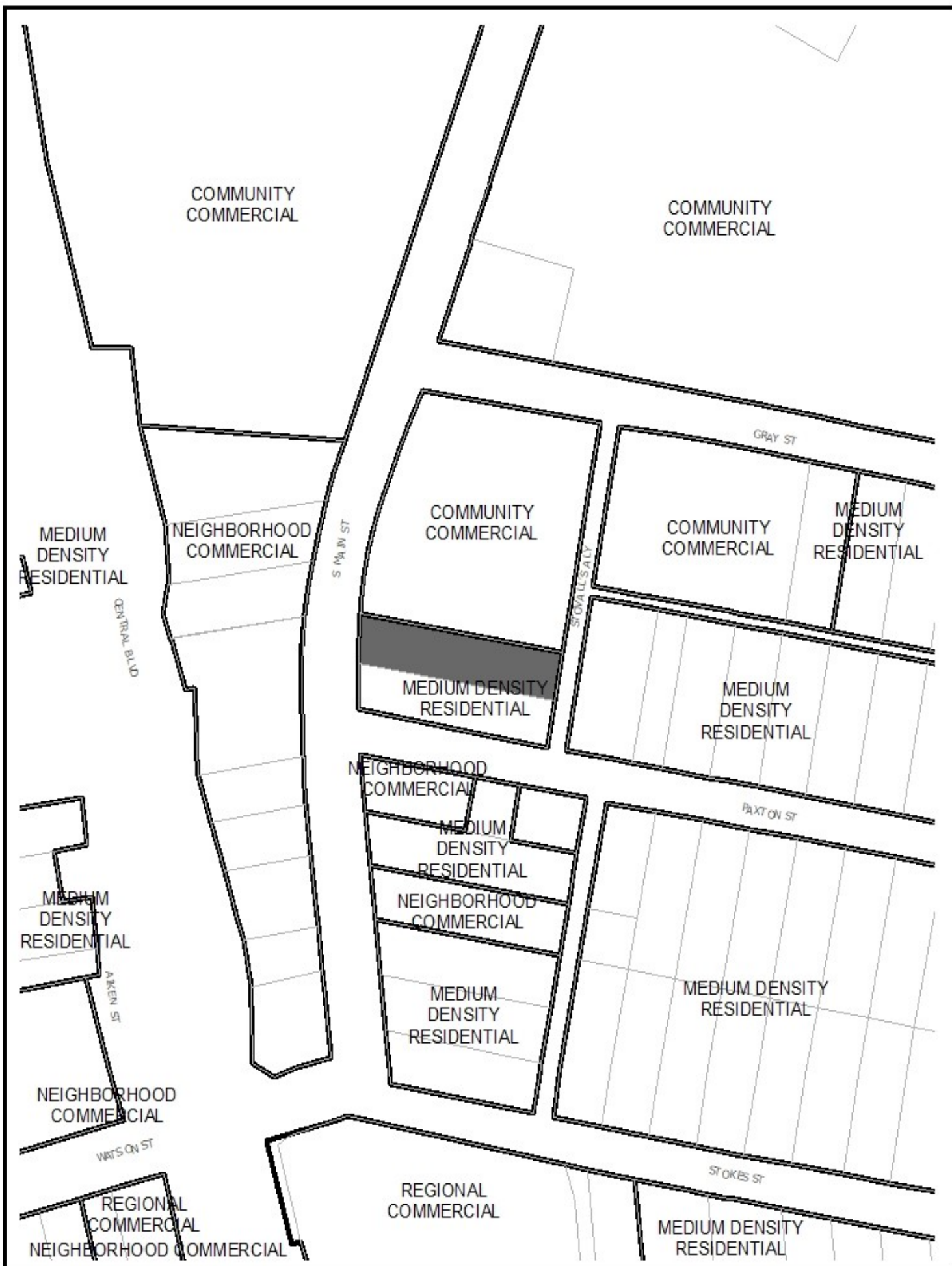
Mailing Address: _____

Email Address: _____

David L. McLaughlin 3/12/24
Applicant Signature date

David L. McLaughlin 3/12/24
Property Owner Signature date
(if not applicant)





YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
3/18/2024

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STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00137 filed by Dewberry to allow a waiver of yard requirements in accordance with Article 3.O Section C Item 25 at 424 Airport Drive (Parcel 76366).

SUMMARY

The applicant is requesting a Special Use Permit for waiver of yard requirements at 424 Airport Drive in accordance with Article 3.O. Section C Item 25 to allow a twenty (20) foot front yard setback. 424 Airport Drive is home to Danville Regional Airport and is located in the LED-I Light Economic Development District. The LED-I district requires a front, side, and rear setback of fifty (50) feet where the property line is the exterior boundary of the property. The proposed project is located on the exterior boundary of the industrial park.

The proposed 12,532 square foot hanger will be the location of the new Danville Aviation Training Facility. The Training Facility will be utilized by both Danville Community College's Aviation Maintenance Technology Program and Averett University's Aeronautics Program.

The facility is designed to enhance the programs at both schools by providing advanced education, research and training. The facility will also impact our community through economic growth, advanced education opportunities and enhanced site improvements to Danville's Regional Airport.

Fifty-one (51) notices were sent out to property owners within three hundred (300) feet. Three (3) Unopposed notices were received,

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of PZ24-00137 to grant a waiver of the front yard at 424 Airport Drive to reduce the front yard setback to no less than twenty (20) feet.

ATTACHMENTS

1. Special Use Permit 424 Airport Drive
2. Plans
3. 424 Airport Dr_AERIALS

4. 424 Airport Dr_OWNERS
5. 424 Airport Dr_LANDUSE



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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

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

PLANNING DIVISION PROVIDED INFORMATION

Application #: P224-00137 PC Meeting Date: April 8, 2024
Date Received: 3-12-24 Received By: Renee Burton
Parcel ID: 16366 Address: 424 Airport Drive
Existing Zoning: LEDI Future Land Use: LEDI

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 424 Airport Drive Danville, VA 24540, Parcel #76366

Applicant: Larry Hassan

Applicant's Address: 551 Piney Forest Rd Danville, VA 24540

Applicant's Phone Number: 434.549.8509

Applicant's E-mail: lhassan@dewberry.com

Describe Proposed Request: _____

Request for a waiver of yard requirements through the issuance of a special use permit for
the proposed Danville Aviation Training Facility. The special use permit would allow the
proposed facility to have a setback of 20 feet from the edge of the public right-of-way.

Larry Hassan 3.12.24
Applicant Signature date

Marc Adair 3/12/24
Property Owner Signature date
(if not applicant)

From: billpay@paymentus.com
To: [Miraglia, Jeanne](#)
Subject: Payment Confirmation
Date: Tuesday, March 12, 2024 12:04:15 PM

[CAUTION] External Email. DO NOT click links or open attachments unless expected. Please use the "Phish Alert" button to report all suspicious emails.

Dear DEWBERRY ENGINEERS,

We are pleased to confirm your payment with City of Danville. Below is the summary of your payment transaction. Your payment has been received. Payments typically take 2 business days to post to your bill's account, but could possibly take longer. If your account is pending disconnect, please contact Customer Accounts at 434-799-5125 to provide your confirmation number. Thank you for your continued relationship with City of Danville.

Confirmation number: **1330597753**
Payment date: **Mar 12, 2024, 12:04:08 PM**
Payment amount: **\$360.00**

Payment status: **ACCEPTED**

Contact Information

First name: **Dewberry**
Last name: **Engineers**

ZIP Code: **22031**
Daytime Phone Number: **(434) 549-8509**
Email: **jmiraglia@dewberry.com**

Account Information

Payment type: **Cityworks Fees**
Account Number: **PZ24-00137**
Payment method: **Credit Card**

Payment Method Information

Card type: **Visa**
Card number: *******3301**
Card holder name: **Dewberry Engineers Inc.**

March 12, 2024

City of Danville
Attn: Renee Burton, Director of Planning & Zoning
City of Danville Municipal Building
427 Patton Street
Danville, Virginia 24511

RE: Danville Aviation Training Facility

Dear Ms. Burton,

Dewberry & Davis Inc., on behalf of The City of Danville, formally requests a waiver of yard requirements through the issuance of a Special Use Permit (SUP) granted by the City's Planning Commission and City Council. This SUP is for the new construction of the Danville Aviation Training Facility located at 424 Airport Drive Danville, Virginia 24540. The parcel containing the extents of this project is identified as parcel #76366, totaling 961.7 acres. This parcel includes the entirety of the Danville Regional Airport (including hangars and runway) as well as other city-owned buildings such as a fire station, a park, and its appurtenances (shelters, restrooms, etc.). Property considered as part of the "site" described in this written statement is located at the north end of this parcel, between 423 Airport Drive and 424 Airport Drive.

The Danville Regional Airport and its related hangars and outbuildings are zoned as Light Economic Development- Industrial (LED-I) and exists within the Airport Overlay District. The proposed Training Facility is located with close adjacencies to existing buildings on the airport's campus as well as residential parcels across Airport Drive. Within the parcel boundary, the Training Facility is immediately adjacent to airplane hangars: Hangar 100, Hangar 200, and Hangar 400. Fire Station 7 (423 Airport Drive) is approximately 215 feet north of the Training Facility and is separated by an existing enclosed parking lot serving Hangar 100. A parking lot immediately south of Hangar 400 and the proposed site for the Training Facility creates a boundary between these buildings and other buildings on the airport's campus. Residential parcels #76394, #76484, and #76385, numbered 411, 412, and 414 respectively, are located directly across Airport Drive from the proposed site for the Training Facility.

This facility is meant to serve as a home to both Danville Community College's Aviation Maintenance Technology Program and Averett University's Aeronautics Program, allowing each program to grow, outreach, and enroll more students into each programs. The facility will provide a total of 12,532 square feet of usable space for the programs including spaces for shop space, labs, classrooms, flight simulators, student lounge, instructor cubicles, and administration offices. This Training Facility aligns with the goals of the 2030 comprehensive plan by creating economic growth, increases in research, advanced education, and workforce training, as well as enhancements to the Danville Regional Airport, its corridor, its buildings, and its surrounding neighborhood. This building will positively improve the architectural diversity of Airport Drive by appropriately massing the structure within its immediate and surrounding context and through a material palette that foregrounds the building against traditional airport archetypes. Additionally, the Training Facility will provide additional landscaping and site improvements to further improve the site.

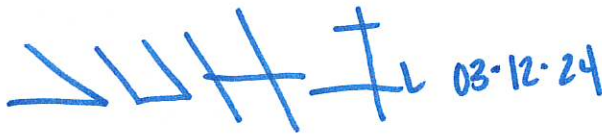
Per the City of Danville's zoning ordinance for LED-I Industrial district, the bulk regulations (Ord. No. 2004-02.04, Art. 3.O, § G) state that a fifty (50') yard setback is required at the exterior

Ms. Renee Burton
Danville Aviation Training Facility
RFP #50169876
March 12, 2024

boundary of an industrial park. Given that the proposed location of the Training Facility is on the exterior boundary of the Danville Regional Airport parcel along Airport Drive, this would require the facility to have a front setback of fifty (50') feet. In order for this project to be programmatically functional and achieve the goals aforementioned in this statement, the building will need to be placed in front of the existing hangars: Hangar 100, Hangar 200, and Hangar 300. This relationship between the facility and its context creates inefficiencies in the overall project budget and program with the 50' setback requirements by-right. We request that the Planning Commission gives considerations to this project to issue a waiver of yard requirements to reduce the setback minimum to twenty (20') feet from the exterior boundary of the Airport parcel. As currently drawn, the proposed Training Facility will have a setback of 25' – 7" taken from the edge of curb of Airport Drive. Even so, we ask that a 20' setback be considered in order to create a contingency as site design and development continues. Furthermore, looking at the existing structures on the exterior boundary of the Airport's parcel, building setbacks are not consistent and vary from approximately 3 feet to 40 feet. The Danville Regional Airport Terminal creates precedent for this request and is placed approximately 28 feet from the parcel boundary.

This project will afford ample opportunities and improvements to the City of Danville, its residents, and visitors alike, therefore considerations should be made in order to grant its success and impact in the area.

Sincerely,

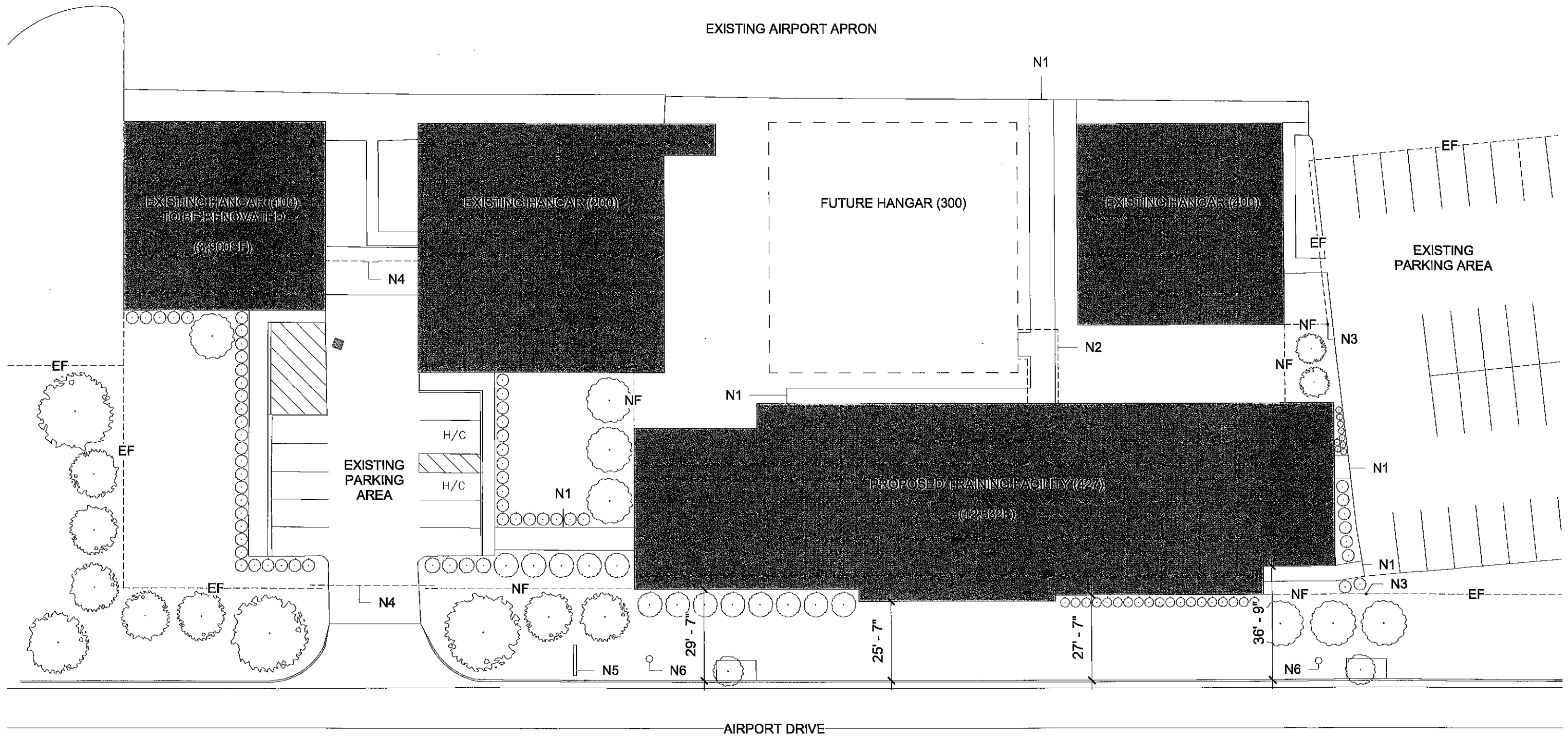


Larry Hasson

Associate Principal; Architectural Department Manager



 Dewberry Dewberry Engineers Inc. 551 Piney Forest Road Danville, VA 24540 434.797.4497 Phone 434.797.4341 Fax www.dewberry.com	Subject:	SITE EXTENTS	
	Project:	AVIATION TRAINING FACILITY	
	Date:	03/12/24	Figure:
	Scale:	1" = 400'-0"	1
	Project No.:	50169876	



KEYNOTE LEGEND

---EF---	EXISTING FENCE	N1	NEW HARDSCAPE	N3	CONNECT NEW FENCE TO EXISTING	N5	NEW MONUMENTAL SIGN
---NF---	NEW FENCE	N2	NEW OVERHEAD CANOPY	N4	EXISTING SLIDING GATE	N6	EXISTING POLE LIGHT



Subject:
CAMPUS PLAN

Project:
AVIATION TRAINING FACILITY

Date:
03/12/24
Scale:
1/32" = 1'-0"
Project No.:
50169876

Figure:
2



FIRE STATION 7



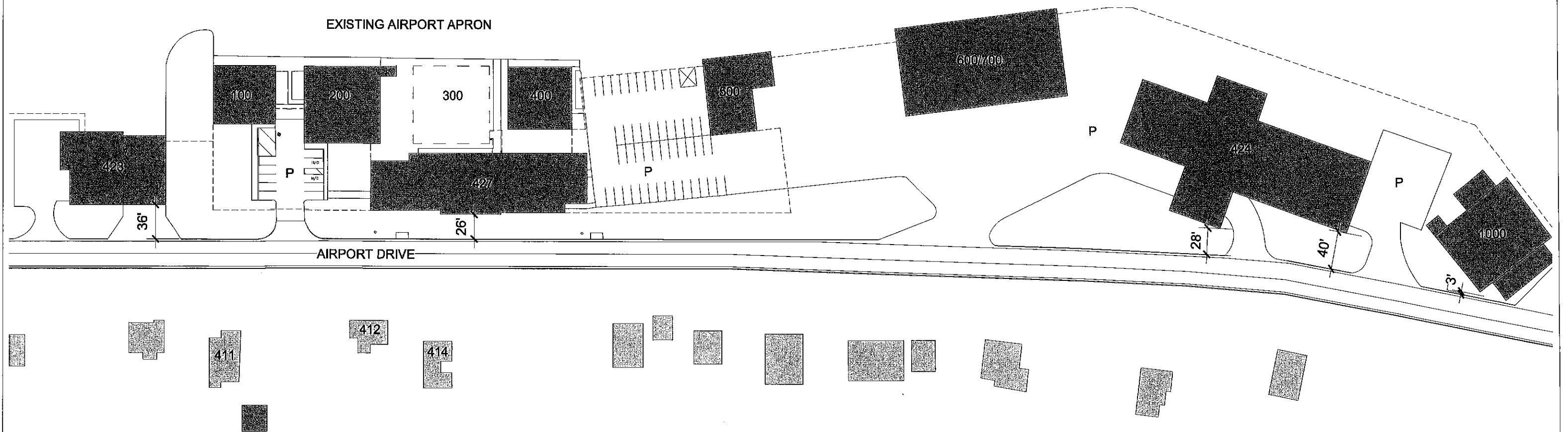
PROPOSED SITE



AIRPORT TERMINAL



HANGAR 1000



AIRPORT BUILDING LEGEND

100	Existing Hangar
200	Existing Hangar
300	Future Hangar
400	Existing Hangar
411	Residential
412	Residential
414	Residential
423	Danville Fire Station #7
424	Danville Regional Airport Terminal
427	Proposed Training Facility
500	Civil Air Patrol Facility
600/700	Averett University Flight Center
1000	Existing Hangar
P	Parking Area



Dewberry Engineers Inc.
551 Piney Forest Road
Danville, VA 24540
434.797.4497 Phone
434.797.4341 Fax
www.dewberry.com

Subject:

ADJACENT SETBACKS

Project:

AVIATION TRAINING FACILITY

Date:

03/08/24

Scale:

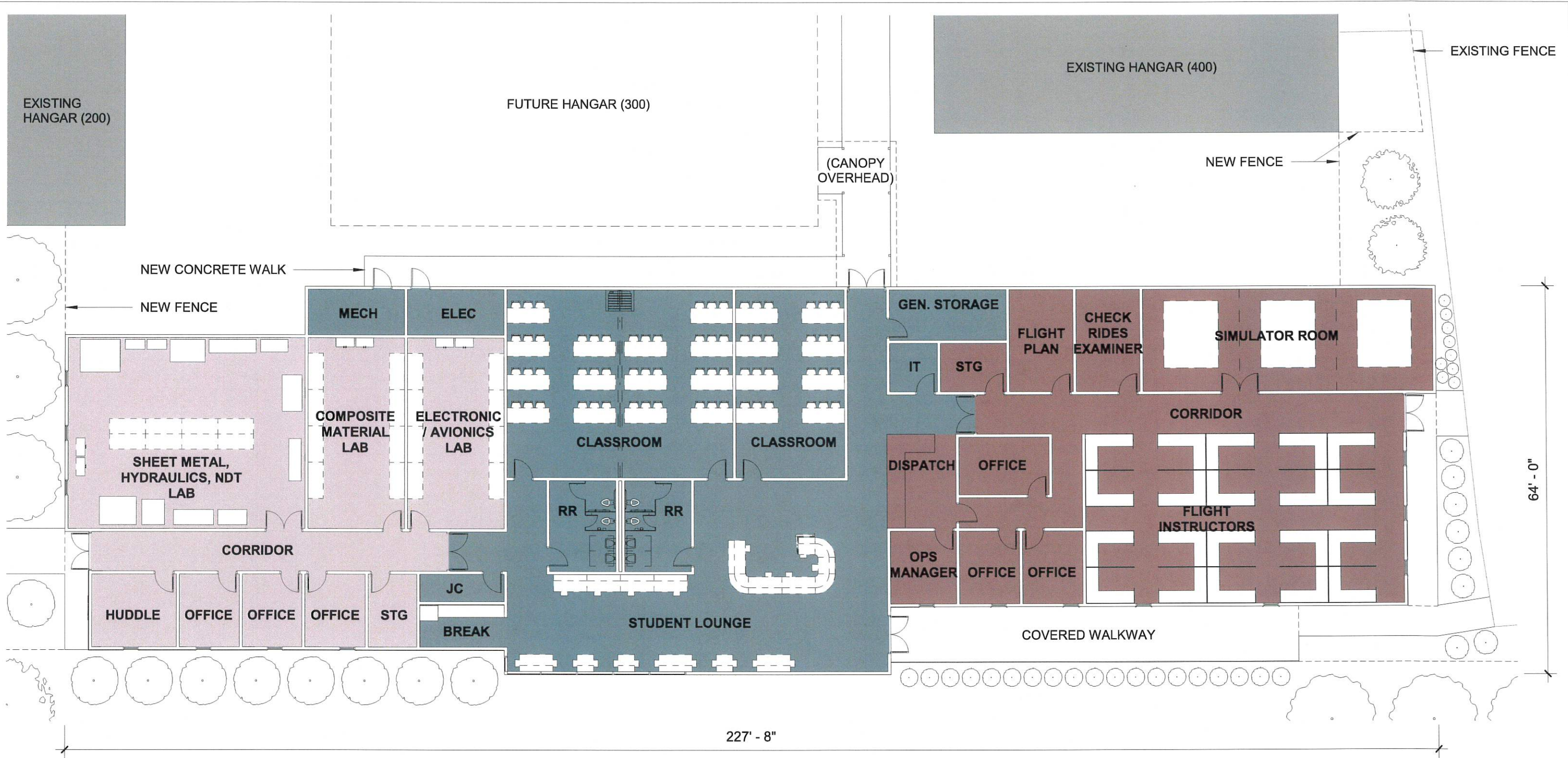
1" = 100'-0"

Project No.:

50169876

Figure:

4



AVERETT
 DCC
 SHARED

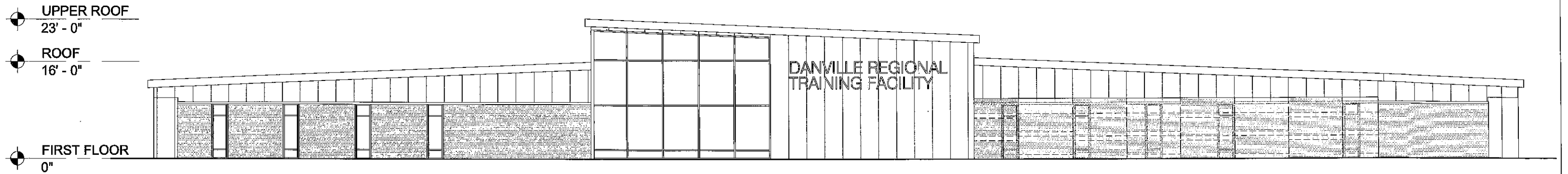
BUILDING AREA	
AVERETT	4,226 SF
DCC	3,434 SF
SHARED	4,872 SF
	12,532 SF

Dewberry
 Dewberry Engineers Inc.
 551 Piney Forest Road
 Danville, VA 24540
 434.797.4497 Phone
 434.797.4341 Fax
 www.dewberry.com

Subject:
FLOOR PLAN - TRAINING CENTER
 Project:
AVIATION TRAINING FACILITY

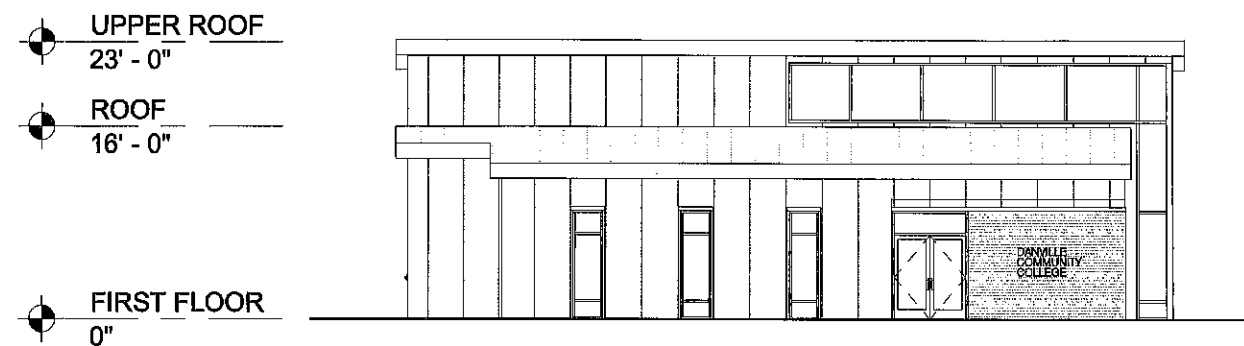
Date:
03/12/24
 Scale:
1/16" = 1'-0"
 Project No.:
50169876

Figure:
5



1 AIRPORT DRIVE ELEVATION

Scale: 1/16" = 1'-0"



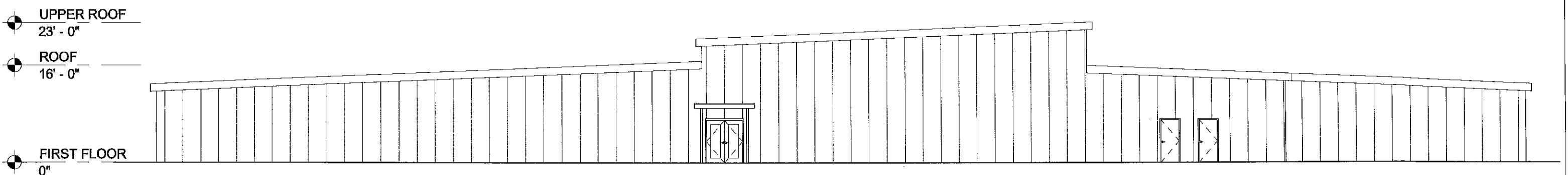
2 NORTH ELEVATION

Scale: 1/16" = 1'-0"



3 SOUTH ELEVATION

Scale: 1/16" = 1'-0"



4 REAR ELEVATION

Scale: 1/16" = 1'-0"



Dewberry Engineers Inc.
551 Piney Forest Road
Danville, VA 24540
434.797.4497 Phone
434.797.4341 Fax
www.dewberry.com

Subject:

BUILDING ELEVATIONS

Project:

AVIATION TRAINING FACILITY

Date:

03/12/24

Scale:

1/16" = 1'-0"

Project No.:

50169876

Figure:

6





STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00152 filed by Henry Leggett to allow waiver of lot frontage requirements on a public street and waiver of requirements for public water in accordance with Article 3.A Section C Items 18 and 19 at 201 Little River Road (Parcel 70874).

SUMMARY

The subject property, 201 Little River Road, is a 127 acre parcel in the Sandy River Residential District that the applicant intends to subdivide. The new parcel will have no access to public water service nor public road frontage. Article 3.A Section C of the zoning code Items 18 and 19 allow a waiver of lot frontage and waiver of requirements for public water and sewer service by Special Use Permit request in the SR-R Sandy River Residential zoning district.

The subdivision will result in a new parcel for the construction of a single family home.

Construction of a home on a parcel without frontage or public services is not uncommon in the Sandy River Residential District. The Sandy River Residential District is categorized by its large tracts of land and agricultural uses.

Thirty-nine (39) notices were sent out to property owners within three hundred (300) feet. Five (5) unopposed notices were received.

RECOMMENDATION

The Planning Division recommends that the City Planning Commission recommend approval of PZ24-00152 submitted by Henry Leggett requesting a Special Use Permit to grant a waiver to subdivide a parcel to create a lot without road frontage and to construct a home without public services in accordance with Article 3.A. Section C Items 18 and 19 at 201 Little River Road (Parcel 70874).

ATTACHMENTS

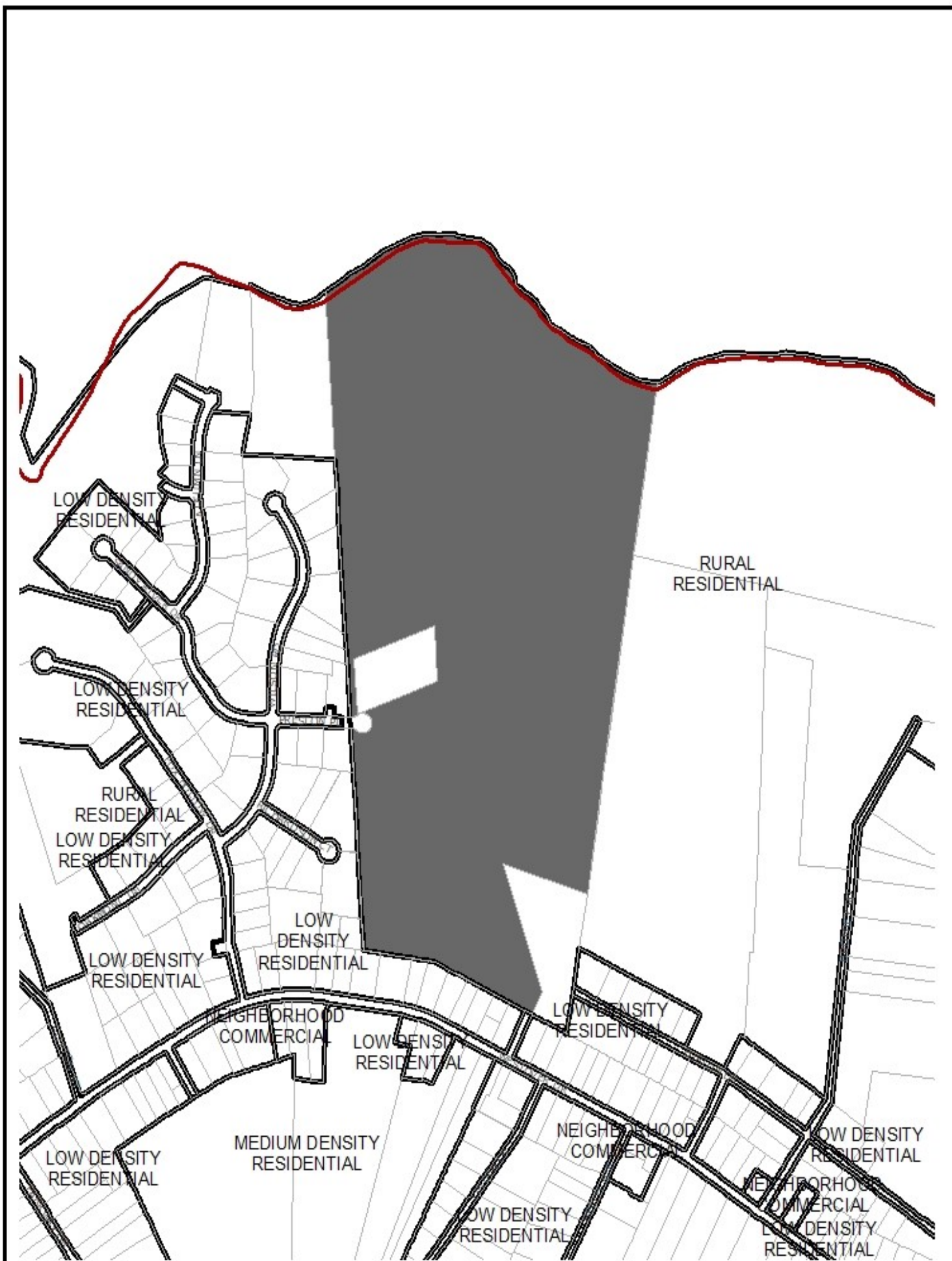
1. Picture (1)
2. 201 Little River Road_AERIALS
3. 201 Little River Road_OWNERS
4. 201 Little River Road_LANDUSE







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
3/15/2024

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



STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Code Amendment Request PZ24-00153 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically, amend Article 3.X Section H to create Item 19 "Car washes".

SUMMARY

Article 3.X Section H identifies prohibited uses within the West Main Corridor Overlay. The West Main Corridor Overlay (WMCO) stretches along West Main Street from the North Carolina border to the intersection of Rison Street. It has been requested that Item 19 "Car Wash" be added to the list of prohibited uses in the WMCO.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend that the City Council approve Code Amendment PZ24-00153 to allow automatic car wash facilities as a prohibited uses.

ATTACHMENTS

None



STAFF REPORT

DATE: April 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Plat Dedication of right of way

SUMMARY

In accordance with Article 14 Section A Item 9 it is an assigned duty of the City Planning Commission to "Approve or disapprove the general or approximate location, character and extent of streets, parks or other public areas, public buildings, public structures, public utilities, or public service corporations other than railroads, whether publicly or privately owned".

Before the Commission today is a review of the plat titled "Right of Way Dedication of the Properties of Caesars Virginia LLC, The City of Danville, The Industrial Development Authority of Danville Virginia and 1076 Schoolfield LLC". The plat is dated 03-27-2024. The plat dedicates a total of 1.982 acres of property owned by Caesars Virginia LLC, The City of Danville, The Industrial Development Authority of Danville Virginia and 1076 Schoolfield LLC to create a new public street that will intersect West Main Street.

RECOMMENDATION

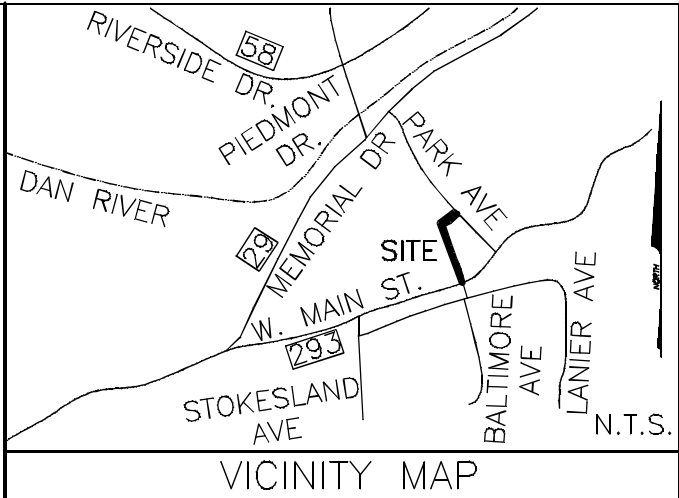
The Planning Staff recommends that the City Planning Commission accept the right of way proposed on the plat titled "Right of Way Dedication of the Properties of Caesars Virginia LLC, The City of Danville, The Industrial Development Authority of Danville Virginia and 1076 Schoolfield LLC".

ATTACHMENTS

1. Plat

NOTES:

1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY AS PER DATE OF THIS PLAT AND THERE ARE NO READILY APPARENT EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE, DOES NOT NECESSARILY SHOW ALL ENCUMBRANCES ON THE PROPERTY.
3. THE AREA SHOWN HEREON IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD ZONE PER FEMA FLOOD MAP 51143C0633E EFFECTIVE 9-29-2010.
4. THIS SURVEY DOES NOT ADDRESS THE EXISTENCE, DETECTION, OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR ANY ENVIRONMENTAL PROBLEMS LOCATED ON THE SURVEYED PREMISES.
5. NOT ALL PHYSICAL IMPROVEMENTS ARE NECESSARILY SHOWN AS PART OF THIS RIGHT OF WAY DEDICATION SURVEY. ONLY IMPROVEMENTS WHICH ENCROACH ON THE LINE OR ARE IN CLOSE PROXIMITY TO THE LINE ARE SHOWN.



CITY APPROVAL CERTIFICATION:
I CERTIFY THAT THIS PLATTING IS IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE AND HEREBY APPROVED IN ACCORDANCE WITH CODE OF THE CITY OF DANVILLE 2004, AS AMENDED.

CITY ENGINEER

ZONING ADMINISTRATOR

THE DEDICATION OF RIGHT OF WAY SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS. ALL RIGHT OF WAY AND ROADS ARE OF THE WIDTH AND EXTENT SHOWN AND ARE DEDICATED TO PITTSYLVANIA COUNTY, FREE AND UNRESTRICTED BY ANY PREVIOUS AGREEMENTS EXCEPT AS NOTED ON THIS PLAT AS OF THE TIME OF RECORDATION. THE DEDICATION OF RIGHT OF WAY TO THE CITY OF DANVILLE INCLUDES GRANTING THE MAINTENANCE OF PUBLIC FACILITIES WITHIN THE BOUNDARIES OF THE RIGHT OF WAY SHOWN HEREIN. ALL RIGHT OF WAY IS FOR SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES, EXCEPT AS RESTRICTED IN THE USE AS SHOWN ON THIS PLAT.

THE RIGHT OF WAY DEDICATION OF LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LOT AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

SIGNED

NAME TITLE

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/ CITY OF _____
I, _____, A
NOTARY PUBLIC IN AND FOR THE STATE
AFORESAID, DO HEREBY CERTIFY THAT THE
OWNER:

WHOSE NAME
(NAME) (TITLE)
IS SIGNED HEREON HAS ACKNOWLEDGED THE
SAME BEFORE ME THIS ____ DAY OF _____
20____.

MY COMMISSION EXPIRES: _____

THE RIGHT OF WAY DEDICATION OF LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LOT AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

SIGNED

NAME TITLE

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/ CITY OF _____
I, _____, A
NOTARY PUBLIC IN AND FOR THE STATE
AFORESAID, DO HEREBY CERTIFY THAT THE
OWNER:

WHOSE NAME
(NAME) (TITLE)
IS SIGNED HEREON HAS ACKNOWLEDGED THE
SAME BEFORE ME THIS ____ DAY OF _____
20____.

MY COMMISSION EXPIRES: _____

THE RIGHT OF WAY DEDICATION OF LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LOT AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

SIGNED

NAME TITLE

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/ CITY OF _____
I, _____, A
NOTARY PUBLIC IN AND FOR THE STATE
AFORESAID, DO HEREBY CERTIFY THAT THE
OWNER:

WHOSE NAME
(NAME) (TITLE)
IS SIGNED HEREON HAS ACKNOWLEDGED THE
SAME BEFORE ME THIS ____ DAY OF _____
20____.

MY COMMISSION EXPIRES: _____

THE RIGHT OF WAY DEDICATION OF LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LOT AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

SIGNED

NAME TITLE

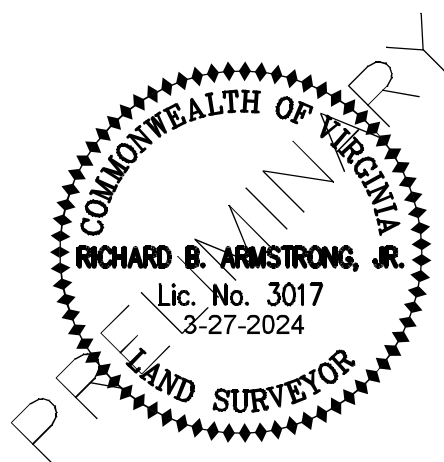
COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/ CITY OF _____
I, _____, A
NOTARY PUBLIC IN AND FOR THE STATE
AFORESAID, DO HEREBY CERTIFY THAT THE
OWNER:

WHOSE NAME
(NAME) (TITLE)
IS SIGNED HEREON HAS ACKNOWLEDGED THE
SAME BEFORE ME THIS ____ DAY OF _____
20____.

MY COMMISSION EXPIRES: _____

CITY OF DANVILLE SURVEYORS CERTIFICATE (SUBDIVISIONS):
SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE PLANNING COMMISSION AND CITY COUNCIL, AND ORDINANCES OF THE CITY OF DANVILLE, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS, DIVISIONS WITHIN THE CITY HAVE BEEN COMPLIED WITH GIVEN UNDER MY HAND THIS 28th DAY OF MARCH, 2024.

RICHARD B. ARMSTRONG, JR. LS 3017



SHEET 1 OF 3		
DRAWN BY: JBT	DATE: 3-27-2024	PROJECT #240105
PLAT SHOWING RIGHT OF WAY DEDICATION OF THE PROPERTIES OF CAESARS VIRGINIA LLC., THE CITY OF DANVILLE VIRGINIA, THE INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE VIRGINIA, AND 1076 SCHOOLFIELD LLC. CITY OF DANVILLE, VIRGINIA		

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	50°57'32"	89.31'	79.43'	N 25°00'46" E	76.84'
C2	39°44'49"	62.01'	43.02'	N 34°04'32" W	42.16'
C3	35°22'00"	225.00'	138.88'	N 31°54'39" W	136.69'
C4	2°56'28"	355.79'	18.26'	N 74°16'40" E	18.26'
C5	27°30'07"	355.79'	170.78'	N 59°04'51" E	169.14'
C6	22°51'20"	405.79'	161.87'	S 57°04'14" W	160.80'
C7	82°59'31"	30.00'	43.45'	S 27°18'33" W	39.75'
C8	7°02'51"	175.00'	21.53'	S 17°54'10" E	21.51'
C9	28°18'47"	175.00'	86.48'	S 35°25'49" E	85.60'
C10	35°27'17"	225.00'	139.23'	S 31°51'33" E	137.02'

LINES TO BE VACATED					
C11	29°07'45"	127.53'	64.84'	S 35°01'18" E	64.14'
C12	35°27'29"	93.00'	57.55'	S 31°51'33" E	56.64'

CAESARS VIRGINIA LLC.
INST 20-4884
INST 13-4305 (PLAT)
PID 51530

78.16 ACRES (PID 51530) (FROM RECORD)
-1.245 ACRES (PARCEL '1')
76.915 ACRES (RESIDUE)

LINES 'A' TO 'B' &
'C' TO 'D' HEREBY ESTABLISHED

1076 SCHOOLFIELD LLC.
INST 20-854
INST 20-0398 (PLAT)
PID 60570

1076 SCHOOLFIELD LLC.
INST 20-854
INST 07-2405 (PLAT)
PID 60452

2.824 ACRES (PID 60452)
-0.241 ACRES (PARCEL '3')
2.583 ACRES (RESIDUE)

0.241 ACRES
PARCEL '3'
PART OF PID 60452

CITY OF DANVILLE VIRGINIA
INST 20-4885
INST 07-2405 (PLAT)
PID 60450

LEGEND

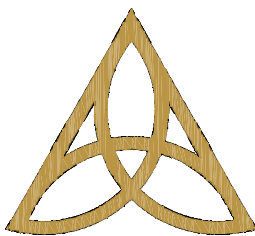
- PF ⊙ PIPE FOUND
- RF ⊙ REBAR FOUND
- DHF ⊙ DRILL HOLE FOUND
- MNF ⊙ MAG NAIL FOUND
- COMPUTED POINT
- IRON PIN SET
- ⊘ UTILITY POLE
- OH OVERHEAD UTILITY
- EDGE OF PAVEMENT

- CONCRETE
- PID 51530 RIGHT OF WAY DEDICATION
- PID 60450 RIGHT OF WAY DEDICATION
- PID 60452 RIGHT OF WAY DEDICATION
- PID 60451 RIGHT OF WAY DEDICATION

SHEET 2 OF 3

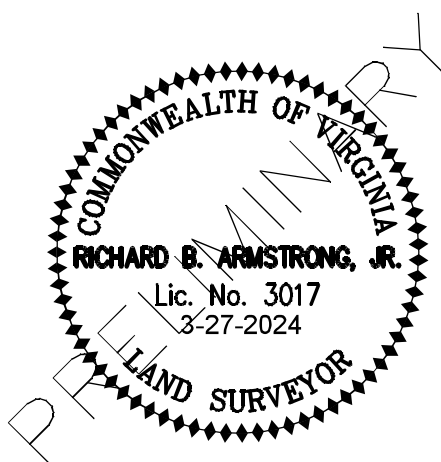
DRAWN BY: JBT DATE: 3-27-2024 PROJECT #240105

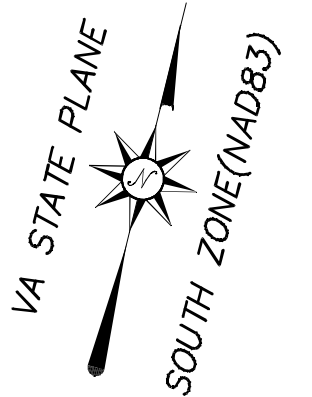
PLAT SHOWING
RIGHT OF WAY DEDICATION OF THE PROPERTIES OF
CAESARS VIRGINIA LLC., THE CITY OF DANVILLE
VIRGINIA, THE INDUSTRIAL DEVELOPMENT AUTHORITY
OF DANVILLE VIRGINIA, AND 1076 SCHOOLFIELD LLC.
CITY OF DANVILLE, VIRGINIA



ARMSTRONG
CIVIL

105 NORTH MAIN ST. GRETN, VA 24557. 434-656-1051
ARMSTRONGCIVIL.COM
INFO@ARMSTRONGCIVIL.COM





- LEGEND**
- PF ⊙ PIPE FOUND
RF ⊙ REBAR FOUND
DHF ⊙ DRILL HOLE FOUND
MNF ⊙ MAG NAIL FOUND
○ COMPUTED POINT
● IRON PIN SET
⊕ UTILITY POLE
OH OVERHEAD UTILITY
— EDGE OF PAVEMENT
- CONCRETE
PID 51530 RIGHT OF WAY DEDICATION
PID 60450 RIGHT OF WAY DEDICATION
PID 60452 RIGHT OF WAY DEDICATION
PID 60451 RIGHT OF WAY DEDICATION

1.245 ACRES (PARCEL '1')
0.336 ACRES (PARCEL '2')
0.241 ACRES (PARCEL '3')
+0.160 ACRES (PID 60451)
1.982 ACRES (TOTAL R/W DEDICATION)

1.245 ACRES
PARCEL '1'
PART OF PID 51530

78.16 ACRES (PID 51530) (FROM RECORD)
-1.245 ACRES (PARCEL '1')
76.915 ACRES (RESIDUE)

CAESARS VIRGINIA LLC.
INST 20-4884
INST 13-4305 (PLAT)
PID 51530

BROWDER AVENUE
(50' R/W)

RICKY VAN GRUBBS, SR.
& RICKY VAN GRUBBS, JR.
INST 06-1837
DB 326 PG 72 (PLAT)
PID 53347

ROSA M. GIGGETTS
INST 99-4239
INST 99-4239A (PLAT)
PID 57288

DARYL ELLIOT (LIFE) &
CHRISTY SMITH (FEE)
INST 20-1055
DB 326 PG 72 (PLAT)
PID 53179

CITY OF DANVILLE VIRGINIA
INST 20-4885
INST 07-2405 (PLAT)
PID 60450

0.846 ACRES
AREA NORTH OF
R/W DEDICATION

PARK AVENUE
(85' R/W)

0.160 ACRES
INDUSTRIAL DEVELOPMENT
AUTHORITY OF DANVILLE VIRGINIA
INST 16-4336
INST 07-2405 (PLAT)
PID 60451

MARGIE M. STEELE, TRUSTEE
CHRISTY DENISE LOUHOFF
IRREVOCABLE TRUST
INST 99-5329
DB 326 PG 72 (PLAT)
PID 55211

DEHART RENTALS LLC.
INST 05-5562
DB 326 PG 72 (PLAT)
PID 53001

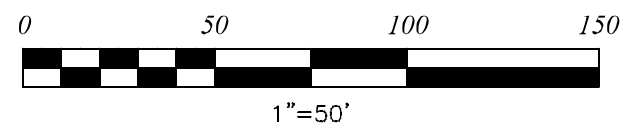
0.336 ACRES
PARCEL '2'
PART OF PID 60450

CITY OF DANVILLE VIRGINIA
INST 20-4885
INST 07-2405 (PLAT)
PID 60450

6.477 ACRES
AREA SOUTH OF
R/W DEDICATION

7.659 ACRES (PID 60450) (FROM RECORD)
-0.336 ACRES (PARCEL '2')
7.323 ACRES (RESIDUE)

LINES 'A' TO 'B' &
'C' TO 'D' HEREBY ESTABLISHED



MATCHLINE



SHEET 3 OF 3		
DRAWN BY: JBT	DATE: 3-27-2024	PROJECT #240105
PLAT SHOWING RIGHT OF WAY DEDICATION OF THE PROPERTIES OF CAESARS VIRGINIA LLC., THE CITY OF DANVILLE VIRGINIA, THE INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE VIRGINIA, AND 1076 SCHOOLFIELD LLC. CITY OF DANVILLE, VIRGINIA		

Planning Commission Minutes
March 11, 2024

Members Present	Members Absent	Staff
Mr. Petrick Mr. Dodson Ms. Evans Mr. Khan Mr. Bolton	Mr. Jones Mr. Ranson	Renee Burton Cynthia Lester Clark Whitfield Shanika Williams

NEW BUSINESS

1. Special Use Permit application PZ24-00090 filed by RMC Investments LLC for waiver for increase in building heights to over 50 feet at 1080 Riverside Drive (Parcel 02176) in accordance with Article 3.M Section C Item 20.

Ms. Burton Stated: The applicant RMC Investments LLC is requesting a waiver for building heights greater than 50 feet in accordance with article 3m, section c, item 20 at 1080 Riverside Drive. 1080 Riverside Drive is zoned HRC, Highway Retail Commercial. Proposed construction of a new hotel is 53 feet in height. Special use permit granting a waiver for a building height is necessary to complete the project as proposed. The proposed hotel project is part of the True and Home To Suites Brands, with the accommodations of 143 rooms. A hotel construction is allowed by right in this location zoning classification. A waiver for heights greater than 50 feet is the only waiver necessary for construction as proposed. There were 12 notices sent out to the surrounding property owners. 4 unopposed responses were received. Planning staff recommends that the planning commission recommend approval of PZ24-00090, to grant a waiver of increase in building height over 50 feet in accordance with article 3m, section c, item 20. The construction height may not exceed 53 feet as proposed.

Mr. Petrick opened Public Hearing.

Ryan Gatewood Stated: Good afternoon, My name is Ryan Gatewood. I'm president of LNE Professionals here in Danville, and I'm here on behalf of my client, RMC Investments. They are proposing to build a 143-room hotel. This Variance request is to exceed the maximum height limit of 50 feet. We are only requesting to go to 53 feet. This is in order to get a 5-story hotel in, instead of a 4-story hotel. The clients looked at the existing Hampton inn. They also own that building and realized how quickly they were filling up that hotel. There is this need in the city for additional rooms. And so they pivoted on the existing true hotel that's been approved, and decided to propose a larger hotel to accommodate the growing need in the city. And I'm here to answer any questions you may have.

Mr. Bolton Stated: Parking? Are you going to share parking with the other hotel?

Mr. Gatewood Stated: Yes Sir. It'll be similar to the other true hotel that was proposed. This will be a shared parking agreement with the existing Hampton Inn.

Mr. Bolton Stated: Do you think it'll be enough. There are 2 hotels right there.

Planning Commission Minutes
March 11, 2024

Mr. Gatewood Stated: There will be a fair amount that's going to be added to what is there now. There are currently 88 rooms in the Hampton Inn and 98 Spaces. We are going to shoot for 238 spaces total for both hotels.

Ms. Evans Stated: Will you use the same entrance?

Mr. Gatewood Stated: Same entrance. No new entrance is proposed for Riverside.

Ms. Evans Stated: How tall is the Hampton Inn?

Mr. Gatewood Stated: The Hampton Inn is 4 stories. In terms of height, I would say that's 48 feet.

Mr. Petrick Stated: Any other questions? Thank you, Mr. Gatewood. Anyone else who would like to speak in favor of this application.? Anyone opposed? If not, we will close the public hearing. Any further questions, comments, discussions by the commissioners?

Ms. Evans: I have a question for staff. Why is the limit 50 feet? Because we're looking at an apartment building and one of our agenda items later on is 60 feet.

Ms. Burton Stated: It does vary depending on the zoning classification. And I believe that is generally just for the aesthetic and then the ability for any kind of emergency vehicles to access fire. That type of thing. The 50 feet limit was of course developed 20 years ago when that current zoning code was adopted. This is so our fire department has greater accessibility to get to items so things have changed a little bit, but the zoning code has not.

Ms. Evans Stated: Revisit that.

Ms. Burton Stated: We have proposed changes that you'll see probably in 2025 starting out. So after the comp plan, a new zoning code follows. So they are in the works.

Mr. Petrick closed Public Hearing.

Mr. Bolton made a motion to approve application PZ24-00090. Mr. Dodson seconded the motion. The motion was approved by a 5-0 vote.

2. Code Amendment Request PZ24-00098 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically, amend Article 3.I.

Ms. Buton Stated: TOC. Transitional office commercial zoning district was established to selectively provide for well-planned non- residential land uses to be located between older residential neighborhoods and higher intensity non-residential areas. It currently limits retail uses to scientific or medical equipment. This amendment would allow for a property owner to apply for a special use permit to operate a retail sales establishment outside of those limits in the TOC, Transitional Office Commercial

Planning Commission Minutes

March 11, 2024

Zoning district with a special use permit granted by City Council. Allowing the operation of retail establishments by special use permits, allows review of each proposed operation to determine compatibility with the neighborhood and the comprehensive plan. Our current code reads, article 3 I, Section C Item 10 quotes "Offices with retail sales limited to interior displays in sales of high technology, scientific, electronic, healthcare, medical or bio-medical equipment of a type not customarily retailed to the general public. Provided there shall be no exterior or store front display." Proposed changes in article 3 I, Section C Item, Item 10 I quote "Retail Sales. Limited to interior and store front displays. There shall be no exterior display or storage." The City of Danville has experienced economic growth in the past 10 years. The economic growth has encouraged the planning staff to revisit and review areas of the zoning code that may no longer be compatible or may benefit from increased flexibility. Reducing the restrictions on retail sales in the TOC, Transitional Office Commercial zoning district gives an example. The planning staff recommends that the Planning Commission recommends approval of PZ24-00098 to amend article 3 I, Section C, Item 10 to allow retail operations by special use permit in the TOC Transitional Office Commercial Zoning district.

Mr. Petrick opened Public Hearing.

Mr. Petrick closed Public Hearing.

Ms. Evans stated: Will there be a list of offers when someone ask for a special use permit?

Ms. Burton Stated: They can, yes.

Ms. Evans Stated: They can but it's not required?

Ms. Burton Stated: Not required, no.

Ms. Evans Stated: So, anything?

Ms. Burton Stated: Within the guidelines of the zoning code yes. There are prohibited retail sales I the west main corridor, and in other areas of the city, and of course anything that would be illegal to sell to begin with.

Ms. Evans: This one can have store front displays as you changed it?

Ms. Burton Stated: Will not be allowed to have any outdoor displays, no.

Ms. Evans Stated: But store front?

Ms. Burton Stated: Right, you may have something in the window that's visible yes, but not anything that's outside of those walls.

Mr. Petrick Stated: Any further questions? Mr. Bolton.

Mr. Bolton made a motion to approve application PZ24-00098. Ms. Evans seconded the motion. The motion was approved by a 5-0 vote.

3. Special Use Permit application PZ24-00054 filed by Kishea Chaney to allow commercial recreation facilities at 1010 Piney Forest Road (Parcel 57737) in accordance with Article 3.M Section C Item 4

Ms. Burton Stated: The applicant Kishea Chaney is requesting an indoor special use permit to allow indoor commercial recreation at 1010 Piney Forest Road. The property is zoned HRC, Highway Retail Commercial and is currently in operation as a restaurant. The applicant is requesting a special use permit to allow her to expand her restaurant operations to include entertainment and music events. Operation of a facility that requires payment to attend events is deemed indoor commercial recreation by the zoning code and a special use permit is required. A zoning violation letter was issued in January for an indoor commercial recreation facility operating at 1010 Piney Forest Road without a special use permit. After receiving the notice of violation, Ms. Chaney contacted the planning office to submit a special use permit. 1010 Piney Forest Road has a certificate of occupancy for 150 persons. 75 upstairs and 75 downstairs. This restriction is due to the restroom capacity on each floor. The upper floor is used for the restaurant operations and the lower level for events. There were 31 notices sent out to surrounding property owners within 300 feet. 4 un-opposed notices were received. Planning staff recommends approval for PZ24-00054 to grant a special use permit for indoor recreation conditions with the following recommendations. Number 1, occupancy is limited to 75 persons per floor and number 2 the event area, meaning the lower level may only be in operation when the restaurant, which means the upper level is in operation and open to the public.

Mr. Petrick opened Public Hearing.

Ms. Chaney Stated: Good afternoon, My name is Kiesha Chaney and I am the owner of Ten Ten restaurant and lounge here in Danville Virginia 1010 Piney Forest Road. Currently I am a restaurant, and I also would like to have live entertainment. I like live bands, sometimes occasionally I like live music. What I'm finding is that with the capacity that I have, those that have no intent to come in to spend on food and alcohol, which is the only thing I am allowed to sell right now are sometimes taking up my capacity. So therefore, people that want to come in and enjoy the live entertainment are turned away. I just want to request that I am able to do so. I will only do this on Friday nights and Saturday nights. My restaurant is open for the duration of the time. I do have a full ABC license. And I would just like to have an entertainment fee pay for those that want to stay. Now if they come in and say "I'm here for the restaurant only" then of course they can come in at no charge for the restaurant to be able to eat and drink. But if they do want to be able to enjoy the live band, and I also bought live bands from South Carolina and also North Carolina as well as our very own Danville, Virginia and they will be performing also, but I would actually like for the people or the ones that want to enjoy the entertainment to help pay for those funds because my food to me should overturn and pay for itself, the alcohol should pay for itself but when it comes down to the entertainment, for those that want to listen to it, a cover charge or an entertainment fee I would like to be able to help pay for whatever live entertainment I bring to the scene.

Mr. Dodson Stated: What are your hours on Friday and Saturday night.

Planning Commission Minutes
March 11, 2024

Ms. Chaney Stated: Right now, my hours are open from 11 am to 1 am.

Ms. Evans Stated: That's when you would have the music downstairs?

Ms. Chaney Stated: The music downstairs, I'm asking for 9pm to 1 am.

Ms. Evans Stated: I think you were in violation. How long were you been operating?

Ms. Chaney Stated: Since November 26th of 2023 when I opened, and then I received the letter and when I applied for everything, business license and everything, no one told me that I could not charge. Apparently, flyers that had got handed out that stated I was charging a \$10 entertainment fee got back and they notified my landlord and immediately I came down. Since then, I still have live entertainment but it is free of charge for everyone. That's where I'm seeing the difference of you know people are coming in because they want to hear the entertainment but have no intent to purchase food, they have no intent to purchase alcohol and they are taking up my space for those that want to actually come in and enjoy the entertainment.

Ms. Petrick Stated: Any questions?

Mr. Bolton Stated: Are you okay with the first condition here? Occupancy is limited to 75 per floor. Does that meet your usual crowd?

Ms. Chaney Stated: Yeah pretty much. I do have 3 stalls of restrooms downstairs. I actually have a side door entrance for those that want to go to the lounge can come thru or they can come straight thru the restaurant. Nine times out of ten everyone that normally comes around, I would say 8pm to actually sit down and dine in, the only thing is, I have a stage upstairs. So, if I was able to do it up or downstairs, the stage to me would fit more better with comedy shows or whatever I want to have because you have a stage that sits up higher, and the way my restaurant is designed, they can look right at the stage. I have had 2 events downstairs, it actually worked perfect, but I do have a wall that is kind of up a little bit to where they would be looking thru another wall. So, regardless of whether it is upstairs or downstairs, yes I do understand what the occupancy is.

Mr. Khan Stated: What is the name of your restaurant?

Ms. Chaney stated: it's Ten Ten Restaurant and Lounge. Have you heard about it?

Mr. Khan Stated: I know about it.

Ms. Chaney stated: Good food?

Mr. Khan stated: I knew the man who owned it before. I know that it was formerly a Mexican restaurant.

Planning Commission Minutes

March 11, 2024

Ms. Chaney stated: Oh yea, I think that's a little bit before me.

Mr. Khan Stated: Way before you. 20 or 30 years ago.

Ms. Chaney Stated: Yes Sir

Mr. Khan Stated: Are you going to maintain the same name?

Ms. Chaney Stated: Mine is actually spelled T-E-N with the number 1 and 0.

Mr. Khan Stated: I see. Are you going to maintain that?

Ms. Chaney Stated: Yes.

Mr. Petrick Stated: Any other questions? Thank you, Ms. Chaney. Anyone else who like to speak in favor of this item please come forward. Anyone who would like to speak in opposition please come forward. Public Hearing is closed.

Ms. Evans Stated: I have a question for staff. So, it's limited to 75 people downstairs and 75 upstairs. I can promise you when it was the Mexican restaurant, it was about 200 people downstairs and the upstairs was not always open when the Mexican restaurant was open so what changed?

Ms. Burton Stated: I can only assume the building code and fire code probably are the changes that are addressing this particular situation. The certificate of occupancy states 75 for each level so I would assume that's probably the change.

Mr. Bolton Stated: So, another question here Renee. She mentioned there is a stage on the main level. Comedy acts maybe small bands, are you saying the entertainment can only be on the lower level or if she had entertainment and people eating, as long as the total does not exceed 75 she would be okay, correct?

Ms. Burton Stated: That's correct, as long as the total does not exceed 75.

Mr. Bolton Stated: So, she can have the entertainment upstairs, as long as she does not exceed 75?

Ms. Renne Stated: That's correct and if she chooses to have it on the lower level, then the restaurant on the upper level must be open.

Mr. Bolton Stated: I got it.

Ms. Evans made a motion to approve application PZ24-00054 with the condition of only 75 persons per floor and the lower level may only be in operation when the upper level is in operation and open to the public.

Mr. Dodson seconded the motion.

Motion was approved by a 5-0 vote.

4. Special Use Permit application PZ24-00063 filed by JoAnn Pyles to allow commercial recreation facilities at 2420 North Main Street in accordance with Article 3.M Section C Item 4.

MS. Burton Stated: The applicant Jo Ann Pyles is requesting a special use permit to allow indoor commercial recreation facility at 2420 N Main Street. The property is zoned HRC, highway retail commercial. A special use permit would allow the applicant to operate an indoor facility that provides computers for public use at a fee. 14 notices were sent out to property owners within 300 feet. There were 3 notices received. 2 unopposed, 1 opposed. Planning staff recommends that the planning staff recommend approval of PZ24-00063 to grant a special use permit for indoor commercial recreation with the following conditions. Number 1, the hours of operation may not extend beyond 7am to 10 pm. Number 2, at least one staff person is present during operations and Number 3, parking must be provided at a rate of one space per 5 computer stations plus one per employee.

Mr. Petrick opened Public Hearing.

Ms. Pyles Stated: I am Ms. Pyles. I currently operate an internet café where people can come in who work at home who would like to come in and network with other individuals who do the same. To just do office work in the building. They can rent a suite or they can just come in and sit for the day.

Mr. Petrick stated: Any questions from the commissioners?

Mr. Bolton Stated: How many people are generally in there at one time?

Ms. Pyles Stated: Well there are 8 suites. So, generally it wouldn't have anymore than like 1 per suite.

Mr. Bolton Stated: And the building itself? They are limiting your parkin one space per 5 computer stations and I know there is not a lot of parking around there. Is there any off street parking?

Ms. Pyles Stated: Well there is parking in the back and its fenced in. And we also have parking on the side. I think there's like 24 spaces I want to say and there is a drive thru that's not being used. There are currently 4 suites and 1 conference room that can probably hold anywhere from 10-12 people.

Mr. Bolton Stated: From the map it didn't look like it can hold that much parking but it sounds like you got plenty.

Mr. Petrick stated: Ms. Pyles there is no uh, you don't have any plans for any gaming there do you? This is strictly personal use office type cubicles?

Ms. Pyles Stated: Yes.

Mr. Petrick closed Public Hearing.

Mr. Bolton made a motion to approve application PZ24-00063 with 3 conditions per staff.

Ms. Evans seconded the motion.

Motion was approved by a 5-0 Vote

5. Special Use Permit application PZ24-00064 filed by Janet Reed to allow a group home at 18 Selma Avenue (parcel 55273) in accordance with Article 3.E Section C Item 9.

Ms. Burton Stated: The applicant Janet Reed is requesting a special use permit to operate a group home at 18 Selma Avenue. The property is zoned OTR, Old Town Residential. Operation of a group home requires a special use permit in accordance with Article 3 E, Section c, item 9. 18 Selma Avenue is located within the City of Danville's south side Rental district. During a rental inspection in January, it was discovered that a non-compliant group home was operating in 18 Selma Ave, A zoning violation letter was issued in January for the operation of a group home without a special us permit, business license or a zoning clearance. The applicant applied for a special use permit shortly thereafter. A certificate of occupancy inspection for a group home was completed in January and violations were found. Final repairs are needed before this certificate is issued. Based on the size of this home, a certificate of occupancy may be issued to no more than 7 persons. However, without a license from the commonwealth of Virginia, the department of social services limits the care of this location to no more than 4 individuals. Article 15 of the Zoning Code defines a group home as " A residential facility with one or more resident counselors or other staff persons in which more than 8 mentally ill, mentally challenged or developmentally disabled persons reside in such home as license by the Virginia Department of Health mental retardation or subject to abuse services. 8 mentally challenged person reside in such home as licensed by the Virginia Department of Social Services or 8 handicapped persons reside with handicapped define in accordance with the Federal Fair Housing Amendment Act of 1988 or 3 non-related children defined as being under the age of 18 who have demonstrated a tendency towards alcoholism, drug abuse, mental illness or anti-social or criminal conduct. State and local regulations for group homes vary based on occupancy and service needs. The Planning Division staff requests additional time to further continue communications between state and local agencies to clarify regulations in the planning division's role in those regulations. There were 46 notices sent out to property owners within 300 feet of subject property. Nine responses were received. 7 of those were opposed, 2 were unopposed. Planning staff recommends that the Planning Commission postpone approval of PZ24-00064. Planning staff would like additional time to clarify group home regulations to ensure continuity between licensing requirements and the city of Danville zoning code.

Mr. Petrick opened Public Hearing.

Ms. Reed Stated: Good evening, my name is Janet Reed. I'm currently trying to, if you guys would allow it, open a group home at that residence and that's what I'm trying to do. When I received the notice saying I was in violation, I did not know I was in violation because I had been doing this kind of work for over 20 years. I have never been asked to apply for a business license.

Mr. Petrick Stated: Have you been operating in the City of Danville?

Planning Commission Minutes

March 11, 2024

Ms. Reed Stated: Not at this many people, no. But what I'm saying is that I had 2,3,4,5 at the most. But I've never been asked to get a business license until I was in violation this time. But that's what I'm trying to do. I am trying to get licensed.

Ms. Evans Stated: How long have you been operating this home?

Ms. Reed Stated: This particular home, 6 months.

Mr. Bolton stated: How many are there?

Ms. Reed Stated: Right now, there were 7 but now there is 4. I moved some clients around the city. I have other homes in the city.

Ms. Evans Stated: You don't have a license for those homes either?

Ms. Reed Stated: Well what I am hearing ma'am, if you have 3, you don't need one. But if you have 4 or more, then you do.

Mr. Petrick stated: What are the state regulations on the numbers?

Ms. Burton Stated: The City of Danville considers a single family no more than 3 unrelated individuals. So if there are no more than 3 un-related individuals within 1 unit, that is deemed a single family.

Mr. Petrick Stated: So there is a requirement on 4 or more?

Ms. Burton stated: Yes, 4 or more would be a separate situation.

Mr. Petrick Stated: Any other questions for Ms. Reed?

Mr. Dodson stated: Is someone always there to keep an eye out?

Ms. Reed Sated: Yes, it is 24-hour care.

Ms. Evans Stated: We've received numerous complaints about naked men outside.

Ms. Reed Stated: Okay yes, that did happen ma'am. James, one of my clients, he needed his medication regulated and he did go to the hospital promptly after. The neighbor brought that to my attention. What he did was he slipped out while staff was in the bathroom and was parading. Then when staff came out and brought him in inside. He immediately went to the hospital after that. But he is fine now.

Mr. Dodson Stated: Also, somebody said there is a sex offender there.

Planning Commission Minutes

March 11, 2024

Ms. Reed Stated: There is a registered sex offender there. One of my clients has a parole officer that comes from Charlottesville to check on him and he has to be fingerprinted every month. But there is no women, this a men's group home.

Ms. Evans Stated: Are the staff men or women?

Ms. Reed stated: There are women and men staff. I have 4 staff member that rotate around the house clock.

Ms. Evans Stated: But if they go to the restroom, someone could slip out?

Ms. Reed Stated: Well, no because now what we are doing since that incident is I hired 2 more people. So when someone is going to the bathroom, someone else is always watching. So now I'm not letting that happen again.

Mr. Petrick stated: Thank you Ms. Reed. Anyone else who would like to speak in favor of this item, please come forward. Anyone who would like to speak in opposition please com forward. Yes ma'am, state your name please.

Ms. Regan Stated: My name is Debra Regan. I am going not read what I have to say because I have a horrible migraine today and can't really think straight. I live at 10 Selma Avenue with my husband Barry and my 87-year-old mother. We're two doors up today's focused property 18 Selma Avenue. Our initial concern is that we are most definitely dealing with the cart before the house today in that this meeting should've taken place before the group home was open and in business collecting money from these boarders. The fact that this business or any business for that matter was slid on our residential street without following any proper procedures for zoning and who knows what else is very disturbing. We really have no choice but to wonder if the original intentions was to fly under the radar and operate this business on the down low without following any proper procedure or getting the proper zoning in place before hand. If the excuse is that the owner did not know that a zoning request had to be made before hand, then the proper homework was not done to do everything required to open and run a business. Rules have not been followed from the jump; rules have been broken from the jump. That does not make for a good neighbor and gives us no hope for what we might expect down the road as they continue to do business as they want to rather than following procedure. Our next concern is what this will do to property value for the people on either side of this group home business as well as our own. We are most curious as to whether this initial zoning change on this particular property, on an otherwise total residential street would open the doors for as many other group homes anyone wishes to have on Selma Avenue going forward. The property on 17 Selma Avenue, directly across from todays focused property has undergone extensive renovations over the past 2 weeks. The same workers have worked on that house as it worked on these repairs hat have been required at 18 Selma Ave. SO, rumor on the street is she is opening a second at 17 Slema Ave. There is no sign, so it appears if that's the case that we are rolling on in opening the second one without following proper procedure. So here we go agon with not following the rules. Our next concern is the huge safety issue with those living around 18 Slema due to the people who are boarding there. While the info we found online today shows him no longer at the address, last week on March 7th, the city's database for convicted sex offenders shows a 3-time

Planning Commission Minutes

March 11, 2024

convicted sex offender living at 18 Selma Avenue. There is a 13-year-old boy living next door. Shouldn't his grandmother have been notified that a violent sex offender was living next door. There are children who walk up and down the street to and from the school bus every day. Shouldn't their parents have been notified that there is a possible stranger danger exists at 18 Selma Avenue, so they can walk across to the other side of the street and know to not even stop in that area. So, I kind of want to know what my rights, if she can roll in here and operate a group home like she been doing for 20 years without following procedure and we think she is getting ready to slide another one across the street, what are our rights as long term property owners and residents of this street to know that there is a sexual offender living two doors down. I really think we should have been notified. There is elderly people living next door to him. On the 29th of January, this man she mentioned was charged with beating up a caregiver, I guess one of her employees. What is to keep him from beating up one of the elderly neighbors that live around him. Now he's not there anymore but we got a sexual offender living there. So, I'm really curious as to what her vetting process is. How do these people come to her, where do her leads coming from and how is she vetting them. Apparently, she is not vetting them if I have these kinds of people living two doors down from me. Let me tell you a story. My mother has lived in this home for over 70 of her 87 years on this planet. During that time, we have had no known issues of property damage, theft or trespassing. My mother has had a security system and ring doorbell since my father died in 2008. When my husband and I moved in with her in 2022, we decided to upgrade the security system and put in blank cameras. So, I get up every morning and check my camera to see how many deer munch on the bushes in my yard. Imagine my surprise when I got up on January 22nd and I ...videos like I never experienced. There were 5 different clips over a 6-minute timeframe from 11:41 to 11:47 of a completely naked bare foot man standing in front of my house. It was 19 degrees that night.

Mr. Petrick Stated: Your time is up.

Ms. Regan Stated: I'm going to end with this. So obviously they were not taking good care of their people when somebody can come out in the middle of the night and stand naked. But I want to ask each of you, when you consider making this zoning change, how many of you have woken up to video footage of a naked man standing in front of your house who was a sex offender. There is no vetting process. I need your consideration and I can send the video to whatever address you want. I already sent them to social services. I'll be glad to share.

Mr. Petrick stated: Anybody else who like to speak in opposition of this item, please come forward. If there is no one, we will close the public hearing. Commissioners do you have any question?

Mr. Dodson Stated: I have a question for Renee. If we don't pass this resolution, can she still operate her home with 3 people? Is that correct?

Ms. Burton Stated: Correct, There can be no more than 3 un-related individuals. Now that would include the caregiver.

Mr. Dodson Stated: So there would still be a group home there whether we vote yes or no?

Ms. Burton Stated: It would within the restricted numbers.

Planning Commission Minutes
March 11, 2024

Mr. Dodson Stated: okay.

Ms. Evans Stated: She would still have the business license and zoning or not?

Ms. Burton Stated: Yes, she would still have to get a business license because she is operating from her office, so that does require a business license.

Mr. Bolton made a motion to postpone application PZ24-00064.

Mr. Khan seconded the motion.

Motion was approved by a 5-0 vote.

Ms. Evans Stated: I have a question. Can she continue her operations currently until we meet again to discuss it?

Ms. Burton Stated: Any continuation is a violation. So she is currently violation if she has above the limited number and that will continue if she operates in that manner, yes.

Mr. Petrick Stated: And who's responsibility is that to enforce?

Ms. Burton Stated: We will have that conversation with social services and continue to work together.

6. Special Use Permit application PZ24-00081 filed by Jaclyn Davis to allow a commercial kennel at 630 North Main Street (Parcel 02231) in accordance with Article 3.K Section C Item 22.

Ms. Burton Stated: The applicant Jaclyn Davis is requesting a special use permit to operate a pet grooming and pet supply retail operation at 630 North Main Street. The property is zoned CBC, Central Business Commercial. CBC allows for commercial kennels as well as pet clinics by special use permits in accordance with article 3 K, Section C. The proposed dog grooming operation will have 8-12 kennels for drop off services and pet items for purchase. The operation will not include overnight boarding. There is no requirement to provide off-street in the CBC zoning district. 27 notices were sent out to property owners within 300 feet of the subject property. 3 of those notices were received. 1 unopposed, 2 opposed. Planning staff recommends that the planning commission recommend approval of PZ24-00081 to grant a special use permit to operate a dog grooming facility in accordance with article 3 K, section C, item 22 with the condition that no overnight boarding will be provided.

Mr. Petrick opened Public Hearing.

Ms. Davis Stated: My name is Jaclyn Davis and I'm requesting a special use permit to open a dog grooming store on the North Main location. I'm planning on being open Monday thru Friday with some Saturdays in the future depending on how well business is. I'm planning on being open from 8-6 we are looking at having 8-12 dogs throughout the day. But it is going to be at a stagger where I have half of them come in the morning from like 8-12 or 8-1 and the other half come during the second half of the day. I do not intend on having a large number of dogs in at once. I just kind of want it a little at a time throughout the day.

Planning Commission Minutes
March 11, 2024

Mr. Bolton Stated: They would always be inside the building?

Ms. Davis Stated: Yes, they would be inside in kennels. Separate kennels from each other.

Mr. Dodson Stated: How many employees do you anticipate to have?

Ms. Davis Stated: Its going to start off as just me and I will have my husband helping me as well. I'm just going to see how business goes before I hire a bather to help me.

Mr. Petrick Stated: Ms. Davis, is there any available green space on the property or in the back of the property?

Ms. Davis Stated: Not to my knowledge.

Mr. Petrick Stated: I'm just curious. These animals are not going to be satisfied being in a cage all day long. Is there any contingency plan for...

Ms. Evans Stated: To take them outside to use the restroom.

Ms. Davis Stated: I understand. My intention is not to have them at my facility for any longer than they need to be. How I operate now is as soon as the dog is finished, I alert the owner and typically they come and get the dog as soon as I call them to anticipate not having the dog longer than I need to.

Mr. Petrick Stated: So, this is primarily grooming? Is that what you're saying?

Ms. Davis Stated: It is only grooming.

Mr. Petrick Stated: And it's not daycare?

Ms. Davis Stated: No, no boarding, no daycare, nothing overnight. If something were to happen with the owner and they couldn't pick up the dog, I would take the dog home with me or I would take the dog to the owner myself. I would have no dog staying overnight.

Mr. Petrick Stated: Thank you. Any other questions?

Ms. Evans Stated: Where do you work at now?

Ms. Davis Stated: I work at Hollywood Pets.

Ms. Evans Stated: So, this doesn't have a parking lot? So, there will be parking on the street, I take it.

Ms. Davis Stated: There is street parking in the front and the back and then there is also an additional parking lot across the street. But with my clients coming in, they will only be parked for 5 minutes. Its very quick in and out when they drop off and pick up. I don't anticipate my clients to be in those parking spots for very long.

Ms. Evans Stated: My concern is that the animals are tethered or in a crate so that they can not run away from their owner.

Ms. Davis Stated: No, they will be in a kennel in my facility and when the owner comes to pick up the dog, I will bring the dog to the owner still in my building at the front counter and then they will have to leash their pets and take them outside to their vehicle.

Ms. Evans Stated: Yes, but from car to building?

Ms. Davis Stated: They will be leashed yes.

Mr. Bolton Stated: So if this goes well, I understand you'll have one for cats?

Ms. Evans Stated: I am certified to groom cats, but obviously the cats I groom typically come in a cat carrier.

Mr. Petrick Stated: Thank you Ms. Davis. Anyone else would like to speak in favor of this application? Would you like to state your name please.

Mr. Allen Stated: I am Wayne Allen and I own the historic North theater right across from the place. I apologize for my casual dressing I came from a tennis match. First, I have a couple questions actually. Number one, I'm real pleased James Buckner has bought the building and restored it because we are trying to fix up the whole area around the theater and everything. So that's great. My question is, if you would answer, the pets won't be staying overnight so I don't have to worry about loud noises or anything. So, I'm very much in favor of it. I'd be careful, that street is very dangerous, people drive very fast there so make sure the owner do not let their dog go because if he or she goes out there, they are probably going to get killed. The other thing is I would say is if they do have to take the dogs out to use the bathroom, please clean up behind them because again we are trying to clean up the neighborhood. Other than that, if they don't make a lot of noise or anything I think it would be fine and we are happy to have you and welcome you to the neighborhood.

Mr. Petrick closed Public Hearing.

Mr. Dodson made a motion to approve application PZ24-00081.

Mr. Khan seconded the motion.

Motion was approved by a 5-0 Vote

7. Special Use Permit application PZ24-00091 filed by Richard Morris Architecture LLC to allow a commercial recreation facility at 401 Main Street (Parcel 24072) in accordance with Article 3.K Section C Item 5.

Ms. Burton Stated: The applicant Richard Moore Architecture LLC. Is requesting a special use permit to allow an indoor commercial recreation facility at 401 Main Street. The property is located at the corner of Main and South Market Street and is zoned CBC. Central business commercial. A special use permit would allow the applicant to operate a food hall on the main level and a music and event venue on the lower level of the building. 401 Main Street is currently being remodeled for a restaurant and entertainment venue and residential units. The structure has been vacant for several years and was previously utilized by Carter Bank and Trust. A mixed-use facility as proposed is common in the river district. Event venues in the river district provide after hours attractions for residents and visitors. 48 notices were sent out to property owners within 300 feet. 3 unopposed notices were received. Planning staff

recommends that the Planning Commission recommend approval of PZ24-00091 to grant a special use permit to allow an indoor commercial recreation facility on the main and lower levels of 401 Main Street in accordance with article 3 K, section C item 5.

Mr. Petrick opened Public Hearing.

Ms. Burton Stated: I would like the commissioners to know that the applicant had an emergency situation. We were notified this morning, so they were unable to attend. But they did notify us.

Mr. Petrick closed Public Hearing.

Ms. Evans Stated: That grass on the front, the artificial turf, is that going to remain?

Ms. Burton Stated: No, that's a temporary covering.

Ms. Evans Stated: For how long?

Ms. Burton Stated: I can't speak to necessarily how long, but if that is something we need to speak to the applicant about, I will do so.

Ms. Evans Stated: That's because I have received a lot of complaints about it.

Ms. Burton stated: I would be happy to do that yes.

Mr. Bolton Stated: Going back to mention on another case where she is limited to 75 and I know this is 100 with no hours. Is it simply because of CB-C as opposed to the Highway Retail Commercial zoning limits 75 and this one allows 100?

Ms. Burton Stated: There are no limits to the hours of operation because of the CBC zoning classification, that's correct. Their occupancy will then be limited based on their certificate of occupancy after we know all the building plans. We do not have all that in place yet.

Mr. Petrick Stated: Any other questions?

Mr. Bolton made a motion to approve application PZ24-00091.

Mr. Dodson seconded the motion.

Motion was approved by a 5-0 Vote

8. Rezoning application PZ24-00092 filed by Juan Lopez for rezoning of Parcel 70961 from T-R Threshold Residential to NT-R Neotraditional Residential.

Ms. Burton Stated: Parcel 70961 is a vacant undeveloped 27-acre tract with frontage on Longview Avenue. The property was recently purchased by the applicant Juan Rivera. Proposed development is a subdivision that would create 84 lots for single family homes. Subject property is currently zoned TR, Threshold Residential. Rezoning NT-R, Neo Traditional Residential would change the maximum density from 2 units per acre to 7 per acre and reduce the required lot size. The property is bordered to the east

Planning Commission Minutes

March 11, 2024

by T-R, Threshold Residential Zoning, and S-R, Suburban Residential Zoning, which also borders the property to the south. To the west is Sandy River Residential zoning classification and the adjacent properties along the northern border of the subject property are located in Pittsylvania County. A preliminary proposal has been submitted that would subdivide the existent 27-acre tract into lots to allow the construction of 84 single family homes. Leaving areas for open space and storm water management. The selling point for development is between 200 and 250 thousand dollars. Price point has not been adjusted previously submitted house projects. The 2022 dander housing states "There is an annual demand for 80 homes in the 250 thousand dollar price range." There were 38 notices sent to the property owners within 300 feet. 15 notices were received, 1 unopposed and 14 opposed. The Planning staff recommend that the Planning Commission recommend approval of the rezoning request PZ24-00092 to rezone parcel 70961 from TR, Threshold Residential to NTR, Neo Traditional Residential. The rezoning will allow for an 84-single family home development that would fill the void identified by the Dander Housing Study.

Mr. Petrick opened Public Hearing.

Mr. White Stated: Good afternoon, Commissioners my name is Jamie White. I'm with White Engineering design out of Bedford. I'm representing Mr. Lopez on this piece of property. We look at this piece of property for single family detached home residential development. We actually met with city staff back In December for by right development lay out for about 54 residential units. That was a by right option that we explored. We got public water that's in excess there that could use some upgrades along Longview. The upside is to have water lines to serve our development. Sewer line is accessible to our property as well. I have worked on a couple projects here in Danville. I'm fairly new to doing work down here but I have been working on multiple things that have been multi-family, townhouse developments and things of that nature, knowing that there is a need for single family detached homes in the area as well. We think we are bringing that. We had a discussion with planning and with housing development about a low tier price home. What we are proposing now in our re-zone is to get to 84 lots. This allows us to do smaller homes to help off-set costs and to help get prices to around 225 thousand dollars for a new home. What we would be looking to do is single story, three bedroom two bath homes on these lots on a public street. Obviously the by right option that we were exploring and moving forward with, those homes will be close to 350 thousand dollars, and I don't think its hitting the targets that may be in need in the city. That's all I have, and I would be happy to answer any questions that you have.

Mr. Petrick Stated: Yes, as far as city specifications, as far as design is concerned, would you talk about 1 story and 2 story dwellings?

Mr. White Stated: One story.

Mr. Petrick Stated: And what's the average square footage?

Mr. White Stated: 1,300 square feet.

Mr. Bolton Stated: And what is the size of the typical lot?

Planning Commission Minutes

March 11, 2024

Mr. White Stated: I don't have that in front of me.

Mr. Bolton Stated: And also, Sandy River is pretty close. I rode by this property. I noticed you got this proposal close to there. Most of the time water is going to run to the water source. How is that land laid back there?

Mr. White Stated: Well, we are going to catch water in the streets and devote it back to open space with Stonewater management. We have not done an actual field survey, but we are shooting for 84 units and once we do, the survey on that lot may reduce the number of units in order to make storm water management happen the way we need to. Some of it will use low-impact design for lots that are close to the water ways.

Ms. Evans Stated: The property I can see, it looks like part of it... Are you going to fill that in or just go with the topography.

Mr. White: We are going to follow the topography. Having single family detached homes, you can help follow the topography and grade changes between units and things like that. We don't get to as much with attached housing because you need to be more flatter I guess. You can't make up a lot of grades between units. And that's why I'm saying we are maximizing an ideal 84. It might be less once we get the survey done. We know we 're crossing the gas line to run across the power lines to cut the property in half. Obviously, we can't grade that area, we need to be above grade when we cross over top the gas lines. But we will be able to follow the topography as we go.

Ms. Evans Stated: You're not planning on bringing in field dirt?

Mr. White Stated: We will balance our material on site. So, we're not letting them bring in a bunch of stuff. Whatever we need to fill, we will cut it out of the higher spot.

Ms. Evand Stated: And it looks like you only have one egress one ingress.

Mr. White Stated: One egress. We worked with the fire marshal office. Our plan for these units is to have sprinklers which would allow us to get up to 100 unit with single point access.

Mr. Dodson Stated: These homes will have a carport or garage?

Mr. White Stated: Just driveways.

Mr. Petrick Stated: And no basements?

Mr. White Stated: No basements. There may be depending on the topography of some of these unit. They may be more suitable to have a walk out maybe a utility basement. But not finished.

Mr. Petrick Stated: Are these going to be slabs or crawl spaces.

Planning Commission Minutes

March 11, 2024

Mr. White Stated: Yes, slabs and crawl spaces depending on the lots grade. Potentially a lot of them may be crawl spaces underneath. But if we got some heavy relief between the front and backyards, we may do walk out basements.

Mr. Petrick Stated: Any other questions for Mr. White?

Ms. Evans Stated: So, the fire department was okay?

Mr. White Stated: As long as it has sprinklers. That is the caveat of having more than 30 lots on a single point of access. There has to be sprinkles.

Mr. Petrick Stated: Thank you Mr. White. Anyone else who would like to speak in favor of this item, please come forward. Anyone who would like to speak in opposition of this item, please come forward. State your name please.

Mr. Roberts Stated: My name is Shawn Roberts. I am going to read this letter that we put together. My name is Shawn Roberts, and I am a citizen of Danville and I have resided in Westover hills community all my life. I am writing this letter to inform you about how much I appreciate the job you all are doing, and I completely understand the challenges you face daily by trying to balance the influx of people moving into the area while also trying to accommodate the zoning needs of the existing residents. I understand That. I wan to discuss the proposed zoning change for parcel id 70961 owned by Mr. Rivera on Longview Avenue. The proposed zoning change from Threshold Residential to Neo Traditional Residential is extremely concerning to me given the fact that the tract of land borders sandy river residential zoning and Threshold Residential zoning. Which are the least two density zonings in the city of Danville. This request if approved would make this parcel one of the highest density zonings on the city. In the 20230 comprehensive plan for Danville, one of the three underlining things for community improvement is to provide for public safety and maintain quality of life enjoyed by Danville residents. In my personal opinion it would be difficult to achieve these goals in this parcel in this location. One of the policies in the future land plan use, sustainable growth is to discourage development of land in the flood plain of the dan river or it's tributaries as well as parcels with severe slopes. According to the environmental conditions of the comprehensive plan concerning erosions, recognized as part of this property, is in the moderate scare flow erosion and includes slopes in excess of 25%. This is a major concern due to the erosion washing into the Sandy River. The Sandy River residential district was created when the zoning committee and its predecessors recognized the rural life of the sandy river area. It is directly stated in its purpose and intent to protect its existent rustic way of life in the Sandy River community. And when you look up rustic in the dictionary, of course that's where we are with neo-residential. So we are putting oil and water together. We are trying to put two different things together. The sandy river zoning is truly a rural zone that allows owner the freedom to grow crops, raise livestock and enjoy rural living In the city. Given this information, adjoining the proposed neo residential threshold against the sandy river threshold residential would be counter intuitive. According to the city's master plan the Westover arear is home to the highest concentration of active agricultural uses and undeveloped land in the city. It states the comprehensive plan for future land use that the city wants to maintain the character at Westover drive and not leapfrog the sub-division development in outlaying arears. The minimum lot size for sandy river residenceals is 3-acre with a maximum density of 1 unit per 5 developable acres. Versus

Planning Commission Minutes
March 11, 2024

the neo residential threshold, with a minimum lot size of 4,000 square feet and up to 7 dwelling unit per developable acre. This is 3% at the minimum lot size versus sandy river residential. 4,000 square feet versus 130,680 square feet. The result in a 97% difference in land mass. In closing, I would like to express my appreciation for the hard work you all do. I personally am a residential builder and I understand the demands of you position. Based on the information from the 2030 comprehensive plan and the current zoning of this area, I would greatly appreciate if this board would consider my request to leave parcel 70961 as threshold residential. I would encourage the builder to develop this parcel under the current threshold residential permitted uses and in doing so, they would potentially gain lots of friends in the area. Sincerely Shawn Roberts. I just have a couple bullets to make on that. I got 33 seconds, I'm going to talk quick, y'all listen fast. There is approximately 1,000 acres of farmland and forest land just across the river which is less than 300 yards the corner of this proposed property. This is all kind of wildlife and of course you know you develop a new residential neighborhood; you have flowers and plants and all those kinds of things. Well, the deer is going to eat all those up. That's how things go. I know my time is running out and I'm going to close with this. If you do see fit to recommend this to city council, I would certainly appreciate a comprehensive traffic study on this. None of the streets to get back out to west over have curb and gutter or sidewalks and when you get out to Westover, these 500 feet is a hill that obstructs your view and west about 500 feet is a curve that obstructs your view. So I certainly appreciate y'all looking into that.

Mr. Leggett Stated: I'm Mike Leggett. I just found out about this meeting. I will tie in a little bit of what Shawn Roberts mentioned. About 20 years ago, me, Jeff Roddin, and Ken Gille wrote the zoning that is the sandy river district zoning. And this other zoning is a lot like it. And at the time even a lot of this commercial stuff there was this big push for green space. And because of all this land being the buffer, and I have, along with my son, probably the largest parcel in the city that borders the river. It's probably close to 200 acres just a few blocks below it. But the whole foresight of the city was for this area to be large parcel building. I have all the silver line and easement of the city going thru. I don't even know if any the utilities or anything or any are able to handle this because the foresight was for this to be a large lot area. I'm just a little puzzled because the city, if considering this has changed their stance and so many people in the western area chose that area because of the large lot situation and green spaces and we actually board horses in the city and have a lot of property in the city. Up and down Westover. It's all in the city. That was probably the primary reason people like Shawn Roberts chose and a lot of large landowners here chose this area. I would seriously consider y'all to..... You guys threw out one proposal 20 something years ago. A lot of people invested because of the direction you took it in first. So thank you.

Mr. Aguilera Stated: Good afternoon, My name is Jessie Aguilera. I'm a resident in Longview and I want to thank the community for allowing us to speak on this matter. A couple things have been brought to my attention right now, just by sitting here, that the fact that Mr. White was in talk with the city, and we just found out about this zoning change 22 days ago. Second thing, Mr. White doesn't know exactly what is going to happen to our neighborhood because they haven't done the plan on the erosion, they haven't done the studies to exactly tell us what they are going to do there. Again, being a family unit, most of the residents have been there for a long, long time. So, this is once again going to ask us to change our lives. Several years back, this area was Pittsylvania County annexed by the city. So, our lives were changed. We are being asked again to change our lives completely. You see the plans and where

Planning Commission Minutes

March 11, 2024

we live. I don't have to mention what Sean and Mike said about it. But we saved our money and bought our houses with it. Now if the committee would allow me, I know there is a lot of people in this room. I would like to ask my neighbors who are opposed to this to stand up. Would that be okay. I don't think I need to say anymore. Thank you very much.

Ms. Bray Stated: My name is Bridgett Bray I lived on Longview for 55 years. I want to mention one thing that I have not heard mention. There is one way in and one way out on Longview Avenue. They reduced Westover Drive from 4 lanes to 2 lanes. They are talking about putting this monstrosity in our backyard and Mr. Aguilera. The river is down there and when they are going to have to grade and cut the tress and all of that and that is going to cause erosion. It is going to flow down into our yards just like this all over. Go straight to the river and wherever it goes. I think that is just a terrible thing to put that between people's property. Most people who have lived on that street have been there 50 plus years and they want to put something like that on our street. One way in, one way out. That's all I have to say. Thank you.

Mr. Petrick closed Public Hearing.

Ms. Evans Stated: Does the city have plans to do a traffic study?

Ms. Burton Stated: If a traffic study were to be completed, it would be at the cost of the developer.

Mr. Bolton Stated: I don't have a question but if y'all would just allow me to make a comment on this. I am all for development. In my years I have been involved in 2 subdivisions. In the county and half acres lots and it worked out great. And another gentleman that spoke in favor knows what he is talking about just by a few questions that I asked. My problem here is the problem I have on the last Neo Traditional zoning. It was designed with urbanization in mind, it was designed to limit automobiles and traffic in areas when I think about it, in the downtown Berryman Monument type areas where there my be houses squished in where people can walk to restaurants and businesses and thing like that. The change in neo out there is all rural looking. It is in the city it was annexed in 88, 1988. But there is still no curb and gutters, its rural. I have the issue going from the threshold to the neo traditional and I'm not going to support it.

Mr. Petrick Stated: Any other questions. Are you making that as a Motion?

Mr. Bolton made a motion to deny application PZ24-00092.

Ms. Evans seconded the motion.

Motion was denied by a 4-1 vote

9. Special Use Permit application PZ24-00093 filed by Rivermont Danville, LLC to allow a waiver of maximum floor area ratio at 403 Spring Street (Parcel 21690) in accordance with Article 3.K Section C Item 19.

Planning Commission Minutes

March 11, 2024

Ms. Burton Stated: Rivermont Danville LLC is proposing construction of a 432-space parking complex at 403 Spring Street. The parking complex will have a single-story section of 42 spaces and a 6-story section of an additional 390 spaces. 403 Spring Street is zoned CBC, Central Business Commercial and is approximately .120 acres. The proposed parking structure has a floor area ratio or FAR, of 4.8 where 3.0 is allowed with a special use permit. The applicants have requested a special user permit in accordance with article 3 K, Section C, Item 19, for a waiver of the maximum floor area ratio. Article 15 of the zoning code defines the floor area ratio as "The ratio determined by dividing the gross floor area of all buildings on a lot by the area of that lot." The 2030 comprehensive plan does not identify parking structures within planning area 6 which is the river district. But The river district design guidelines recognize the potential need. Poage 21 of the design guidelines state "As Danville redevelops, parking garages will be needed." The City of Danville has experienced spectacular growth in the past 10 years. The requested need for a parking garage in the river district is a result of this growth, an increase in activity in the area. A parking structure will provide an amenity for surrounding living units river district businesses and visitors of the river front park. 34 notices were sent out to surrounding property owners. 4 unopposed notices were received. Planning staff recommends that the planning commission recommend approval of PZ24-0093 to grant a waiver of the maximum floor area ration of 403 Spring Street.

Mr. Petrick opened Public Hearing.

Mr. Davidson Stated: I'm Charles Davidson I am the owner's rep and I'm here to answer any questions you may have.

Mr. Petrick Stated: Any questions from the commissioners? There will be an elevator In this garage.

Mr. Davidson Stated: The garage holds 2 elevators and 2 staircases. It is a public garage.

Ms. Evans Stated: With a fee?

Mr. Davidson Stated: That is to be determined.

Mr. Dodson Stated: How long will it take to build the structure?

Mr. Davidson Stated: Once approved, we anticipate it will take 16 months to construct it. We see an opening end of 2025 early 2026.

Mr. Petrick Stated: There was an additional parcel number added to this, correct? Okay. Thank you very much. Any other questions from commissioners?

Ms..... Stated: When you say Spring Street, I have property on 618 Shelton Street. So im trying to see how far, are you talking about the railroad.

Mr. Petrick closed Public Hesring.

Mr. Bolton made a motion to approve application PZ24-00093.

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

10. Special Use Permit application PZ24-00094 filed by Culture Restaurant and Grill to allow commercial recreation facilities at 510 Spring Street (Parcel 20586) in accordance with Article 3.K Section C Item 5.

Ms. Burton Stated: The applicant Culture Restaurant and Grill is requesting a special use permit to allow an indoor commercial recreation facility at 510 Spring Street. The property is zoned CB-C, Central Business Commercial and is currently in operation as a restaurant. The applicant is requesting a special use permit to allow an expansion in restaurant operations to include entertainment and music events. Operation of a facility that requires payment to attend events is deemed indoor commercial recreation facility by the zoning code and a special use permit is required. A zoning violation letter was issued in January for commercial recreation facility operation without a special use permit. After receiving the notice of violation Mr. Pharell contacted the planning office to submit a special use permit application. 510 Spring Street has a certificate of occupancy and a limited capacity of 150 persons. 27 notices were sent to property owners within 300 feet of the area. 4 unopposed notices were received. The Planning staff recommend that the Planning Commission recommend approval of PZ24-00094 to grant a special use permit to allow indoor commercial recreation facility at 510 Spring Street. Event venues in the river district provide afterhours attraction for residents and visitors.

Mr. Petrick opened Public Hearing.

Mr. Ferrell Stated: Thank you guys. Right now we do entertainment. We are here for 3 different things.

Ms. Burton Stated: Its all under the umbrella of commercial recreation.

Mr. Ferrell Stated: Okay fantastic. So, part of our business model will allow people to rent our facility. You will get a 4- or 8-hour rental in which we charge for. We want to continue to do that because it is a section of revenue for us. Periodically we will do entertainment like once a quarter and then maybe during the holidays where we will charge a ticket in advance. You will have to get that on Eventbrite. It allows us to monitor who is coming in. Collect info for us as well. And typically, we give you something. So, if we have a band, more than likely it's a band, you will get a meal or a drink. And then we have a loyalty program which is like a membership. You will \$300 per year and get access to extended hours as well as discounts.

Ms. Evans Stated: How long have you been operating at this capacity? Not your restaurant but charging for events because you received a violation letter.

Mr. Ferrell Stated: Yes and we were shocked at first because we been doing this since we opened. We opened February 17, 2022, as a soft opening. That's how we conducted our soft opening, you had to have an Eventbrite ticket to come in to dine. Then we did our grand opening on March 18 2022. We had

Planning Commission Minutes

March 11, 2024

events once a quarter. Then we blocked the streets off and charged for that as well. We done spring street music fest twice. We block the streets off and bring people down.

Mr. Petrick Stated: Is this like a cover charge?

Mr. Ferrell Stated: It's like a cover charger but you know most cover charges, you don't get anything with it. We give you something. Even with the 4th of July. If you paid \$25, you get barbecue and a drink and sit there and enjoy the fireworks.

Mr. Dodson Stated: Where do people park? Or do a lot of people just walk to your venue?

Mr. Ferrell Stated: It depends on the date and the attraction. We attract people from downtown who walk over. Typically, they line the street of Union and then we have a parking lot in front of the building. But Union, Floyd, high street.

Mr. Petrick Stated: And they are planning to build a parking lot right across the street. It'll be convenient okay.

Mr. Petrick closed Public Hearing.

Ms. Evans Stated: I have a question. He has been on operation since 2022, how come it took the city so long to figure this out?

Ms. Burton Stated: I can tell you when we become aware of it, violation letters are sent out.

Ms. Evans Stated: Not have staff to check on things like this?

Ms. Burton Stated: We have been operating at very limited capacity. We are not at full capacity yet, but we are much closer than we have been in the past.

Ms. Evans Stated: It concerns me that a lot of violations have been coming to us. A lot. And as it's been pointed out, people have been asking for forgiveness to move forward rather than for permission. I'd like to see the city more proactive to getting the word out that special use permits are required. Like short term rentals people are not aware that special exceptions permits are required. I think its very important the public be aware of what is required to operate whatever it is they want to operate.

Ms. Burton Stated: So, we've been adding items to our website and also been working with the river district association. I have recently attended two separate meetings and workshops with them, and I have more scheduled in the future on how to properly start a business in the city of Danville.

Mr. Bolton made a motion to approve application PZ24-00094.

Mr. Khan seconded the motion.

Motion was approved by a 5-0 vote

11. Special Use Permit application PZ24-00097 filed by Carl Norton for special use permit at 108 West Main Street (Parcel 26034).

Ms. Burton Stated: 108 W Main Street is zoned TO-C, Transitional Office Commercial. The office at the Commissioner of Revenue shows that there has not been an active business at this location since 2013. But the property was previously used as offices in a medical practice. The applicant is proposing a retail establishment. If code amendment request PZ24-00098 is approved by city council, retail will be allowed by special use permit. Limited to indoor display of storage. 108 Main Street is located in the west main corridor overlay. This overlay was developed for its economic growth and development that is compatible with its surrounding area. The applicant is requesting a special use permit to operate a retail establishment of apparel and accessories. The property has a paved parking lot in the rear of the structure that would adequately serve the retail operation on the main level and a potential office on the upper level. 21 notices were sent out to the surrounding property owners. 3 unopposed notices were received. There was 1 opposed. Planning staff recommend that planning staff recommend approval of PZ24-00097 to allow retail sales in accordance with article 3 I, section c item 10 with the hours of operation limited from 8am to 8pm.

Mr. Petrick opened Public Hearing.

MS. ... Stated: I lived at 936 main street and I have for the past ten years. I object to this. Not because I'm in the purview of it but because it is going to be in the old west end. Which many people have put in a lot of time and money to make it a nice place to live. Which they have especially Mr. Rigby at 926 main street. He has organized all these people, and we brought the whole place up to a very nice, lovely residential area. I don't think that the man operating this is really going to operate it and I don't think he is going to do what he says will. I think if you look back I the ten years, this man you been dealing with, you'll find out he is not the most truthful person in the world, and I don't think you should give him a permit to do anything. Not even to grow tulips in his backyard. So that is my opinion and I would like for you to know who he is and I think you do. I think he sued the whole town. Anyway, I hope that you don't approve this or any other permits for this man. He is not the kind of business that Danville is trying to cultivate. You got an economic renaissance going on here, don't spoil it by letting people of questionable character come into town and operate businesses. He is already in town. You should encourage the Edgar Walkers of this world to come here and do things. Not characters like Norton.

Mr. Petrick Stated: Thank you. Is there any reason why he is not here today?

Ms. Burton Stated: No sir he did not contact us.

Mr. Petrick closed Public Hearing.

Ms. Evans Stated: Yes you know how I feel about the applicant not being in attendance. I understand emergencies occur and we granted that person leniency the other day, but I do have a problem with applicants not attending.

Planning Commission Minutes
March 11, 2024

Mr. Bolton Stated: We heard from the other one and he had an emergency and we moved forward to stay consistent. Did he reach out in anyway reach to say he was not going to be here?

Ms. Burton Stated: No, we did not hear from him.

Mr. Petrick Stated: It would be nice for him to come forward and clarify exactly what he intends to put there. I think that is sort of a mystery. I been hearing that is going to be a coffee shop for a long time. But anyway, it would be nice if he were here to talk to us about it. Are you making that in the form of a motion Commissioner?

Ms. Evans Stated: We haven't decided whether to deny or postpone.

Mr. Petrick Stated: oh okay. Let us know will you.

Ms. Evans made a motion to postpone application PZ24-00097.

Mr. Dodson seconded the motion.

Motion was postpone by a 5-0 vote

12. Special Use Permit Application PZ24-00089 filed by CCKW, LLC requesting a Special Use Permit to amend an existing PUD to include Parcel 25236 (Franklin Street).

Ms. Burton Stated: The Applicant CCKW submitted a plan of development which was approved by city council. The proposed plan development a PUD, consolidate parcels to create residential housing development on monument, Shelton, Cabell, and Franklin streets. The entire development consists of 30 single family attached unit dwellings and 60 apartments divided into 3 apartment buildings. He was approved with the following conditions. Number one, the permitted uses of the development are residential. Number two, the developer will complete and a traffic impact analysis in consultation with the city of Danville and implement recommendations. Number three, the buildings may not have vinyl sidings on exterior vertical facial. Number four, a minimum of 35% of the buildings' areas will be masonry. Number five, the building height of each building may not exceed 60 feet. Number six, parking shall not be placed in the front yard of town home development, Number seven, no more than 8 and no fewer than 3 single family attached units or town houses shall be included in any one physical continuance groupings. Number eight, town hose grouping shall be designed to minimize flat face row house architectural façade, architectural projections, off sets, window based, canopies, portraits, mixed materials, and colors and other design elements of the unified architecture theme shall be provided to achieve this result. Number nine, The architectural treat of attached dwelling shall vary so that no more than 2 abutting units are substantially the same and so that no more than 4 in any group are substantially the same. Number 10, the apartment building structure must mimic the exterior design submitted by the applicant in allure. Number eleven, the development will maintain landscape buffers complying with article 16 of the zoning code and/or the development agreement, which ever is greater. And number 12, the developer executes and records agreement with the city of Danville that acknowledges these conditions. Since approval, the applicant acquired parcel 25236 and is requesting to

Planning Commission Minutes

March 11, 2024

amend the special use permit to include the new property within the existing PUD. The addition of parcel 25236 would prevent the construction of a driveway between two existing homes on Cabell street and increase the number of town homes fronting franklin street from 6 to 10. 139 notices were sent to surrounding property owners within 300 feet of the subject property. There were 33 notices received that were unopposed. It is important to notice that 26 of those were from the applicant. Planning staff recommends that the planning commission recommend approval of application of PZ24-00089 to amend the PUD of previously approved conditions to include parcel 25236.

Mr. Petrick opened Public Hearing.

Mr. Gould Stated: Good afternoon, Mr. Chairman and everyone. My name is Steven Gould and I'm an attorney with PUD law and we represent CCKW, the developer here. Ms. Burton has summarized the request here very concisely. Really this is a house keeping measure since we were before you in November and council approved this PUD in December. We are working with the city and DRHA to bring one additional parcel under control of CCKW. As Ms. Burton mentioned in doing so, we will reframe how those houses are going to look on franklin street and be able to avoid splitting two existing residences with a driveway way so there are really 2 actions here. One is to include that new parcel in that new PUD and to remove that parcel that was between the two house that we ultimately did not acquiring because this parcel was able to be obtained so I'm happy to answer any questions you may have.

Mr. Petrick Stated: Any questions from Commissioners?

Mr. Bolton Stated: Just for my memory, that was one of the if not the only objection previously. So, this in fact would solve the concern of that neighbor.

Mr. Gould Stated: Yes, that's right and that was the one thing we tried to work diligently to remedy. So, we are glad we been able to do that.

Mr. Petrick Stated: So, this is their home.? The people who objected to begin with?

Mr. Gould Stated: it's a parcel between two residents and it would have split them. It's a vacant parcel it would have a driveway cut thru it. So, we are not able to avoid cutting thru those.

Mr. Petrick Stated: Thank You. Anyone who would like to speak in opposition, please come forward. Yes ma'am.

Ms. Adams Stated: I'm Tonya and my grandmother Mary Adams who live in the homes just wanted to say thank you. Thank you for taking in consideration of not putting that driveway through and we just wanted to say thank you.

Mr. Petrick closed Public Hearing.

Ms. Burton Stated: I would like to make not that it is a removal of a parcel. So that would be a removal of parcel 22082, and an addition of parcel 25236. The removal was not noted in staff report.

Planning Commission Minutes
March 11, 2024

Ms. Evans made a motion to approve application PZ24-00089.

Mr. Bolton seconded the motion.

Motion was approved by a 5-0 Vote

Mr. Petrick Stated: Any other business? Planning director do you have any comments you would like to make?

Ms. Burton Stated: I will let you know that you do have 3 cases scheduled for next month. You have two that were postponed so we will have a meeting. Also, I would like for everyone to be aware that April we will bring the first draft of the comprehensive plan to the public for review. So please anticipate an event on April the 17th from 5- 7 at the community market. We will have that in your inbox for the commissioners to review.

APPROVAL OF MINUTES

The February 12, 2024, minutes were approved by a unanimous vote.

OTHER BUSINESS

With no further business, Mr. Petrick adjourned the meeting.