



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

July 8, 2024

3:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. NEW BUSINESS

1. Special Use Permit application PZ24-00245 filed by Michael Cosner to allow indoor commercial recreation facilities in accordance with Article 3.M Section C at 1417 South Main Street (Parcel 77409).
2. Special Use permit application PZ24-00265 filed by Erik Chambers to allow multifamily dwellings as principal use in accordance with Article 3.K Section C at 130 South Ridge Street (Parcel 20531).
3. Special Use Permit application PZ24-00269 filed by Ana and Brian Bialek to allow a duplex residential dwelling in accordance with Article 3.E Section C Item 2 at 1116 Richmond Blvd (Parcel 04414).
4. Special Use Permit application PZ24-00232 filed by South Wake Home Solutions LLC to allow a duplex residential dwelling in accordance with Article 3.E Section C Item 2 at 721 Chatham Avenue (Parcel 53605).
5. Special Use Permit application PZ24-00290 filed by CCKW, LLC to allow duplex residential dwellings at Parcel 20615 (Gray Street) in accordance with Article 3.E. Section C Item 2.
6. Special Use Permit application PZ24-00291 filed by CCKW, LLC to allow duplex residential dwellings at Parcel 20816 (Gray Street) in accordance with Article 3.E. Section C Item 2.
7. Code Amendment request PZ24-00288 to amend Chapter 41 entitled "Zoning Ordinance"

of the City of Danville, 1986 as amended. Specifically, amend Article 3.P Section H of the Zoning Code.

IV. APPROVAL OF MINUTES

1. Minutes from June 10, 2024 Meeting

V. PLANNING DIRECTOR'S REPORT

VI. ADJOURNMENT

STAFF REPORT

DATE: July 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00245 filed by Michael Cosner to allow indoor commercial recreation facilities in accordance with Article 3.M Section C at 1417 South Main Street (Parcel 77409).

SUMMARY

The applicant is requesting a Special Use Permit for indoor commercial recreation to operate an arcade at 1417 South Main St. Operation of an indoor commercial recreation facility in the HR-C, Highway Retail Commercial Zoning district requires a Special Use Permit.

1417 South Main Street consists of 3 spaces in the Southwyck Plaza Shopping Center that were formerly occupied by Furniture & More. The applicant has submitted plans for renovations and upgrades to the space. The plans show multiple areas for pinball and arcade games as well as gathering space for parties and events. There are no areas planned for cooking or food preparation.

RECOMMENDATION

The Planning Staff recommends that the Planning Commission recommend approval of PZ24-00245 to allow indoor commercial recreation facilities at 1417 South Main Street. In our research for the Comprehensive Plan, the participants noted a deficit in family-centered activities. This operation will assist in filling that gap.

ATTACHMENTS

1. Application
2. Plans- 1417 S Main St (1)
3. 1417 S Main St Aerials Map
4. 1417 S Main St Owners Zoning Map
5. 1417 Land Use Map



City of Danville
Community Development
Planning Division

April 15th deadline
May 13th PC
June 4th City Council

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 #: PZ24-00245 PC Meeting Date: July 8, 2024
Date Received: 5/15 Received By: SW
Parcel ID: _____ Address: 1417 S Main St
Existing Zoning HR-C Future Land Use: _____

APPLICANT PROVIDED INFORMATION

1417

~~1403~~ S. Main ST

Property Location (address/ID#): Southwyck Plaza Shopping Center

Applicant: Michael Cosner

Applicant's Address: 516 Junior Oaks Rd. Dry Fork

Applicant's Phone Number: 434 334 7780

Applicant's E-mail: michaelcosner516@gmail.com

Describe Proposed Request: start arcade bussiness

with pinball, small arcade equip. Family friendly.

similar to uptown Pinball in Martinsville.

open approx. 4 days. 3pm to 8pm. just an estimate.

PART time now Hopefully to expand.

I'm sole owner, Son will help. I'm Retired

(Brien) → 24 yrs still working AT Verizon (Land Lines)

Michael Cosner 4-12-24
Applicant Signature date

Property Owner Signature date
(if not applicant)

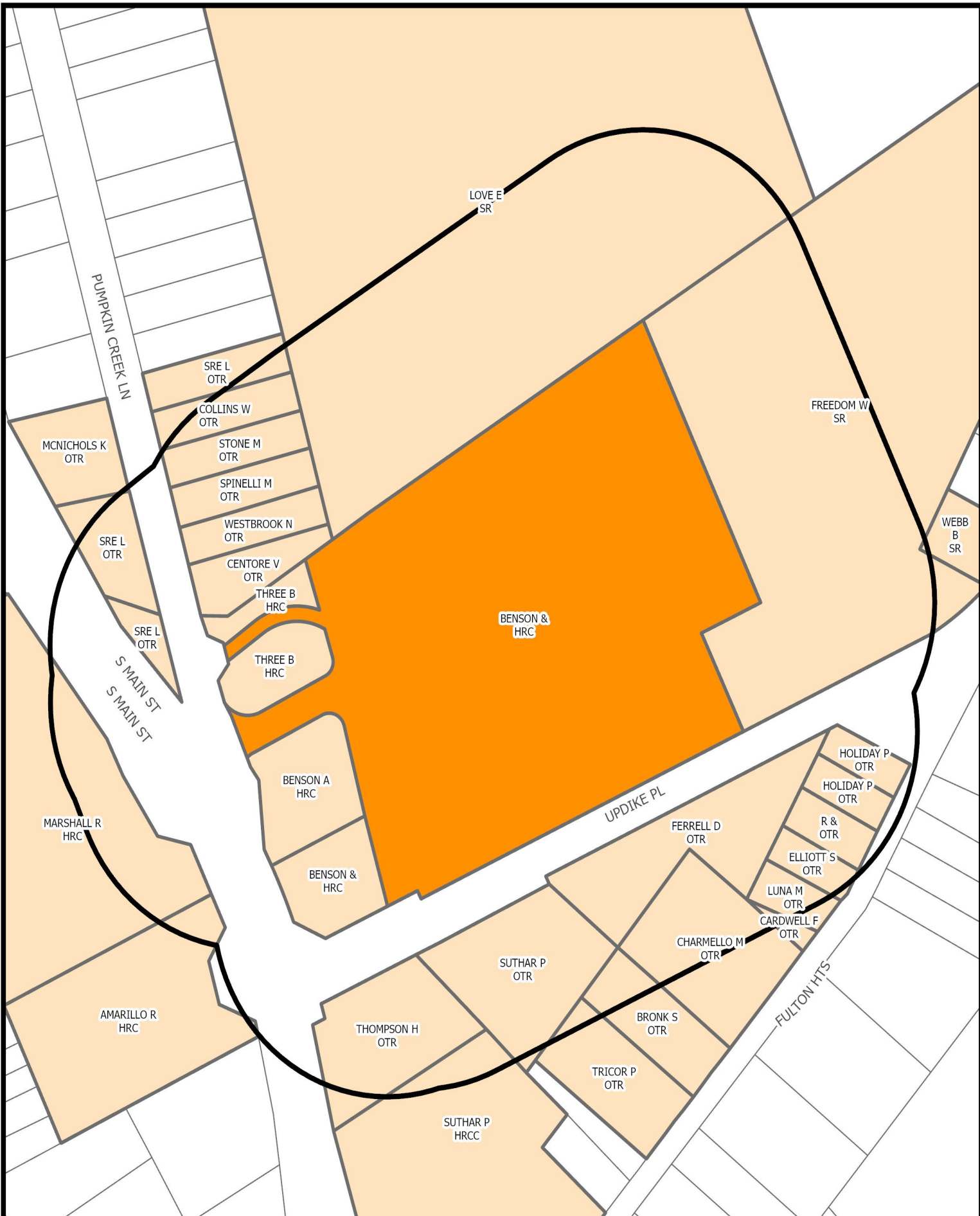


2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/7/2024



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.

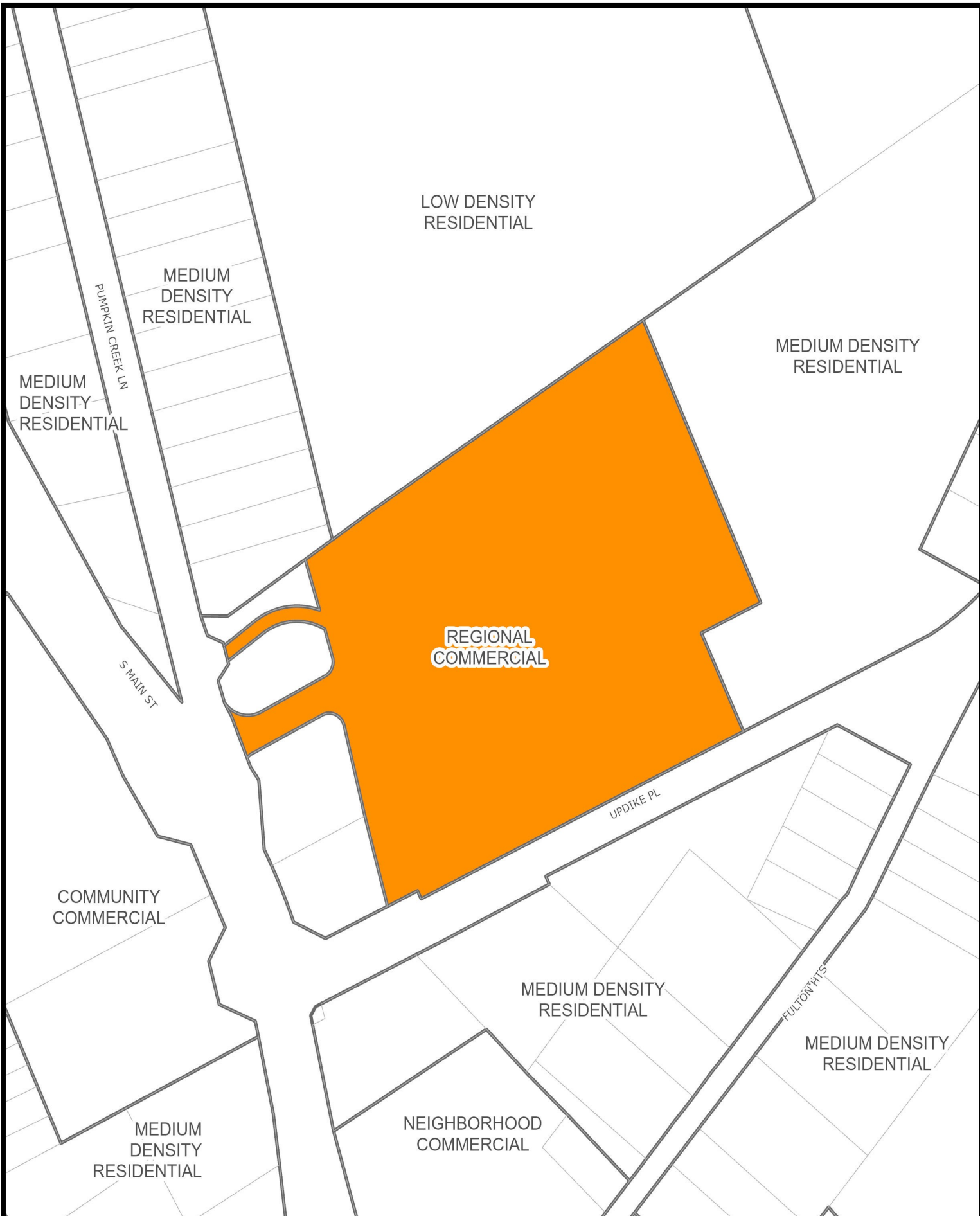


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/7/2024



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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/7/2024



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STAFF REPORT

DATE: July 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use permit application PZ24-00265 filed by Erik Chambers to allow multifamily dwellings as principal use in accordance with Article 3.K Section C at 130 South Ridge Street (Parcel 20531).

SUMMARY

The applicant, Erik Chambers, has requested a Special Use Permit to allow multi-family dwellings as a principal use at 130 and 132 South Ridge Street. 130 and 132 South Ridge Street was once used as an Odd Fellows Lodge and then later utilized as a commercial space on the lower level. Mr. Chambers is actively converting the upper level of 130 and 132 South Ridge Street for long term rental units and is requesting a Special Use permit to convert the lower level to residential as well.

The CB-C, Central Business Commercial zoning classification allows for mixed use development, but requires a Special Use Permit to allow multi-family dwellings as a principal use. It is undetermined if the lower level units will be used for long term or short term rental. The applicant is aware of additional steps that will need to be taken beyond today's application to use the lower level as short-term rentals.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of PZ24-00265 to allow multi-family dwelling as a principal use in accordance with Article 3.K Section C Item 10 at 130 and 132 South Ridge Street.

ATTACHMENTS

1. Application
2. S Ridge St Upper 2
3. S Ridge St Upper Loft Areas 2
4. Ordinance
5. Ordinance (2)
6. 130 S Ridge St Aerials Map
7. 130 S Ridge St Owners Zoning Map
8. 130 S Ridge St Land Use Map



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 #: PZ24-00265 PC Meeting Date: July 8
Date Received: 6/5/24 Received By: William S
Parcel ID: 20531 Address: 130 S. Ridge St
Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 130 S. Ridge St

Applicant: Erik Chambers

Applicant's Address: 116 Wimbish PL Danville, VA 24541

Applicant's Phone Number: 434-429-0480

Applicant's E-mail: echambers@evestingllc.com

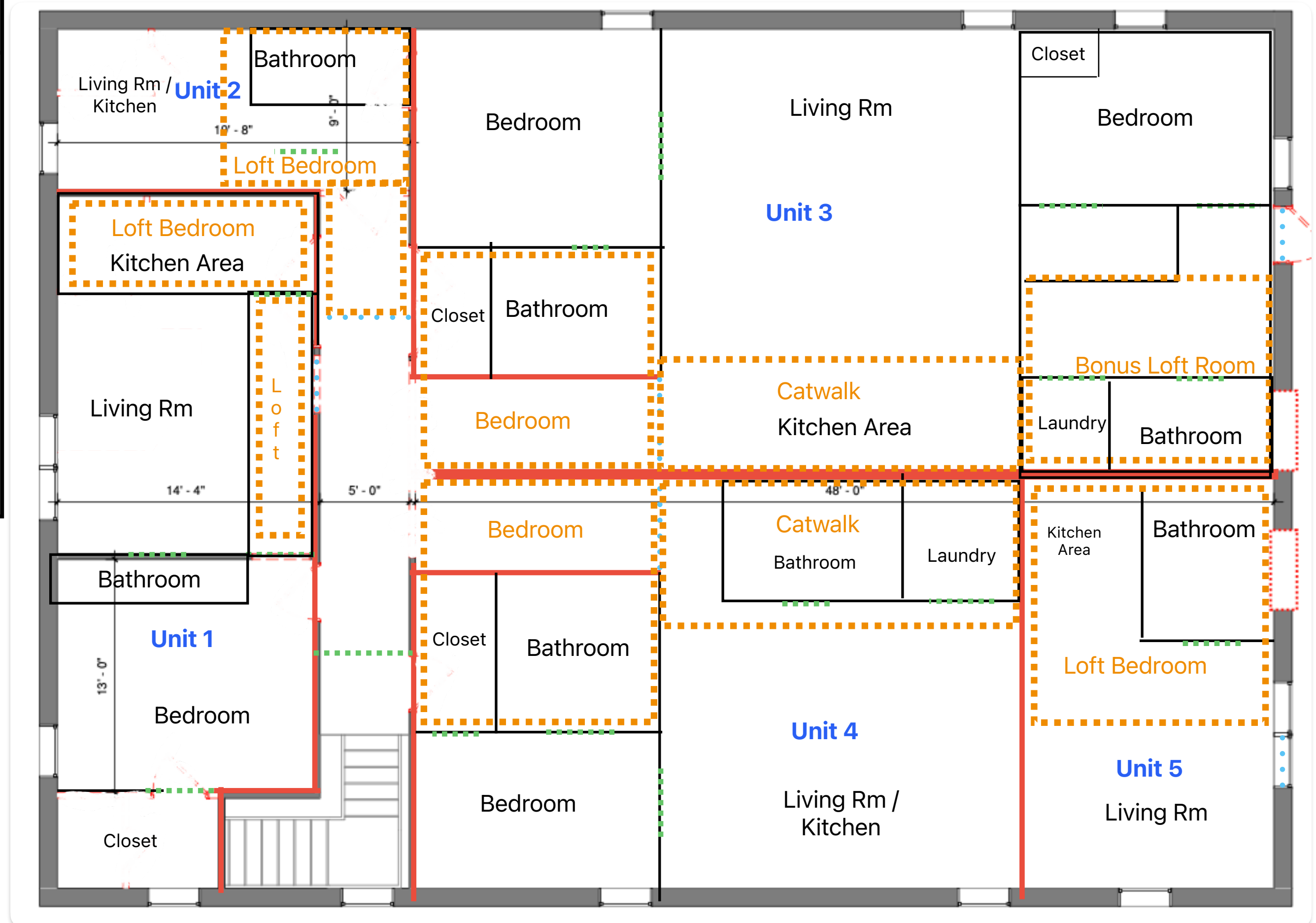
Describe Proposed Request: Special Use Permit for 130 S. Ridge St
for residential use (R-2). The special use permit
is request to be applied to the lower & upper levels
of the building.

Erik Chambers 6-5-2024
Applicant Signature date

Erik Chambers 6-5-2024
Property Owner Signature date
(if not applicant)

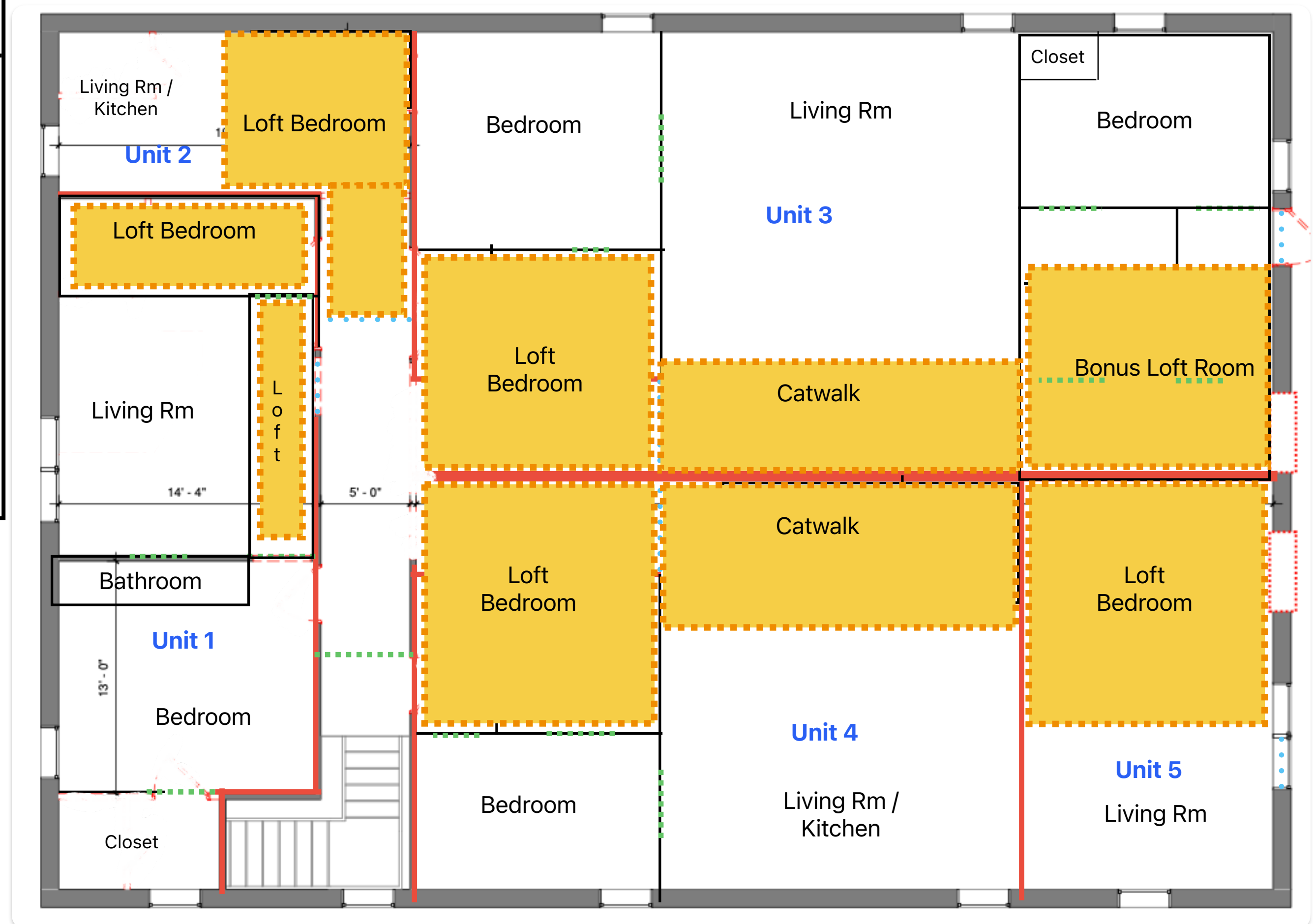
132 S RIDGE ST

UNITS 1-5



132 S RIDGE ST

UNITS 1-5



PRESENTED: August 5, 2008

ADOPTED: August 5, 2008

ORDINANCE NO. 2008- 08 . 01

AN ORDINANCE REZONING FROM N-C NEIGHBORHOOD COMMERCIAL DISTRICT TO "CONDITIONAL" CB-C CENTRAL BUSINESS DISTRICT, 136 SOUTH RIDGE STREET.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Gary & Michelle Bender, have voluntarily proffered conditions to Rezoning Application RZ 08-006, requesting to rezone from N-C Neighborhood Commercial District to "Conditional" CB-C Central Business District, 136 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcels 00006 of the City of Danville, Virginia, Zoning District Map.

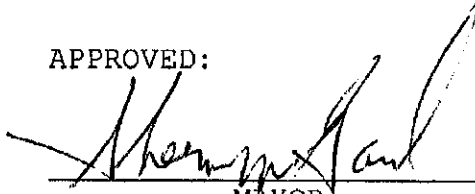
NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the City Planning Commission recommending approval of Rezoning Application RZ 08-006, filed by Gary & Michelle Bender, requesting to rezone from N-C Neighborhood Commercial District to "Conditional" CB-C Central Business District, 136 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcels 00006 of the City of Danville, Virginia, Zoning District Map, be, and the same is hereby, received; and

BE IT FURTHER ORDAINED that in accordance with the Code of the City of Danville, Virginia, 1986, as amended, the

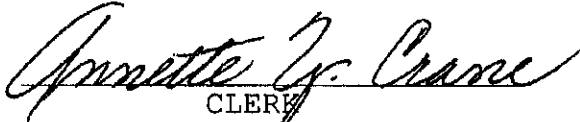
conditions proffered by Gary & Michelle Bender, in conjunction with Rezoning Application RZ 08-006, requesting to rezone from N-C Neighborhood Commercial District to "Conditional" CB-C Central Business District, 136 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcels 00006 of the City of Danville, Virginia, Zoning District Map, as provided in Exhibit "A", attached hereto and made part hereof, be, and the same are hereby, received, accepted and approved; and

BE IT FINALLY ORDAINED THAT in consideration of said report and the public hearing this day held by Council, Rezoning Application RZ 08-006, requesting to rezone from N-C Neighborhood Commercial District to "Conditional" CB-C Central Business District, 136 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcels 00006 of the City of Danville, Virginia, Zoning District Map, described in the Proffer of Conditions by Gary & Michelle Bender, which is attached hereto as Exhibit "A" and incorporated herein by reference be, and the same is hereby, rezoned subject to said conditions from N-C Neighborhood Commercial District to "Conditional" CB-C Central Business District, and 136 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcels 00006 of the City of Danville, Virginia, Zoning District Map, be, and the same is hereby, amended from N-C Neighborhood Commercial District to "Conditional" CB-C Central Business District.

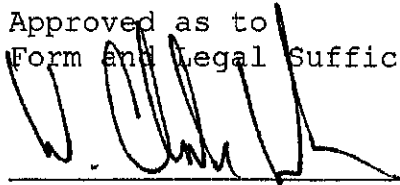
APPROVED:


MAYOR

ATTEST:


CLERK

Approved as to
Form and Legal Sufficiency:


City Attorney

STATE OF VIRGINIA

"Exhibit A"

CITY OF DANVILLE

BEFORE THE CITY COUNCIL:

IN RE: "CONDITIONAL" ZONING OF 130-132 SOUTH RIDGE STREET

PROFFER OF CONDITIONS:

Rezoning Application PLRZZ20120000058, filed by Susan Stilwell, requesting to rezone from N-C, Neighborhood Commercial to CB-C, Central Business Commercial, 130-132 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcel 000005 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone to expand the potential uses of the property.

Being in accordance with Sec. 15.2-2296 of the Code of Virginia, 1950, as amended, the Petitioner Susan Stilwell, hereby voluntarily proffers to the City of Danville, Virginia, the following conditions to the rezoning, from N-C, Neighborhood Commercial to "Conditional" CB-C, Central Business Commercial, of the parcel of land described above:

The property shall be zoned "Conditional" CB-C, Central Business Commercial as provided in the Code of the City of Danville, Virginia, 1986, as amended, with the following conditions:

B. - Permitted Uses.

Permitted uses shall be those in the following categories which do not exceed 20,000 square feet in lot coverage or a floor area ratio (FAR) of 3.0:

1. Banks and financial institutions (without drive-thru facilities).
2. Bed and breakfast, inn, or tourist home (as defined).
3. Business service and office supply establishments.
4. Call center.
5. Churches and places of worship.
6. Day-care facilities (adult or child).
7. Data storage and data processing center.
8. Health club, spa and fitness center.
9. Home occupations (in detached residential dwellings).
10. ~~Hospitals and health care facilities with inpatient services.~~
11. ~~Hotels and motels.~~
12. Microbrewery.
13. ~~Movie theaters.~~
14. Museum and art gallery.
15. Offices (general and professional).
16. Patio dining.
17. Parking garages and parking lots (private or public, as a principal use).

18. Personal service establishments.
19. Public uses.
20. ~~Radio and television station (exclusive of towers and antennae).~~
21. Repair service establishments, provided that any given repair service does not employ more than ten (10) persons on the premises during a single shift and that all repair services are performed indoors. No outdoor use, storage or display is permitted.
22. Residential dwellings, as an ancillary use in structures with commercial uses on the first floor, and subject to Additional Regulations pertaining to this district.
23. Restaurants.
24. Retail sales establishments (exclusive of automobile dealerships and sales establishments, lumber and millwork retail sales and storage yards, and other uses which require outdoor storage of retail goods).
25. Single family, duplex and two-family residential dwellings, as a principal use, subject to the OT-R District regulations.
26. Studios for artist, designer, writer, photographer, sculptor or musician.
27. Temporary retail uses.
28. Bicycle shop.

C. - Uses Permitted by Special Use Permit.

The conversion of any residential structure for a non-residential use as the principal use of the building shall be subject to special use permit approval, even if the converted use in question is one of the permitted uses listed above.

1. Any by-right use for which the establishment's storage or display is conducted outside of an enclosed building.
2. Any individual use otherwise permitted hereinabove as a by-right use in the CB-C District, but which exceeds 20,000 square feet in lot coverage or a floor area ratio (FAR) of 3.0, or any of the following uses:
3. Any use incorporating drive-thru facilities.
4. Bus and railroad terminals.
5. Commercial recreation establishments (limited to indoor uses).
6. Convenience stores (with or without gasoline services).
7. Farmers' markets.
8. Fast food restaurant.
9. Laundromats/Dry cleaners.
10. Multifamily and attached residential dwellings, as a principal use, subject the residential density regulations of the CB-C District and, otherwise, to MF-R and A-R District regulations.
11. Private clubs and lodges.
12. Private post office and delivery services.
13. Public utilities.
14. Repair service establishments, for any given repair service which employs more than ten (10) persons on the premises in a single shift and that all repair services are performed indoors.
15. Schools, colleges and universities (public and private).
16. Seasonal retail uses.
17. Uses permitted by right or by special use permit with lot frontage on the Dan River.

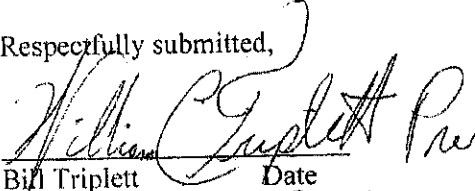
18. Visitor centers and public restroom facilities.
19. Waiver of maximum floor area ratio.
20. Waiver of minimum yard requirements.
21. Waiver of maximum density for elderly housing.
22. Kennels, commercial.
23. Pet clinics.
24. Veterinary clinics.
25. Homeless shelter.

The commercial use of the property will have also limited hours of operations. Hours of operation will be as follows:

Monday through Thursday
Friday through Sunday

7:00 a.m. to 10:00 p.m.
7:00 a.m. through 12:00 a.m.

Respectfully submitted,


Bill Triplett

Date

3-16-12

PRESENTED: April 17, 2012

ADOPTED: April 17, 2012

ORDINANCE NO. 2012- 04 . 01

AN ORDINANCE REZONING FROM N-C, NEIGHBORHOOD COMMERCIAL TO "CONDITIONAL" CB-C, CENTRAL BUSINESS COMMERCIAL, 130-132 SOUTH RIDGE STREET.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Susan Stilwell, has voluntarily proffered conditions to Rezoning Application PLRZZ20120000058, requesting to rezone from N-C, Neighborhood Commercial to "Conditional" CB-C, Central Business Commercial, 130-132 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcel 000005 of the City of Danville, Virginia, Zoning District Map.

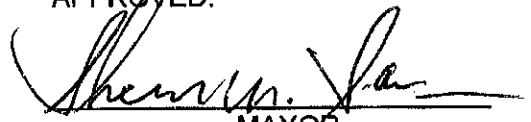
NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the City Planning Commission recommending approval of Rezoning Application PLRZZ20120000058, filed by Susan Stilwell, requesting to rezone from N-C, Neighborhood Commercial to "Conditional" CB-C, Central Business Commercial, 130-132 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcel 000005 of the City of Danville, Virginia, Zoning District Map, be, and the same is hereby, received; and

BE IT FURTHER ORDAINED that in accordance with the Code of the City of Danville, Virginia, 1986, as amended, the conditions proffered by Susan Stilwell, in conjunction with Rezoning Application PLRZZ20120000058, requesting to rezone from N-C, Neighborhood Commercial to "Conditional" CB-C, Central Business Commercial, 130-132 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcel 000005 of the City of Danville, Virginia, Zoning District Map, as provided in Exhibit "A", attached hereto and made part hereof, be, and the same are hereby, received, accepted, and approved; and

BE IT FINALLY ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PLRZZ20120000058, filed by Susan

Stilwell, requesting to rezone from N-C, Neighborhood Commercial to "Conditional" CB-C, Central Business Commercial, 130-132 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcel 000005 of the City of Danville, Virginia, Zoning District Map, described in the Proffer of Conditions by Susan Stilwell, which is attached hereto as Exhibit "A" and incorporated herein by reference be, and the same is hereby, rezoned subject to said conditions from N-C, Neighborhood Commercial to "Conditional" CB-C, Central Business Commercial, and 130-132 South Ridge Street, otherwise known as Grid 2713, Block 030, Parcel 000005 of the City of Danville, Virginia, Zoning District Map, be, and the same is hereby, amended from N-C Neighborhood Commercial to "Conditional" CB-C Central Business Commercial.

APPROVED:


MAYOR

ATTEST:


CLERK

Approved as to
Form and Legal Sufficiency:


Assistant City Attorney

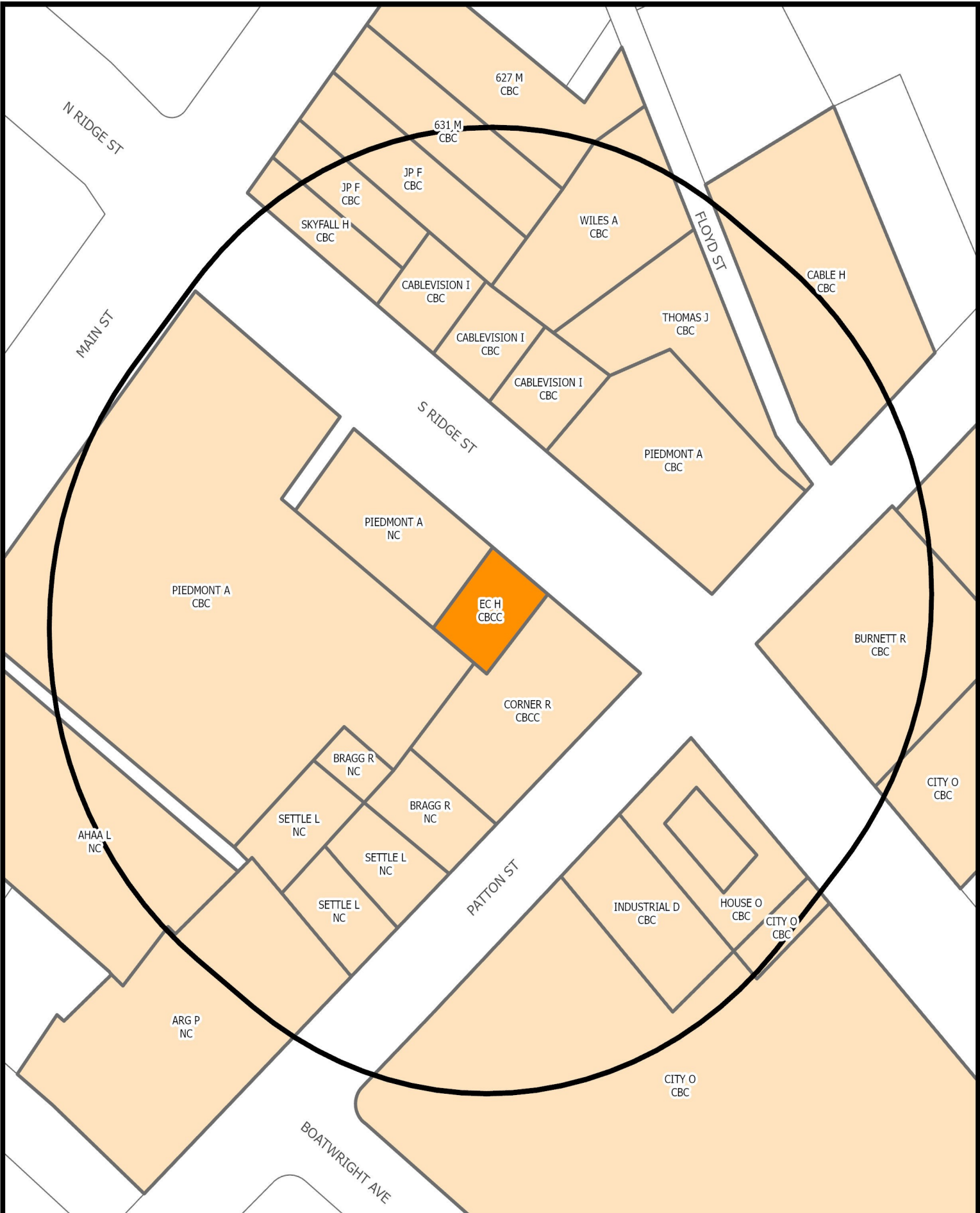


2023 AERIAL IMAGERY OF SUBJECT PROPERTY

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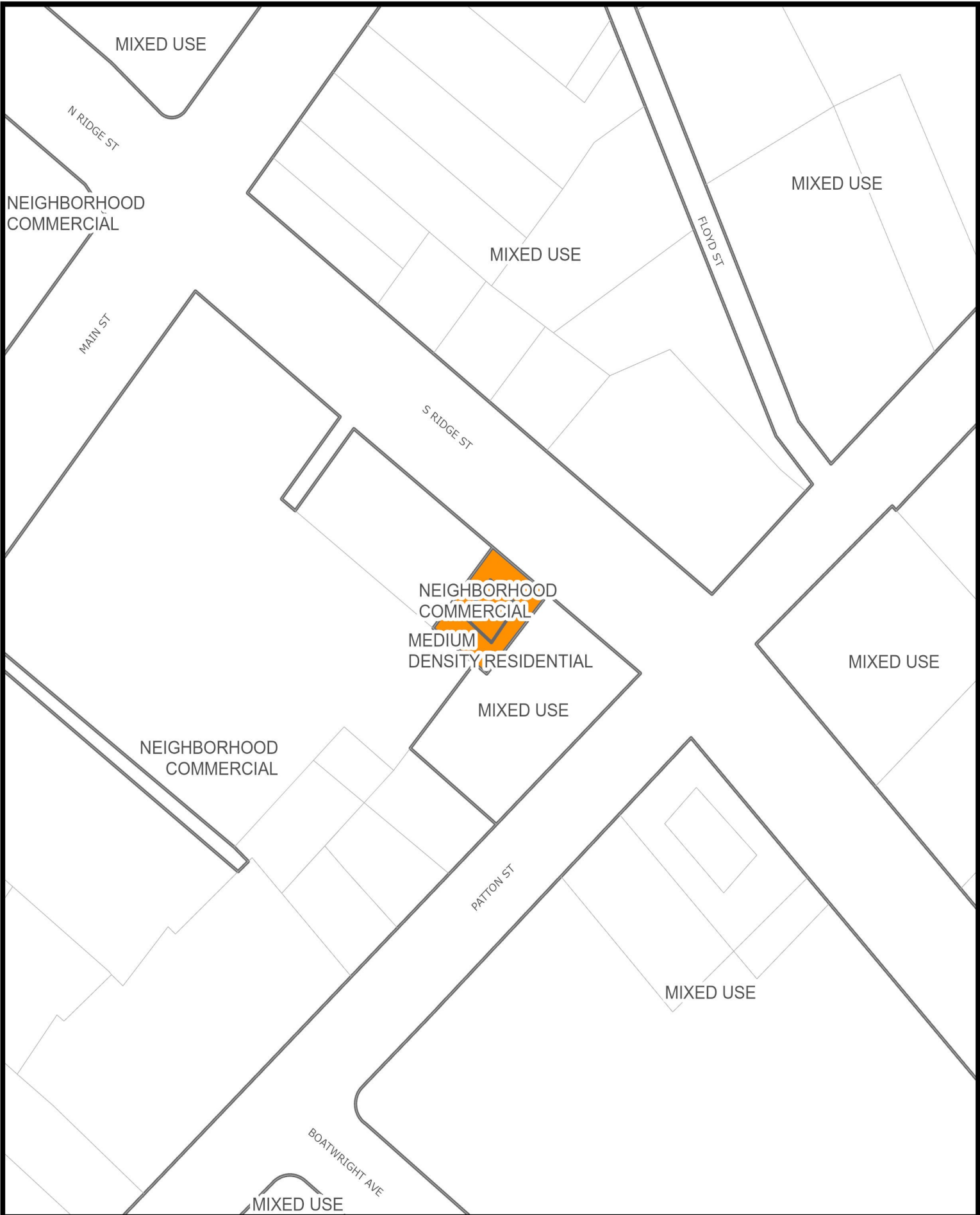


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

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STAFF REPORT

DATE: July 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00269 filed by Ana and Brian Bialek to allow a duplex residential dwelling in accordance with Article 3.E Section C Item 2 at 1116 Richmond Blvd (Parcel 04414).

SUMMARY

1116 Richmond Boulevard is a single family dwelling built in 1910 and zoned OT-R, Old Town Residential. The structure is approximately 3000 square feet and has no off-street parking.

The applicants, Ana and Brian Bialek, are requesting a Special Use Permit to convert the single family dwelling into a duplex in accordance with Article 3.E Section C Item 2.

1116 Richmond Boulevard is located between the Richmond Boulevard intersection of North Main Street and James Street and next to an apartment complex. This area is a high traffic area with several multifamily structures nearby.

RECOMMENDATION

The Planning Staff recommends that the Planning Commission recommend approval of Special Use Permit request PZ24-00269 with the condition that off-street parking be provided for a minimum of four (4) vehicles. Creation of a duplex is consistent with the character of the area, but will cause a need for additional parking areas to serve the residents and guests of the complex. Creation of off-street parking for 1116 Richmond Boulevard will help to alleviate staff concerns about congestion and high volumes of traffic in the area.

ATTACHMENTS

1. Application
2. Bialek
3. Floor Plan_Apt A
4. Floor Plan_Apt B
5. Supporting Docs
6. 1116 Richmond Blvd Aerials Map
7. 1116 Richmond Blvd Owners Zoning Map
8. 1116 Richmond Blvd Land Use Map



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.
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 - (4.) Parking and site circulation analysis.
 - (5.) Photographs of property and surrounding area.
 - (6.) Environmental impact statement.

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ24-00269 PC Meeting Date: July 8
Date Received: 6/6 Received By: Williams
Parcel ID: _____ Address: _____
Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 1116 Richmond Blvd. Danville, VA 24540; APN: 04414

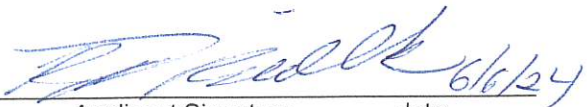
Applicant: Ana and Brian Bialek

Applicant's Address: 1908 Mount Vernon Ave #2774, Alexandria, VA 22301

Applicant's Phone Number: 703.499.0535 or 206.250.9820

Applicant's E-mail: ana@thebialekpropertygroup.com; brian@thebialekpropertygroup.com

Describe Proposed Request: Please see attached letter.


Applicant Signature date

Property Owner Signature date
(if not applicant)



Background
Packet
for
Ana & Brian Bialek

About Us



If one phrase could describe us, it is intentional with our time!

We are both retired from Naval service, Brian as an active duty Submariner and Engineering Duty Officer and Ana as a career civilian in Finance and Strategic Communications.

We currently live in Alexandria, VA and Brian still supports the Navy as a contractor, while Ana has transitioned to being a Realtor in VA.

Our greatest asset is our time together so we've commenced our transition to live purposefully to optimize our life around autonomy and flexibility. We enjoy traveling and the outdoors so try to pair those things whenever possible.

Through frugality, maximizing savings and maintaining NO consumer debt for years we have been able to purchase multiple single and multi-family investment properties.

We operate one short/medium term rental near Wilmington, NC, a 4-plex and two single family long-term rentals in Akron, OH.

We are excited to explore future opportunities and build our business to the next level!



The Team



Ana Bialek

CEO/COO

Retired Director of Finance for several multi-billion dollar Defense programs.

B.S Finance from George Mason University.

Experienced investor-friendly Realtor in Northern Virginia with EXP Realty.



Brian Bialek

Director of Acquisitions and Project Management

Retired Naval Officer with 23 years experience in complex construction project management (submarines).

M.S. Electrical Engineering and M.S. (equivalent) Nuclear Engineering.

Has rehabbed several properties and managed improvements to several others.

Strategic Advisors



Chad Carson

Owner and Creator of *Rental Property Mastery* real estate investment coaching community.

Author of best selling book *The Small and Mighty Real Estate Investor*.

Owns real estate portfolio with over 100 units and 20+ years of investment experience.



Omni Casey

Owner and Creator of *The Cashflow Breakfast Club* national real estate investment community.

Author of best selling book *The Cashflow Breakfast Club*.

Real Estate Investor, Broker, Coach and Mentor for 20+ years with 100's of rental properties.



Business Plan Overview



Our Mission:

Our investments in real estate build generational wealth via the purchase of well-designed properties that we can manage efficiently and provide exceptional customer service to our tenants and guests.

Business Model:

Our strategy is to own cash-flowing properties in appreciating markets. We have a long-term approach to real estate investing and focus on buy-and-hold properties. Our purchase decisions are based on reasonable and sustainable growth assumptions to avoid over-leveraging.

Target Markets and Property Types:

Northwestern Ohio (Cleveland, Akron, Canton) – Strong population growth and cashflow potential; affordably priced Long and Medium Term Rentals (LTRs, MTRs).

Southern, VA – Strong federal, commercial and industrial investment and expansion in the area with large educational presence. Supports LTRs and MTRs.

Easton, PA - Strong population growth, commercial expansion; Family in town to help.

Wilmington, NC – Strong population growth, desirable coastal location, stable education, medical, industrial & commercial base. Supports MTRs and STRs



THANKYOU

Ana Bialek

571.207.9603

Ana@TheBialekPropertyGroup.com

Brian Bialek

434.218.3758

Brian@TheBialekPropertyGroup.com

www.TheBialekPropertyGroup.com

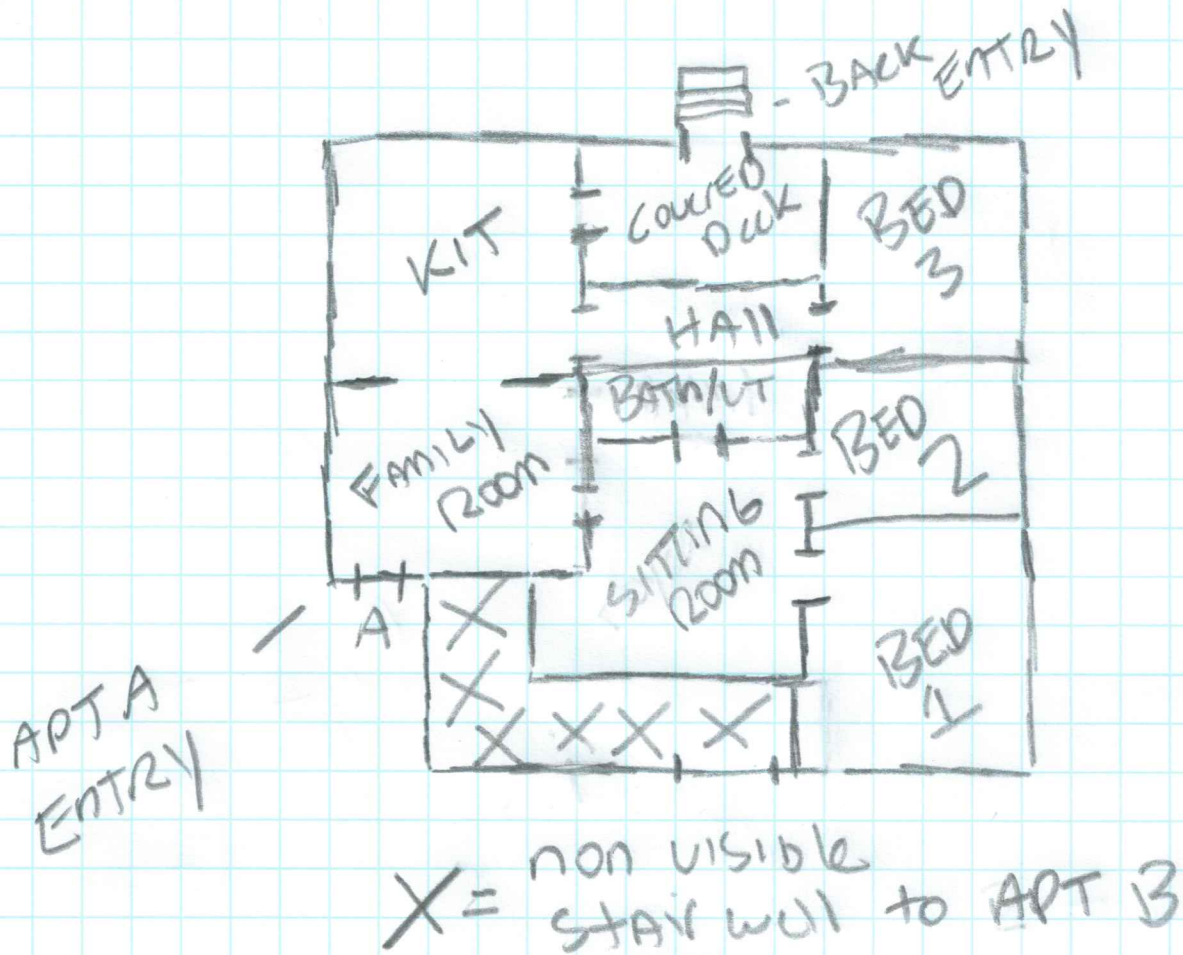




Background &
Credibility
Packet
for
Ana & Brian Bialek

1116 Richmond Blvd

APT A FLOOR PLAN

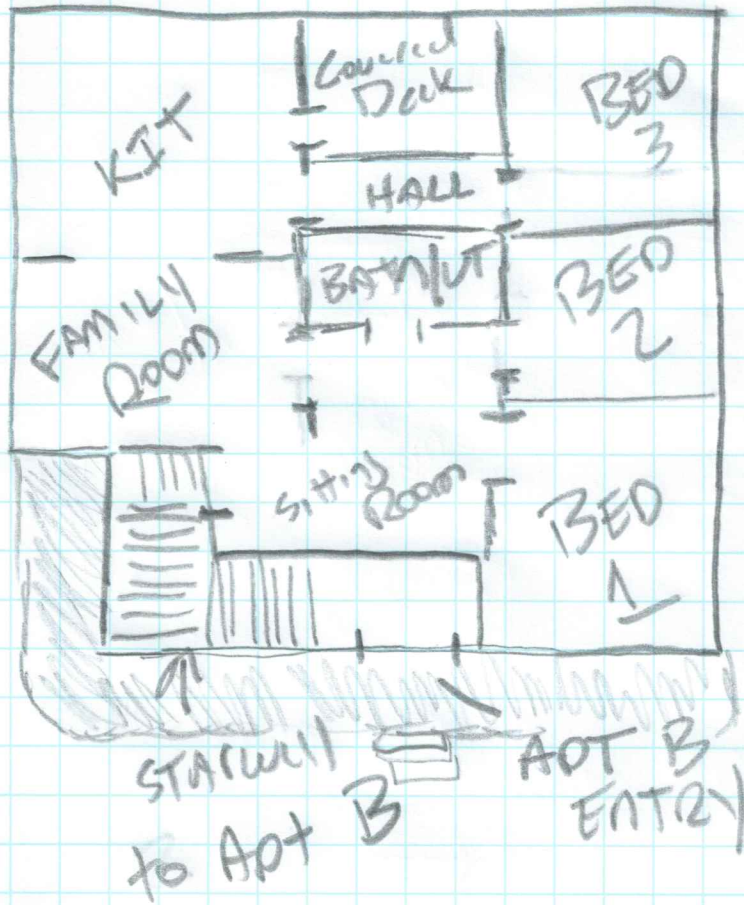


* NOTE

APT A + B have
SAME Floor Plan

1116 Richmond Blvd

APT B FLOOR PLAN



Ana & Brian Bialek
1908 Mount Vernon Ave #2774
Alexandria, VA 22301
June 6, 2024



City of Danville Planning and Zoning Department
P.O. Box 3300
Danville, VA 24543

Dear Members of the Planning and Zoning Department,

We have just closed the purchase of 1116 Richmond Blvd. in the North Main area of Danville. We are applying and writing to request a special use permit and approval to convert the property from a single-family residence to a duplex. The exterior of the property will be maintained and no changes to the existing footprint will be made. All changes will be internal to the structure.

We believe this conversion aligns with the goals and objectives outlined in the Danville 2030 Comprehensive Plan in the following ways:

Creates Sustainable Growth and Land Use. The plan promotes a balanced mix of residential, commercial, and industrial uses while protecting Danville's historic and natural environments. Converting 1116 Richmond Blvd. into a duplex increases housing density within an existing neighborhood without overdeveloping or increasing density too much. There is ample on-street parking and the density of the conversion would not overcrowd parking in front of the building.

Diversifies Housing Options. The plan encourages the creation of a variety of housing types through adaptive reuse, redevelopment, and infill development. This conversion will contribute to housing diversity, offering more affordable options and meeting the needs of different income levels. As an existing single-family home of approximately 5000 sq ft, this property will be converted into two more affordable 3 Bed, 2 Bath units suitable for family occupancy.

Stabilizes and Revitalizes the Neighborhood. The plan focuses on neighborhood revitalization by encouraging infill development and housing rehabilitation in historic neighborhoods. Converting this property into a duplex will help redevelop, protect and enhance this traditional neighborhood by converting an unfinished, vacant dwelling into quality housing for multiple families thereby attracting new residents; which is consistent with the goals and vision for the North Main Planning Area.

Efficiently Uses Resources and Services. This conversion adaptively reuses and redevelops the existing structure, in a resource-efficient manner with minimal environmental impact. This property is located in an OT-R zoned district which allows usage as a duplex with special use permit enabling more efficient use of existing public infrastructure and aligning with the city's goals for efficient land use and sustainable (re)development.

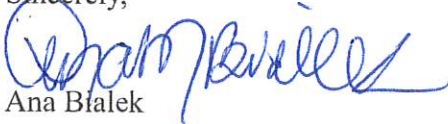
Preserves the Structure and History. The plan advocates for the preservation and adaptive reuse of historic homes. While this home is not situated in the historic preservation district, this conversion maintains the architectural character and vitality of the neighborhood while updating the property to meet current needs.

We are excited to undertake this redevelopment effort as well as others elsewhere in the city. Our interest in investment in Danville is as locals even though we do not live there presently. We have made, and continue to look forward to making, relationships within this community. As Navy retirees we understand the influx of federal funds and development does not come without its difficulties and we would like the opportunity to create and provide quality housing for the residents, transient and permanent, of this community.

The conversion of 1116 Richmond Blvd. into a duplex is consistent with the Danville 2030 Comprehensive Plan and more specifically with the goals and vision for the North Main Planning Area. This conversion yields sustainable growth, affordable housing, revitalizes the neighborhood, efficiently uses resources, and preserves historic character. We hope you will support this conversion and redevelopment.

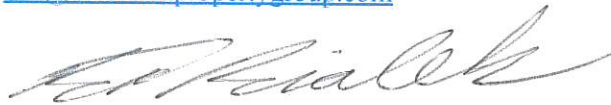
Thank you for your attention to this request.

Sincerely,



Ana Bialek

ana@thebialekpropertygroup.com



Brian Bialek

brian@thebialekpropertygroup.com

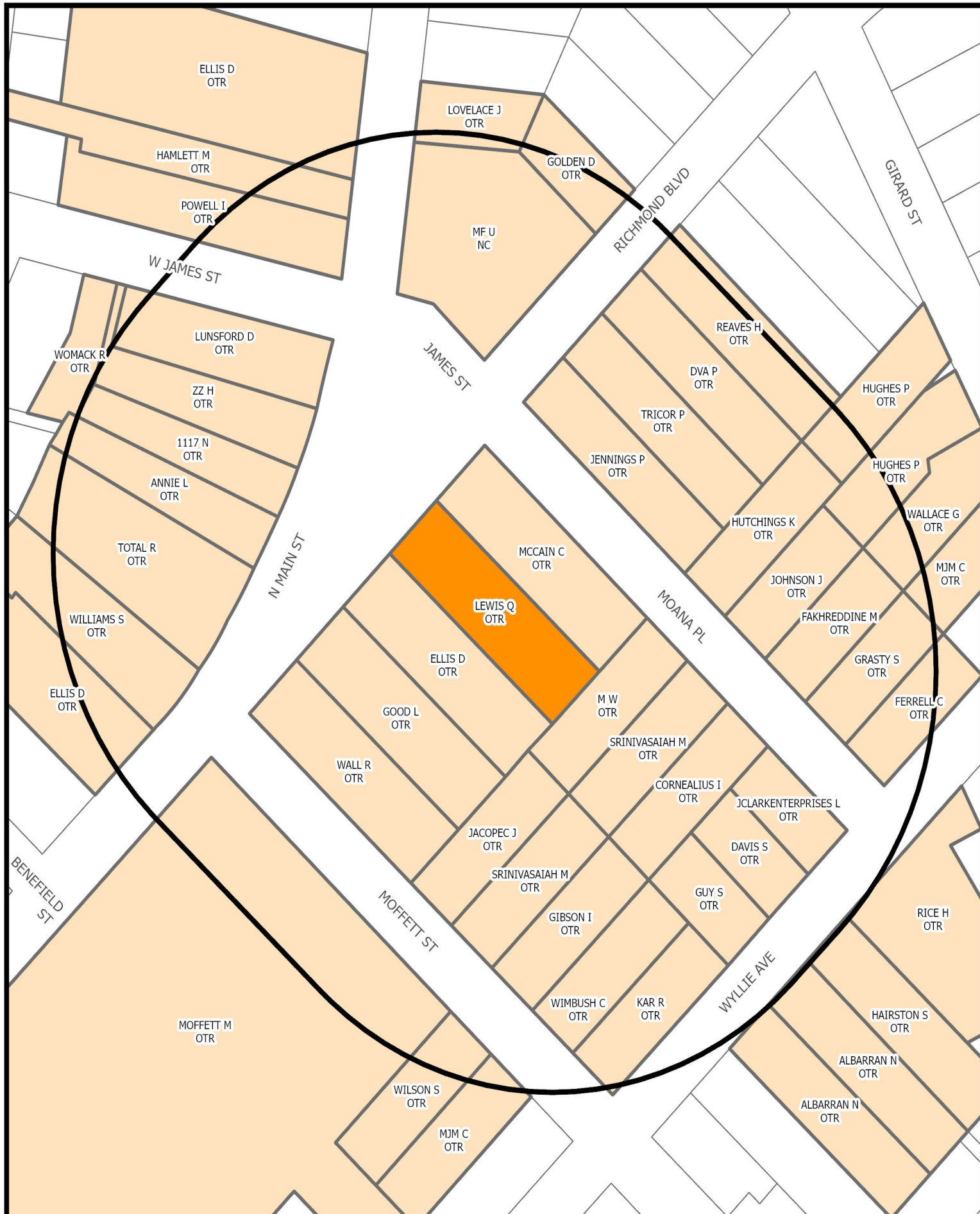


2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/7/2024



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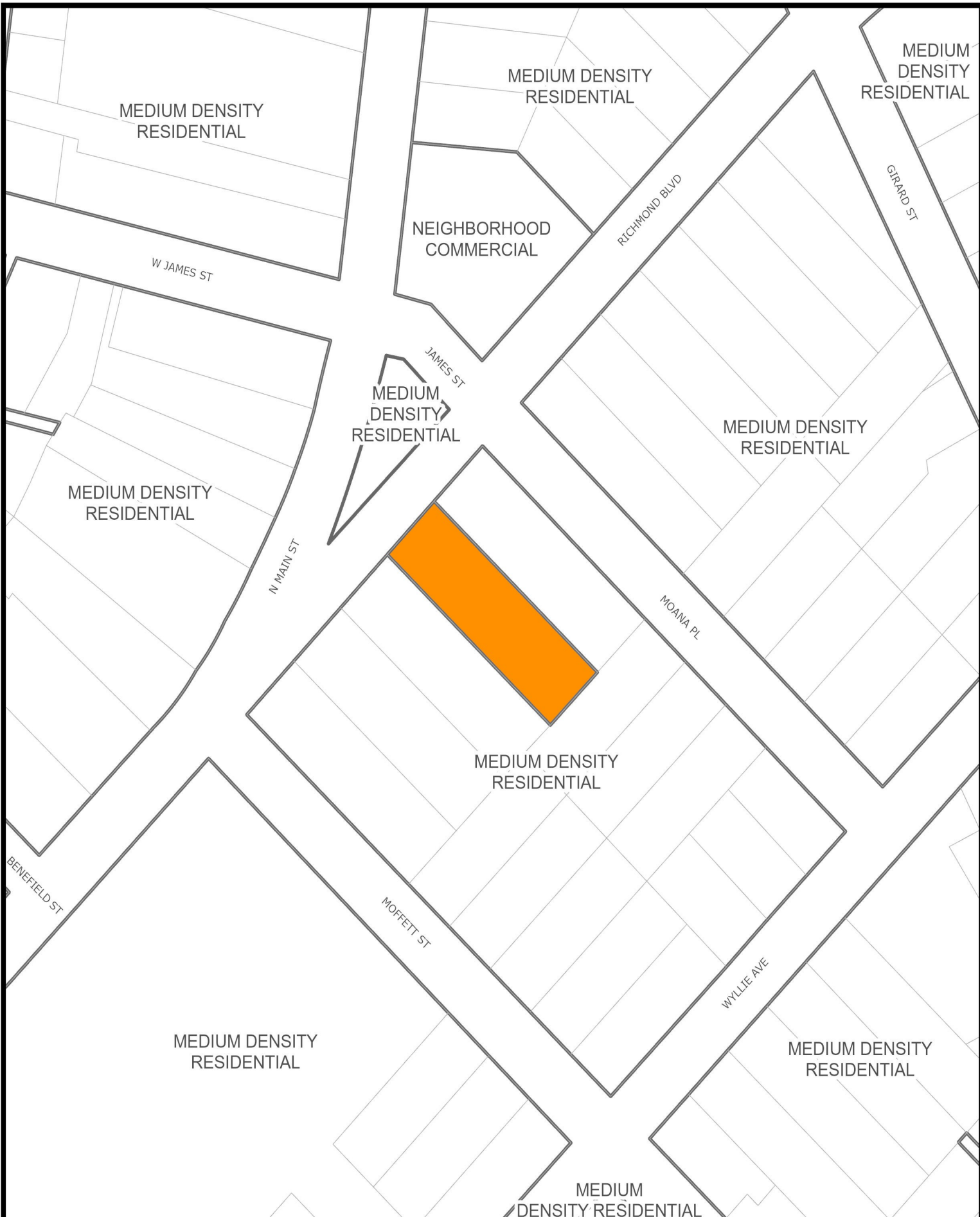


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/7/2024



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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/7/2024



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STAFF REPORT

DATE: July 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00232 filed by South Wake Home Solutions LLC to allow a duplex residential dwelling in accordance with Article 3.E Section C Item 2 at 721 Chatham Avenue (Parcel 53605).

SUMMARY

The applicant is requesting a Special Use Permit to convert the single-family dwelling to a duplex at 721 Chatham Avenue. In February, a violation letter was issued for engaging in work prior to obtaining the required permits. The applicant applied for permits in May to renovate two (2) existing units and was notified that the property was zoned OT-R, a single family zoning district, and it had lost legal non-conforming status due to being vacant for more than 2 years. Approval of a Special Use Permit is necessary for the applicant to complete the conversion.

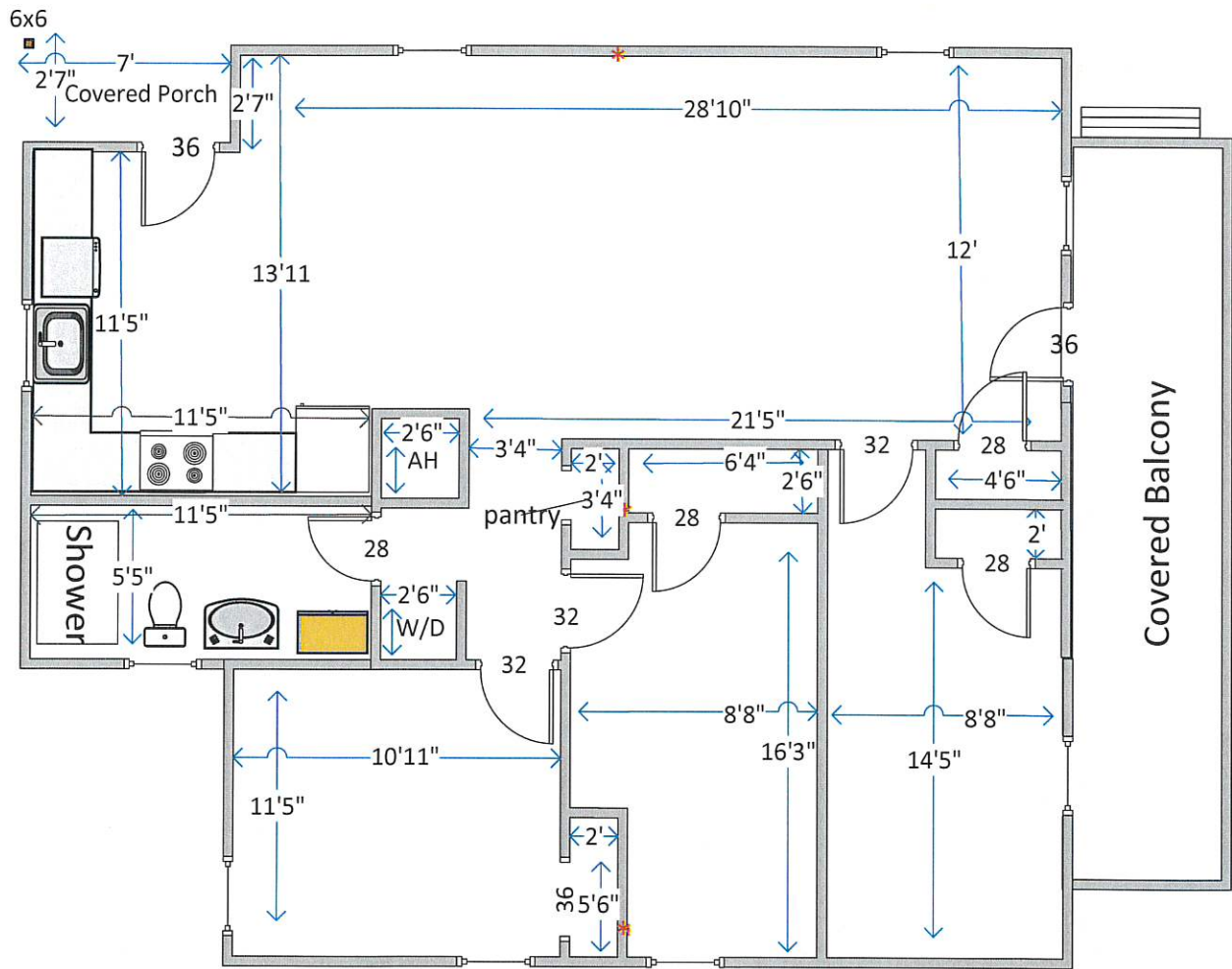
The property was constructed in 1920 and consists of a 1,002 square foot upper level and a basement level measuring 1,064 square feet. The proposed work will not alter the existing footprint.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of PZ24-00232 to approve a Special Use Permit to convert a single family dwelling at 721 Chatham Avenue to a duplex.

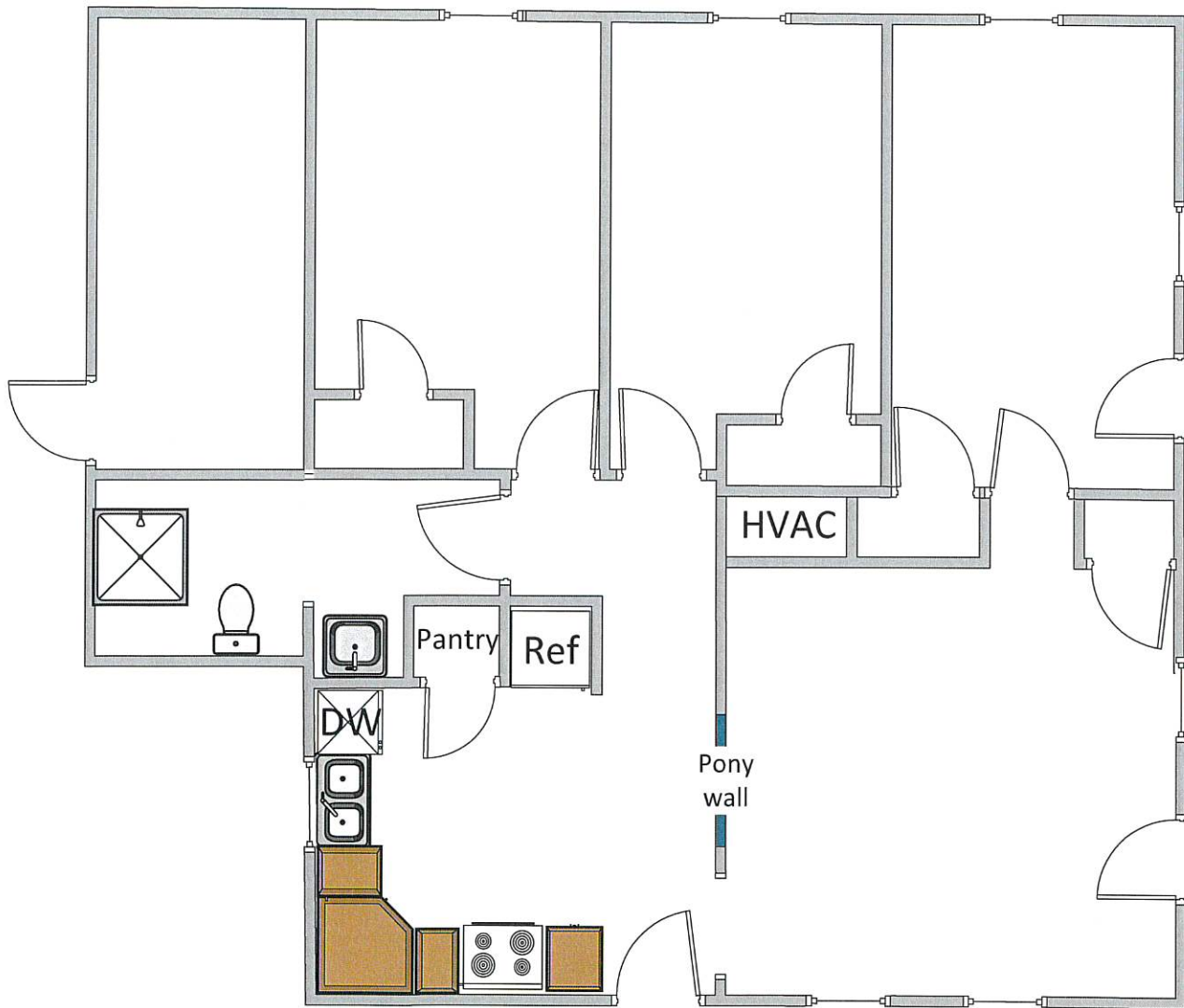
ATTACHMENTS

1. Floor Plans
2. Violation Letter 721 Chatham Ave (1)
3. 721 Chatham Ave Aerials Map
4. 721 Chatham Ave Owners Zoning Map
5. 721 Chatham Ave Land Use Map
6. 721_chatham_ave_SU_permit1
7. 721_chatham_ave_danville_planning_commission_letter



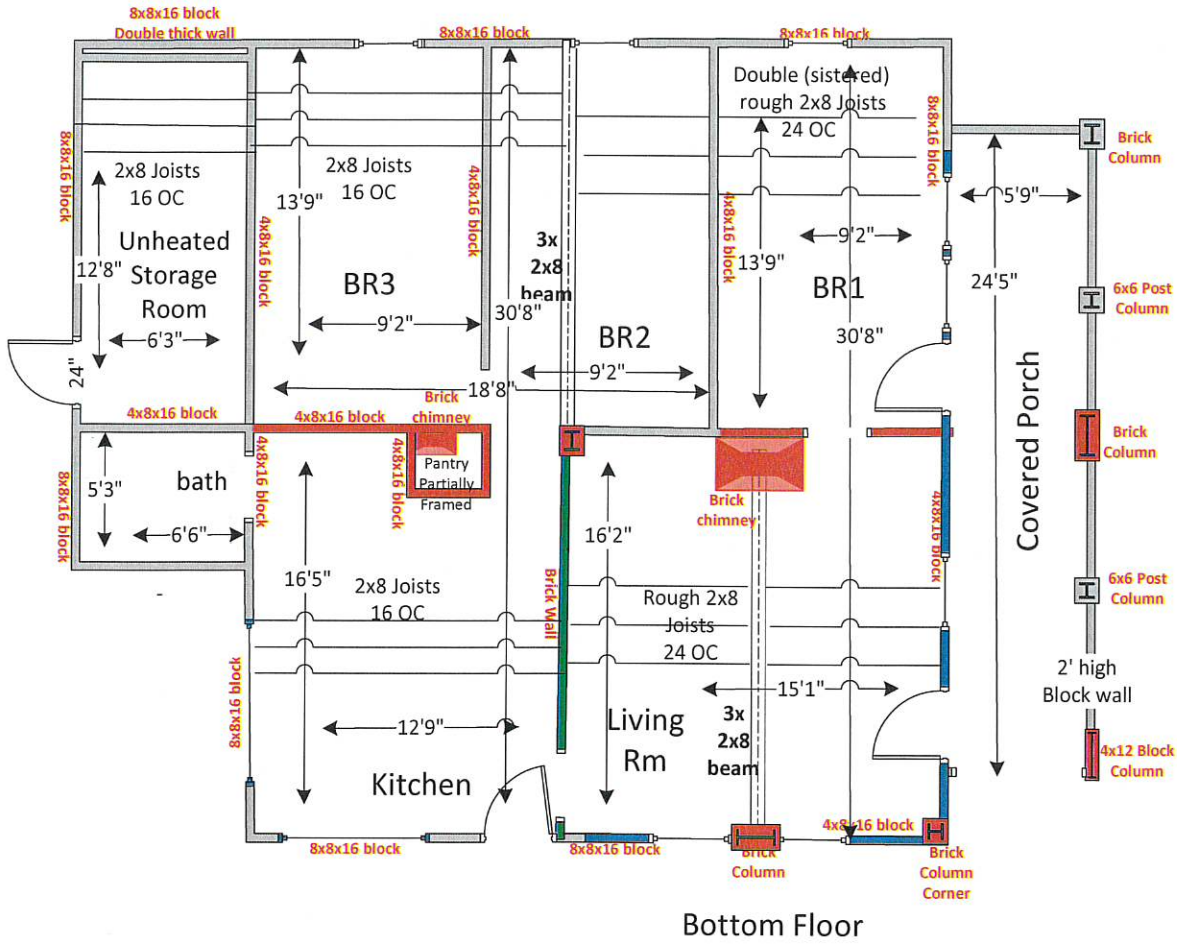
Measurements are to bare studs.

Top Floor



Bottom Floor

Present State 3-19-2024



Front

Red walls to be demo'd and
reframed as needed

Green Wall - Rebuild

Blue Walls Rebuild/
strengthen to 8" thick
Block

Bottom Floor Ceiling
Height approx 6'10"



City of Danville, Inspections Division

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

NOTICE OF VIOLATION

Feb. 26, 2024

RE: 721 Chatham Ave

Dear **Homeowner/Owner : South Wake Home Solutions LLC,**

It has been brought to the attention of the Inspections Division that you have engaged in work prior to obtaining the required permit for the work. Section 108.1 of the Virginia Uniform Statewide Building Code/2018 Edition states: "Application for a permit shall be made to the building official before and a permit shall be obtained, prior to any commencement of activities.

Structural remodel/addition (Without a Permit). If any additional structural repairs will be performed those will also require permitting. Cease any future work until building permit is issued.

Violations are a misdemeanor pursuant to Section 36-106 of the Code of Virginia and upon conviction, may be punishable by a fine of not more than two-thousand five hundred dollars (\$2,500).

Note: Zoning approval and a plan review may be required before permits are issued. Also this building cannot be used for a commercial application.

You are hereby requested to contact this office within five days after receiving this notice to obtain the permit for the work located at 721 Chatham Ave. **You will need to include a \$72.00 inspection fee along with the permit fee. You must get a registered design professional to assess the building to determine code compliance and structural integrity and submit the RDP's sealed design for the remodel with the permit application.**

Right of Appeal

You have the right to appeal this decision of the Building Official to the local Board of Building Code Appeals as provided for in Section 119.5 of the Virginia Uniform Statewide Building Code. A written request for such an appeal shall be made on forms provided by the Code Official and filed with this office within 30 calendar days from receipt of this notice. At the time of filing, the appeal request shall be accompanied by a fee of Two hundred and dollars (\$206.00). Applications for appeal may be obtained in the Inspections Office located in Room 208 of the Municipal Building on Patton Street, Monday through Friday, 8:00 a.m. - 5:00 p.m.

Your cooperation in compliance with this notice is appreciated and should you have any questions or need assistance, please contact us at (434) 799-5260 ext. 2492

Sincerely,
CITY OF DANVILLE – INSPECTIONS DIVISION

Ricky W Evans Building Inspector



2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/26/2024



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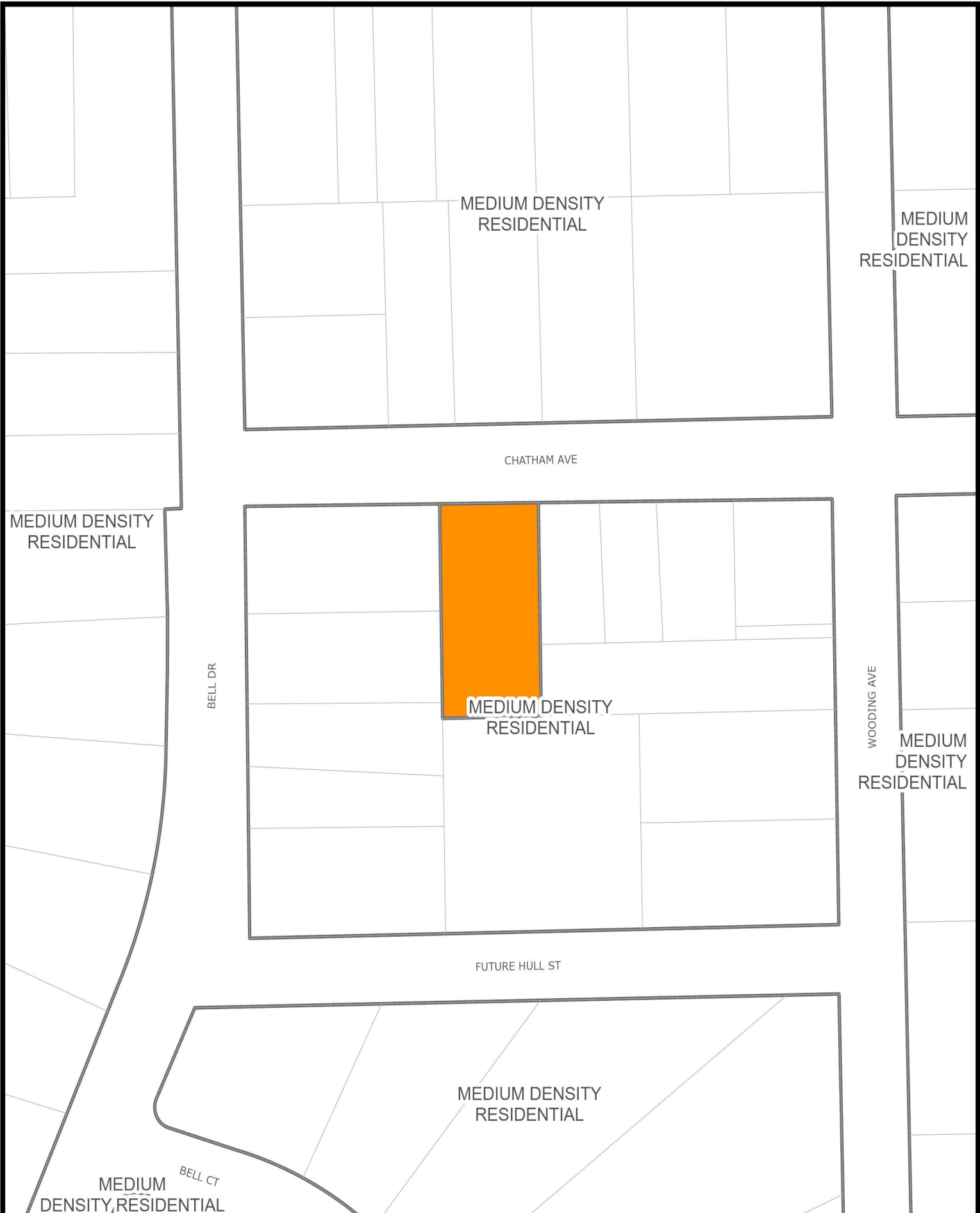


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/26/2024



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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/26/2024



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PROPOSED PROJECT COMPATIBILITY

—

The Comprehensive Plan	Providing safe, sanitary, and affordable homes for low- to moderate-income residents; rehabilitation of existing housing units; increasing energy efficiency in older homes; Blight Elimination, removing threats to public health and safety; ensure rental property is maintained to standards prescribed in the local building code.
The Applicable Zoning District	OTR Old Town Residential
The Surrounding Properties	The properties on this block are a mix of Single Family and Multifamily homes. Down the street is the Cardinal Village Apartments with a total of 128 Units in this complex.
Current and Future Neighborhood Conditions	Current homes in the neighborhood are mostly older homes in poor condition with some newer and rehabilitated homes.
Pedestrian and Vehicular Traffic Patterns, On-Site and Off-Site	This home has 2 driveways which can accommodate at least 4 cars in off-street parking.
Adequate Public Facilities	This home has been utilized as a duplex previously according to tax records and previously metered as such

PZ24-00232, 721 Chatham Ave Special Use Duplex
Applicant Summary and Supporting Documentation

Dear Planning Commission Members,

In November of last year my company South Wake Home Solutions, LLC purchased a blight duplex property in the Old Town Residential District. The property was in very poor condition, and we later found a squatter had been living there. My before photos can be found at this link. <https://photos.app.goo.gl/srcZoQvXEHAeA4PM6>

We planned to rehab the property at significant expense and rent the units at market rent. Our long-term plan is to hold the property indefinitely. No change would be made to the square footage or footprint according to our plans. We have the proper permitting and are compliant with the Inspections Division. However, I was informed that I must request from City Council that this duplex be granted a Special Use Permit to continue using it as such since the property was vacant more than two years. I am therefore requesting that now.

Housing Availability

Danville clearly has a housing shortage as the 2022 Housing Strategy Study has demonstrated. This property can provide two residential units, within one mile of the casino. This could provide housing for temporary construction workers. Both units are single level and have few or no steps to gain entry making them senior friendly. These units will also be safe, energy efficient and code-compliant, unlike many of the surrounding homes.

The Surrounding Properties

There are five homes on this side of the street on the 700 block of Chatham Ave. Besides the subject duplex property, there is one older SFR home, one new SFR home that is a Habitat Home built on the site of a former blight property, a fourplex and a condemned triplex. On the 500 block of Chatham Ave there is the Cardinal Village 128-unit apartment complex operated by the Danville Redevelopment and Housing Authority.

Adequate Public Facilities

This property was already used as a duplex according to tax records and was metered for separate gas and electric. The property has driveways on both sides of the house which provides at least 4 off-street parking spaces.

I want a win-win for Danville, our neighbors and ourselves. This duplex rehab will help clean up this street and deter crime. Danville will gain tax revenue and property values will increase as this and other blight properties are rehabilitated.

Thank you for your time and consideration. I will be available to answer any questions you have to make the most informed decision.

A handwritten signature in black ink, appearing to read 'Alan R Baumann', with a long horizontal stroke extending to the right.

Alan R Baumann, PMP, PMI-ACP
President, South Wake Home Solutions, LLC
Cell: 919-579-7485
alan@sowakehomes.com

STAFF REPORT

DATE: July 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00290 filed by CCKW, LLC to allow duplex residential dwellings at Parcel 20615 (Gray Street) in accordance with Article 3.E. Section C Item 2.

SUMMARY

The applicant CCKW, LLC has requested a Special Use Permit at Parcel ID 20615 (Gray Street) to allow construction of a duplex in accordance with Article 3.E. Section C Item 2.

Parcel ID 20615 is a vacant lot located at the corner of Gray and Rison Street that is zoned OT-R, Old Town Residential. Construction of a duplex in an OT-R zoning district requires a Special Use Permit. Preliminary sketches have been submitted with the application. Staff will work with the applicant to ensure all Zoning Codes are met during construction.

RECOMMENDATION

The Planning Staff recommends the City Planning Commission recommends approval of PZ24-00290 to grant a Special Use Permit to construct a duplex dwelling at Parcel ID 20615 (Gray Street).

ATTACHMENTS

1. Application
2. Supporting Docs
3. Parcel 20615 Aerials Map
4. Parcel 20615 Owners Zoning Map
5. Parcel 20615 Land Use Map



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 #: P204-00290 PC Meeting Date: _____
Date Received: _____ Received By: _____
Parcel ID: 20615 Address: _____
Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): PIN: 20615; Gray Street at the intersection with Rison Street

Applicant: CCKW LLC

Applicant's Address: 733 River Park Drive, Danville, VA 24540

Applicant's Phone Number: 434.793.0217 (Clif Walden); 434.942.9863 (Kevin Shotwell)

Applicant's E-mail: clif.walden@riversiderooftruss.net; kevshotwe@aol.com

Describe Proposed Request: Please see attached letter.

CKW
ID BTUwJmxcfp7AJuCvZgDkt86z 6/10/2024
Applicant Signature date
Clifton K Walden, Jr., Co-Manager of CCKW
LLC

CKW
ID BTUwJmxcfp7AJuCvZgDkt86z 6/10/2024
Property Owner Signature date
Clifton K Walden, Jr., Co-Manager of Big Time
Rentals, LLC

June 10, 2024

Via Hand Delivery and Electronic Mail

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

Re: Special Use Permit Application submitted by CCKW LLC

Dear Ms. Burton:

On behalf of CCKW LLC ("CCKW"), I am pleased to submit the enclosed Special Use Permit Applications for parcels 20615 and 20816 on Gray Street (the "Parcels") (the "Applications"). Specifically, and as set forth below, the Applications seek to construct a new duplex on each of the Parcels and to obtain a waiver of the required lot sizes.

Please note that the Parcels are owned by Big Time Rentals, LLC ("BTR"), and – as shown on the enclosed application forms (the "Application Forms") – BTR has consented to these requests by CCKW.

Enclosed for your review and reference are four completed Application Forms, marked as Exhibits A through D, which this letter is intended to supplement, along with an additional exhibit identified below and a check in the amount of \$1,440.00, representing the City's fees associated with these Applications.

Description of Development

As shown in the image below from Google Maps, the Parcels are located in a mature residential area of the City but are presently undeveloped:



CCKW – which is currently constructing the Old Belt Townhomes in the Monument-Berryman community – proposes to build a new duplex on each of the Parcels. As the Parcels are zoned OTR, a special use permit is required for the construction of a duplex.

A preliminary sketch showing the planned construction is attached as Exhibit E. Taking into account the shapes of the Parcels, the units will run front-to-back rather than side-by-side. In light of this configuration, CCKW also requests special use permits for waivers of the minimum lot size and/or yard requirements for a duplex project so that this project may proceed as conceived. (However, in the event that no waivers are necessary, we respectfully request that the waiver-specific Applications be withdrawn from consideration.)

Additional Compatibility Considerations

CCKW's Applications are in harmony with the City of Danville's 2030 Comprehensive Plan, (1) promoting opportunities for a greater variety of housing types in the City within an established neighborhood and, in doing so, (2) supporting the continued economic development of the region.

The aims of the Applications also remain in harmony with the current intent and purpose of this zoning district, as CCKW's proposal represents the return of residential development to the Parcels and takes advantage of an opportunity to realize additional density in an established portion of the City.

Finally, CCKW's proposal for these duplexes is consistent with the residential character of adjacent properties, surrounding neighborhoods, and existing and proposed development, both in terms of aesthetics and scale. Existing pedestrian and vehicular traffic patterns, both on-site and off-site, will be not negatively affected by the duplexes, and, given the established nature of this neighborhood, public facilities are adequate and will not be strained by the proposed development.

Application Requirements for Special Use Permit

Our intention has been to address above each of the requirements identified as a requirement for consideration of this 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 proposed project with the Planning Commission in July.

Sincerely,



Steven P. Gould

Enclosures

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

DANVILLE - PITTSYLVANIA COMMUNITY SERVICES
HARMONY HOUSE
515 RISON ST.

UNNAMED STREET

RISON STREET

VACANT LOT

GRAY STREET

UNNAMED STREET

309 GRAY ST.

317 GRAY ST.

319 GRAY ST.

300 GRAY ST.

306 GRAY ST.

310 GRAY ST.

312 GRAY ST.



PROJECT:
GRAY & RISON DUPLEXES
DANVILLE, VIRGINIA

DATE: 5-10-24
SCALE: GRAPHIC
SHEET NO. 1 OF 1

EXHIBIT

E

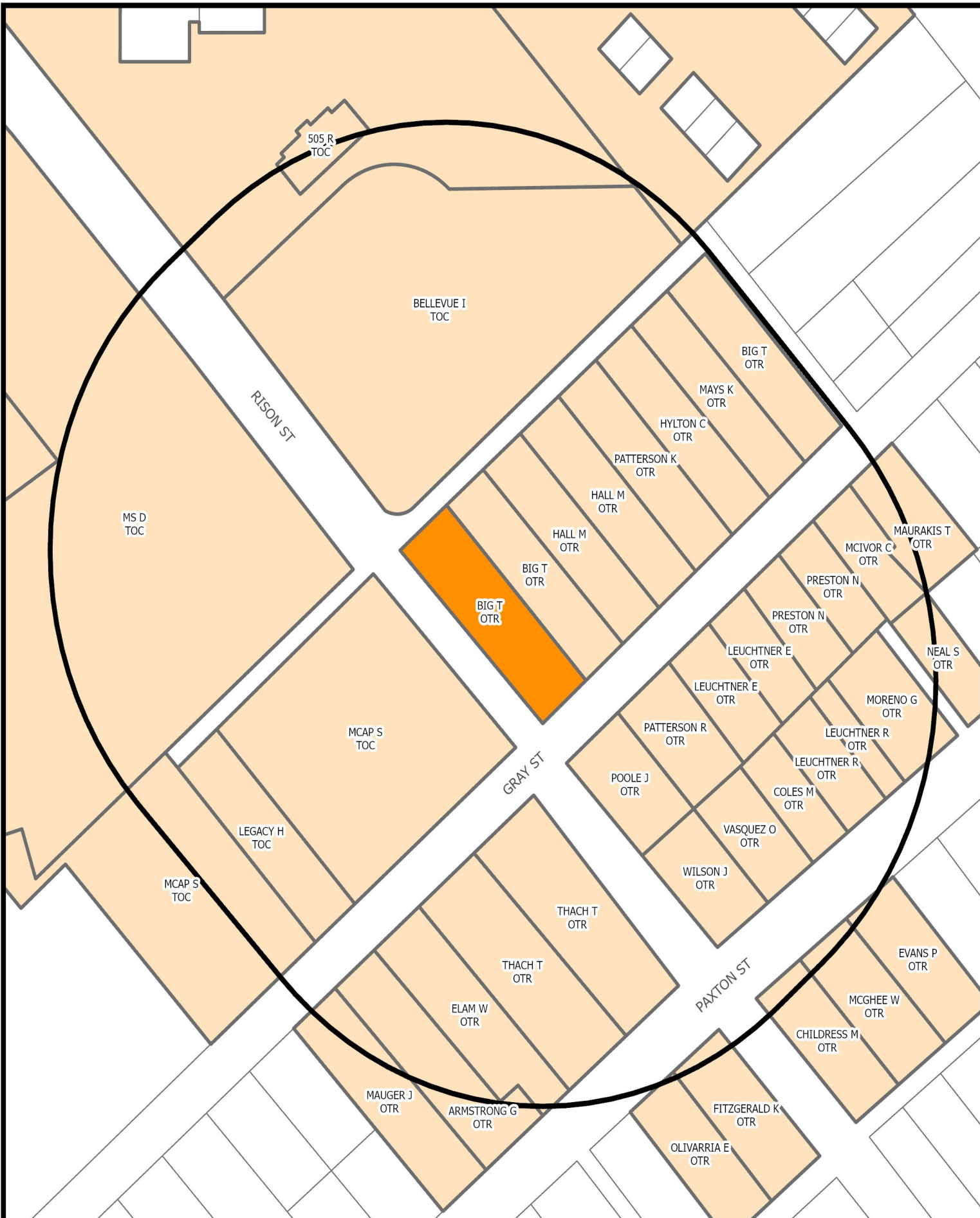


2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/27/2024



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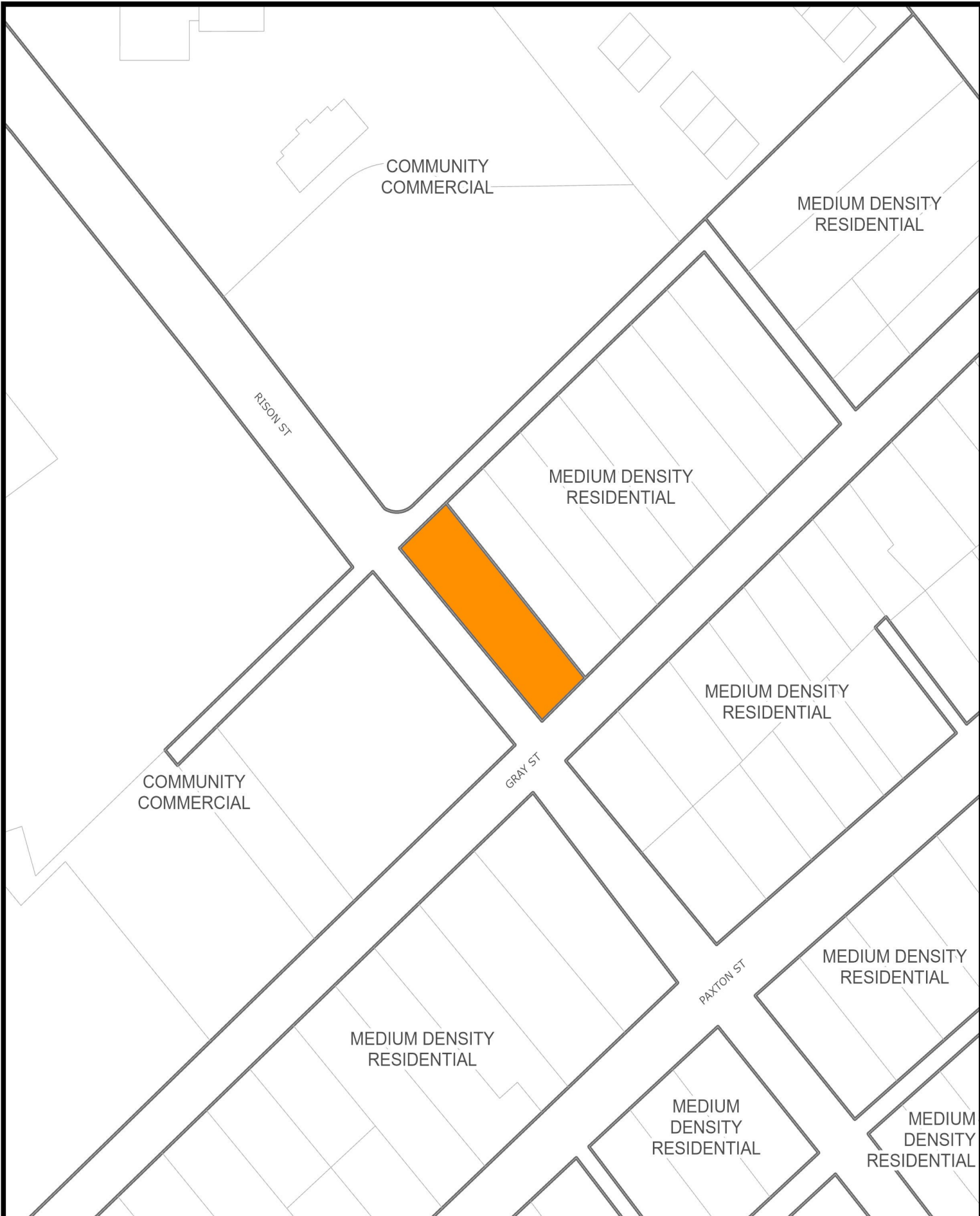


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/27/2024



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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/27/2024



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STAFF REPORT

DATE: July 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ24-00291 filed by CCKW, LLC to allow duplex residential dwellings at Parcel 20816 (Gray Street) in accordance with Article 3.E. Section C Item 2.

SUMMARY

The applicant CCKW, LLC has requested a Special Use Permit at Parcel ID 20816 (Gray Street) to allow construction of a duplex in accordance with Article 3.E. Section C Item 2.

Parcel ID 20816 is a vacant lot located at the corner of Gray Street that is zoned OT-R, Old Town Residential. Construction of a duplex in an OT-R zoning district requires a Special Use Permit. Preliminary sketches have been submitted with the application. Staff will work with the applicant to ensure all Zoning Codes are met during construction.

RECOMMENDATION

The Planning Staff recommends the City Planning Commission recommends approval of PZ24-00291 to grant a Special Use Permit to construct a duplex dwelling at Parcel ID 20816 (Gray Street).

ATTACHMENTS

1. Application
2. Supporting Docs
3. Parcel 20816 Aerials Map
4. Parcel 20816 Owners Zoning Map
5. Parcel 20816 Land Use Map



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 #: PZ24-00291 PC Meeting Date: _____
Date Received: _____ Received By: _____
Parcel ID: 20816 Address: _____
Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): PIN: 20816; Gray Street

Applicant: CCKW LLC

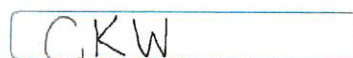
Applicant's Address: 733 River Park Drive, Danville, VA 24540

Applicant's Phone Number: 434.793.0217 (Clif Walden); 434.942.9863 (Kevin Shotwell)

Applicant's E-mail: clif.walden@riversiderooftruss.net; kevshotwe@aol.com

Describe Proposed Request: Please see attached letter.


ID BTUwJmxr7p7AJuGvZgDkt86z 6/10/2024
Applicant Signature date
Clifton K Walden, Jr., Co-Manager of CCKW
LLC


ID BTUwJmxr7p7AJuGvZgDkt86z 6/10/2024
Property Owner Signature date
Clifton K Walden, Jr., Co-Manager of Big Time
Rentals, LLC

June 10, 2024

Via Hand Delivery and Electronic Mail

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

Re: Special Use Permit Application submitted by CCKW LLC

Dear Ms. Burton:

On behalf of CCKW LLC ("CCKW"), I am pleased to submit the enclosed Special Use Permit Applications for parcels 20615 and 20816 on Gray Street (the "Parcels") (the "Applications"). Specifically, and as set forth below, the Applications seek to construct a new duplex on each of the Parcels and to obtain a waiver of the required lot sizes.

Please note that the Parcels are owned by Big Time Rentals, LLC ("BTR"), and – as shown on the enclosed application forms (the "Application Forms") – BTR has consented to these requests by CCKW.

Enclosed for your review and reference are four completed Application Forms, marked as Exhibits A through D, which this letter is intended to supplement, along with an additional exhibit identified below and a check in the amount of \$1,440.00, representing the City's fees associated with these Applications.

Description of Development

As shown in the image below from Google Maps, the Parcels are located in a mature residential area of the City but are presently undeveloped:



CCKW – which is currently constructing the Old Belt Townhomes in the Monument-Berryman community – proposes to build a new duplex on each of the Parcels. As the Parcels are zoned OTR, a special use permit is required for the construction of a duplex.

A preliminary sketch showing the planned construction is attached as Exhibit E. Taking into account the shapes of the Parcels, the units will run front-to-back rather than side-by-side. In light of this configuration, CCKW also requests special use permits for waivers of the minimum lot size and/or yard requirements for a duplex project so that this project may proceed as conceived. (However, in the event that no waivers are necessary, we respectfully request that the waiver-specific Applications be withdrawn from consideration.)

Additional Compatibility Considerations

CCKW's Applications are in harmony with the City of Danville's 2030 Comprehensive Plan, (1) promoting opportunities for a greater variety of housing types in the City within an established neighborhood and, in doing so, (2) supporting the continued economic development of the region.

The aims of the Applications also remain in harmony with the current intent and purpose of this zoning district, as CCKW's proposal represents the return of residential development to the Parcels and takes advantage of an opportunity to realize additional density in an established portion of the City.

Finally, CCKW's proposal for these duplexes is consistent with the residential character of adjacent properties, surrounding neighborhoods, and existing and proposed development, both in terms of aesthetics and scale. Existing pedestrian and vehicular traffic patterns, both on-site and off-site, will be not negatively affected by the duplexes, and, given the established nature of this neighborhood, public facilities are adequate and will not be strained by the proposed development.

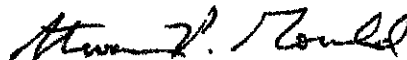
Application Requirements for Special Use Permit

Our intention has been to address above each of the requirements identified as a requirement for consideration of this 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 proposed project with the Planning Commission in July.

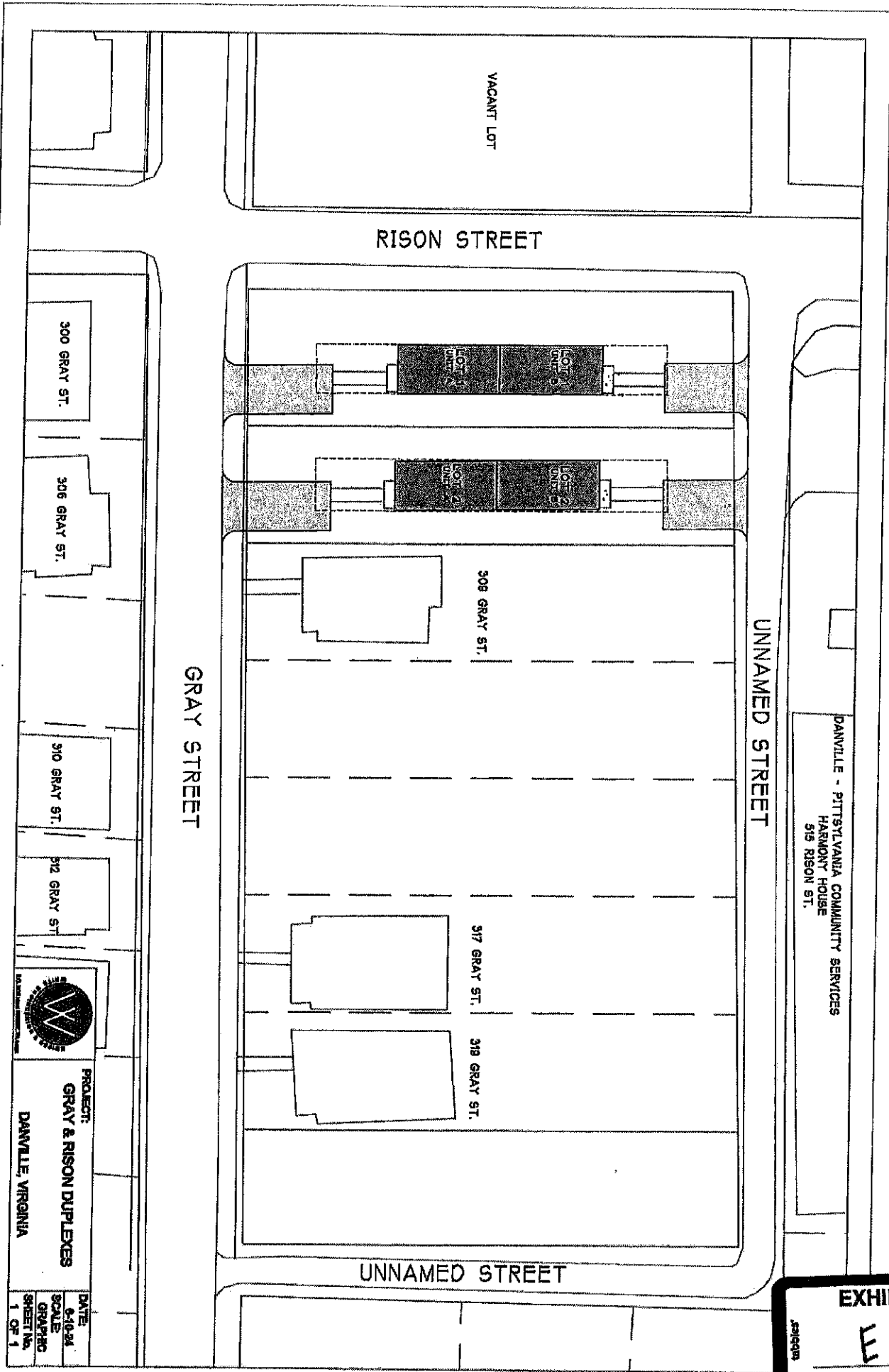
Sincerely,



Steven P. Gould

Enclosures

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



DANVILLE - PITTSYLVANIA COMMUNITY SERVICES
HARMONY HOUSE
515 RISON ST.

UNNAMED STREET

RISON STREET

GRAY STREET

UNNAMED STREET

DATE: 6-10-24
SCALE: GRAF/1/8"
SHEET NO. 1 OF 1

PROJECT:
GRAY & RISON DUPLEXES
DANVILLE, VIRGINIA

EXHIBIT
E



2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/26/2024



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 SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/26/2024



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: July 8, 2024
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Code Amendment request PZ24-00288 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically, amend Article 3.P Section H of the Zoning Code.

SUMMARY

The Planning Staff has received a Code Amendment request to amend Article 3.P Section H of the Zoning Code entitled Cyber Park, Additional Regulations. The amendment request is to update the existing Code to accommodate the changing needs of the Park for new technologies and equipment necessary for the operations within the CyberPark.

Current language

Article 3.P Section H

10. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material, and equipment shall be permitted, provided the storage area is completely enclosed by walls, fences, buildings or a combination thereof. Walls or fences shall be solid and not less than six (6) feet in height and, provided further, that no merchandise, material, or equipment shall be stored to a height greater than any adjacent wall, fence, or building.

Proposed Language

10. Outdoor storage of merchandise, material and equipment shall be permitted. Storage area for merchandise, material and equipment must be completely enclosed by solid walls, fences, buildings or a combination thereof that is to be no less than six (6) feet in height and, provided further that no merchandise or material shall be stored to a height greater than any adjacent wall, fence, or building. Outdoor storage of equipment, needed for approved production processes, may exceed six (6) feet in height without full enclosure, but may not exceed the height of the primary building with a Special Use Permit. Equipment, not completely enclosed, must be without advertising copy or design. All equipment must be surrounded by appropriate landscaping and placed in the rear yard if it exceeds six (6) feet in height.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of Code Amendment PZ24-00288 to amend Article 3.P Section H, Additional Regulations in the Cyber Park One Zoning. The amendment is necessary to accommodate changing needs of the companies located in the CyberPark.

ATTACHMENTS

None

PLANNING COMMISSION MINUTES

June 10, 2024

MEMBERS PRESENT

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

MEMBERS ABSENT

Mr. Jones

STAFF

Kenny Gillie
Cynthia Lester
Clarke Whitfield
Shanika Williams

ITEMS FOR PUBLIC HEARING:

Old Business

1. *Special Use Permit application PZ24-00180 filed by K & M Realty Group LLC to allow an indoor commercial recreation facility at 218 Poplar Street (Parcel 20818) in accordance with Article 3.M Section C Item 4.*

Mr. Petrick opened the Public Hearing.

Ms. Deshazor stated. I am the representative for Latesha Reed Curtis. She is out of the county at this time This is an event center used to host wedding, receptions and birthday parties just another event center for the community to host events.

Mr. Bolton stated. This is not something that operates continuously will be open only when you have a function.

Ms. Deshazor stated. Yes.

Mr. Bolton stated. You will have security at that time.

Ms. Deshazor stated. Yes, we have the medical school beside it, that's our school. Medical Solution Academy she owns that school so we bought the building next door so we have both schools, on the end, we will have the event center. Which we will use for things for the school but when we are not using it, people will be able to rent it.

Mr. Dodson stated. How many parking spaces will you have?

Ms. Deshazor stated. That I don't know, we have a lot of parking because she owns both buildings.

Mr. Dodson stated. It states four persons per parking space.

Ms. Deshazor stated. I am not sure.

Ms. Evans stated. You are in agreement to have the parking space and have the parking lot striped and make structural renovations to the building.

Ms. Deshazor stated. Yes.

Mr. Petrick stated. I assume staff reviewed parking facilities.

Mr. Gillie stated. The parking lot is larger enough size that they provide parking occupant load based on number of spaces.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve special use permit application PZ24-00180. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

New Business

1. *Special Use Permit application PZ24-00185 filed by Blackstone Building Group LLC for approval of a Planned Unit Development at Parcels 77925, 71143, 77922, 77921, 71138, 77920, 77919, 77918, and 77608.*

Mr. Petrick opened the Public Hearing.

Mr. Byers stated. Updated master plan is submitted, we have increased the commercial parcel size and reduced the residential and it not showing on the map on the screen.



plat.pdf

Mr. Petrick stated. Is that the parcel that closes to Westover or Riverside.

Mr. Byers stated. Riverside and we removed some residential, we also add a club house and a pool that is exclusive to the 55 and over, active adult section. The patio rooms that's not showing on the plat. On the original map it shows some additional improvements proposed a fenced in dog park, there is a fenced in child's playground area, and also a 50 x 100 covered picnic area with gas grills. Also, on Vandola there is only two curve cuts, there is a curve cut at the development in the back and all the ingress and egress to the units are on Vandola are reared in trees and they come out so there are only two curve cuts.

Mr. Petrick stated. The other entrance is off Westover.

Mr. Byers stated. Westover, Riverside thru Katewood which we are improving. There is going to be 301 units of workforce housing priced at 300 thousand, we are providing 8 different mortgage programs, down payment assistance and interest rate buy out, trying to help with the workforce in qualifying. The patio units will be priced in the low to mid 3's depending on which option. They will have exclusive rights to the pool and club house.

Mr. Bolton stated. You did stay the price range is in the 300's.

Mr. Byers stated. Yes, 289.9 is the price range for the workforce housing.

Mr. Bolton stated. Will they be for rent or sale?

Mr. Byers stated. They will be for sale, people may buy some units and rent them out. I have been doing the workforce houses since the 80's, lot of time we get buyers who need an extra year to rent until they can actually qualify, we let them move in and rent and close at a later date.

That will be three bedrooms, three full bath and a half bath, and a one car garage with driveway parking for an additional two cars.

Mr. Petrick stated. In the first phase we show 46 units on Vandola.

Mr. Byers stated. Yes, that's phase one.

Mr. Petrick stated. What is the size of these unit going to be.

Mr. Byers stated. Same as in the rear same size building.

Mr. Petrick stated. It is showing three different styles 3 and 2 story and patio style.

Mr. Byers stated. It the 3 story.

Mr. Petrick stated. It going to be 46 three story in the first phase.

Mr. Byers stated. Correct.

Mr. Petrick stated. You are expecting to have those complete by the beginning of 2025.

Mr. Byers stated. Yes, if we receive approve from City Council, we will be breaking ground immediately on phase one and occupancy January thru March of 2025 in that first 46.

Mr. Petrick stated. Curious have you complete a similar development in this area.

Mr. Byers stated. No, I been doing these developments in the Hampton Road and Richmond area since the 1980s. My last largest project was Austin Wood in Chesterfield named after my mother. I have built town homes in Blackstone to support fad seed. Everything that we are building here I have been building off and on for 40 years.

Ms. Evans stated. What is the square footage of these homes?

Mr. Byers stated. Roughly 1600.

Ms. Evans stated. 3 bedrooms.

Mr. Byers stated. Yes, third floor has 2 bedrooms and 2 full baths, the second floor is your living, kitchen and dining area and the first floor has a flex room could be a bedroom or an office has a full bath and garage.

Mr. Evans stated. I understand there will be a separate senior citizen section.

Mr. Byers stated. We like to use the term active adult, yes everything along Kaywood is all in the 55 and older section and on the map, you see the clubhouse and pool on the opposite side.

Ms. Evans stated. They will not be assistant living.

Mr. Byers stated. No, these are for sell not much different from Charlestown 55 years and older patio homes right beside them except we will have more amenities. There will be HOA, maintenance all the normal things. Separate HOA from the workforce side.

Ms. Evans stated. Will there be a dog park?

Mr. Byers stated. We have enough room we may do that. That is a very achievable goal, a good ideal.

Mr. Bolton stated. Do you manage the HOA, or do you have a company that manages it.

Mr. Byers stated. We will have professional on-site full-time management company.

Mr. Khan stated. You say it going to be three levels height.

Mr. Byers stated. We have two and three levels; we plan a one level with optional rooms on the second floor.

Mr. Bolton stated. You are in agreement with staff.

Mr. Byers stated. Yes, full agreement with all recommendations, I think they are all good ideals. Finish the foundation drawing we are tweaking the interior to meet the masonry requirements.

Mr. Wilson stated. I am an active member of Danville for a number of years. Has anything been done to follow up with this company to see how they stand within the business communities which I call due process here in Danville. There are a lot of residential home in the area has there been any consideration of what impact it going to have on the neighborhood financially and the value of our properties.

Mr. Gillie stated. The community he lives in now we had the same concerns, and that development has been very successful with Charlestown being successful this has the same option. As for the financial of the developer that is something staff doesn't deal with because this is a business venture for someone and if they fail to complete infrastructure that a private matter government don't get involved in.

Ms. Davis stated. I live at 146 and behind me there is a grid looking something and I wonder what that's going to be. I have trees across my back wondering will they stay.

Mr. Petrick stated. Are the trees on your property?

Ms. Davis stated. They are behind my property, and they are on the property that they are buying. And off of Vandola off of Westover what is the grid looking thing.

Mr. Gillie stated. That is a stormwater drain area.

Ms. Davis stated. What will it look like.

Mr. Gillie stated. Usually, they are landscaped to hold water to come through, the developer could maybe answer the question.

Ms. Davis stated. Will the trees that are there go or will they remain to separate.

Mr. Gillie stated. During construction the trees will be removed.

Ms. Davis stated. Will something be there to separate the neighborhood or will they flow into each other.

Mr. Gillie stated. There will not be a walking or driving connection but will be separate.

Ms. Davis stated. I just need my back yard the area that you say will drain.

Mr. Byers stated. Those are natural reindeer we will not destroy those, there is a green buffer between your subdivision and ours.

I just want to make a note the two companies Blackstone and Longevity Solution, most of my vertical is with Longevity Solution, development is with Blackstone I have been graded a A+ with Better Bureau for 12 years, we have gotten a lot of great reviews. We are a legitimate company we do a fine job for our customers. Website is Longevity Home Solution.com

Mr. Mays stated. My address is 54 Vandola Road, the entrance and exit as proposed for the first 46 units is one entrance and exit on Vandola Road, I would like to know if there has been a study of the traffic on that road, 7-9 o'clock, 3:30-5 o'clock it is very heavily traveled I question one entrance and one exit.

Mr. Gillie stated. Traffic study hasn't been done yet; it is a requirement, first they have to see if they can do the development then the traffic study will be done, then the locations driveways and everything else.

Mr. Mays stated. What I was thinking if they are going to put this street in Kaywood Lane why don't they go on and do it. I live right in front of the only entrance and exit, if they would put that in, I would have no objections.

Ms. Searce stated. My husband and I live in a 55 Plus adult senior community in Florida, during the winter months so we kind of know what this is all about and it is beautiful. This is something that Danville needs. As far as the traffic my understanding it is going to be several exits.

Ms. Lawrence stated. 116 Charlestown Drive, I am concern with the V-shaped tree line that will be separating the two communities, wanting to know how many feet or yards you are going to leave for us I am not sure from that map is that going to be reserved.

Ms. Chrocheck stated. I am concern about the commercial properties wanted to make sure the big parcel that borders Westover is that storm field is it commercial.

Mr. Petrick stated. It's the northern most parcel and sub most parcel on the right-hand side.

Ms. Chrocheck stated. So, you will be eliminating seven units and having that rezoned as commercial?

Mr. Perick stated. It will qualify under new development for commercial use.

Ms. Chrocheck stated. My property is right there where that huge embankment with no developing there will they be maintaining that steep embankment because that serves as a sound barrow.

Mr. Byers stated. We will be leaving it as is.

Ms. Chrocheck stated. Awesome, my neighbors were concerned, I know it's been mentioned in the Charlestown community about the privacy screen, I am wondering along Vandola will we have a privacy screen as well.

Mr. Petrick stated. We will be buffering issues on all interior lines.

Ms. Chrocheck stated. I don't know what the break down is, I know we talked about it being 46 units, 3 story a combination of townhomes and patio homes I didn't know how much will be devoted to the 55 and older community.

Mr. Byers stated. The breakdown of the units active adults 55 and older is 59 total units, there is an existing buffer that's part of the Charlestown project set aside to remain as a buffer wooded, we can not touch any of their buffers, we will have an additional 50 feet on top of that so all on the back side tree buffers as well, again other than non-existing trees that don't exist now or in the fall when the leaves fall there should be a large buffer between the project, we are leaving a buffer all along Riverside and the whole corner parcel we are not touching that although we might put a foot bridge or a small gazebo over there. We would like to put gazebo throughout the development making it pedestrian friendly as possible.

Mr. Petrick stated. The breakdown of the size units.

Mr. Byer stated. It really going to be market driven because they run in different prices you can't put specific seven number based into the market flows, if people buy more of one than the other that is market driven. That is what is going to be available but it's impossible to predict.

Mr. Petrick stated. The reaction to your first stage is going to dictate the remaining of your development.

Mr. Byer stated. It could change depends on economic a lot of things drive that. What we are going to do is adhere to all the staff recommendations whatever we build will meet those requirements. It is impossible to say exactly how many units other than the patios I know that's 59 units, the rest of the development will be determined by traffic and the appetite of the purchasers.

Mr. Petrick stated. The first 59 units will be active adult 55 and older.

Mr. Byers stated. Yes, the reason we added more units from 30 acres to 45 acres, we all mutually agreed with Planning staff, traffic engineer, fire and EMS that it would be much better having normal access, now we have four access in and out two on Vandola and two on Kaywood. If you had a really bad storm with trees down, you would have several accesses for EMS and fire trucks. In order for me to absorb the cost for building Kaywood I had to have some more residential there.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Special Use Permit Application PZ24-00185 with 10 conditions listed by staff. Mr. Ranson seconded the motion. The motion was approved by a 6-0 vote.

2. *Rezoning application PZ24-00242 filed by Walden France American Legion Post 29 to rezone 627 and 629 Monroe Street (Parcel 22747) from OT-R Old Town Residential to M-R Multifamily Residential.*

Mr. Petrick opened the Public Hearing.

Ms. Davis stated. I am the house chairman for Walden France American Legion Post 29. We haven't been operating and we want start operating those apartments so we can provide stable housing for veterans, we do want veterans to have first priority to the apartment if we do not find veterans in need of housing, we will open them up to other residents of the city.

Ms. Evans stated. Do you plan to make improvement to the exterior and interior.

Ms. Davis stated. Yes, we have already had someone come in, we are just waiting on the numbers for the cost of those improvements to the property.

Ms. Evans stated. Do you have any ideal when it was created a triplex.

Ms. Davis stated. No.

Ms. Hughes stated. I am trying to understand is this going to be a luxury high rise apartment. I live on Monroe Street and I just trying to figure out how you can put an apartment on a street that has single-family homes and duplexes, the traffic it is relatively quite on the street. How many units will there be, is it for working class, HUD or Section 8.

Mr. Gillie stated. The building is already there, the brick structure they are not planning on building anything new they are going to renovate the building that's already there. They want to start using it again and they don't have the right to use it, they are not building an apartment or high-rise. The building is a duplex in the 1890s, nothing new only things that will be new is the work that they do to renovate the building.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Application PZ24-00242. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

3. *Rezoning application PZ24-00238 filed by 1076 Schoolfield, LLC to rezone 916 West Main Street (Parcel 60452) from M-I Industrial Manufacturing to HR-C Highway Retail Commercial.*

Mr. Petrick opened the Public Hearing.

Mr. Gould stated. Here with PLDR Law representing the applicant don't have much to add beyond the very comprehensive staff report this is an effort to bring this particular building back into productive use and have the zoning reflex the current state of this corridor and move it away from manufacturing pass.

Mr. Ranson stated. It seems to be a large parcel any other plans.

Mr. Gould stated. I am not aware of any other plans right now that I can share. I know some of that acreage that fronts on West Main is used for community gatherings on a regular base by the owner. The only commercial use that I am aware of is that restaurant in the existing structure.

Mr. Petrick closed the Public Hearing

Mr. Ranson stated. Following up with my question if we zone it multi use it will be fine.

Mr. Bolton stated. It has to meet all requirements.

Mr. Gillie stated. Yes, have to meet all zone code requirements of property for future developments.

Mr. Bolton stated. It falls under HRC anyway.

Mr. Gillie stated. Correct, It falls under HRC overlays and has a couple things in that area.

Ms. Evans made a motion to approve Application PZ24-00238. Mr. Khan seconded the motion. The motion was approved by a 6-0 vote.

4. *Rezoning application PZ24-00239 filed by 1076 Schoolfield, LLC to rezone 1076 West Main Street (Parcel 60570) from M-I Industrial Manufacturing to HR-C Highway Retail Commercial.*

Mr. Petrick opened the Public Hearing.

Mr. Gould stated. This is the companion request to the prior applicant you can consider the end use is different here with the hotel but the rational is the same to move from the old manufacturing industrial zoning to HRC which is consistent with the rest of the neighboring properties and allow for this new use.

Mr. Dodson stated. Does Ceasar casino have any interest or comment on this.

Mr. Gould stated. In terms of interest or comments I am not wearing my Ceasar hat right now, I can tell you they are in support of more hotel rooms in the area.

Mr. Dodson stated. No objections.

Mr. Gould stated. No.

Mr. Ranson stated. Is there plans to use existing buildings or construct new buildings.

Mr. Gould stated. I believe the immediate goal is to remodel the existing building but there certainly a nice canvas there if the owner constructs something new to compliment it.

Mr. Petrick stated. Am I to say the gentlemen developing the property has experience in this.

Mr. Gould stated. Yes, several other properties in town.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. I have a question for staff, these two have the same rezoning application number should we vote on them together.

Ms. Williams stated. No that is a misprint it is 238 and 239.

Ms. Evans made a motion to approve Application PZ24-00239. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

5. *Special Use Permit application PZ24-00230 filed by David McLaughlin for waiver to maximum sign area at 221 South Main Street (Parcel 24101).*

Mr. Petrick opened the Public Hearing.

Mr. McLaughlin stated. I am the owner of the property at 221 South Main Street, regarding the sign that was placed unbeknown to the regulations asking to keep the sign.

Ms. Evans stated. You made an application for a sign which I assume was denied due to size. So, how did it come to pass that this size sign got placed when it was denied.

Mr. McLaughlin stated. Unfortunately, I didn't know it was denied, I don't live here, and I wasn't aware it was denied until it had gone up.
Ms. Evans stated. So, the city didn't communicate with you that it was denied.

Mr. McLaughlin stated. Not to my knowledge I received some communication after the fact saying we wrote you and communicated that the sign didn't meet the code. I reached out to a couple of companies here in the city and did not get responses back saying the sign is denied or approved just said they hadn't had the time to look at what it would take.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. Question to staff can you tell how this came to pass that it was denied and now asking us to approve it.

Mr. Gillie stated. The initiate vendor sent a request, and we denied it, the sign was then installed by an unlicensed company out of North Carolina. So, the sign is up, and we found out about it we sent a notice.

Ms. Evans stated. A sign that is 40 square feet greater than it should be is allowed to go across the street, is that what you are saying.

Mr. Gillie stated. A sign that size would be allowed to go across the street in a different zone district. The building size because of the hospital and flower shop would be allowed on the other side of the street.

Ms. Evans stated. Why didn't this sign come to BZA?

Mr. Gillie stated. Options available, signs under BZA have no reason sign variance there is nothing that would say hardship or anything else. Sign variance should never be granted.

Ms. Evans stated. When did we approve the change in zoning this sign when I went by it was already on the building. What month was that.

Mr. Gillie stated. It has been a month or two since we processed it.

Mr. Dodson made a motion to approve Application PZ24-00230. Mr. Khan seconded the motion. The motion was approved by a 6-0 vote.

6. *Special Use Permit application PZ24-00228 filed by Curtis Allen White for automobile salvage yard at 2025 South Boston Road (Parcel 77307) in accordance with Article 3.M Section C Item 31*

Mr. Petrick opened the Public Hearing.

Ms. Woods stated. With East Carolina Recovery, I think the permit is a little misleading because it is not salvage vehicles, most of our cars are 2019 and newer, we may have one or two that is wrap for a month but there a very few that come that are wrapped.

Mr. Bolton stated. What happen to the cars after 30 days.

Ms. Wood stated. They are picked up buy transporters and taking to local auctions, most of the time they are there for less than 30 days it is usually 15 days or less then they have to start paying storage, so they try to get them picked up quicker, so they don't have to pay the storage.

Mr. Ranson stated. What type of fencing you will be using?

Ms. Wood stated. 6-foot chain link fence with screening all around it.

Ms. Evans stated. Landscape screening or just the fence is going to be screen.

Ms. Wood stated. On the front we will have the slots that goes in there, and on the sides and back we will have the rolls because it will be easier to maintain, and it blocks it a little better.

Mr. Wood stated. 6-foot-tall chain link fence with 3 rolls of barber wire on top, with plastic strips that goes inside the chain link, covered all the way around so no one can see in.

Mr. Petrick stated. Will you be leasing the property?

Mr. Wood stated. Yes, we wanted long term, but we have to go through the process, we have talked about a five-year lease on this deal. We have a yard in Henderson NC that is where our main office is, we are intending on employing people here and our office hours will be two days a week. It will be minimum as for people coming to pick up cars they have to schedule with us.

Mr. Petrick stated. I was curious as to why you use a visible location to store cars.

Mr. Wood stated. That is correct, land is hard to lease when you talk about anything with towing and recovery. I do no towing; we pick it up for the bank and bring back to our yard to store it for them. All my trucks are non-hired so we only work for ourselves if someone breaks down in front of our office, we wouldn't tow them because we don't have that insurance for hire. We have looked for stuff outside but that is the only one that would accommodate a building with a nice size lot to accommodate our business.

Ms. Evans stated. The cars will be parked on the grass in the back.

Mr. Wood stated. Are you familiar with the building?

Ms. Evans stated. Yes.

Mr. Wood stated. We will fence off at the corner of the building, making a huge rectangle behind the building. It is a revolving door we pick up cars and bring them here and that day cars are going out. Different stage we stage the cars in the fence for the different thing's cars circulate out quickly.

Ms. Evans stated. Will it be paved?

Mr. Wood stated. No, gravels are underneath the grass, when we start using it the gravels will be there if we need more, we will bring more in. We will be updating the office putting in heat and AC units in and redo the inside and outside.

Mr. Searce stated. I lived a 124 Seller Road for 38 years directly behind the property, we are not opposed to the business our concern is some type of privacy barrel i.e. fence, trees, bushes something of that nature. We have spoken to the people who want to open the business, and they said something would be there we just want it in writing.

Mr. Petrick stated. Other than the fence is any other buffering required.

Mr. Gillie stated. Other than the fence there is not, Planning Commission and SUP can put conditions on it as they see necessary.

Mr. Bolton stated. Mr. Searce the 6-foot-fence you don't think is enough.

Mr. Searce stated. We would be right over top of it, property sit 6ft down below our property.

Mr. Lewis stated. I live at 150 Sellers Road and my family own a couple properties. How many cars are we talking about.

Ms. Wood stated. 50 or 60 cars.

Mr. Wood stated. To answer his question about the trees we are willing and have spoke to them about putting the trees. I am 6' tall when we were standing in the back yard on their deck, they could see over the fence we told them we would plant 4, 6 whatever it would take to buffer the area right there we are willing to do that. The other gentlemen asked about the cars, cars come in and cars go out.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Application PZ24-00228 with three staff recommendation plus privacy trees. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

7. Rezoning application PZ24-00247 filed by Scott Loftis to rezone 660 Arnett Boulevard (Parcel 02300) from M-R Multifamily Residential to HR-C Highway Retail Commercial.

Mr. Petrick opened the Public Hearing.

Mr. Loftis stated. I owe the car wash and I plan to replace equipment and update stuff.

Mr. Petrick stated. No intention to change the footprint.

Mr. Loftis stated. No, everything will stay the same.

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve Application PZ24-00247. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

The May 13, 2024, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 4:45 p.m.

APPROVED