



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

May 13, 2024

3:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. NEW BUSINESS

1. Special Use Permit application PZ24-00160 filed by Pangea Asian Fusion to allow commercial recreation facilities at 112 Westover Drive (Parcel 51416) in accordance with Article 3.M Section C Item 4.
2. Special Use Permit application PZ24-00179 filed by Fred Leggett, Jr. to allow an accessory building without a primary building being located on the parcel at Parcel 71320 in accordance with Article 3.C Section C Item 23.
3. Special Use Permit application PZ24-00180 filed by K & M Realty Group LLC to allow commercial recreation facilities at 218 Poplar Street (Parcel 20818) in accordance with Article 3.M Section C Item 4.
4. Special Use Permit Application PZ24-00194 filed by Millsan Properties LLC requesting a special use permit at 400 Bridge Street (Parcel 21490) to request waiver of maximum density in accordance with Article 3.L Section C Item 13.

IV. APPROVAL OF MINUTES

1. Minutes from April 8, 2024 Meeting

V. PLANNING DIRECTOR'S REPORT

1. May 22, 2024 PLANDanville Premiere Party 5:30-7:00

VI. ADJOURNMENT



STAFF REPORT

DATE: May 13, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00160 filed by Pangea Asian Fusion to allow commercial recreation facilities at 112 Westover Drive (Parcel 51416) in accordance with Article 3.M Section C Item 4.

SUMMARY

The applicant, Pangea Asian Fusion, is requesting a Special Use Permit to allow indoor commercial recreation at 112 Westover Drive. The property is zoned HR-C Highway Retail Commercial and is currently in operation as a restaurant. The applicant has requested 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 February for an indoor commercial recreation facility operating at 112 Westover Drive without a Special Use Permit. After receiving the notice of violation, the applicant contacted the Planning Office to submit an application for a Special Use Permit. 112 Westover Drive has a Certificate of Occupancy for 160 persons and adequate parking for the restaurant and indoor commercial recreation use.

Sixteen (16) notices were sent out to property owners within three hundred (300) feet. Three (3) notices were received, all were unopposed.

RECOMMENDATION

The Planning Staff recommends approval of PZ24-00160 to grant a Special Use Permit for indoor commercial recreation.

ATTACHMENTS

1. Application
2. 112 Westover Dr Aerials
3. 112 Westover Dr_OWNERS
4. 112 Westover 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 #: P224-00160 PC Meeting Date: May 8, 2024
Date Received: 3-25-24 Received By: LISA JONES
Parcel ID: 51416 Address: 112 Westover Dr.
Existing Zoning HRC Future Land Use: HRC

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 112 Westover Dr. Danville, VA. 24540

Applicant: Jianyinglan

Applicant's Address: 128 3rd Ave W. Danville, VA. 24541

Applicant's Phone Number: 718-415-8251

Applicant's E-mail: jianyinglan0217@yahoo.com

Describe Proposed Request: To Whom it may Concern, we here out pangea Asian Fusion strive to ensure safety, great Customer Service, and enjoyment. We've recieved your notices and would like to apply for a permit for us to operate our new idea "pangea after dark" which is our way of celebrating American Holidays. We open our establishment from the hours of 11pm - 2am to our loyal customers and some

Jianyinglan

Applicant Signature

03/22/24

date

Jianyinglan

Property Owner Signature
(if not applicant)

03/22/24

date

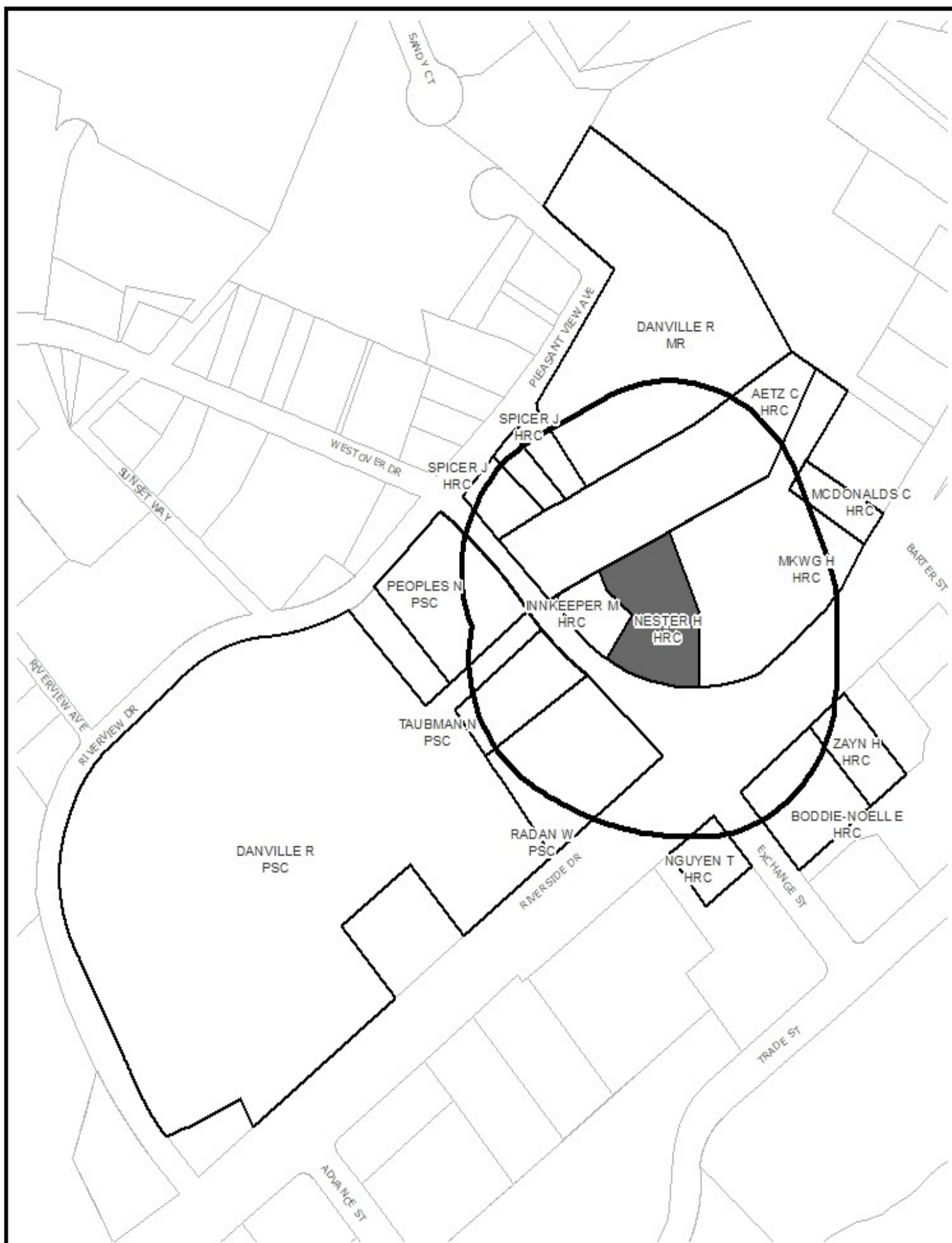
of the public to come in and celebrate with us for the Holiday. Pangea After dark is another way for us to bring in more customers and traffic to our much loved establishment. Although we did not have a permit, we still had precautionary guidelines in place (ex. great professional security, tickets for head count to ensure we are in accordance with our capacity limit, and wristbands for age purposes. We really hope you understand and allow us to continue celebrating

and holding our event. Thank you for your time.

Best Regards.

Pangea Asian Fusion





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
4/23/2024

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
4/23/2024

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STAFF REPORT

DATE: May 13, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00179 filed by Fred Leggett, Jr. to allow an accessory building without a primary building being located on the parcel at Parcel 71320 in accordance with Article 3.C Section C Item 23.

SUMMARY

The applicant, Fred Leggett Jr., is requesting a Special Use Permit to allow an accessory building without a primary building being located on Parcel ID 71320. The applicant has proposed a reconfiguration of property lines affecting Parcel 71320 and the adjoining Parcel 71323. Currently, Parcel ID 71323 contains a single family dwelling and an accessory building identified as a "barndominium dwelling" on the submitted plat. I have confirmed with the applicant's attorney that this is not used as a dwelling. The proposed reconfiguration will divide the existing parcels so that Parcel ID 71320 will contain an accessory building without a primary building and Parcel ID 71323 will contain a primary building without an accessory building.

Article 3.C Section C Item 23 allows a property with an S-R, Suburban Residential zoning classification to request a Special Use Permit for an accessory building without a primary dwelling being located on the parcel.

Thirteen (13) notices were sent out to property owners within three hundred (300) feet. One (1) unopposed notice was received.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of PZ24-00179 for a Special Use Permit to allow an accessory building without a primary building being located on Parcel ID 71320.

ATTACHMENTS

1. Application
2. Plat
3. Parcel 71320_AERIALS
4. Parcel 71320_OWNERS

5. Parcel 71320_LANDUSE

B. Cabell Barrow, PLLC

- Attorney at Law -

600 West Main Street (24541)

P.O. Box 11111

Danville, Virginia 24543

Phone: (434) 272-8484

cabell@danville-lawyer.com

Licensed in VA and NC

March 29, 2024

**VIA HAND DELIVERY AND
ELECTRONIC MAIL**

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

RE: Application for Special Use Permit submitted on behalf of Fred B. Leggett, Jr.

Dear Ms. Burton:

On behalf of Fred B. Leggett, Jr., I herewith submit a Special Use Permit Application (the "Application") pertaining to the proposed reconfiguration of boundary lines affecting Parcel ID No. 71323 and Parcel ID No. 71320 in the City of Danville. Also enclosed herewith is a preliminary Plat Showing Reconfiguration of the Properties of Fred B. Leggett Jr. Trustee of Fred B. Leggett Jr. Revocable Trust DTD Oct 4, 2013.

The Application seeks approval of a proposed reconfiguration of the above-referenced parcels, both of which are held in common ownership by Fred B. Leggett, Jr., as Trustee of the Fred B. Leggett Jr. Revocable Trust, Dated October 4, 2013. A special use permit will be required in connection with the proposed reconfiguration due to the presence of a "Barndominium Dwelling" currently located on Parcel ID No. 71323, which structure under the proposed reconfiguration would become a part of Parcel ID No. 71320. There being no primary building located upon Parcel ID No. 71320, the proposed reconfiguration and the relocation of the "Barndominium Dwelling" onto Parcel ID No. 71320 will require issuance of a special use permit under Article 3.C(C) of the Zoning Ordinance.

The purpose of the proposed reconfiguration is to effectuate certain estate planning measures in contemplation of the eventual transfer of Parcel ID No. 71320 together with the Barndominium Dwelling, but separate from the applicant's home located upon 71323.

The proposed reconfiguration is compatible with the Comprehensive Plan for the City of Danville, the applicable zoning district, and will have no impact on surrounding properties - the majority of which are owned by Mr. Leggett. Nothing about the proposed reconfiguration is expected to impact current or future neighborhood conditions or traffic patterns.

Ms. Renee Burton
March 29, 2024
Page 2

Should you determine that any condition required for your consideration of this Application has not been met, please do not hesitate to contact me, and we will provide supplemental information as needed.

I would like to thank you in advance for your consideration of this application. If you have any questions or concerns, please do not hesitate to contact me directly.

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

B. Cabell Barrow

BCB/km
Enclosures
cc: Fred B. Leggett, Jr. (w/encls.) [via electronic mail]

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 82 Lake Heron Drive, Danville, VA (Parcel IDs: 71323 & 71320)

Applicant: Fred B. Leggett, Jr.

Applicant's Address: 82 Lake Heron Drive, Danville, VA 24541

Applicant's Phone Number: 434-548-3102

Applicant's E-mail: willowtrail@mac.com

Describe Proposed Request: Reconfiguration of lot lines with one resulting parcel to
include Barndominium Structure but no primary structure



Applicant Signature 3/29/2024
B. Cabell Barrow date

Property Owner Signature date
(if not applicant)

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 51143C0628E 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. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES MEASURED IN US SURVEY FEET UNLESS NOTED. GPS MEASUREMENTS WERE SCALED USING A COMBINED FACTOR OF 0.99998459244039 FROM A REBAR FOUND AT NORTHING: 3377178.58 EASTING: 11193738.40
6. HORIZONTAL DATUM FOR THIS DRAWING IS VIRGINIA STATE PLANE COORDINATE NAD83 VA SOUTH.

THE RECONFIGURATION 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 23RD DAY OF JUNE, 2023.

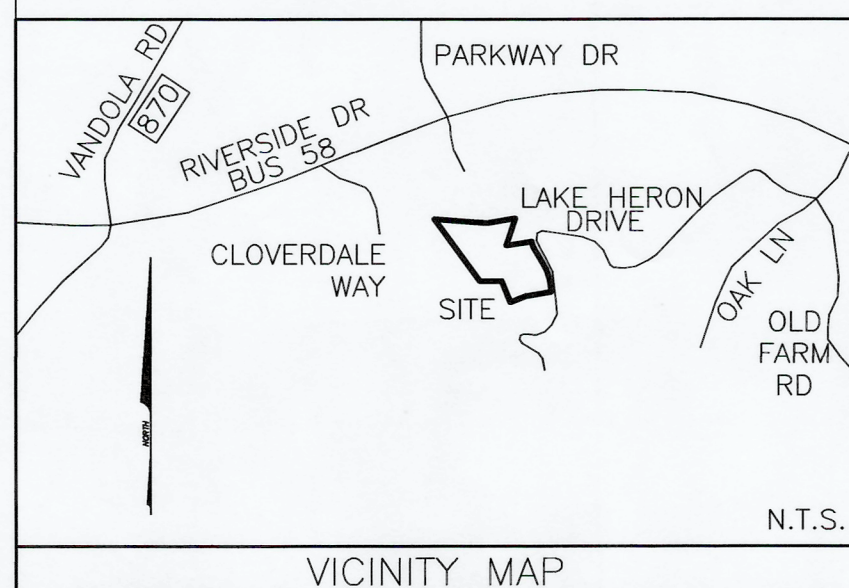
Richard B. Armstrong, Jr.
RICHARD B. ARMSTRONG, JR. LS 3017

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 _____



LOT 20
FRED B. LEGGETT JR.
TRUSTEE OF FRED B. LEGGETT JR.
REVOCABLE TRUST DTD OCT. 4, 2013
INST 19-1890
MB 24 PG 13
PID 71134

LOT 30
FRED B. LEGGETT JR.
TRUSTEE OF FRED B. LEGGETT JR.
REVOCABLE TRUST DTD OCT. 4, 2013
INST 19-1890
INST 98-3727 (PLAT)
PID 77927

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	194.73'	74.02'	S 20°04'09" E	73.58'
C2	429.19'	167.92'	S 19°45'03" E	166.85'
C3	206.40'	96.45'	N 28°41'10" W	95.58'

LOT 21
KEN D. CURTIS
KELLEE D. DAVIS
INST 20-985
MB 24 PG 13
PID 71135

LYNN-HAVEN BAPTIST CHURCH
DB 793 PG 204
MB 26 PG 49 (PITT. CO.)
PID 71130

FRED B. LEGGETT JR.
TRUSTEE OF FRED B. LEGGETT JR.
REVOCABLE TRUST DTD OCT. 4, 2013
INST 19-1890
PID 77944

LOT 1A
4.386 ACRES
FRED B. LEGGETT JR. TRUSTEE OF
FRED B. LEGGETT JR. REVOCABLE
TRUST DTD OCT. 4, 2013
INST 19-1890
INST 16-2531 (PLAT)
PID 71320

4.386 ACRES (LOT 1A)
+2.214 ACRES (LOT 3A-1)
6.600 ACRES (NEW LOT)

ACCESS EASEMENT FOR INGRESS AND
EGRESS TO CLOVERDALE WAY
(FORMERLY KAYWOOD LANE) VIA
THIS GRAVEL ROAD

N: 3377178.58
E: 11193738.40
LAT: N36°35'37.7084"
LONG: W79°29'05.9792"

LOT 3A-1
2.214 ACRES
PART OF PID 71323

LOT 42
FRED B. LEGGETT JR.
TRUSTEE OF FRED B. LEGGETT JR.
REVOCABLE TRUST DTD OCT. 4, 2013
INST 19-1890
MB 21 PG 50 (PITT. CO.)
PID 77942

LOT 4A
2.045 ACRES
FRED B. LEGGETT JR. TRUSTEE OF
FRED B. LEGGETT JR. REVOCABLE
TRUST DTD OCT. 4, 2013
INST 19-1890
INST 16-2531 (PLAT)
PID 77946

LINE	BEARING	DISTANCE
L1	S 30°57'33" E	33.00'
L2	S 30°57'33" E	115.02'
L3	S 08°32'33" E	85.06'
L4	S 19°17'20" W	61.18'
L5	S 55°34'30" W	19.02'
L6	S 68°16'00" W	61.25'
L7	S 68°16'00" W	88.75'
L8	N 19°54'30" W	46.28'
L9	N 19°40'53" W	49.14'
L10	N 05°02'10" E	92.82'
L11	N 58°34'27" E	132.15'
L12	N 58°54'58" E	121.80'

LOT 1A LAKE HERON DRIVE
FRONTAGE IS 106.58'

LOT 3A LAKE HERON DRIVE
FRONTAGE IS 366.93'

LOT 3A
FRED B. LEGGETT JR. TRUSTEE OF
FRED B. LEGGETT JR. REVOCABLE
TRUST DTD OCT. 4, 2013
INST 19-1890
INST 16-2531 (PLAT)
PID 71323

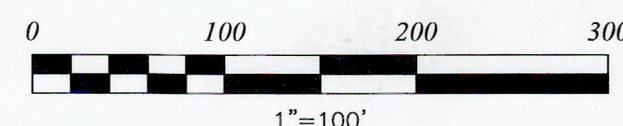
4.339 ACRES (LOT 3A)
-2.214 ACRES (LOT 3A-1)
2.125 ACRES (RESIDUE)

LOT 5
FRED B. LEGGETT JR.
TRUSTEE OF FRED B. LEGGETT JR.
REVOCABLE TRUST DTD OCT. 4, 2013
INST 19-1890
DB 539 PG 298 (PLAT, PITT. CO.)
PID 71322

LOT 7
FRED B. LEGGETT JR.
TRUSTEE OF FRED B. LEGGETT JR.
REVOCABLE TRUST DTD OCT. 4, 2013
INST 19-1890
DB 539 PG 298 (PLAT, PITT. CO.)
PID 77945

LEGEND

- ⊙ PF-PIPE FOUND
- ⊙ RF-REBAR FOUND
- COMPUTED POINT
- REBAR SET
- UTILITY POLE
- ⊙ WELL
- SSCO-SAN SEWER CLEANOUT
- UMP-UTILITY MARKER POST
- OH E OVERHEAD ELECTRIC
- X—X FENCE
- EDGE OF PAVEMENT
- BRANCH
- TIE NOT TO SCALE
- BRICK PAVEMENT



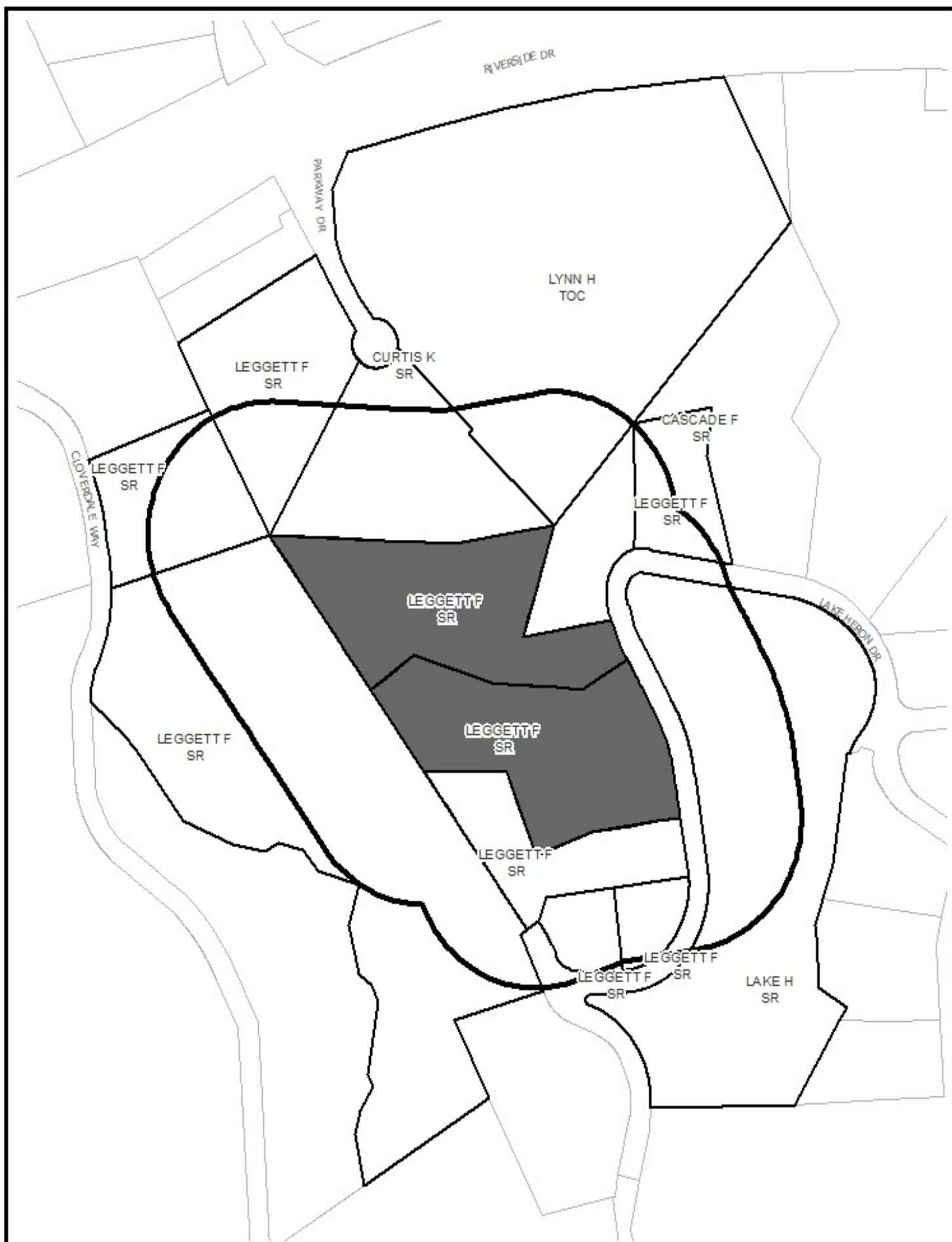
ARMSTRONG
CIVIL
105 NORTH MAIN ST. GRETN, VA 24557. 434-656-1051
ARMSTRONGANDASSOCIATES.NET
RICH@ARMSTRONGCIVIL.COM



DRAWN BY: MSG DATE: 05-04-2023 PROJECT #220038

PLAT SHOWING
BOUNDARY RECONFIGURATION OF THE PROPERTIES OF
FRED B. LEGGETT JR.
TRUSTEE OF FRED B. LEGGETT JR
REVOCABLE TRUST DTD OCT 4, 2013
CITY OF DANVILLE, VIRGINIA



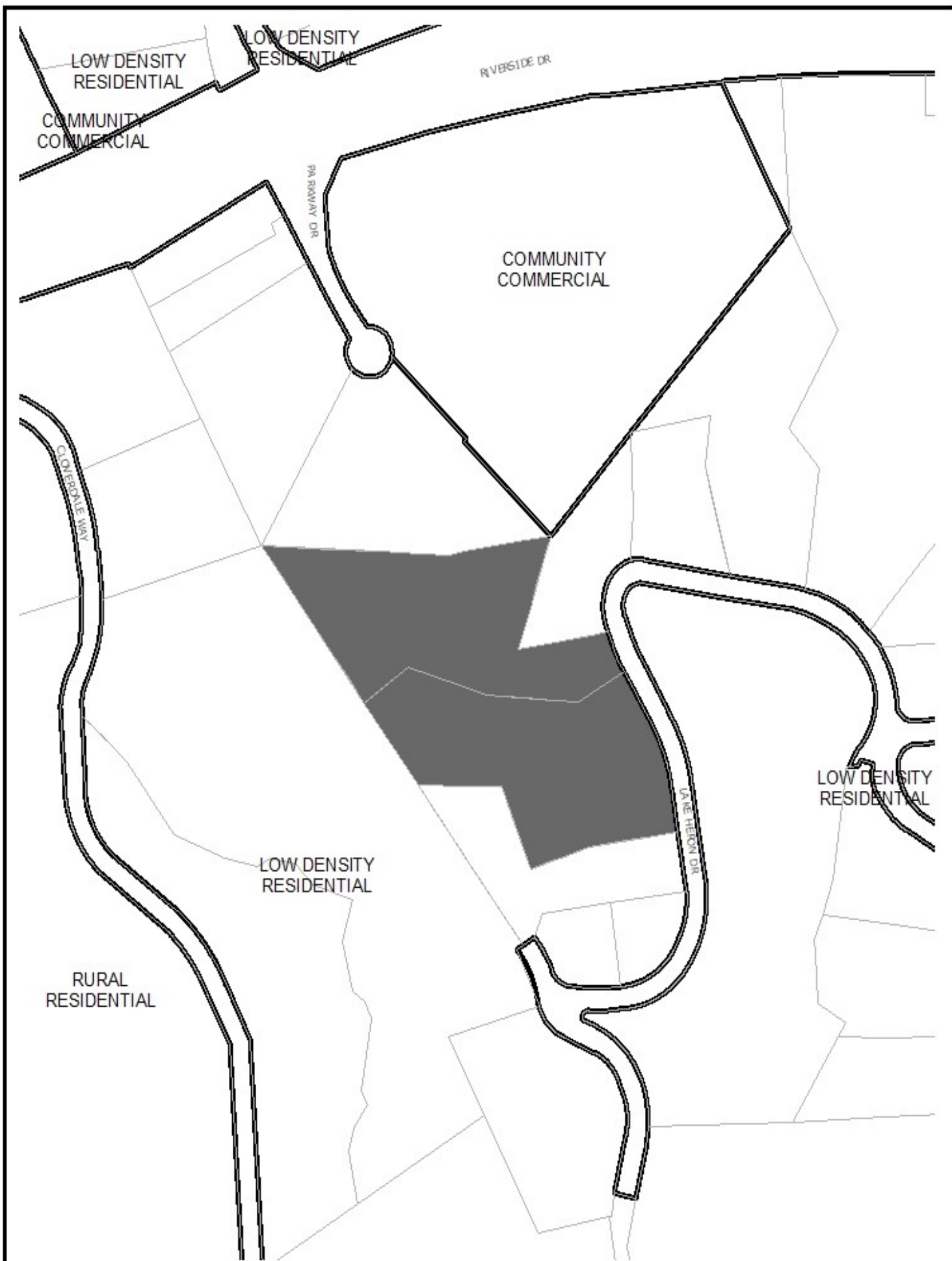


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
4/23/2024

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
4/23/2024

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STAFF REPORT

DATE: May 13, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00180 filed by K & M Realty Group LLC to allow commercial recreation facilities at 218 Poplar Street (Parcel 20818) in accordance with Article 3.M Section C Item 4.

SUMMARY

The applicant, K & M Realty Group LLC, is requesting a Special Use Permit to allow an indoor commercial recreation facility at 218 Poplar Street. The property is zoned HR-C Highway Retail Commercial. The Special Use Permit would allow the applicant to operate an event venue with space to lease for parties and social gatherings. The structure has been vacant and was previously utilized as a church. Parking will be required at rate of one (1) per four (4) persons of the maximum building capacity at 218 Poplar Street. It will be necessary for the parking lot to be striped and a minimum of one (1) ADA space designated.

Thirty-three (33) notices were sent out to property owners within three hundred (300) feet. Two (2) unopposed and four (4) opposed notices were received.

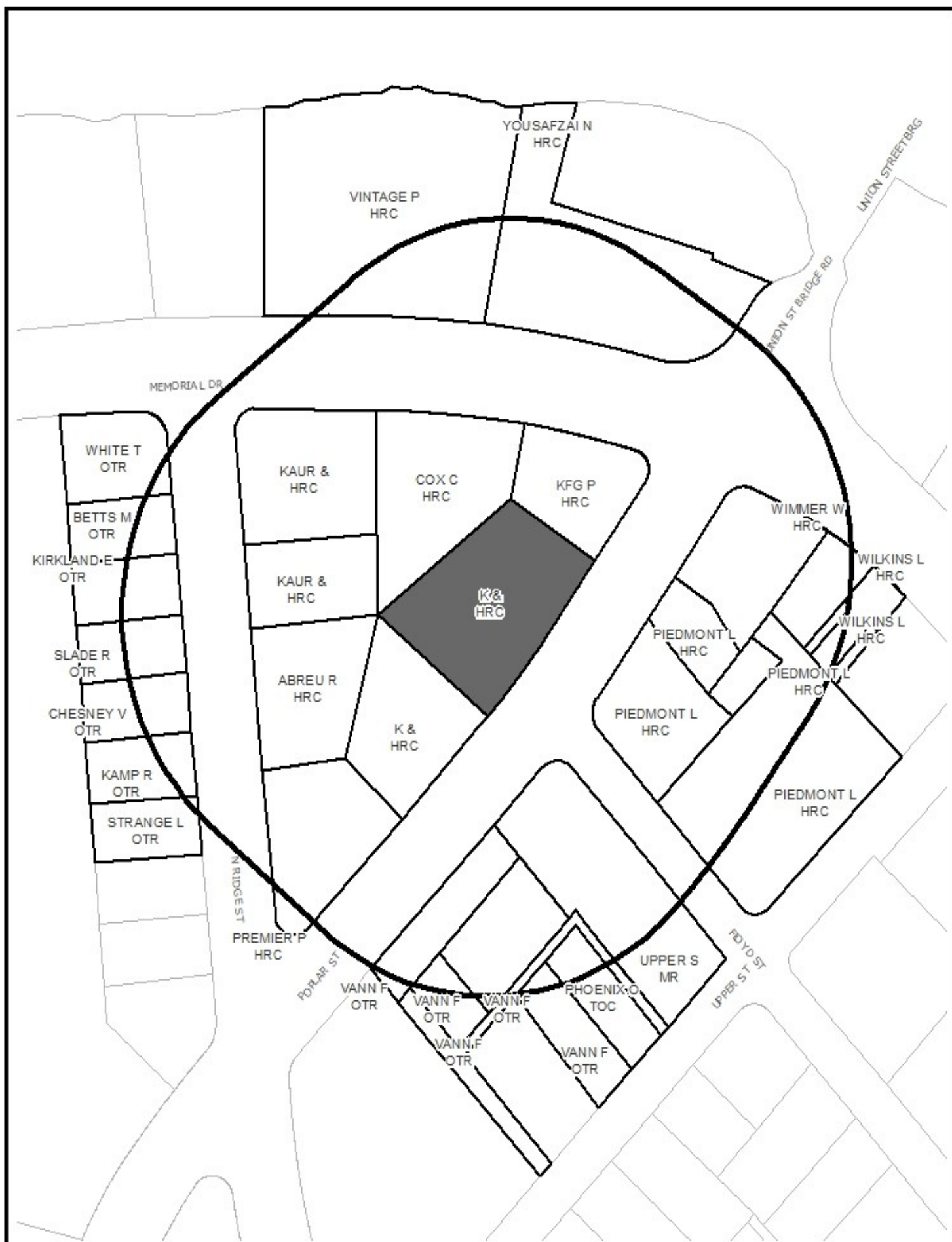
RECOMMENDATION

The 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 at 401 Main Street in accordance with Article 3.K Section C Item 5.

ATTACHMENTS

1. 218 Poplar St_AERIALS
2. 218 Poplar St_OWNERS
3. 218 Poplar St_LANDUSE





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



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4/23/2024

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

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4/23/2024

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STAFF REPORT

DATE: May 13, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ24-00194 filed by Millsan Properties LLC requesting a special use permit at 400 Bridge Street (Parcel 21490) to request waiver of maximum density in accordance with Article 3.L Section C Item 13.

SUMMARY

The applicant, Millsan Properties, LLC is requesting a Special Use Permit for a waiver of density in accordance with Article 3.L Section C Item 13 at 400 Bridge Street. 400 Bridge Street is a 0.17 acre parcel that contains a three-story brick structure with zero setbacks from the property line.

Article 3.L. Section E Item 4b states that the maximum density for a development in the TW-C, Tobacco Warehouse Commercial zoning district is 24 units per net acre for multifamily residential. The applicant is requesting to create a multifamily complex with 25 one and two-bedroom apartments. This request exceeds the maximum density allowed. Therefore, a waiver must be granted for the project.

Adaptive reuse of existing structures in the River District for multifamily dwelling units is common and compatible with the 2030 Comprehensive Plan.

Twenty-four (24) notices were sent out to property owners within three hundred (300) feet. Thirteen (13) notices were received. Twelve (12) were opposed, one (1) was unopposed.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of PZ24-00194 to allow a waiver of maximum density to create a 25 unit multifamily complex at 400 Bridge Street.

ATTACHMENTS

1. 400 Bridge_Rezoning Application_2-5-24
2. Millsan Properties_Brent Cochran Authorization_2-5-24
3. 400 Bridge_ALTA Survey_11-20-23 copy
4. 400 Bridge_Unit Layout_2-5-24

5. 400 Bridge_Elevation
6. 400 Bridge St_AERIALS
7. 400 Birdge St_OWNERS
8. 400 Bridge 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 #: _____ 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: 400 Bridge St Gross Area/NetArea: 19,827

Property Location: N ☐ S ☒ E ☐ W ☐ Side of: Bridge St

Between: Wilson St and Newton St

Proffered Conditions (if any, please attach): _____

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

Name: Millsan Propertie, LLC Telephone: 352-348-3682

Mailing Address: 3303-C North Main St - Danville, VA 24540

Email Address: brian.mills0607@vista-clinical.com

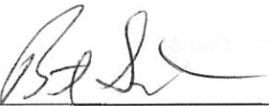
APPLICANT (PLEASE TYPE OR PRINT):

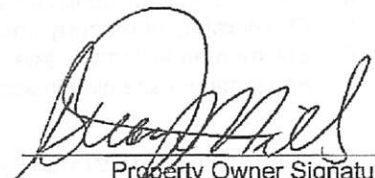
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

Name: Brent G Cochran Telephone: 540-597-6914

Mailing Address: PO Box 1079 - Roanoke, VA 24005

Email Address: Brentgcochran@gmail.com

 2/5/24
Applicant Signature date

 2/5/24
Property Owner Signature date
(if not applicant)

2/5/24

To: City of Danville Planning Commission

I hereby grant Brent Cochran the authority to submit the Rezoning Request and facilitate the Rezoning process for 400 Bridge St on my behalf.

Millsan Properties, LLC
Brian Mills – Owner

A handwritten signature in black ink, appearing to read "Brian Mills", written over the printed name.

3303-C North Main St
Danville, VA 24540
brian.mills0607@vista-clinical.com
352-348-3562

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 WITH THE BENEFIT OF A TITLE REPORT PROVIDED BY FIRST AMERICAN TITLE AND INSURANCE COMPANY, COMMITMENT #19-1258.
3. THE AREA SHOWN HEREON IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD ZONE PER FEMA FLOOD MAP 51143C0634E EFFECTIVE 09/29/2010.
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. NO 811 UTILITY TICKET WAS PLACED AS PART OF THIS SURVEY.

RECORD DESCRIPTION:

LOT E2, CONTAINING 0.172 ACRE, FRONTING 37.24 FEET ON THE SOUTHWESTERN MARGIN OF BRIDGE STREET, RUNNING 192.13 FEET ON ON THE SOUTHERN MARGIN OF WILSON STREET, ALONG LINE ON SOUTHEASTERN MARGIN OF LOT E2, AS SHOWN ON PLAT OF SURVEY FOR DIMON INCORPORATED AND DANVILLE LAND DEVELOPMENT COMPANY DATED MARCH 24, 2005, MADE BY SHANKS ASSOCIATES, P.C., RECORDED ON MAY 9, 2005 (THE "PLAT").

THIS CONVEYANCE SPECIFICALLY INCLUDES A .003 ACRE STRIP OF PROPERTY ALONG THE SOUTHEASTERN MARGIN OF THE SUBJECT PROPERTY AS SHOWN ON THE PLAT.

THIS CONVEYANCE IS MADE SUBJECT TO ALL EASEMENTS, RIGHT OF WAY AND RESTRICTIVE COVENANTS OF RECORD AND AFFECTING SAID PROPERTY AND SPECIFICALLY SUBJECT TO THE FOLLOWING:

- A. THIS CONVEYANCE IS MADE SUBJECT TO THE PARTY WALL EASEMENT AGREEMENT DATED DECEMBER 1, 2004 FROM DIMON INCORPORATED TO MICHAEL G. BENTON AND PHYLLIS CREWS BENTON RECORDED IN THE CLERK'S OFFICE AS INSTRUMENT NO. 04-6312 FOR THE CONNECTION AND SUPPORT OF THE "ELEVATED WALKWAY" WHICH CROSSES BRIDGE STREET AS SHOWN ON THE PLAT.
- B. THE GRANTOR GRANTS AND CONVEYS TO THE GRANTEE ITS RIGHT, TITLE AND INTEREST IN A JOINT RECIPROCAL EASEMENT FOR VERTICAL AND LONGITUDINAL SUPPORT FOR THAT PORTION OF THE BUILDING WHICH IS LOCATED AT POINT "D" TO "E" AS SHOWN ON THE PLAT, AS GRANTED TO IT BY DIMON INCORPORATED IN THE DEED DATED APRIL 29, 2005, RECORDED IN THE CLERK'S OFFICE AS INSTRUMENT NO. 05-2237.

THAT SAID PROPERTY LINE EXISTS FOR A HEIGHT OF THREE FLOORS AND THE OWNER OF THE ADJOINING PROPERTY AND THE OWNER OF THE PROPERTY HERBY CONVEYED ARE SUBJECT TO AN EASEMENT TO SUPPORT THAT PORTION OF THE BUILDING OWNED BY THE OTHER INCLUDING, BUT NOT LIMITED TO, MAINTAINING SUPPORT BEAMS WHICH EXTEND THROUGH BOTH PROPERTIES AND TO MAINTAIN ANY WALL OR DOORS THAT SEPARATE THE PROPERTIES AT THE PROPERTY LINE.

THE PARTIES TO THIS DEED AND THEIR SUCCESSORS IN TITLE SHALL HAVE A LICENSE AND ARE PERMITTED TO ENTER UPON THE PREMISES OF THE OTHER TO MAKE NECESSARY REPAIRS AND MAINTENANCE OF EACH RESPECTIVE BUILDING, EACH PARTY PRESERVES THE RIGHT TO PLACE A PERMANENT WALL BETWEEN THE PROPERTY LINE IF THE SAME DOES NOT VIOLATE ANY CITY ORDINANCE OR DOES NOT CREATE A VIOLATION OF ANY ORDER BY PLACEMENT OF A PERMANENT WALL.

IN THE EVENT EITHER PROPERTY IS DESTROYED BY FIRE OR OTHER CASUALTY, THE RIGHT TO REQUIRE SUPPORT WILL NOT BE EXTINGUISHED EXCEPT BY AN AGREEMENT SIGNED BY BOTH PARTIES AND THEIR SUCCESSORS IN TITLE.

THE COST OF MAINTAINING SUPPORT ON EITHER SIDE OF THE PROPERTY LINE SHALL BE BORNE BY EACH RESPECTIVE PROPERTY OWNER AND ITS SUCCESSORS IN TITLE.

THIS RECIPROCAL SUPPORT AGREEMENT MAY NOT BE MODIFIED, AMENDED, OR TERMINATED WITHOUT A WRITTEN AGREEMENT SIGNED BY THE PARTIES OR THEIR SUCCESSORS IN TITLE.

THIS COVENANT OF SUPPORT SHALL RUN WITH THE LAND AND BE BINDING UPON AND INURE TO THE BENEFIT OF THE PARTIES HERETO AND THEIR RESPECTIVE HEIRS, LEGAL REPRESENTATIVES SUCCESSORS IN TITLE AND ASSIGNS.

- C. THE GRANTOR FURTHER GRANTS AND CONVEYS TO THE GRANTEES ALL OF IT RIGHT, TITLE AND INTEREST IN AND TO AN EASEMENT FOR THE USE OF TEN (10) PARKING SPACES LOCATED IN THE PARKING LOT WHICH JOINS THE SOUTHEAST BOUNDARY OF THE PROPERTY HEREBY CONVEYED AND PROPERTY FORMERLY OWNED BY DIMON INCORPORATED (TAX PARCEL NO. 24373). THE TEN (10) PARKING SPACES ARE DESIGNATED BY "YELLOW" MARKINGS TO INDICATE SPECIFIC SPACES AND USE OF SAID SPACES SHALL BE WITHOUT THE PAYMENT OF RENT AND RUN WITH THE LAND AND BE BINDING UPON AND INURE TO THE BENEFIT OF THE PARTIES TO THIS DEED AND THEIR SUCCESSORS IN TITLE.

THE EASEMENT FOR THE USE OF TEN (10) PARKING SPACES MAY NOT BE MODIFIED OR TERMINATED WITHOUT AN AGREEMENT IN WRITING BETWEEN THE PARTIES TO THIS DEED OR THEIR SUCCESSORS IN TITLE.

TO: FIRST AMERICAN TITLE INSURANCE COMPANY & MILLSAN PROPERTIES, LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1,2,3,4,7A,7C,8,10,12,13,14,& 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 11/20/2023.

Richard B. Armstrong, Jr.

11/20/2023

RICHARD B. ARMSTRONG, JR., LICENSE #L-3017

DATE



SHEET 1 OF 2

DRAWN BY: JRM

DATE: 11/20/2023

PROJECT # 230276

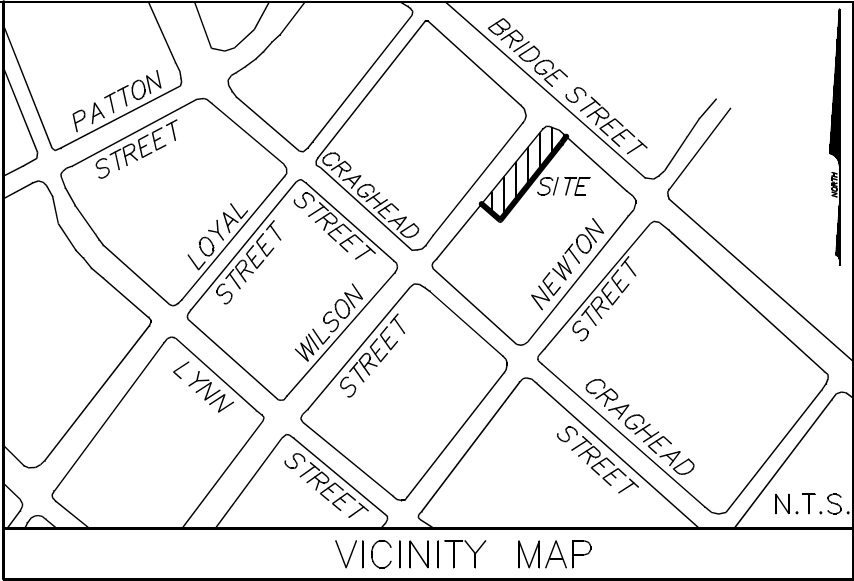
PLAT SHOWING
ALTA SURVEY OF THE PROPERTY OF
MILLSAN PROPERTIES, LLC
THE CITY OF DANVILLE, VIRGINIA

SOURCE OF TITLE:

INST#19-4065

PLAT OF REFERENCE:

INST# 05-2238



ZONING

PROPERTY IS ZONED TWC PER DANVILLE GIS
(TOBACCO WAREHOUSE COMMERCIAL)

BELOW ARE THE EXCEPTIONS IN TITLE COMMITMENT FURNISHED FIRST AMERICAN TITLE INSURANCE COMPANY DATED SEPTEMBER 24, 2019(COMMITMENT #19-1258) WHICH APPLY

7 EXCEPTION #7

RESTRICTIONS APPEARING OF RECORD IN DEED DATED APRIL 29, 2005, AS INSTRUMENT NO. 05-2237, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION, BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTION VIOLATE USC 3605(C).

- PARTY WALL EASEMENT AGREEMENT BLANKET IN NATURE, ELEVATED WALKWAY SHOWN HEREON
- JOINT AND RECIPROCAL EASEMENT FOR VERTICAL AND LONGITUDINAL SUPPORT BLANKET IN NATURE, PARTY WALL SHOWN HEREON
- EASEMENT FOR THE USE OF TEN (10) PARKING SPACES OWNED BY THE ADJACENT PROPERTY TO THE EAST APPLIES. SURVEYOR IS UNABLE TO DETERMINE WHICH SPACES ARE REFERENCED AS ALL PAINT MARKINGS ARE NOW WHITE.

8 EXCEPTION #8

PARTY WALL EASEMENT AGREEMENT DATED DECEMBER 1, 2004, FROM DIMON INCORPORATED TO MICHAEL G. BENTON AND PHYLLIS CREWS BENTON RECORDED IN THE CLERK'S OFFICE AS INSTRUMENT NO. 04-6312 FOR THE CONNECTION AND SUPPORT OF THE "ELEVATED WALKWAY" WHICH CROSSES BRIDGE STREET AS SHOWN ON PLAT DATED MARCH 24, 2005, MADE BY SHANKS ASSOCIATES, P.C., RECORDED IN THE CLERK'S OFFICE AS INSTRUMENT NO. 05-2238, RECORDED ON MAY 9, 2005 (THE PLAT).

- SEE EXCEPTION 7

9 EXCEPTION #9

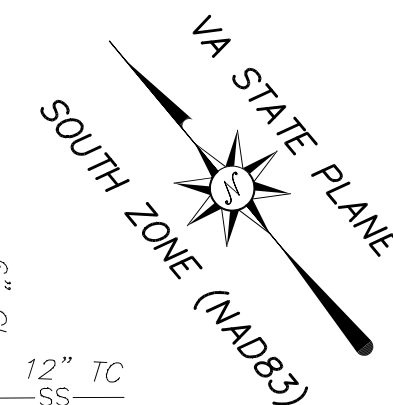
JOINT RECIPROCAL EASEMENT FOR VERTICAL AND LONGITUDINAL SUPPORT FOR THAT PORTION OF THE BUILDING WHICH IS LOCATED AT POINT "D" TO "E" AS SHOWN ON THE PLAT, AS GRANTED BY DIMON INCORPORATED IN THE DEED DATED APRIL 29, 2005, RECORDED IN THE CLERK'S OFFICE AS INSTRUMENT NO. 05-2237

- SEE EXCEPTION 7

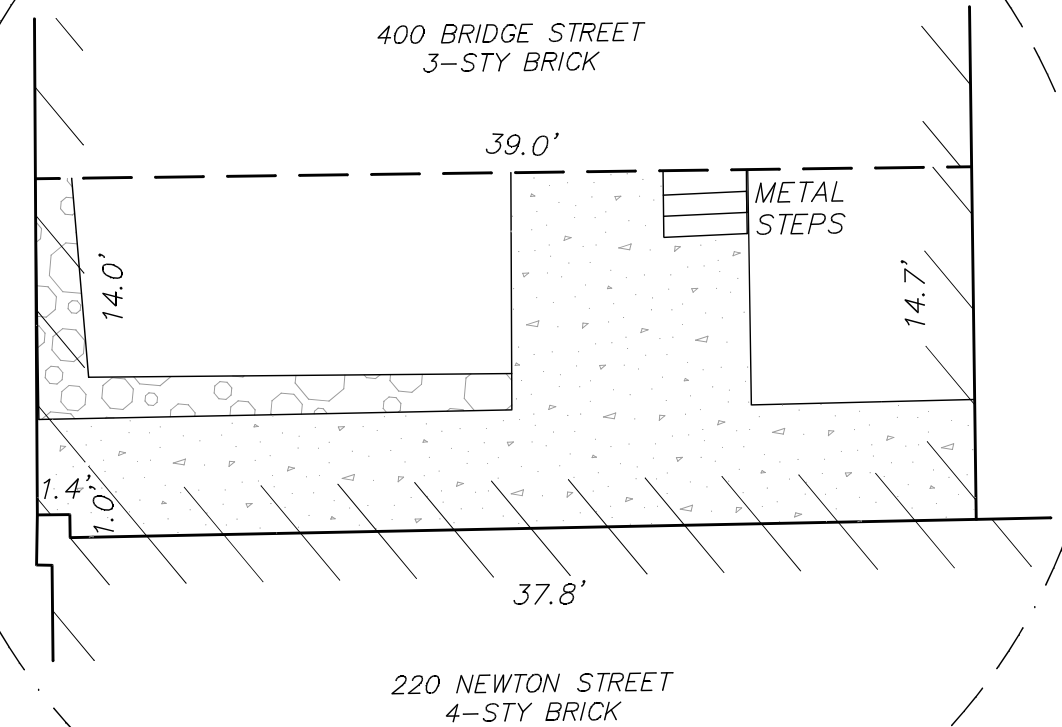
10 EXCEPTION #10

EASEMENT FOR THE USE OF TEN (10) PARKING SPACES LOCATE IN THE PARKING LOT WHICH JOINS THE SOUTHEAST BOUNDARY OF THE SUBJECT PROPERTY FORMERLY OWNED BY DIMON INCORPORATED (TAX PARCEL NO. 24373), AS GRANTED BY DIMON INCORPORATED IN THE DEED DATED APRIL 29, 2005, RECORDED IN THE CLERK'S OFFICE AS INSTRUMENT NO. 05-2237.

- SEE EXCEPTION 7

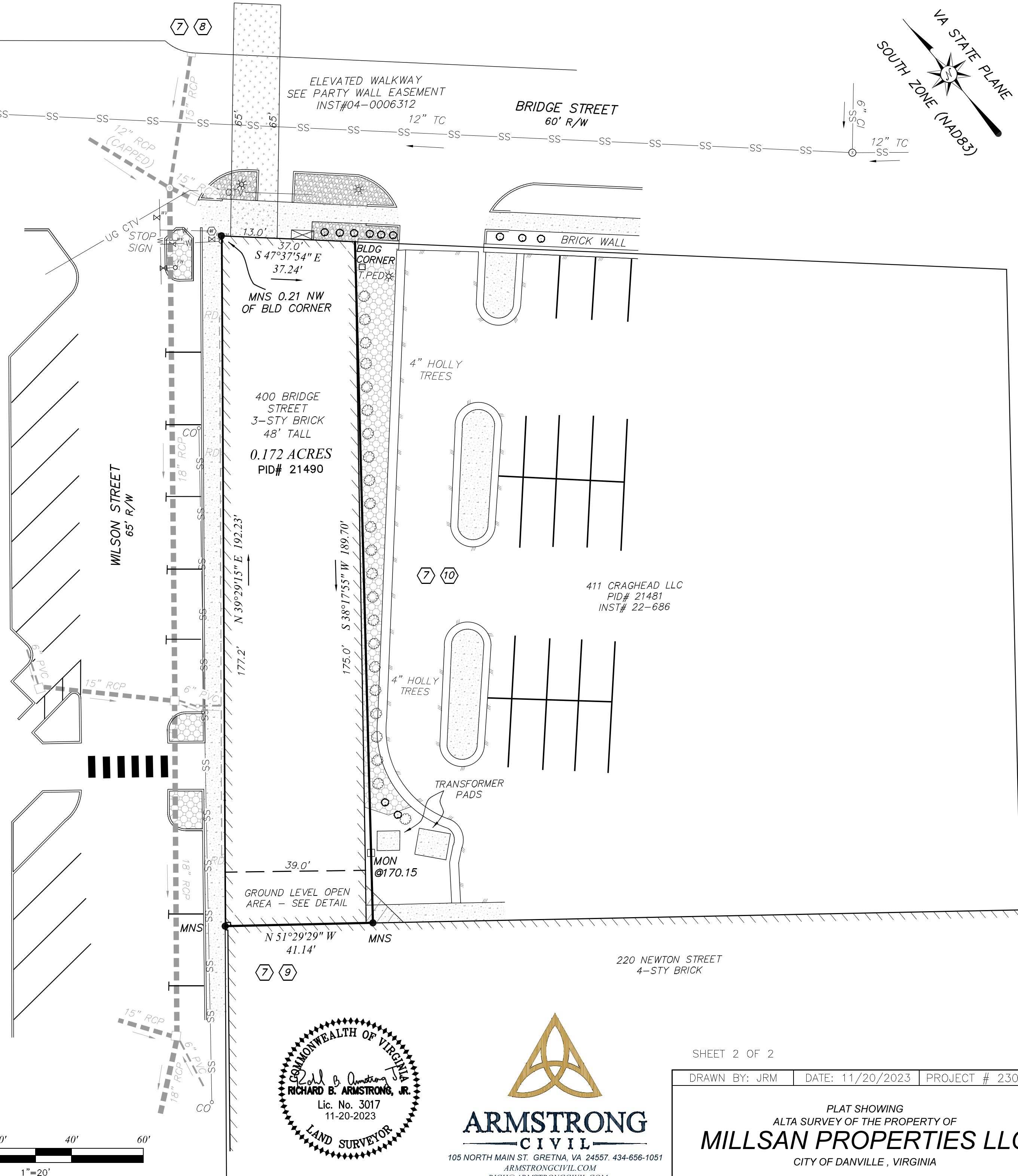
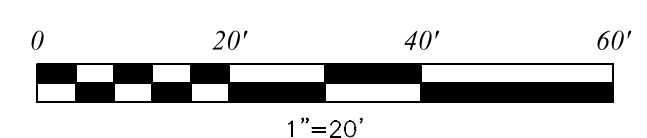


DETAIL OF OPEN AREA
1"=50'



LEGEND

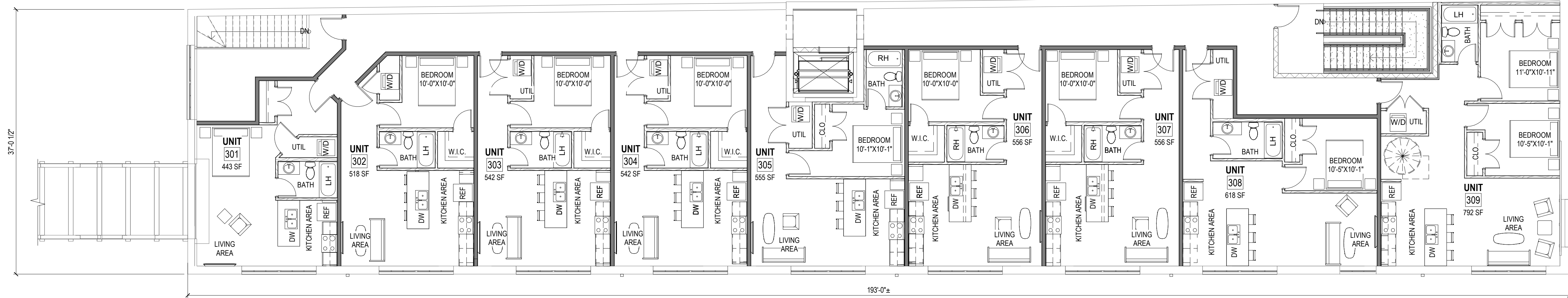
- RF REBAR FOUND
- MON CONCRETE MONUMENT FOUND
- MNS MAG NAIL SET
- WATER VALVE
- FIRE HYDRANT
- T.PED TELEPHONE PEDESTAL
- SANITARY SEWER MANHOLE
- STORM SEWER MANHOLE
- SS UNDERGROUND SANITARY SEWER
- W UNDERGROUND WATERLINE
- UG CTV UNDERGROUND CATV
- TC TERRA COTTA
- RCP REINFORCED CONCRETE PIPE
- PVC POLYVINYL CHLORIDE PIPE
- CO CLEANOUT
- RD ROOF DRAIN
- TREE
- TREE
- EDGE OF PAVEMENT
- CONCRETE
- RIP-RAP
- LANDSCAPING AREA



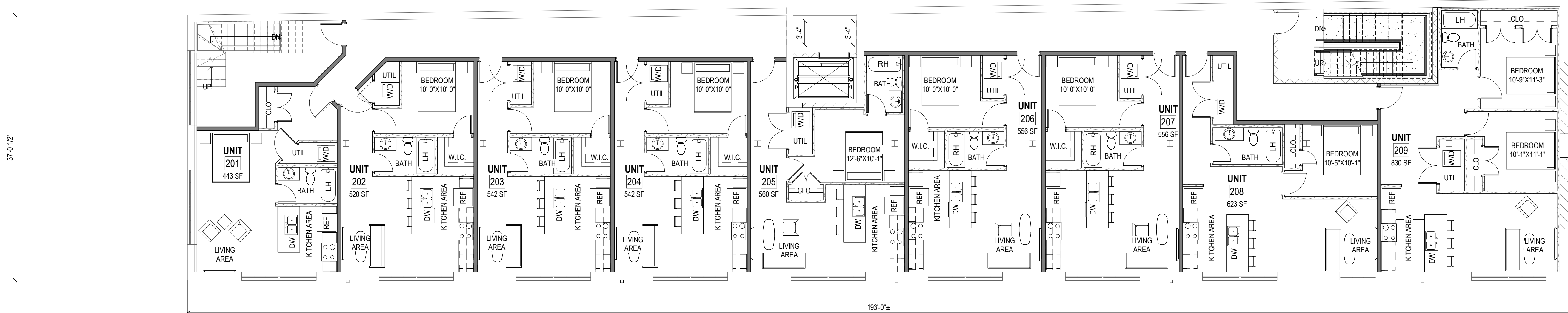
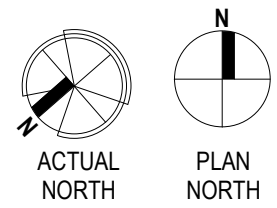
SHEET 2 OF 2

DRAWN BY: JRM	DATE: 11/20/2023	PROJECT # 230276
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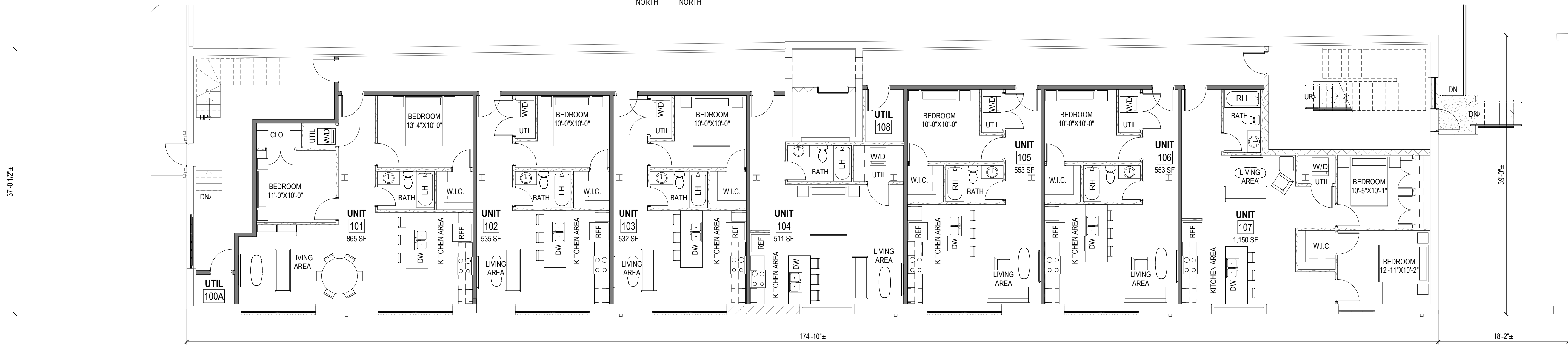
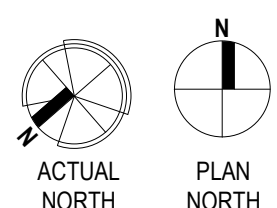
PLAT SHOWING
ALTA SURVEY OF THE PROPERTY OF
MILLSAN PROPERTIES LLC
CITY OF DANVILLE, VIRGINIA



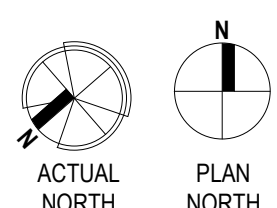
3 RENOVATION THIRD FLOOR PLAN
A1 1/8" = 1'-0"

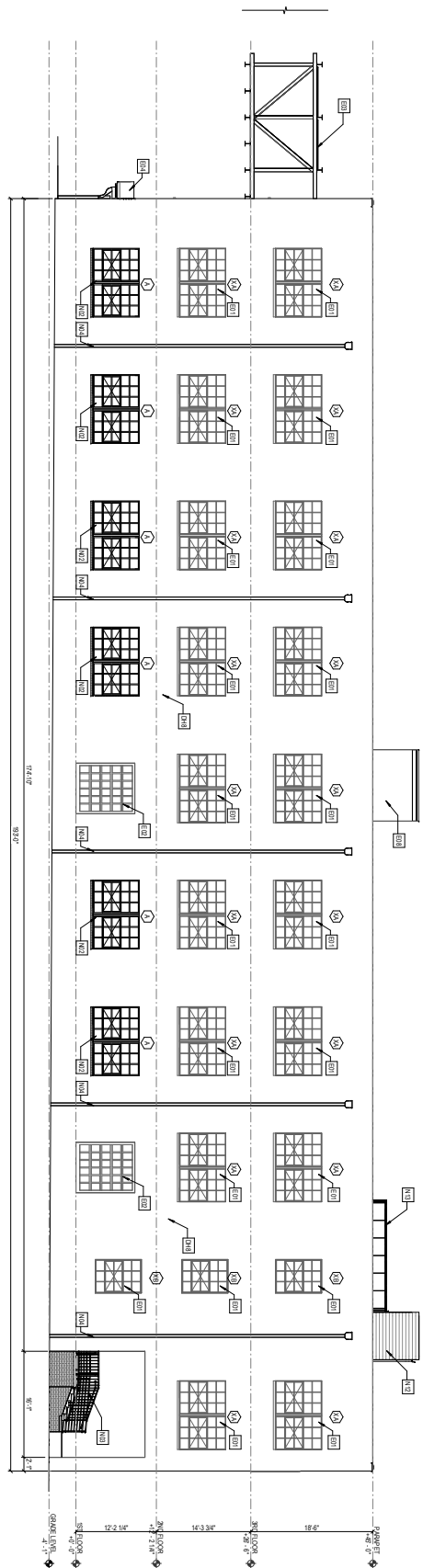


2 RENOVATION SECOND FLOOR PLAN
A1 1/8" = 1'-0"

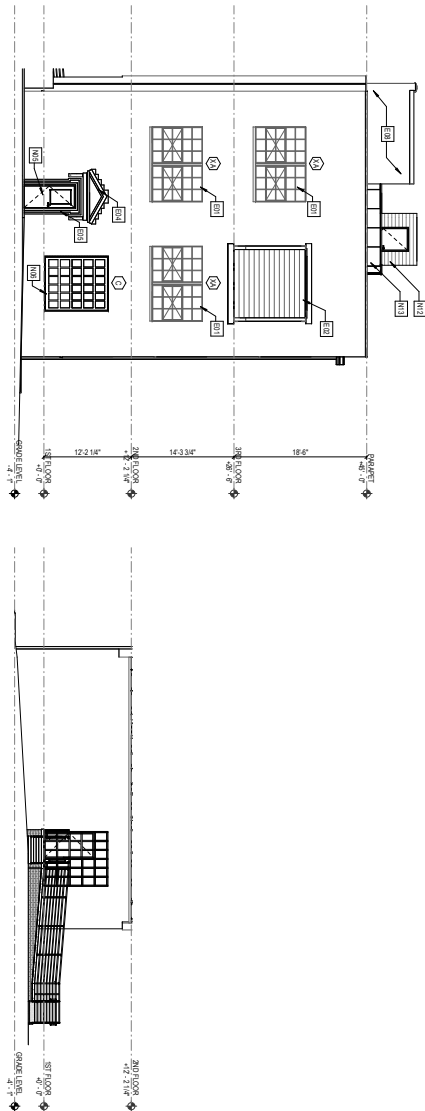


1 RENOVATION FIRST FLOOR PLAN
A1 1/8" = 1'-0"





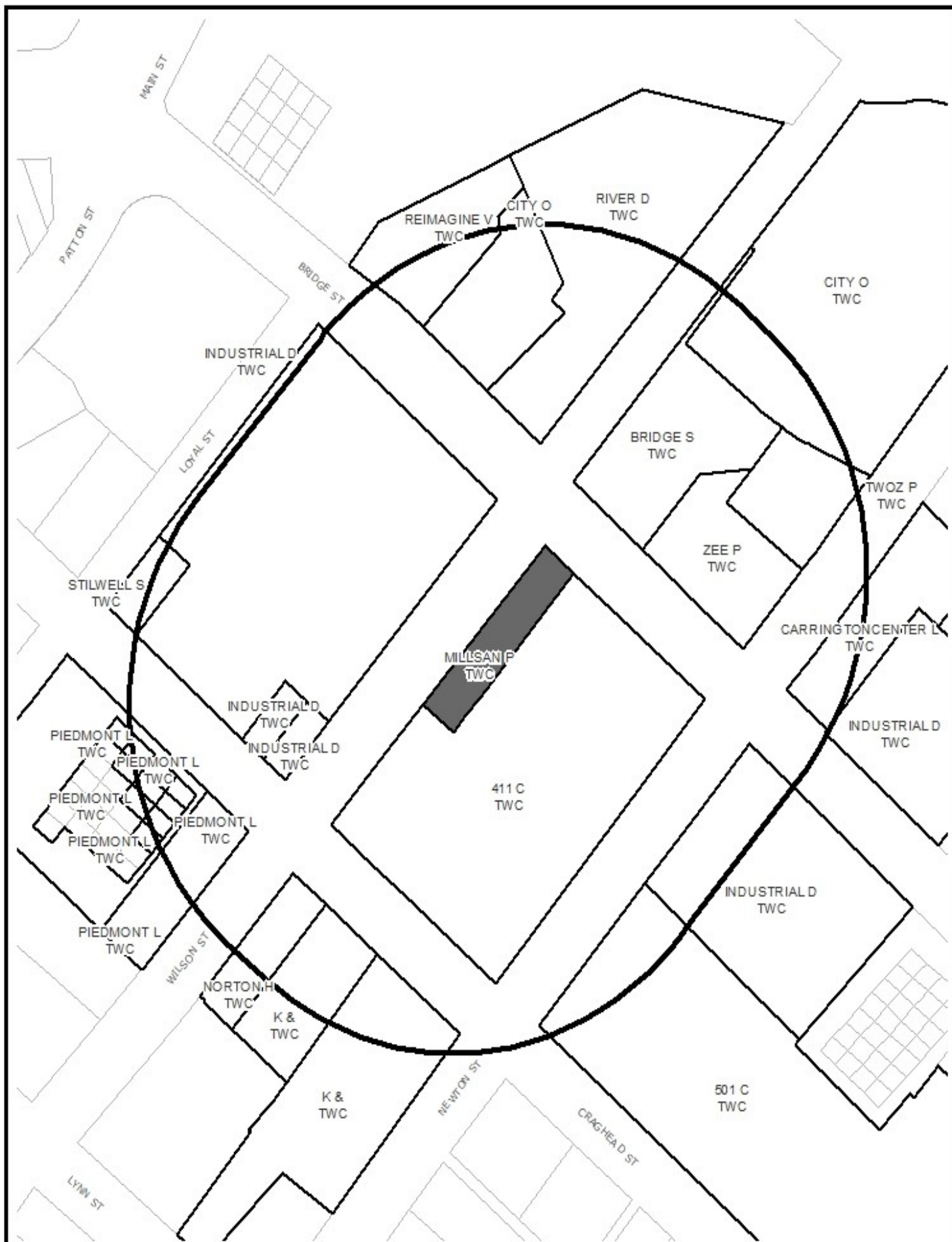
1
10" = 1'-0"



2
A3 $1/8" = 1'-0"$

3 RENOVATION ELEVATION
A3 BREEZEWAY ELEVATION
1/8" = 1'-0"



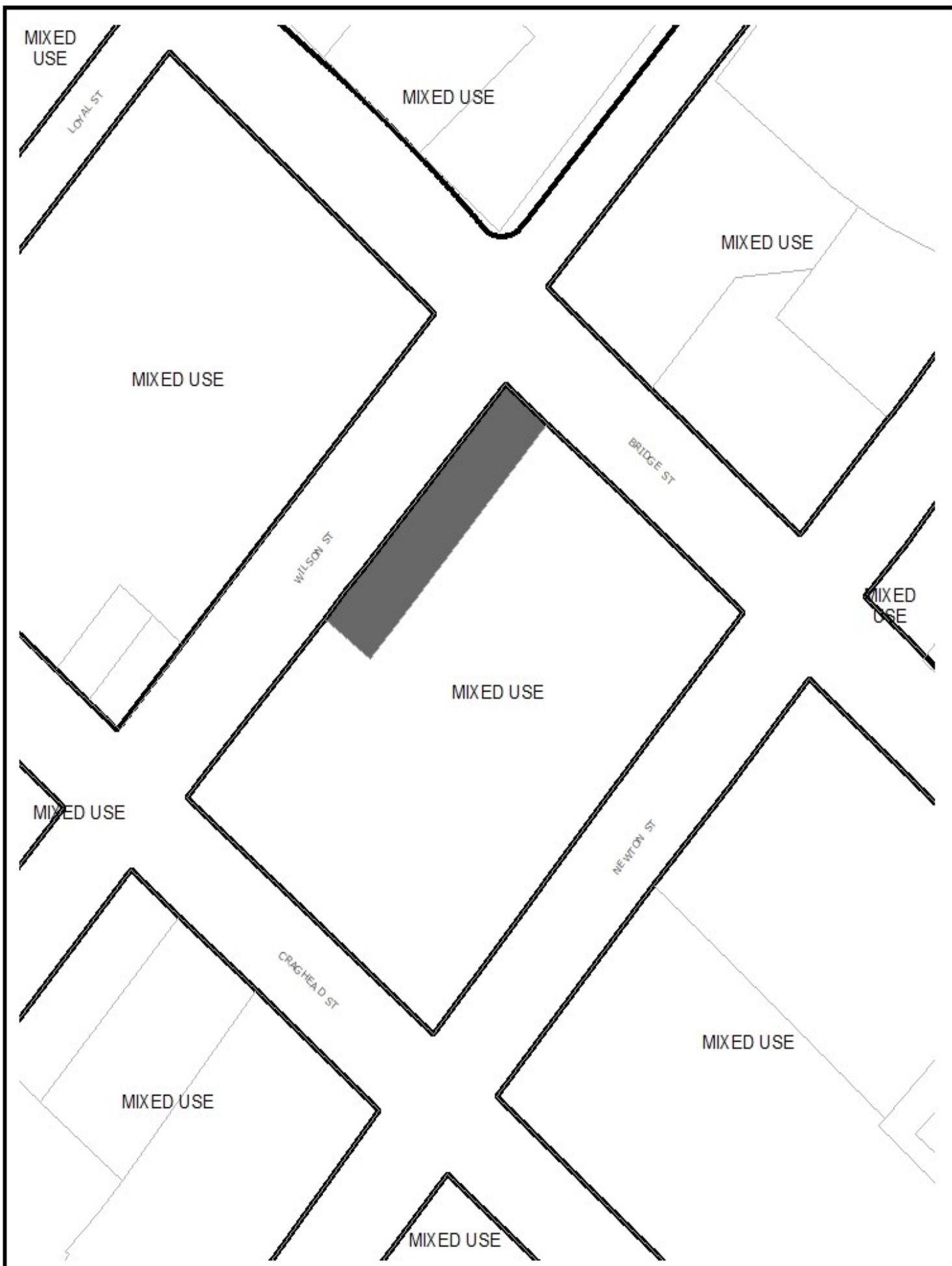


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
4/23/2024

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
4/23/2024

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.

PLANNING COMMISSION MINUTES

APRIL 8, 2024

MEMBERS PRESENT

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

MEMBERS ABSENT

Mr. Jones

STAFF

Renee Burton
Bonnie Case
Clarke Whitfield
Shanika Williams

ITEMS FOR PUBLIC HEARING:

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).*

Mr. Petrick opened the Public Hearing.

Ms. Reed stated. I am the owner of this group home trying to get a special permit. Currently there are 4 individuals in this home. They are mentally challenged. I have another home across the street that I moved three individuals too. I am trying to get my business license eventually.

Ms. Evans stated. She is continuing to operate without a business license or special use permit.

Ms. Burton stated. She should not be operating without those items, No.

Ms. Evans stated. But she is.

Ms. Burton stated. That is a violation. She continues violation. She has been made aware of that and what we're trying to do now is work towards bringing her into compliance.

Mr. Bolton stated. For Ms. Burton you are a little vague on the law and what you're waiting for but by right, right now, can she do anything.

Ms. Burton stated. The law states that a single family is defined as no more than 3 unrelated individuals so you could have no more than 3 unrelated individuals within one home receiving care if a zoning clearance and business license were received. That would not require a special use permit. That path could be taken but at this point, there has been no business license or zoning clearance received for this operation.

Ms. Evans stated. Got 4 in there.

Ms. Burton stated. So that would be too many.

Mr. Bolton stated. I would hate to postpone it again but say if a motion was made to deny and approved, we don't know that yet. She could still do her three while and then pursue something after council make a decision.

Ms. Burton stated. Yes, she could obtain a business license and have no more than 3 unrelated individuals within that home regardless of the outcome of this particular review.

Mr. Dodson stated. How long would it take to get a business license?

Ms. Burton stated. 10 to 15 minutes.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to deny special use permit application PZ24-00064. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

2. Special Use Permit application PZ24-00097 filed by Carl Norton to allow retail sales in accordance with Article 3.1 Section C at 108 West Main Street (Parcel 26034).

Mr. Petrick opened the Public Hearing.

Mr. Norton stated. We started the store called Dan Vegas, it all retail and apparel. We bought some sample with us. The first thing we want to talk about was the property. 108 when we bought it was a condemned building. And we've spent hundreds of thousands of dollars restoring the building. It is now up to city code for occupancy. We have handicap ramps and bathrooms; we have 50 parking spaces to the rear of the building so that there is no on-street parking and there is a dedicated ingress one way to the property and then and exit out through the back alley. All this was in place before we purchased the building. It was a real estate office. It had been several establishments. It has now been retrofitted as Ms. Burton said, the first floor is all retail inside nothing outside. Seven years ago, we purchased the name on a whim, having no idea that the casino was coming to town, we own the trade name Dan Vegas Inc. We also own the IRS EIN number for Dan Vegas Inc. and all variations. We also have the Virginia License for Dan Vegas Inc. So, we've trademarked the name. We are not able to copywrite anything yet. We have 28 different graphics around Dan Vegas which will be on all the merchandise that we're selling. It looks like a great place all around us, there are churches and hospital. There's no residence around us we decided to fix up that building and make it useful again.

Ms. Evans stated. What is going to be on the second floor?

Mr. Norton stated. Right now, it's four offices but we use those for our own we are not renting those. They are just our own business. We have a rope that goes off to the second floor and it's also behind showcases. So, no one can go back there.

Ms. Evans stated. Is there a basement?

Mr. Norton stated. There is a basement for storage right now. At one time, it was 2 apartment buildings down there. The bathrooms and everything are still there. We just gutted it and cleaned it. Removed the old drop ceilings, put in new wiring and plumbing in.

Mr. Dodson stated. If this is approved how soon do you think you could open your business?

Mr. Norton stated. We're ready to open now. As I leave this meeting we're going to go downstairs and talk to the permit office about signage. We are going to mirror that type of sign that the Wednesday Club have. An antequy, old west end vibe for the sign with our logo. We could be open as soon as 2 weeks after approval. All of our product are done, we have a website which we will launch with the opening of the store.

Mr. Petrick stated. At the moment you have no intention of serving any food?

Mr. Norton state. No, we are not doing any food right now on site. We have an area in the back that we would like to serve coffee. We don't know how to do that yet. We have to talk to Ms. Burton she been helping us with that.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Application PZ24-00097 with condition hours 8am-8pm. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

ITEMS FOR PUBLIC HEARING:

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).*

Mr. Petrick opened the Public Hearing.

Mr. Koontz stated. I am the owner of the property the building was put there, that is the only level spot in the yard. I'm a disabled veteran, we have been trying to level out more of the backyard but that was where it was put. 2 feet from the property line, put there out of my ignorance.

Mr. Dodson stated. I rode by there I couldn't exactly tell. Does that fence behind the building go all the way through or not.

Mr. Koontz stated. No, I have left a section open intentionally so if anyone wanted to look, and I do have to move it. I'm not going to destroy my fence moving it.

Mr. Dodson stated. Have you spoke to your next-door neighbor? Is there a problem.

Mr. Koontz stated. My neighbor, there are a lot of problems. We don't speak. He has been in contempt of 3 different orders to the city. He has a swimming pool that we've trying to get filled in he hasn't done anything with it for 6 years and I actually went over and fixed the pump for him if he wanted to start the swimming pool when he never did, we are not on good terms but he's quiet. I stay to myself and that as one of the reasons we put the 6-foot fence.

Mr. Dodson stated. Has he said anything about your building or not?

Mr. Koontz stated. After a few choice words, some of the city people had been to his house and force him to cut some dead trees down. He told me I was going to move the building.

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve Application PZ24-00131. Mr. Ranson seconded the motion. The motion was approved by a 6-0 vote.

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.*

Mr. Petrick opened the Public Hearing.

Mr. Gould Stated. I'm with PLDR Law representing the applicants. This is the middle of 3 inherited parcels that are all together on Piney Forest and as Ms. Burton mentioned the two parcel that book in this one is already zoned. HRC so the request is to move this middle parcel from planned shopping center commercial HRC to allow for a replating of all three parcels together in anticipation of potential sale down the road. There is no plan in place right now for sale or development of the property. This I just an appropriate step to get things ready so that at the appropriate time, the owners can sell the property.

Mr. Dodson stated. Does anyone live in that house right now?

Mr. Gould stated. It is vacant. I think there are occasionally Mr. Webb check in on the property, but no one is living there full time.

Mr. Dodson stated. We are not kicking anybody out.

Mr. Gould stated. No, its own by the family and controlled by the family. No other non-family use of the property.

Ms. Evans stated. Will it remain there until it is consolidated and sold?

Mr. Gould stated. I believe so, I'm not aware of any plans to take the structure down at this time.

Mr. Pugh stated. I'm one of the owners of the property located at 158 Pineview Drive which is approximately 300 feet from the edge of this property. My concerns is not that it is going to be unified as far as the zoning but rather what the property can be used for. Section involved with rezoning and as there is no specific decision as to what the property is going to be used for. I am concerned about the possibility under section 12 of the zone which would allow hospital and healthcare facilities for inpatient. That means our homes will have to deal emergency and ambulance sirens at night and day. There also the possibility of putting in a contractor's shop under section 34, and with that, you're talking about machinery of contractors who normally go to work early in the morning, and these contractors can include, as I understand the code, the addition noise is of a concern to me. Also under the special use permit, which these owners or future owners could apply for, they could put a Kennel or veterinary clinic on any of that property and I personally do not want to have a series of barking dogs at all hours of the night, and I have been asked that this not be allowed.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. I'm seeing a little blue light, is that water? Is that a creek on the property he's talking about that's going to be close to him. Looks like there's maybe water back there.

Mr. Webb stated. I'm one of the owners. It's a dry creek bed. You can have water in it at times but for the most part, it a dry creek bed.

Mr. Bolton stated. How does that land lay back there?

Mr. Webb stated. It's downhill, it's going to be more than 300-feet. Buffer to Pineview regardless of what you do to it because once you get so far into the woods, it just drops off.

Mr. Bolton stated. The reason I was asking that because that's kind of the way I'm seeing that property. Developments going to be up. Obviously close to the road more than likely. That's the purpose of being on Piney Forest Road.

Mr. Webb stated. They just cleared cut an awful lot of timber behind the property and adjacent to where it jots down toward Pineview.

Mr. Bolton stated. That is what I thought. Thank you.

Mr. Pugh stated. The lady's property which is closer to the zoned area. It is a dry creek. However, behind my property, is not a dry creek. It is an active creek.

Mr. Bolton a motion to approve Rezoning Application PZ24-00135. Mr. Khan seconded the motion. The motion was approved by a 6-0 vote.

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)*

Mr. Petrick opened the Public Hearing.

Mr. Gould stated. PLDR Law, as our application indicates the space is intended to serve as a contractor shop and to have retail sales on the premises as well. The applicant has plans to make a significant investment to improve the property for these uses and has communicated with city manager's office and with Ms. Burton and her staff about these intentions because the current LED eye zoning does not permit the property to be used for these purposes by right. Specifically, the LED eye classification allows applicants to request a special use permit

for anything permitted by right or by special use permit in the HRC classification and both contractors office and retail sales are either permitted of special uses under that HRC classification.

Mr. Dodson stated. You say you have a parking solution, where exactly do they plan for the parking to be?

Mr. Gould stated. Very close by. They are still in the works in terms of finalizing all the details, but I know the details have been shared with Ms. Burton and she is satisfied that it will meet all of the requirements that the city has.

Mr. Petrick closed the Public Hearing.

Mr. Petrick stated. Ms. Burton would you like to speak about potential parking?

Ms. Burton stated. Sure, so, parking is required to be off-street. There is a requirement within the code that states that parking may be provided within 300-feet of the subject property if it is not specifically on site and so we believe we will be using that provision to provide parking but at this time, we believe that's been adequately addressed.

Mr. Petrick stated. So. This will more likely be at a least situation for parking there.

Ms. Burton stated. I can't say whether it be leased or purchased but we believe it will be satisfied and building permits and the moving forward with the actual operation can't occur without this parking.

Ms. Evans a motion to approve Application PZ24-00134. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

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

Mr. Petrick opened the Public Hearing.

Mr. McLaughlin stated. I am the owner of that facility McLaughlin funeral service. We obtained it through purchase from the family that was using that facility as a funeral home, and we went into consideration with all of the requests that was made by the city and of course we were in compliance and wishing to open that business at this time.

Mr. Dodson stated. Do you have any experience in the funeral business?

Mr. McLaughlin stated. Yes, I do. This will be my third funeral home. I have one other funeral home here in the city of Danville.

Mr. Ranson stated. Parking is your reference. Is that on Paxton. You said they were rezoning a lot you were going to use for parking.

Mr. McLaughlin stated. There's a parking lot that's attached to this property. That runs side of Paxton.

Ms. Burton stated. Funeral home structure and the parking lot are two separate parcels. So, we will need to rezone both parcels so that they may consolidate in the future.

Mr. Ranson stated. The parking lot is on Paxton.

Ms. Burton stated. Yes, the corner of Paxton.

Ms. Evans stated. Are you currently operating in that facility?

Mr. McLaughlin stated. I'm operating at 4960 Riverside Drive.

Mr. Bolton stated. It's been vacant since 2007, have you had to spend a lot to get it up to code or is that to come later or have you already spent the money and trying to get it to where it needs to be?

Mr. McLaughlin stated. We went through the instructions from the city. Building permit and roughly done what was necessary to do. Which was construction already a funeral home. So, we maintain it as such.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Rezoning Application PZ24-00136 with conditions that parcel be consolidate prior to operation. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

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).

Mr. Petrick opened the Public Hearing.

Mr. Lasley stated. I am a designer from Dewberry Davis office here in Danville alongside my colleague. Ms. Hall and Mr. Hassan. We're representing the city of Danville today. We are seeking approval for a waiver of yard requirements for a new aviation training facility located in the Danvill Regional Airport that will support economic programs, academic programs offered by both Averett University and the Danville Community College. We are requesting that the right front yard setback for this new facility be reduced to 20 feet from the parcels exterior boundary in order to provide both economical and programmatically functional building in both the owner, its beneficiaries and the Danville community at large. We are excited about this project and believe that it will be a positive value added to the airport drive corridor as well as the academic economic goals outlined in 2030 comprehensive plan.

Mr. Bolton stated. What's your time frame if this was to be approved? That it may be up and running and active.

Mr. Lasley stated. The facility is going through an EVA grant process which will be, if approved for funding, the project will go out to bid in July and 12 months from that. So, we are looking into mid-2025.

Mr. Ranson stated. What exactly is the setback? Did you say 20 feet?

Mr. Lasley stated. Yes.

Mr. Petrick closed the Public Hearing.

Mr. Dodson made a motion to approve Application PZ24-00137 with conditions per staff of 20 feet. Mr. Khan seconded the motion. The motion was approved by a 6-0 vote.

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).

Mr. Petrick open the Public Hearing.

Mr. Leggett stated. It not unusual for this area. When zoning was set up, it was realized that there are a lot of landlock basically pieces of parcels and we're just trying to get the adjusted so that we can put a home in.

Ms. Evans stated. Will it be an easement?

Mr. Leggett stated. No, it will be my daughter's home. There is a road that comes through the farm. It acknowledged by Google but because the UPS truck and different one come through but there is not an easement as of right now. No.

Ms. Evans stated. Thinking in the future, your daughter, down the road, wants to sell it.

Mr. Leggett stated. Right, actually I have a son on the left side of the property and one to the extreme right. When the deed is transferred over it will be set up like the rest of them right of refusal by the others. And it would be purchased by the other children.

Mr. Petrick stated. At the present you have 3 single-family drawings on this parcel.

Mr. Leggett stated. My son on the right has his own farm that butts up to this property. The son on the left it already been broken off just like we're doing here except he has access through Fox Hollow. That's the only difference.

Mr. Petrick stated. Yeah, I noticed the one there, I think it was off of Preston. Has a gateway.

Mr. Leggett stated. That same setup the other son on the right-hand side, same situation. There are no right ways into his farm. It was already existing when he built his home but since then, he's bought the land in front of that one.

Mr. Bolton stated. How big a track is it? The one you're subdividing off, how big is it?

Mr. Leggett stated. It will be a 3-acre track. We are keeping it 3-acre so that there's no zone changes. It will also be Sandy River District.

Mr. Petrick closed the Public Hearing

Mr. Bolton made a motion to approve Application PZ24-00152. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

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".

Mr. Petrick opened the Public Hearing

Mr. Petrick closed the Public Hearing

Ms. Evans stated. These are like do-it-yourself car washes, correct? Not like Huffman's.

Ms. Burton stated. It would be car washes in general. So, it will be any type of car wash, automatic or hand wash.

Ms. Evans stated. Will Huffman's be grandfathered in?

Ms. Burton stated. Yes.

Mr. Bolton stated. I think there is two more, spray wash and then on out further across from Gamma golf club, I know they wash cars there by hand all the time. They will be grandfathered.

Ms. Burton stated. That's correct. They will be allowed to remain.

Ms. Evans made a motion to approve Code Amendment Request PZ24-00153 to add car wash facilities as a prohibited use. Mr. Ranson seconded the motion. The motion was approved by a 6-0 vote.

Mr. Petrick stated. We have a plat here for right away for properties of Ceasars, Virginia LLC, City of Danville, Industrial Development Authority of Danville, Virginia, and 1076 Schoolfield LLC.

Ms. Burton stated. The plat I have printed for you, this is a dedication of right away that will be coming off West Main Street. Go northbound and then exit on to Park Avenue, so it will go off one and back the other. We will have the option to come in and out both directions. It will pass by. The casino development owned by Ceasars as well as the 1076 as mentioned. It'll take a small portion of city property as well. City code requires that the Planning Commission approve any property that is dedicated as city right away.

Mr. Bolton stated. It will be a recommendation; does it end with us or does it go to council.

Ms. Burton stated. It does end with you.

Mr. Whitfield stated. You might want to; I suggest that you make a motion to approve and accept the property.

Mr. Bolton made a motion to approve and accept the right of way as submitted here on the plat. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

Ms. Burton stated. There is one other plat that is in front of you that was submitted just a couple hours ago. This will be the same situation that it is not for public hearing. Anytime that 3 or mor parcels are created by a subdivision that's considered a major subdivision and requires approval of Planning Commission. The plat that you have is the original 1700 West Main Street. This will be divided into 3 parcels. The rezoning was approved by city council last month to allow rezonings for an apartment complex and then a single-family development. This is the plat to separate those particular parcels.

Mr. Petrick state. This will be the same format to accept and approve.

Ms. Burton stated. No need to accept, you simply approve. Because it is considered a major subdivision plat.

Mr. Bolton made a motion to approve the subdivision plat as presented. Mr. Khan seconded the motion. The motion was approved by a 6-0 vote.

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

The March 11, 2024, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at ? p.m.

APPROVED



STAFF REPORT

DATE: May 13, 2024
TO: Planning Commission
FROM:
RE: May 22, 2024 PLANDanville Premiere Party 5:30-7:00

ATTACHMENTS

None