

PLANNING COMMISSION MINUTES

FEBRUARY 12, 2024

MEMBERS PRESENT

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

MEMBERS ABSENT

STAFF

Renee Burton
Cynthia Lester
Clarke Whitfield
Shanika Williams
Antonio Furman

OLD BUSINESS

- 1. Special Use Permit application PZ23-00507 filed by Torrence Walden requesting a Special Use Permit at Parcel 58005 to allow an accessory building without a primary dwelling being located on the parcel in accordance with Article 3.E Section C Item 23.*

Mr. Petrick opened the Public Hearing.

Applicant was not there.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. Question for staff. Why was it not recommended that the two properties be merged?

Ms. Burton stated. Properties are consolidated. That would create a corner lot and a detached accessory building must be located in the rear yard of a property and creating that corner lot would have made that area extremely small that he would be able to locate that detached accessory drone. It is actually the most viable path for him.

Ms. Evans stated. Do you know where Mr. Walden is? Why he is not attending.

Ms. Burton stated. I have not heard from him.

Mr. Bolton stated. I've been by this property; I wish he were her and I know we like for folks to be here to represent but this is a nice piece of property. It well kept, it's a nice lot. Across the street is nothing adjacent, goes up to the park at Cabin Lake. I believe it is pretty cut and dry.

Mr. Bolton made a motion to approve special use permit application PZ23-00507. Ms. Evans seconded the motion. The motion was approved by a 7-0 vote.

2. Rezoning Application PZ24-00034 filed by Chris Vail and Brent Cochran on behalf of Sycamore Development Company requesting to rezone approximately 14 acres of 1700 West Main Street (Parcel 51484) from T-R Threshold Residential to M-R Multifamily Residential.”

Mr. Petrick opened the Public Hearing.

Mr. Vail and Mr. Cochran stated. We are here to answers and questions offer more insight. We are in agreement with staff recommendation and proffers related to the project. Our application had most information included but I wanted to add and reiterate again, these are market rate apartments. We do intend to have a high-quality product which is why we're willing to spend the additional resources of at least 35 or 30% being masonry, be it stoner, or brick no vinyl, we intend to use composite, hardy board again, so you can see the renderings of another what you could call a sister project or representative project that was done in Christiansburg that was included in the application. High-quality clubhouse pool, all of them being private for tenants, the site has recently been graded. There's additional grading to be done. The dirt has been compacted. We have engineering reports on all that. I know there might have been some questions about that. I wanted to go ahead and make that statement here. We'll talk about the River Oak development when it the appropriate time for that, we're not requesting any other rezoning of the remainder of the land. We'd like to retain it as Threshold Residential. We are here because we are answering a call that we received at the housing summit. That Danville is in need of additional housing of a variety of different types. So, Mr. Cochran and I have gone through a few iterations of this site and different possible development scenarios. We feel this is the most sensible increasing the residential density of it for this multi-family development.

Mr. Ranson stated. You are requesting 14 acres. The zoning be changed and that's facing on West Main Street and will access an egress to the property be included in the 14 acres.

Mr. Vail stated. The only access in egress to the rear portion of the property that would not be through this site. There won't be any addition egress to the back of the property. It'll simply be to the apartments.

Mr. Ranson stated. The 14 acres itself, the apartments will have their own entrances and exits.

Mr. Vail stated. Yes, that is correct.

Mr. Cochran stated. On West Main Street, there is an existing entrance there now which is being used for the infill work that is going to and from.

Ms. Evans stated. You are speaking of that curb cut as the entrance.

Mr. Vail stated. That the entrance that is currently being used. Any development project we would comply with a new VDOT entryway into the site. We've talked with the city engineer and we understand we're going to have a traffic analysis done. Our hope would be to have a right in and a right out, and for what I believe would be eastbound traffic. Correct me if I'm wrong would have a left crossover into the site. It what we are hoping to obtain.

Ms. Evans stated. You realize cars fly up Memorial Drive and make that turn and they you're right there to turn into that development.

Mr. Vail stated. Yes, we have driven it. I haven't had any particular legitimate concern about that but I'm sure that with public awareness and some signage and whatever VDOT's recommendations would be to satisfy the development guidelines we'd be happy to do.

Ms. Evans stated. Where do you plan on the emergency exit being located?

Mr. Vail stated. We have spoken with staff about potentially through the existing County club was where we were going to have a gated dirt road there.

Mr. Bolton stated. Piggyback on the road I don't want to skip to the next item but obviously a road has to go to those homes. So will there be a road off of that coming into, I'm having trouble seeing where that ingress, egress, additional would be.

Mr. Vail stated. For River Oak.

Mr. Bolton stated. Just to an alternative in an out of the proposed.

Mr. Vail stated. There is a road cut going toward County Club and it only has to be our understanding of minimum dirt gravel with a gated entrance so that emergency crews could get in and out if the entrance was blocked.

Mr. Bolton stated. Both entrances would be block.

Mr. Cochran stated. It would not be a public entrance. It would just be for emergency use only.

Mr. Bolton stated. You really wouldn't have but that one entrance.

Mr. Vail stated. You will have one entrance off West Main Street per VDOT's recommendations.

Mr. Bolton stated. Have you looked into what other recommendations from a VDOT study would be? I mean I'm thinking like Ms. Evans, you know that is a bad place. And if you turn right let's, just say a school bus, come out. I don't know where a school bus would pick p children n West Main or actually go into your complex but the have to turn right and then come left to go back to Schoolfield School or any school and those medians are bad. I mean, a car is going to be half in the lane. A truck is going to be almost in the other land and a school bus is probably going to block or they're going to have to go almost all the way up to the North Carolina line and make a U turn. What would you think if that was to come up? I'm trying to look forward to what may come up on that study and what you're thinking.

Mr. Vail stated. We be happy to install a stop light if that was the recommendation of VDOT or the city. I think that would be great and that's what recommended that surely what we will do. Additionally, I believe, and I can ask Ms. Burton about this but I believe the comprehensive plan for we fall into that Schoolfield overlay. I believe there's right of way infrastructure stated to be happening in the city's comprehensive plan already that improves the medians and reduces the tree line from what I recall. So, that is already in place with the city's current planning as I understand it.

Ms. Burton stated. Yes, that's in the Schoolfield master plan.

Mr. Vail stated. Our hope is to piggyback with that master plan and improve that infrastructure through there whether it be a crossover, whether it be a traffic light, and certainly what we are hearing will be improved on the median there.

Ms. Evans stated. Have you discussed your plans with the neighbors?

Mr. Vail stated. We have not. Were happy to discuss this with them here today but no we have not had a specific meeting with the neighbors of this particular site.

Mr. Cochran stated. I guess I would ask the question which would probably be discussed in time is exactly which neighbors will the development be impacting. We've specifically looked at these parcels and that the potential development of that entire parcel to put them within a scale and a location that does not abut or directly intersect or interact with any specific parcel or neighbor to provide buffers as well as DE simmering entrances. So, I believe we could develop much more of the parcel. We do not intend to do that; we want to keep these buffers where they are and we hear and understand your concern about and entry point off of West Main and traffic. That is why we agree with staff's recommendation about a traffic study, and we will certainly adhere to those recommendations along with VDOT in terms of how we create a safe entry and exit point for all parties.

Mr. Bolton stated. Set in stone with the project layout. The only thing looking at it, the building that will be the closet to West Main will have the rear facing the street and I know the other two apartment complexes out that way is shotgun. The front face inward and so when you're driving by you don't hardly see them but with the rear facing to me and going back to the comprehensive plan, you know, that quarter is supposed to be made more attractive for the people coming in. Let's say at the casino and in other things to visit in Danville. And to me, that would seem a little unattractive to be the entrance. If you could reconfigure, just given any thought to a different way to lay it out.

Mr. Vail stated. Absolutely. This is not just haphazardly put together with our architects and engineers. If you look at some of the renderings that I include and I specifically included these renderings of the atoms so you can see. We plan to do a very attractive entryway with retaining walls there, signage, landscaping, above and beyond what would be required with city code. That's why we have 60% additional parking than what's required with the city code because we don't want the project to look thrown together with cars not parked where they need to be. We're trying to go above and beyond. The front and rear facades of these buildings are very similar to one another as far as how they're going to present. You've got covered balconies. Again, stone and hardy board. So, I don't think maybe you're concerned. It's going to look like just the back of a building coming down the street, but I don't believe that's the case with the current plan.

Mr. Petrick stated. It's the four at the front are facing. All of them are facing the street.

Mr. Cochran stated. The front or the rear of the building looks the same.

Mr. Petrick stated. Right.

Mr. Cochran stated. Except you have entrances, windows, three doors on the front.

Mr. Vail stated. We also would not have any objection to increasing the façade standards of those front facing buildings on West Main. If there were specific elements that the Commission Council might think would make them more attractive in one regard or another, maybe even if we just made them exactly mirror how the front of building look so the average passerby doesn't know. I mean, we're have no objection to that.

Ms. Collins stated. Gil and I live at 14 County Club Drive. The property immediately adjacent to the proposed apartments. If the city was honoring the long-term 2030 comprehensive plan, I wouldn't have to be here today. Threshold Residential Houses were being built right next to my home. I would have no problem with that. But instead, the developers are asking to change from single-family homes comparable to ours and our neighbors in Country Club West, to multi-family residential housing or apartments. They want to change from no more than two single-family homes. Per acre, to 17 buildings with over 200 apartments on a 14-acre track. Asking to go from low density to highest density. One extreme to the other. The intent of the threshold residential district outlined in 2030 plan is to encourage with housing with compatible scale and character of architecture. The multi-family apartment complex is not in keeping with these goals. I fully acknowledge the need for multi-family housing, but this isn't the right place. Not between two established neighborhoods, zoned as threshold residential. There is quite a bit of land available that apartments would blend into nicely. That are already zoned. For multi-family apartments. There's lot 99 of Cross Creek Lane and numerous parcels at Cherokee Court in Danville. As you come into Danville, from Greensboro on 29, there are many lots not being used. If you insist on changing the zoning and adding over 200 apartments and over 300 parking spaces, traffic will be a nightmare. Other concerns include light and noise. We have worked to improve our property for the 25 years that we have lived there. We are finally at retirement age. Ready to enjoy it. And it is in jeopardy. Assuming that this is not a done deal, please look elsewhere for places to build the apartment and honor our city's long-term comprehensive plan.

Mr. Ranson stated. I'm not familiar with this neighborhood, where's your house? Looking at the map that shows the area they are proposing in it. I don't see any houses.

Mr. Petrick stated. You are right at the end of Country Club Drive.

Ms. Collins stated. That is correct. Linda Gibson lives across from us. We bought land and bought the right of way essentially so that we wouldn't have this problem.

Mr. Ranson stated. Ms. Burton is her house on any of the exhibits? I mean I really want to know where her house is.

Mr. Bolton stated. It is on the plat it's, if you look to the right of the lot, that's in question. The lot right of it. Go back one lot you 'll see a house over to the right. I believe that's their house.

Ms. Collins stated. When Mr. Shears originally bought the land from Dan River, we brought two extra acres. So, all our trees have dollar signs hanging on them. All the trees you see are ours they clear cut everything else.

Mr. Ranson stated. Your trees will stay there.

Ms. Collins stated. Yes. We can see since they have cleared this lot, we can see the traffic much better. The lights and if you put a pool up and you've got people probably after I go to bed at the pool.

Mr. Petrick stated. Would staff like to comment about Ms. Collins concern about the comprehensive plan. I know you have touched on it in the opening about the decision that was made.

Ms. Burton stated. Comprehensive Plan specifically states for us to review this further the demand for housing grows. And the staff believes that is currently in the situation that we are in the city of Danville. There is a high demand for housing.

Ms. Collins stated. I acknowledge that need but I don't think it should be next to us.

Mr. Jones stated. For Ms. Burton we've have some other apartment complexes that are in the acts of trying to take place now. Is there a way that we could know which ones potentially will come. The time frame because if they have already been approved, then the need may not be as great with that. They could've provided substantial housing with those that we already have on the agenda to come.

Ms. Burton stated. I do not have that information to give you specific timelines on the developments. I know that we have a couple of townhomes developments that are going to be the first ones. I do not have it for apartments.

Ms. Vernon stated. 105 River Oak Drive. We have been a quiet peaceful neighborhood for a long time and very caring. For me personally. I've reared two sons here and I guess I want to speak more to the city than I do to this group. However, during the construction of the casino we endured dump truck after dump truck, 60 per day at times. Steam though our picturesque area, littering dirt, debris and construction material. This is the same debris we have learned that has been used to fill the site. We are concerned about today. Had we known at the time what was planned. Apparently, the city knew. Had we known the city would have heard our cry earlier. No one wants a wasteland in their backyard. What we are witnessing now is a possible cover up of waste materials from the mill site. Turned casino, likely unsuitable to be dumped anywhere. This site was a ravine, five stories deep, a big gully. And all the water went in there flowed into the river. To compound this headache. I believe the city is wanting to saddle us, not you. You're our friends, I hope. I think the city is wanting to settle our community with an unfit site for building. How does the city find a user of property? Or do we just wait and take any offer that comes to us. Today we are outraged because this construction will greatly change our neighborhood environmentally and physically and you know that. It will change the streets. It'll change everything in the area. Ours has always been a beautiful and well-kept site. Cutting trees and filling ravine is bad enough. Please, city do no harm to our area. No more harm.

Ms. Gibson stated. I live at 13 County Club Drive; I am a History and Government Teacher. Bought this house 40 years ago. I am opposed to both of these developments. The houses and apartments they have already talked about. I sent in my opposition letter, and I also wrote a separate letter to Ms. Burton last week. I have a lot of concerns about the pool noise and the general noise, I have heard every dump truck and back hoes all these months. I am concern they are putting so many people in such a small acre, so many cars. So much traffic, none of this is commiserate with the housing that on either side of this property. It makes me wonder why they have to rezone and put this different type of housing here. Instead of what Mr. Sheilds originate plan was single family homes. If this is approved, we will need to have some kind of buffer around the place like multiple rows of trees, something to give us some protection. We will need to have the pool not open except during daylight hours. We don't need loudspeakers for the picnic area. We don't need it to be sublet, I know that the city's already concerned about people subletting places I don't have a problem with

people building houses. I'm in favor of people making money, but I feel this is the wrong type of construction in the wrong place.

Mr. Collins stated. I live at 14 County Club Drive. I have a lot of the concerns that we have already talked about. I have read the comprehensive plan. I have the 100-page housing study that was done in 2022. That's the basic for some of the data that everyone is talking about the housing crisis. I also read the staff report. The housing study also talks about the shortage of single-family dwelling. We have a 150-acre track that's already zoned for that type of residents. It does not make sense that we're going to take 14-acre track of that area that's already zoned for housing we already need and plop a 200 unit apartment complex right in the middle of two residential areas that are well-established, diverse neighborhood, stable it just does not make sense that we're considering doing that and I also wonder who would want to have an apartment on that location on the highway right adjacent to the railroad track. I wonder about the marketability of these units as well. They have to be tiny. It's 200 of them and I figure them to be about 400 square feet each. It doesn't in anyway comparable to what we already have. We all knew this area was going to be developed, we are certainly all for Mr. Shield, developing the property but not in this manner. We are glad there is a traffic analysis going to be done. That's critical. We have trouble getting in and out of that highway right now where we are. We can't use the entrance that goes straight out from our house, we have to go down to the first entrance so we can see both ways. The traffic is flying. We need the traffic analysis, and the noise and lighting pollution buffers those are critical. We haven't heard anything about this emergency exit over the County Club Drive. There is no road through there right now. I'm thinking they're thinking there is access to that. It is not. It's Ms. Gibson and my property there's no access to that road over to County Club Drive currently. Those are all serious concerns that definitely concern about what's in the landfill that they are going to build this on. We have anecdote now of what's going in there, concrete slabs, hazardous material we don't know. There has been no input from the community. Seems like this is something that is going to be rushed through so that the community doesn't have time to react. This is a big deal to us and is something we think is a bad idea.

Mr. Ranson stated. I forgot about those trains going by there to make noise.

Mr. Collins stated. Yeah, they blow the whistles all day and night, it's the main east west line for the Norfolk and Southern train.

Mr. Ranson stated. So, the loud people in the apartment are louder than the trains.

Mr. Collins stated. Yes, there is going to be like four or five of these lined up right along the highway, If you are up on the second or third floor, you're going to be right at the horn's level. You going to be blasted all night.

Mr. Ranson stated. So, you can't hear the trains from where you live?

Mr. Collins stated. We have a home that's very well insulated. You get use to it after a while but I wouldn't want to live in a apartment right directly across from the track.

Mr. McDowell stated. I'm affected on both sides. When I bought my property 14 years ago from Mr. Shields, he said you are buying a big piece of property, I said yeah, assuming that there is going to be regular houses built around me. Mr. Shields said yes that what we are doing with its threshold one, just regular houses that's it. All the dump trucks start dumping dirt, six months ago, I come to the Zoning Commission and say what going on with all this dirt. They say well, they're just hauling dirt there is no plans for nothing. You have nothing to worry about, but you know it really not true. I hear really not knowing who to be upset with Brian lying or the city lying. Who's not being transparent. We were given three weeks' notice to talk about all of this, and all the time before being told nothing is going on, nothing is going to be built but something you are used to having. We are putting 200 apartments there and I don't believe all the truth is still being told. On the map there is a road to the back so after these 200 are done, are we putting 200 more behind it which is going to be right above my house. Looking into my yard that I spent all of this money to buy. A house, a yard that this was no part of it. Is Mr. Shield going to come and answer question why he told me that there would not be stuff like this built.

Mr. Petrick stated. Well, he really had no way to know.

Mr. McDowell stated. Okay.

Mr. Petrick stated. As far as another development would have to come for approval as well. This is just for this one 14-acre track. As far as the apartments are concerned.

Mr. McDowell stated. I understand that but then you going to have 200 people living right there and no one is going to go against the landlord to oppose it. This is getting pushed through with not transparency to what's really going on. It is so sad that we had so little time to do anything and to complain.

Mr. Herd stated. I live at 461 Country Club Drive, and I would like to address the issue of spot zoning, by definition, it's illegal and proper zoning ordinances designed solely to serve the private interest of one or more landowners but not the community as a whole. As I look at the maps, I see a beautiful community that I live in. Then I look across the river beautiful neighborhood over there. We have Windsor Heights, Canal that area is one of the most beautiful areas in the city. I think there is demand for multi-family housing everywhere and Danville is going to be no exception. These developers are presenting beautiful rendition of what they are going to build. I just say, it is not in the right place. If you rezone this area for multi-family residential and you put 200 units on it, it's simply wrong. Absolutely and completely wrong and I would ask you if anything to not make any decision today, to delay your vote if that's what it is. And think about the future. I'm 75 and will not be here much longer. But I look at these residential areas that were built back in 50's thru the 90's even the part where I live in was put there in 2008. Beautiful properties. That's what we need. There are lot of different types of single-family resident that can be built, don't mess it up with an apartment complex sitting at the edge of it, develop it into residential units rather than multi-family.

Mr. Petrick stated. I would like for staff to clarify spot zoning.

Mr. Whitfield stated. He is pretty much right. I mean, spot zoning is not necessarily illegal or improper or mistake. Spot zoning is illegal when the zoning ordinance is designed solely to serve the private interest of one or more landowners if the legislative purpose is to further the welfare of the entire city as a part of an overall zoning plan, the ordinance does not constitute illegal spot zoning. So, what illegal spot zoning you have to do is balance whether or not the need for housing is something that is in confluence with the overall plan for this development and that something that initially here, the Planning Commission's going to have to make that call for their recommendation and ultimately, council will make that call. Whether or not it's in balance, whether it is needed for the entire welfare of the community.

Mr. New stated. I live at 110 River Drive. I just want to speak on the traffic problems. I drive the speed limit. You fuss at me. The 40 mile an hour speed limit on West Main is the low ball. I would say except around 55 to 60 late in the day. I think we've had several telephone poles knocked down recently in the last year, accidents. We have traffic problems, before we get the land, we need to figure out how we going to move around. We need a stoplight up at Barrett River. My wife goes out Ferry Road now to exit my house, for 30 years I've been going straight up the road, she scared. You look down the road you don't see anyone a second later, you start out and someone is on your tail. The police I know they are doing what they can do. But you better solve the problem before someone gets killed on the road. You going to have to have turn lanes to get into those apartments. The railroad's not going to give up any land across the road. Everything's has to be done over here on one side.

Ms. Casa stated. I live at 224 River Oak Drive. My husband and I found a community that we could raise our 5 children under the age of 17. For several months we have had dump trucks back and forth into the back yard they have ruined a beautiful piece of land. I understand it's their property and they are welcome to develop it but the land is zoned for single-family homes which is what my husband and I was looking for. A nice, beautiful environment where we can raise our children. You ask him before if he spoke to the neighbors before starting this. No one has spoke to us, not signs posted. My husband and I tried to months to find out what was going to be built in our backyard we could not get an information as to what was coming. We love our city. This is Danville. We are Danville. I'm not sure what this spot zoning is but I feel this is what's going on. We are not to take

the interest of two individual, over the whole community that been there for over 40 years. The builder's intention is to put their public access road to the second part of this community in my neighbor's driveway. Two senior citizens whom has worked hard to earn their living to cover a beautiful section of Danville for themselves just to have an apartment complex I'm not sure with the building is from my little section. But Ms. Jenny told me to tell you guys she would love to keep her home safe.

Mr. Ranson stated. She is not talking about what we are talking about these 14 acres. I mean, why would the dump trucks that were putting dirt on those 14 acres go on River Road Drive?

Ms. Casa stated. They did.

Mr. Ranson stated. How did they get there? Its right off West Main. Why didn't they go off West Main?

Ms. Burton stated. There are two different areas. One fronting West Main and one fronting River Oaks Drive. So. There are two different developments.

Mr. Ranson stated. Right, and were talking about the one that's on West Main right now.

Ms. Burton stated. Yes, that's the first one.

Mr. Ranson stated. I understand your comments but that's not what we are talking about. Right.

Ms. Burton stated. Yes, that the next agenda items. She is part of the community and so she's referring.

Ms. Casa stated. Most of our neighbors have spoken already.

Mr. Ranson stated. I was just confused because I thought we were talking about one thing, and I didn't understand that we were talking about something else.

Ms. Casa stated. So, we are not talking about property as a whole. We are just talking about the section facing West Main.

Mr. Ranson stated. That's what Mr. Petrick said at beginning, we're talking about 14 acres.

Mr. Petrick stated. Yes, that coming up.

Ms. Casa stated. Ok.

Mr. Ranson stated. We will file that away in remembrance.

Mr. Hayes stated. I live at 2 Country Club Drive. Basically, I'm the new kid on the block. I moved from Greensboro, NC in May of last year. This is our dream house that we found, and we love this community. We love how Danville has welcome us here. I have a couple of concerns about the property for the apartments. Infrastructure can be an issue we're adding 200 units of apartments which would be potentially if it's single bedroom or double bedroom. We're looking at two baths, dishwashers, can our water supply support that right now. Is there enough water pressure in there on that part of Main Street. Another thing that's a concern as well the federal government does provide being a walking community. 200 to 300 people living there where are they going to walk. They are going to come into our neighborhood or go into West Country Club. What type of access is the city going to provide them? And when is it too much access or is it too little access? They are certainly not the pool, and the clubhouse are going to get old after a while. I would think so, we have a beautiful area to live in but has any thought been put into this. Going into the field dirt one thing that I would pos to the developers as well are they going to manage the property once it's completed? Are they going to bring in a third party or they just going to build it and sell it. Who is going to maintain this property? Would it be a national management group? I'd love to see what the answer is for that. The field dirt is another concern. I actually took a look at the property this weekend and they've got a long way to go. I'm sure they've got it figured out down to the dump trucks, but I think there a lot more dirt that needs to be brought in to build this property up. This would involve hundreds of loads of filter coming in. Who's going to clean Main Street when we get one of these storms and wash everything out. This is one of these things. I challenge you Danville you want to build up and you want a property to be better. You want the area you live in to keep

developing in the direction it's going in and I feel this is building down looking at the multi-family home. I'm not opposed to this property being developed but I think this is the wrong development.

Mr. Holwick stated. I live at 325 Country Club Drive. I'm relatively new, been here a couple years. I love the area; the people are great. I moved from Fairfax. Big difference one of the reasons I truly love the area because it's peaceful, it's quiet but then you have so close to everything else. Traffic is a big concern of mine, just getting out of our development especially with the casino. I don't think that's been address at all. Another issue is crime. I'm all for developing affordable living. What is this? Is this community going to be based on section 8, Hud housing. I'm not trying to stereotype but these are things you have to talk about. That we live in a single-family development and you're talking about bringing 200 apartments and I don't believe there is clear transparency. I think there's going to be more development of multi-family housing. They say one and doing another.

Mr. Petrick stated. You understand there's a separate development, a 10-acre track that going to be specifically for single-family homes and then there's a 14-acre track for the apartment development.

Ms. Holwick stated. Oh, okay. But it's going to be in our area.

Mr. Petrick stated. Yes, In the middle of that 157-acre track.

Ms. Holwick stated. Another issue is crime, Danville has a huge crime problem and I think there's more issue that need to be addressed before we start building more into our community I think traffic, crime and you want to bring in all these people and for you guys to give affordable housing, people who live here in Danville can't afford housing as is. So, what kind of affordable housing are you doing here? The pay wages here are horrible. That why I can't fathom.

Mr. Vernon stated. I live in Villa Park, CA. You met my mother; I appreciate all of your service to the community. My footprint on the sidewalk the city has a liability problem right now, I slipped on the sidewalk. If I had fallen into the road there is material running off of the property right now. We would have had a 100,000-suit minimum. Second image is a notification that was put adjacent to the property, it is behind a guardrail. I only saw it because I was walking the sidewalk. The sign is printed on one side there's your minimum documentation legally. You probably covered you rear end on that one. There is an image that I posted that says no rezoning next to the sign.

I believe Mr. Cochran referred to compaction, if he did the next item in the foyer request that I request from the city that says.



inspectionsfax@da
nvilleva.gov_202402;

The city says they don't have this information. I introduce my self to the developers we have not had a chance to be at the table. Housing need is subjective. I will bring experts. The impact in Danville we are in very good shape that's my opinion. We want a place at the table.

Mr. Cochran stated. The lion share of that property is not developable for anything. It is zoned for single-family residential it is next to impossible to develop that for such or anything else. You could potentially do some a budding the Breckenridge neighborhood maybe, but it will very steep and challenging and most likely not feasible. Secondly we are just looking at 14 acres that a butt West Main and the reason I wanted to show an image that's in the application is we have a very large buffer between our proposed parcel for the multifamily, for the apartments, and the River Oak neighborhood or the Country Club neighborhood. There's quite a large buffer of beautiful trees. We don't anticipate doing anything with those. We want to leave those buffers, and this is why we're trying to put this development where it is because it is not directly impacting either of the neighborhoods. It is facing Main Street and will be completely separate from the two neighborhoods.

Mr. Vail stated. To expand on that too because there were a couple comments about lighting, buffering, yes, we want this to be a private, nice apartment community. We intend to retain a beautiful tree landscape buffer. Furthermore, we intend to comply with Mr. Sheild's noise ordinance which is quite hours between 10PM and 6AM. Lighting which would all go into a development plan

for a building permit would always face down toward the parking lot as with any standard multi development. We don't intend to light up any neighborhood or neighborhood parcels. Our intent is to develop what we believe is a nice community for nice residents to live in and be offered the same amenity and ability as anyone else in the city.

Mr. Cochran stated. I feel like part of this has been treated as if we're building a frat house. We are building apartments that are going to be market rate which is a pretty high end of the scale in term of cost.

Mr. Petrick stated. Can you guess the size someone speculated about 400 square feet. I assume they're larger.

Mr. Cochran stated. No, we have one, two, and three bedroom and we definitely don't have any 400 square feet units. They are all will be larger than 400 square feet.

Mr. Vail stated. In fact, the reason why we're designing this is a multiple garden-style building approach is to have adequately sized units. These buildings average 12 units per building. That allows for 800 square feet to 1200 square feet units. Instead of trying to create more of a metro-designed four story, 80-unit per building complex that could potentially have studios and much smaller units.

Mr. Cochran stated. I guess I would like to say we could, there are a lot of ways this parcel could be potentially developed, and we could come in a propose different options that would be much more feasible and profitable, but I don't think they would fit into the vision of the Schoolfield master plan. I don't think they would fit into the vision of how we perceive Danville in terms of a quality place to live and we think they'd be much more impactful in a negative way the surrounding neighborhood and community. We're doing the exact opposite in trying to address a direct call to developers like us, the city of Danville and Pittsylvania County have said you are in dire need of housing. We are trying to address that in a productive and positive way. We are happy to have conversations with all neighborhood and community members about facts regarding the development to that point Mr. Vernon is accurate. Mr. Sheilds does still own the property. We have it under contract to purchase and develop. Mr. Sheilds has been in filling the dirt for a number of years with intent to sell the parcels to develop it. We have no control, authority, or say over that. All of that infilled dirt has been studied by Hurt and Profit. It all has geotechnical reports behind it. We have phase one environmental reports with it. It is all clean and good dirt. It is all correctly compacted for development, and we have already done the due diligence on that. But beyond trucks coming in and out and moving dirt. I apologize. We have not control over that because the current owner is directing all of that work.

Mr. Vail stated. We also don't plan on additional development passes multi-family section as some folks had asked.

Mr. Cochran stated. Going back to topography, it's not developable land. It of it is in a floodplain. We have no intention of trying to hoodwink anybody and come in and do another development after this one. If we were going to do that, we'd get it all rezoned now. We're proposing a single family which hopefully will get a chance to discuss because to the people who said we should do single-family. All of you all live on the ridge tops. Look at where you, the rest of the land we are buying is the rolling downward drainages that cannot be developed. There is no more ridge tops other the ones we going to discuss in the next conversation and the buffer right along West Main Street that we're proposed development for multi-family. Beyond that, we have no intention and we do not plan to try to sneak one pass anybody.

Ms. Evans stated. Have you looked elsewhere within the city to put this project.

Mr. Cochran stated. Aggressively.

Ms. Evans stated. With no luck or.

Mr. Cochran stated. With no luck.

Mr. Petrick stated. Just to clarify, you have a contract.

Mr. Cochran stated. We have a contract to purchase.

Mr. Petrick state. On the entire 157 acres.

Mr. Cochran stated. Yes.

Mr. Petrick stated. And of course, you are buying it knowing that the remainder is probably undeveloped.

Mr. Cochran stated. Confirmed undevelopable.

Mr. Vail stated. Maybe 57 of the 157, maybe a little more is in a FEMA flood plain. There's no development that could take place and not only to Pogg challenge as you go further into this site. There's several creek crossings and other things that we don't intend to get into.

Mr. Bolton stated. Is you contract contingent with Mr. Shields? Contingent upon an approval from City Council or you have to buy it one way or another.

Mr. Vail stated. Have to buy it one way or another.

Mr. Petrick stated. I just like to clarify too, what's your history as far as developing properties similar to this.

Mr. Cochran stated. I've developed it for about 10 years, I'm one of the developers of Bee Hotel directly across the street. I've got extensive experience doing multi-family projects. Primarily multi-family project, we do not do single-family home construction. We have entered into an agreement with states and homes who is a home builder, and we'll discuss that on the next conversation because that is their wheelhouse, but I focus on multi-family development and redevelopment.

Mr. Vail stated. That is the same history for me as well. Mr. Cochran and I have been working together for a few years now specifically multi-family is what we do.

Mr. Cochran stated. I would like to address one question and comment for the gentlemen from Greensboro. He brought some good comments forward and he's concerned about how this property will be taken care of after it's built and I would just say, when you invest \$40 million dollars in an asset, you tend to take care of it. For the long term, because you have to pay the bank and if you're not taking care of it you don't have people living there. It will be very nice in my humble opinion will be nicer than anything that's been proposed to be developed here and something that will look good from the street and something you can be proud of an entrance and a gateway into the east and west side of the city.

Mr. New stated. Is this the largest project you have undertaken?

Mr. Cochran stated. In terms of unit count no.

Mr. New stated. You can build ten houses; you can build ten thousand. I'd like to know how many.

Mr. Cochran stated. We are not built for the next for the River Oak parcel. We're not building the houses. States and Homes Builder will build those houses and they do build hundreds of thousands of homes.

Mr. New stated. So, they have paid this with you?

Mr. Cochran stated. For the multi-family. Yes, they would partner with us on this.

Mr. Vail stated. I don't want to get into the semantics here but to be clear, we are professional developers, and we intend to bring in partners who are equally professional developers to successfully develop this property.

Mr. Petrick closed the Public Hearing

Mr. Bolton stated. For staff, I wrote down a lot of concerns and most of them have been addressed by the speakers encounter by the developers, the two things that have come up that I didn't have I just want to make sure on the environmental study, there's some issue there maybe not. And the

settlement, the security of that dirt. Is that something we get into or those the city when building permits are issued. Are they two concerns that we need to take into account. As planning and zoning.

Ms. Burton stated. We do not look at that for planning and zoning our public works division handles the version and settlement control permits, compaction, dirt analysis, soil analysis they handle that. We're not responsible for that. They will be part of the overall review for development.

Mr. Bolton stated. It would be required for that. Just a few comments if you all indulge me. It's obvious from the presentations of the Sycamore Development and their reputation they are first class they are professional. I think they have all intentions of doing good in the city and for the community. But to be honest, I go up and down that road a lot. And watch the dirt going in and I'm thinking what's going to go there. I have to say I was shocked when it came across as 204 units. I have been on here 12 years, and this is going to shock a lot of my colleagues because I am so excited about projects like this and want to see growth and being a realtor housing. I'm all about that but I just don't really see a way forward. We talk about traffic study, but people come around that curve. I almost say that having to be a third lane off of Memorial Drive. I almost see a turning lane that comes way back. Maybe part of the three lanes. Council's going to know more about this as far as the medians and things that are in the process. I don't have that information now but, in the overlay, I mean, to me, that was really put into place to keep that entrance and exit attractive to keep it safe, and I'm not sure right now that it is. I think it also states that it wants to protect the property owners. I'm having a hard time seeing and I like the fact that this exception rule is in there. I'm just not convinced that this is the right place to do that, and I would listen to discussions and opinions of the other members.

Mr. Ranson stated. Are you saying that the traffic problems are insurmountable? Or do you know.

Mr. Bolton stated. I don't know and that's the problem and I will have to say in all my years, I don't think I've ever seen one that the traffic has concerned me more. I drive that every day quite a bit and when you start, I'm coming from West Main at that stoplight, and you come through there and they're coming for more. If I want to turn to show a house in the River Oak, sometimes I have to go pass it and come back around and try again. I'm just so familiar with the road. I don't know what can be done. If Council knows more and wants to approve it with a traffic study and they feel comfortable about that. No one will. I just don't know right now; I'd say it's the worst traffic issue that I've looked at on my time on the commission.

Mr. Petrick stated. Mr. Bolton do you realize that this is a stated condition of this.

Mr. Bolton stated. Yes.

Mr. Petrick stated. This is something to be considered for approval or denial somewhere in the future.

Mr. Kahn stated. Traffic too.

Mr. Petrick stated. Yes, I can't imagine that, but something will have to be done that's considerable to that main entrance before it's going to be safe for egress and ingress into the development there.

Ms. Evans stated. I too have concerns about an apartment building on these 14 acres. I think it a lot of people to put there one, two and three bedrooms. If it was a housing single-family, I could consider that. But not apartments.

Mr. Petrick stated. Any particular distinction you'd like to make between single-family and apartments.

Ms. Evans stated. I think it's too many people. You are putting apartments in between single-family.

Mr. Bolton made a motion to deny Rezoning Application PZ24-00034. Ms. Evans seconded the motion. The motion failed by a 3-4 vote.

Mr. Dodson made a motion to approve Rezoning Application PZ24-00034 with conditions. Mr. Kahn seconded the motion with a 4-3 vote.

Mr. Petrick opened the Public Hearing.

3. *Rezoning Application PZ23-00033 filed by Chris Vail and Brent Cochran on behalf of Sycamore Development Company requesting to rezone approximately 10 acres of 1700 West Main Street (Parcel 51484) from T-R Threshold Residential to NT-R Neotraditional Residential.*

Mr. Vail stated. This second phase of our overall development that we're looking at, what we've dubbed the ridge is a really beautiful piece of property. We have an existing right of way off of River Oak Drive. Under the current zoning, we could build a handful of homes. I don't remember if it was eight or eleven but when you start to look into the feasibility of new single-family construction, we would need to build many mansions here that I don't think are in similar congruent with the neighborhood as it exists currently, and I don't think it's what the Danville market needs. We're requesting obviously the reason this to neo-traditional residential which would allow for a little bit greater density. We're proposing 24 home sites. I know my narrative I had mistakenly stated the 34. Be a cul-de-sac street, storm water would be upgraded along the rear of the cul-de-sac. There's already a pond in place. It would need to be modified and reengineered but otherwise, we view this as a straightforward rezoning request for this cul-de-sac street. We've included some images of some potential 1 ½ to 2 story homes. That is what our partners States and Homes would like to build in this neighborhood and there's also an aerial rendering of a different property but it's fairly similar in the way it lays out. It's also been included. I am happy to answer questions about this development specifically and speak to any concerns you all may have.

Mr. Kahn stated. These are all single-family homes.

Mr. Vail stated. Yes, these are all single-family homes!

Mr. Kahn stated. How many total single-family homes.

Mr. Vail stated. 24.

Mr. Ranson stated. In the staff report it says the word affordable. Is that just because of the lot sizes are smaller? I mean are they what makes them affordable.

Mr. Vail stated. I think the term affordable gets tossed around a lot and probably has a lot of different meaning to different people. Specifically, these lots and homes we're estimating price points in the upper 300's to the mid 400's which nowadays is fairly affordable for a new construction home, but these are not intended to be that the price point we are looking for.

Mr. Cochran stated. The entry level home is probably a better term.

Ms. Evans stated. There is going to be just one egress and ingress.

Mr. Vail stated. That's correct, it would be the one street in and one out in the cul-de-sac lot there at the end.

Mr. Bolton stated. What is your frontage?

Mr. Vail stated. I would have to confirm with staff. I believe the zoning were requesting it a 40-foot frontage would be the street frontage for these lots.

Mr. Bolton stated. Probably 2 stories a ranch I don't see how it would.

Mr. Vail stated. I don't think you're going to see many ranches given that. If you look at the images, we included from States they typically build and it's what I'd call a craftsman, a 1 ½ or a 2. It's generally what they build.

Mr. Petrick stated. It looks like typically about a quarter acre lots.

Mr. Vail stated. I believe that's right. States and they're our home building partner, their reputation speaks for themselves. If you all look them up, they're regional. They're based out of Blacksburg, Christiansburg. They do a lot in Roanoke. Mr. Cochran and I recruited them down to Danville. We brought them down here and we spent the day. They're not currently a home builder in this market and they are very excited about this project. They want to do more home construction in Danville, and I think that's a great testament to both their recognition of Danville and what Danville is currently offering. They are excited to be her and if you look them up, they build a really nice home product. It's good material. They have a great reputation, a great service department. So, we're happy to be partnering with them.

Mr. Cochran stated. Most importantly, they do it fast. They are ready to get moving.

Ms. Evans stated. Have you considered reducing the number of homes?

Mr. Vail stated. We started out looking at just retaining the existing zoning which would allow 8 or 11 home sites which I think it's a 100-foot frontage, one unit, two units per acre. When we did a call study on what we would, we have to build the road, the infrastructure, all the that go into the site, planning, development. The homes we would have to build to have any return would be north of 6 or \$700,000. We think that was comparable to what's in the neighborhood or in the area and we didn't think it was really building homes for ¾ million dollars was really what Danville is in need of right now.

Ms. Even if you reduced it to say 15 or 16?

Mr. Vail stated. Scale really helps once you get over that 20 mark which is why we looked to the NTR zoning. States and Housing has a specific home model which I've included here that they build on these 40-foot frontage lots. So., we work together with them, what they like to build and what we hope to see go here. To be able to offer him a price point I stated previously.

Mr. Bolton stated. I don't have familiar with other projects in Danville. Maybe not quite like this but you have the Windermere Villas, patio homes attached, Charlestown attached, patio homes, and I think one Oakview and there's such a demand for that. Did you give any consideration to that type of project. You would still get quite a bit, but it might be more fitting. I know Window farm has 400,000 500,000 homes and then they have those Windermere Villas and it's just a nice fit. Did you get any look to that at all or you're unfamiliar with something like that.

Mr. Vail stated. I've seen those developments; we did consider patio homes we felt that accessing off of River Oak being an existing literally accessing off the road of an existing single-family detached subdivision that single-family detached homes would be in most congruent with the neighborhood. That's why we opted to go that route. I have no doubt that patio homes could do well on the site and do well in Danville. There is a lot of need for that and Mr. Cochran an I would be happy to look at other sites for such a measure, I know States Homes would be interested as well but coming through and existing single-family detached subdivision, we felt it was most congruent to do that.

Mr. Meder stated. I am so very glad that they are going to build it there and not on Lady Aster Street because we'd have to tear down the multi-family housing on Lady Aster to put in these single-family homes. And who would want 24 brand new homes near their home. That cost \$400,000. Actually, I think this is a great idea. Danville does not have enough housing. It does not have enough apartments. It does not have enough townhomes. It does not have enough anything for our people. I have children that can't find a place to live in Danville except with their parents because the costs are too high and currently right now, there's only 2 that they would like to live in. So, we need this property. Also, it generates additional jobs \$40 million dollars for an apartment complex. I don't know what this house is going to be but 24 X 400,000 is probably what? 50 million. Oh my god. It's going to be a lot of dump trucks coming up the street.

Mr. Petrick stated. We are talking a lot of money.

Mr. Meder stated. We are talking a lot of money, casino, half a billion. White Mill, I don't know 200, 300 million. This is great for our city. It's providing jobs for our children, so they don't have to leave Danville. Look around how many kids have left Danville because they didn't have the economic base here for them to stay or for the kids that are here working as waitresses even though they have a college degree or as waiters. There's a lot coming to Danville, and we need to be prepared it called change.

Mr. Amber stated. I live at 201 River Oak Drive. I have a hard time believing a lot of what was said. I'll explain my skepticism and especially from some of the stuff the builders have said. We here today to ask the Planning Commission to deny the spot rezoning request from buying Shields and his developers from TR to NTR. On the 10-acre track on River Oak Drive. When they started hauling dirt from Dan River Industrial Site to both sites on West Main and River Oak. No one informed us. The city or Mr. Shields, at least 60 loads were dumped a day and sometimes trucks would be backed up 10 deep all the way to River Oak Church into their parking lot. This went on for months, damaging the street in numerous places. Thick dust was everywhere, our homes, lawns and cars and piled up on the curbs. It was wise to wear a mask when cutting grass or out blowing the curb. Twice I had to repair damage from trucks, construction trucks backing over my yard. The residents and the complaints that we gave were basically ignored. They did send 1 or maybe 2 people with hand brooms to sweep up and then they did send a big sweeper that did nothing but stir the dust up. It was broke down most of the time and sit on the side of the street. All these problems and complaints have made us in our neighborhood lose complete trust and faith in Mr. Shields and the city. There was black soil that could be seen from West Main, at the Dan River Industrial Site. Trucks with dark soil was being hauled and dumped off of River Oak. Was that soil contaminated? Was soil test done? Are these tests to be conducted at a test for so many tons? Or their compassion line for building on field dirt, are there weight restrictions per square foot for building on field dirt. This area is also deemed a severe erosion risk are the steep-filled banks eroding, has a traffic study been done on River Oak. These are all questions that I asked the panel to look into and make sure that if needed that proper documentation has been filled out and signed off by the proper authorities. I've placed a phone call today to the Department of Environmental Quality of Virginia concerning these issues but have not received any response. We have been given little time to prepare for this. Under Danville comprehensive plan, our neighborhood is designated TR as a minimum of 2 houses per acre. The landowners want to spot zone to NTR with a maximum of could be up to 7 houses per acre. Under Danville comprehensive plan for NTR zoning the top number one priority is affordable housing. Many affordable housing projects across the state are subsidized. This is totally incompatible with homes in our neighborhoods. We have worked hard to afford nice homes on ¾ acre lots. What good is comprehensive plan if you can't come at will and spot zone is there more to come. There is more land back there that is flat. I know I grew up there. Mr. Shields has spent most of his life protecting the lines of property and property values of Danville citizens and for that he needs to be commended but why has he turned his back on protecting our property values. Why has he done that to us. We are not against profit or private property rights. That is the founding of this nation was to own property and to do what you want. I just feel that he has turned his back. If he was and I don't believe these homes are 3 and 4 hundred thousand dollars homes, I believe they're

much less than that. If they were building 3 and 4 hundred-thousand-dollar homes there, I wouldn't be standing up here now. They would match our neighborhood. I hope everyone on this panel has a secure neighborhood and none of you have to face what we are facing.

Mr. Ranson stated. I share his concern but it a little late at this point since any construction project is more than an acre requires them to get an erosion sedimentation control plan. Which means they have to clean up the street every day. They have to limit erosion and if these things weren't done, that is bad. However, it's not the developer's fault that were done. I believe the city would be in charge of enforcing those requirements. I'm sympathetic and understand what you're saying. It's sort of been done. Ans it wasn't done by the developers, and it wasn't the developers' responsibility it was the owner of the properties and the city responsibility.

Ms. Burton stated. If there was a permit issued, yes, there are inspections that are inquired by the city to take care. There are complaints, they can call and there are inspectors and supervisors for those jobs that will come out and look at that.

Mr. Vernon stated. The foyer request included the whole property. I've submitted documents that show that compaction reports soil tests have not been done to the contrary, the developer is responsible for the compaction. If you approve the zoning, which is in opposition to your comprehensive plan that the body participated in writing. Most people in Danville don't know what a comprehensive plan. I would describe it as the Bible of what you want to do in the future. It is a multi-year document. The compaction, the material in place was not removed and done properly under generally accepted practices. Their permit is for erosion, a retention basin, and the permit has not been closed out if I'm correct.

Ms. Burton stated. I'm not sure.

Mr. Vernon stated. A lot of people are not sure. In fact, the applicant wasn't sure about a number of things, and we are here in very high-pressure situations talking about things that affect us and we haven't had a opportunity to be at the table. The public needs to know the documents are available. I will make them available to the public and you'll get to see the things that are not available and not presentable, and I would dare say the city employees have blown the whistle on the conditions. Have blunted the conditions because they took the photographs. This is out of order. Mr. Shields move to the county a long-time city employee I have requested all of the documents from his communication to the city including Planning Commission and Council. The city has not fulfilled that request yet because it's overwhelming for them to do. I won't get that for at least a couple of days. The record needs to show what happened in the last decision that was made, and the record needs to show what this is and include all of the foyer information. So, it is available. The four-year information that I paid for my mom, so the public knows exactly what's underneath the soil. We can look out of a lake, over the ocean, and not know the jaws is under there. One day when those homes are not able to support themselves because the boring reports haven't been done. The compaction engineering reports haven't been done. They are responsible for that. This is an issue that will come before City Council on March 5. I am fully committed to this community.

Mr. McDowell stated. We live at 124 River Oak Drive. The housing development they're proposing, my yard would be right there.

Ms. McDowell stated. I would like to see the full development.

Mr. McDowell stated. We are talking about the dirt, and nobody really believes it's a problem, but the truth is it been under Dan River for how many years and one way that I know it is, my brother is a dump truck driver here in Danville and he hauled some of this dirt back to the casino. They don't want to build on that they say it's dirty it's adulterated. They're hauling it from the City Farm area bringing in dirt to Ceasar, they don't want to build on that dirt. That's the dirt that in our community now, if the dirt ok why are they hauling it away and hauling in new dirt. No one wants to answer that

question, but someone has to. They are talking about this is the Ridge project. It was a mountaintop; they have taken this dirt and created a lot it was all gullies. It was a mountain. If they want to build what right like they said the eight houses, we can't complain. Twenty-four is not right, put what is supposed to be there, the size of the lot that's suppose to be there, a 40-foot wide is just not acceptable. Imagine what that would do to our property value. The houses should be wider than 40-foot, right? They can't build wide, so they are building up, every yard in our neighborhood is over a 100-foot wide. Just because we have a big piece of property, we spent the most of our money that we've worked for 30 years on our house. And now you're going to put these type houses there is not right. Put what's supposed to be there. Put what already rezoned for no need to change it. They are wanting to maximize the profits at our expense, at our expense, leave the zoning alone. Build your houses what it is zoned for. If that's 4 houses or 8 houses, they have increased the size of this lot by doing nothing but bringing in dirt. Otherwise, you wouldn't have been able to build 2 houses there. They only paid less than \$100,000 for this lot because that was the offer for the public to buy. They are saying you have to build 24 to make a profit. That's not true. Maybe they might not make maximum profit only building 8 houses, but you will make a profit building 8 houses.

Ms. McDowell stated. Our property is smash dab encompassed by everything both projects want to have rezoned. We looked at the 10-acres when we brought our property and decided to buy because there was no open land so hence, they brought in the dirt. I don't think the changing the zoning is going to protect our living conditions. Certainly not my privacy because you're going to put 24 homes there. We have something that's unusual in the city of Danville and we want to protect that. Also, the character of our neighborhood. The builder says the homes that people could afford were profitable would not be comparable to the area. The homes they have shown are not comparable to our homes in our neighborhood. What about the noise from the project, my family will have noise on both sides, I assume both projects will be going on at the same time. It just doesn't make for a harmonious neighborhood because these homes are not in character with what already in our neighborhood. I ask you to decline the rezoning application.

Ms. Comper stated. I live on River Oak Drive. My concern how this meeting was publicized today. I understand it's a guideline for the Planning Commission to put up a sign where the area is to be rezoned. Therefore, people who didn't get a letter in the mail would raise questions with them as to what's going on. I went down to the property today to look for a Planning Commission sign, there was none and as I understand it. These are 2 different property areas. So, they put one on West Main Street, but it was behind a guard rail if you were not walking you would have never seen that sign. I proposed to you that is so unfair for the people who live off River Road Drive that had no notification of this at all. I'm sure we could have filled this room was it a cover up? Is it a deal that's already done? This is not, the way our democracy should work, and I pose to you if anyone could have provided a picture of the sign. We know that there were residents on Winbush that were given a flyer yesterday and was like we didn't know anything about this. That is not fair, if you're concerned about the community everyone should be able to participate in opposition or whether they're for proposal.

Mr. Petrick stated. Ms. Burton would you like to address questions about public notifications for these applications.

Ms. Burton stated. Sure, once an application is set for an agenda date, there is notification sent to property owners within 300 feet of that particular subject parcel. There is also notification published twice within the local publication being the Dan Register Bee. It is also posted on our website and then we do go the extra step. We put up the signs to let anyone know that there is a public hearing. Those signs just state there is a public hearing and gives you a number to call for more information.

Ms. New stated. I live at 110 River Oak Drive, that the first house when you come around the curve from West Main. I have had 2 cars to come in my yard when they hit their gas when they come off West Main, so far, we have been lucky one person came back and fix our yard because his daddy

made him because he messed up his vehicle. That is going to make more traffic like I said they fly. I don't have any small children now, but I am concerned about my neighbors' kids, and I just don't think you all are being fair. I don't mean you all individual, I mean the city of Danville isn't being fair to the people o River Oak and Country Club West.

Mr. Robertson stated. I live at 266 River Oak Drive, and I would like to say that I oppose this. I've been in the neighborhood for eight years, it a quiet neighborhood. I love my neighbors. I want to say I understand the gentlemen who is for this. I understand that there is a need in our community for housing, but my opposition is toward 24 houses. It like they trying to cram these houses in one location and if it was less 8 or 12 it would make more sense, they are basically going through in order to get to these houses that they proposed to put up. You have to go through 2 neighbors. They are going to make a road between 2 neighbors' property. I vehement, oppose this, please consider our voices. We want our community to have affordable housing not cramming in houses in our area.

Mr. Meder stated. 111 Lady Aster. Just want to clarify a couple things. One, isn't it wonderful we live in a democracy, and we can have people on both sides of the aisle with good points from both sides. For instance, the roads there. How many more people need to die on that road system? It's awful. One of thing this Planning Zoning Commission should do is recommend that the city study that again and see if we can work it out, maybe the speed limit gets lower, maybe put in turning lanes, something bat a lot of people have accidents on that road and I have had wrecks on the road for dozens of years. It's one of the points that the folk have brought up. Building of a new home today cost about \$248 a square foot and if you do the math on that and you have a 1500 square foot house that comes out almost to \$400,000. When I looked at Country Club West, I noticed that there were 14 houses that are on the Zillow listed at \$400,00 or less. I know that Zillow is not, a real estate yada, yada but just wanted to point that out. Sounds like they're building houses that are comparable value to what's there and I realized those houses there are a lot nicer and depending on how the insides are they may sell for more.

Mr. Vernon stated. Describing the way conditions are done in housing and building is something that changes all the time depending on lumber process and the thing that doesn't change was the comprehensive plan, showing severe erosion. It's a document that you guys approved. You know about and you need to stick with the comprehensive code.

Mr. Petrick stated. Mr. Vernon brought this up, we have to have an understanding about what this group has responsibility for. We're concerned with adherence to city code. We are not concerned with items that come up during the permitting process that are decided by other agencies of the city which is engineering, maintenance, traffic, law enforcement, and I appreciate your concerns, but these are not issues that we have direct control over.

These issues will come after the decision is made to approve these zoning permits and these special use permits. If found that these projects are not feasible, then they will not be allowed. But it's nothing that we can suppose or imagine or have a feeling that it's not right. It doesn't concern us at this point.

Mr. Vernon stated. Do you concur with that Mr. Whitfield?

Mr. Whitfield stated. Their ability is simply to look at zoning and zoning only. There are multiple state and city agencies and departments that will look at the project over and over again. They're right just trying to determine whether or not this id appropriate zoning for this particular neighborhood.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. Question for staff, you talked about 40 feet road frontage, I believe.

Ms. Burton stated. I did say 40. It is 45. My apologies.

Ms. Evans stated. What are the side yard setbacks?

Ms. Burton stated. You are looking at 16 on the front, 6 on the sides, and 20 in the rear.

Ms. Evans stated. So, each house would have 3 feet to the next property line.

Ms. Burton stated. Eventually, so you are looking at a 6 feet side yard.

Ms. Evans stated. From the house to the property line and then that property line to the next house is 6 feet.

Ms. Burton stated. Yes, that correct. You have 12 total in between.

Ms. Evans stated. Okay.

Mr. Petrick re-opened the Public Hearing.

Ms. Vail stated. We have our engineer here who attest to more of the site plans.

Mr. Gatewood stated. I own and operate L and D Professionals in Danville, and I just want to clarify something the proposed subdivision is for 52-foot frontage with a 6-foot side set back on either that leaves enough room for a 40-foot-wide house to meet the NTR regulation.

Ms. Evans The backyard setback?

Mr. Gatewood stated. Maintaining the 20 feet.

Mr. Cochran stated. I would like to once again address the dirt concern. Again, we have not been responsible for this infill process. I have no idea how long it's been going on. So, forgive me if I said it was years. I frankly do not know. So, I apologize. The current owner Mr. Shields has been conducting all that work and again, we do have all the engineering reports and environmental studies from Hurt and Profit which is an engineering firm who conducts that work for that infill. We are very confident that the land is in good condition for development because it has been studied since they began moving it.

Mr. Ranson stated. How come these reports apparent? Mr. Vernon can't get access to these reports.

Mr. Vail stated. They are private. The reports have not been made public. We've not submitted for a building permit. We've not submitted for any of the steps that would require them to enter the public domain.

Mr. Ranson stated. So, what he requested is not available at this point.

Mr. Vail stated. That's correct.

Mr. Ranson stated. But it will be available once you apply.

Mr. Vail stated. Yes, that would certainly be something that would be required from the city building department and engineering department. It would all become available at that point in time.

Mr. Cochran stated. but it's just basic logical exercise, we wouldn't be here now in this very challenging situation, hoping to rezone the property for development if we weren't confident that the dirt was feasible for said development based on those reports. So, I think you can rest assure that the dirt is in good, safe, and sound condition.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. Just for staff, this neo transitional residential is fairly new to this area, It probably more popular in larger cities where there's small tracks of land, only available. Where is it already zoned, Neo? Is it any place in Danville zoned that now?

Ms. Burton stated. Yes, there is a housing development that is underway right now that the Habitat for Humanity is working with. That's over behind Saint Luke's Church, they were rezoned to this particular zoning classification.

Mr. Burton stated. I know by reputation and presentation; this is a first-class group. They have all good intentions. I hope they will be around and doing work in Danville for a long time. It worries me

now that we've passed that recommendation on the first property. The traffic now is going to be worse now that is potentially going to be approved. I kind of stand by what I said the first time. I think that traffic area, even though there's a traffic study. I just don't think it's going to be that great and do you remember Ms. Burton on Jenny Lane? We did one zoning change that actually went from two per acre to three per acre. What was that jump? What was that transition?

Ms. Burton stated. We went from SR to TR if I remember.

Mr. Bolton stated. So, we went to what this is already zoned.

Ms. Burton stated. TR to SR pardon me.

Mr. Bolton stated. Okay, the TR would give them 2 per acre if they would had applied for the suburban residential. They could put 3 in there. Right. I feel like there is a better use for that back there, but that just my say.

Mr. Petrick stated. Old town residential list 5, right.

Ms. Burton stated. Yes.

Mr. Petrick closed the Public Hearing

Mr. Bolton made a motion to deny Rezoning Application PZ24-00033. Ms. Evans seconded the motion. The motion failed by a 3-4 vote.

Mr. Dodson made a motion to approve PZ24-00033 with conditions. Mr. Kahn seconded the motion with a 4-3 vote.

Mr. Petrick opened the Public Hearing.

4. *Special Use Permit application PZ23-00038 filed by Frederick and Laura Meder to convert a single-family residence into a duplex at 912 Green Street in accordance with Article 3.E Section C Item 2.*

Mr. Meder stated. I own 912 Green Street as well as 918 Green Street the property next door. The only reason I came is to introduce you to this home. Currently right now, I'm putting up a 1000 square foot brand new standing seam tin roof on it and the home has no bathrooms that functions. There's no laundry. There's nothing like this. The middle of the home is gutted. You can see the floor and you can see the sky. I can show you those pictures on my phone if you would like. The main sewer system's is compromised. I've done extensive work for the previous homeowner to stabilize the building. The front porch is falling down and will need to be remade. The duplex that going to be 3 bedrooms home each side. I'm going to live right there. So, I'm owner occupied if you will because the driveway is going to be an auto court. We'd like to put an elevator in the building so we can have people over 62 years of age. Now as far as what they're talking about affordable, I don't understand that because I bought this house for \$17.60 a square foot. And they are talking about building homes for \$250 a square foot. So, I don't see where the problem is here. I have a home 3000 square foot, that's affordable that no one has even looked at to buy. I don't know where they're coming from.

Mr. Dodson stated. This was approved by the Committee for Architecture Review.

Mr. Meder stated. It will be. I will file all those guidelines. If you drive by that home, the home was owned by a relative of President Eisenhower and this man just kept adding on and on. There are over 22 rooms in this home. It's a maze. It's up and it down. Like I said the roof's falling and the porch is expanded steel columns that they took the original fluted column off. It is a typical thing that happens in the historic district. They throw the parts away and then they do whatever they want, and

that's what the commission does. The commission is specifically here to stop people throwing the parts away. We ask people to rebuild the home the way it was. Don't change anything, just put it back together. That is what we intend to do, and I have a firm track record on doing that.

Mr. Petrick stated. I can attest to that your expertise. I did see that you had an option of putting in an elevator. Are you seriously considering an elevator?

Mr. Meder stated. Absolutely.

Ms. Evans stated. Where would the elevator be located.?

Mr. Meder stated. There's a back area with a workbench and it's a crazy section. I'd love to show it to you. It's perfect entrance. So, we're going to build a back entrance and a front entrance and a side entrance. There will be several entrances for these people to access the building. I am looking for an older person that wants a garden too. If you know of anybody, let me know.

Mr. Petrick stated. Just to clarify, this property is next to your residence.

Mr. Meder stated. Yes, 20 feet away from my house. For years it felt like we lived next to 2 abandoned homes. There're so many homes that I presented to City Council last fall. There were 26 homes on Green Street from the light to Holbrook that were empty. And most of them are around my house and going toward Holbrook. For some reason, it's infilled from the bottom up. Which seems kind of backwards.

Ms. Evans stated. The elevator will be accessible for both apartments.

Mr. Meder stated. Yes, they make individual like tubes like at the bank where you put your money in. They make those that are vertical. I don't know if they are big enough for a wheelchair, but I think they could tough it out. It's only one floor.

Mr. Petrick stated. The location is in their pocket there and there's two sets of drawings.

Ms. Evans stated. I saw those but I just wasn't clear about the tubes.

Mr. Dodson stated. Are you related to Lawrence Meder?

Mr. Meder stated. That's my younger brother.

Mr. Dodson stated. I'm sorry.

Ms. Evans stated. He says you can build a house at 248 a square foot.

Mr. Meder stated. That's the average myself.

Ms. Evans stated. But that's not what you are talking about. I hope it's less than that. The problem with the neighborhood which I don't understand is it from a building standpoint. As you're building in your neighborhood your property value continues to grow for 10 years after the building stops. So, these people's children going to play out for their children because they won't be here we they recognize what they can gain from what's going to happen in their neighborhood.

Mr. Dodson made a motion to approve Special Use Permit Application PZ24-00038. Mr. Ranson seconded the motion. The motion was approved by a 7-0 vote.

V. PLANNING DIRECTOR'S REPORT

Next meeting is March 11, 2024, with 4 cases so far.

Mr. Khan commented in the future we should consider the presence of a police officer here.
Mr. Petrick commented. Excellent ideal.

VI. MINUTES

The January 8, 2023, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 5:49 p.m.

s/Cynthia Lester
APPROVED