

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 page 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 Caroline. 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 savage 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.

s/Cynthia Lester
APPROVED