

PLANNING COMMISSION MINUTES

JULY 8, 2024

MEMBERS PRESENT

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

MEMBERS ABSENT

Mr. Kahn

STAFF

Renee Burton
Cynthia Lester
Clarke Whitfield
Shanika Williams

ITEMS FOR PUBLIC HEARING:

1. *Special Use Permit application PZ24-00245 filed by Michael Cosner to allow indoor commercial recreation facilities in accordance with Article 3.M Section C at 1417 South Main Street (Parcel 77409)*

Mr. Petrick opened the Public Hearing.

Mr. Cosner stated. My son has always loved arcades since he's a was a kid. This is going to be a family-friendly place. We are copying pretty much what Uptown pinball in Martinsville. You pay a service fee to go in like \$8 or \$10 and you play as long as you want. Addressed mostly to children up to 17 and not adults unless you want to play pinball. You don't bring your kids and drop them off the parents have to stay with the kids, we will have Pac-man, setting and driving games and also air hockey. There is not much around here so everyone we've talked to for the last 3 or 4 months love the ideal. There will limit hours because it will only be my son and I running it maybe four days a week from 2-8 or 3-8 playing by ear. The reason I am doing this is because my son loves arcades. Jimmy New is here with me he is the landlord.

Mr. Dodson stated. Do you think you will have a Ninja Turtle game? If so, I'll be there.

Mr. Cosner stated. I think so, we have been buying games for the last couple of months.

Mr. Bolton stated. Any food or beverage?

Mr. Cosner stated. No, maybe a drink machine. The plan said 3 places what they had done is taken out two walls and made it 3,600 square feet but that is to much for us paying for to start off, so Mr. Vinson said we could use two spots, 24 hundred square feet. We will install another wall and bathroom which is back-to-back that makes it easy. Then we have to add a few receptacles. One party room about a 12 X 24, and the rest will be games. We don't want to attack bad people who would come and drink and hangout. I am a Christian.

Ms. Evans Stated. There will not be alcohol for the adults, correct?

Mr. Cosner stated. No, nothing that would be harmful to the kids.

Mr. Clement stated. Pastor of Freedom Worship Center and we just purchased the property up on the hill of Southwick Plaza and we are in favor of it because we are building a church there and it will help us.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve special use permit application PZ24-00245. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

2. *Special Use permit application PZ24-00265 filed by Erik Chambers to allow multifamily dwellings as principal use in accordance with Article 3.K Section C at 130 South Ridge Street (Parcel 20531).*

Mr. Petrick opened the Public Hearing.

Mr. Chambers stated. I am here to answer any question you may have.

Ms. Evans stated. The reason why you are not making the lower level commercial?

Mr. Chambers stated. Pretty much revenue wise.

Mr. Bolton stated. Four units' total.

Mr. Chambers stated. There will be a total of 10 altogether.

Mr. Bolton stated. Parking, Ms. Burton since it is downtown do we have parking requirement on this type of property.

Ms. Burton stated. No, we do not.

Mr. Bolton stated. Where would they park?

Mr. Chambers stated. I'm working with PATH renting parking space and street parking along the way.

Mr. Petrick stated. I think the previous owners had some agreement with I think it was a bank there to share the parking directly behind the property. So, that may be a feasible option.

Mr. Chambers stated. That is definitely something to look into.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Special Use Permit Application PZ24-00265. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

3. *Special Use Permit application PZ24-00269 to allow a duplex residential dwelling in accordance with Article 3.E Section C Item 2 at 1116 Richmond Blvd (Parcel 04414).*

Mr. Petrick opened the Public Hearing.

Mr. Bialek stated. I am here with my wife Anna we live in Arlington VA. Retired navy and have decided to invest in Danville, VA. I am here to answer questions about the project.

Ms. Evans stated. Who will manage the property?

Mr. Bialek stated. We are working with a local property manager Katie Newcomb.

Mr. Bolton stated. Where do you see additional parking?

Mr. Bialek stated. Because we were planning for long term rentals for just the duplex. We had originally planned for on street parking but there is space at the back of the property for parking we would have to work through gaining access to the back area of the property to support additional parking back there.

Mr. Petrick stated. I did not ride by there I pulled it up, looked at the plat online and seems you have considerable backyard.

Mr. Bialek stated. Yes.

Mr. Petrick stated. To qualify for parking is there any access from the current driveway?

Mr. Bialek stated. There is no current driveway, the driveway that is next door to the project belongs to the apartment building, there is a 6 or 8 unit building at 1114. I believe that driveway is theirs.

Mr. Petrick stated. Okay and this is on a corner lot, this is Richmond and North Main.

Mr. Bialek stated. Yes. It is just beyond the Y.

Mr. Petrick closed the Public Hearing.

Mr. Ranson stated. I assume if we approve this you will monitor to make sure as he says, his plan is to work on getting access to the back of the property but if he's not successful, you all will be monitoring that correct.

Ms. Burton stated. Yes.

Mr. Petrick stated. This is a condition contingent upon.

Ms. Burton stated. Yes, that is a recommendation of staff.

Mr. Moore stated. For clarification there is on street parking where a lot of residents already park on the street. There is an apartment building to the right of the property if you are facing it and you can already tell from past use that adjacent to their house, they're already using them as parking spaces. I do feel like there could be a track to get back to park around the back of the house, being as close as they are to the street there is ample parking right in front of the house, the street is wide enough and around the corner there is ample parking going down each. Everyone can take that into consideration.

Mr. Petrick stated. You do understand that City Council has final approval on this coming up next month.

Mr. Bolton made a motion to approve Application PZ24-00269 with conditions to create off street parking and 4 additional parking spaces on site. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

4. *Special Use Permit application PZ24-00232 filed by South Wake Home Solutions LLC to allow a duplex residential dwelling in accordance with Article 3.E. Section C Item 2 at 721 Chatham Avenue (Parcel 59605).*

Mr. Petrick opened the Public Hearing.

Mr. Baumann stated. In November of last year my company purchased this property as a rental income property. It is advertised as a duplex and on the tax rolls as a duplex. It's been used as a duplex, meter as a duplex. This was a blight property, if anyone would like to see what it looked like when I purchased it there is a link to my photos. There was a squatter there, the only reason we are here is because it was vacant for more than two years and I was informed I need to request approval for it to be use as a duplex. Whether it a duplex or single family the living space would be the same. It would be rented to the same amount of people. Presumably. According to the bedroom size. If it was a single-family with a ADU it would essentially the same as a duplex I believe by right. I am not familiar with all the ADU rules. On this same street looking at the photo the property adjacent on the left side is a newer single-family home that was built Habitat Home built on the side of a blight property, two houses over are a quadruplex next to that is a condemned triplex and two blocks down is Cardinal Village apartments with a total of 128 units in that complex. So, it consistent with the neighborhood and cleaning up the neighborhood. Denying this will deter other investors from cleaning up the neighborhood and we continue to have these blight properties. Like I said it was previous used as a duplex, there are least four off street parking spaces. The condition of the property clearly was a planted property, but it was in horrible conditions walls were crumbling, no insulation everything was unsafe and totally unlivable. Allowing this to remain a duplex is providing another two units for the good people of Danville.

Mr. Dodson stated. How long do you think if approved will get it up to livable condition?

Mr. Baumann stated. I hope as soon as possible I would say within two months.

Mr. Bolton stated. Each side will have how many bedrooms if it is allowed back as a duplex?

Mr. Baumann stated. There is an upstairs it on a slope, there is an upper level, lower level, and each side of the house has a driveway, three bedrooms on each floor. As it a single floor per unit with only a couple of entry steps on the second level and no steps on the first level so it could be considered senior friendly housing.

Mr. Bolton stated. Is there still separated utilities for each unit?

Mr. Baumann stated. All the electric was removed and plans with two separate panels from the Weatherhead.

Ms. Mosby stated. My property evidently is in the area of this abandon property. Even if had previous been used as a duplex it has not be rezoned or approved.

Mr. Petrick stated. That is the reason we are here.

Ms. Mosby stated. He has also stated he have other properties he going to be working on. This property is 1000 square feet up and 1000 square feet down, and he has three bedrooms on each floor. Where are they going to cook and live that's a tiny place. My property is within 300 yards and Cardinal Village is on the other side of the street if I'm correct. I have concerns because it is already in violation of what it was supposed to be used as. Why would you start construction and doing all of this without getting prior approval? Before you start doing the work. Druil Hills, I have my sight Section E and F single family residential area, not rentals, homeowners hardworking people that take pride in their property, and for so many years, no one has been in those properties, and I don't like crime, I like to know who my neighbors are we have children they walk to school, older people. I don't know what type of housing this is going to be. But if it is already in violation before it began, you didn't get approval before you start that's a red flag. I was the only one that got a letter. Back there I don't know how much crime has been committed back there but don't want anymore because our neighborhood is pretty good.

Mr. Petrick stated. Would you prefer it remains vacant?

Ms. Mosby stated. Vacant or a one family household, whatever it was but it sounds like it should have been condemned. It sounds like it going to be more property than this, and we're not going to start one and one goes into two, three and four and reduce the value an safety of out neighborhood. Sounds like a tenement. I oppose until I get further information. Citizen needs to get a head start so they can go around and see what's going on.

Mr. Petrick stated. Ms. Burton would you like to address the issue about notifying people?

Ms. Burton stated. We send notification out to everyone within 300 feet. Each property owner at least two weeks in advance.

Mr. Petrick closed the Public Hearing

Mr. Ranson stated. It seems the concern apparently, it was a duplex in its formal life and the Special Use expired.

Ms. Burton stated. We're not sure if it had a Special Use Permit prior but it does appear that it was utilized as a duplex in the past. Yes.

Mr. Petrick stated. So, it was grandfathered in.

Ms. Burton stated. Not sure about the timeline but I would believe so, yes.

Mr. Ranson stated. At least it immediately past history it was a duplex.

Ms. Burton stated. Yes.

Mr. Petrick stated. There are other multi-family properties in the area.

Mr. Bolton made a motion to approve Application PZ24-00232. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

5. *Special Use Permit application PZ24-00290 filed by CCKW, LLC to allow duplex residential dwellings at (Parcel 20615) Gray Street in accordance with Article 3.E. Section C Item 2.*

Mr. Petrick opened the Public Hearing.

Mr. Korona stated. I'm with the law firm PDLR for CCKW, CCKW is developing the apartments and townhomes on Berryman Monument community, so they have a proven track record here in Danville of development. As you can tell from the items, we just want to put duplexes one each on those property they will be front to back, not multilevel duplexes. There will be parking off of Gray Street and in the alley behind and we feel this is consistent with the residential use of the neighborhood trying to get more housing in Danville.

Mr. Bolton stated. Have they picked out the exterior yet, meaning vinyl, wood or brick or combination not that it matters I as just curious.

Mr. Korona stated. I am not aware of that. I do know that they are thinking about two and two and a half and three-bedroom units. Not sure which combination yet.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. Who puts the signs up saying property is under discussion?

Ms. Burton stated. They are put out by Planning Staff.

Ms. Evans stated. There was no sign when I went by this pass Friday.

Ms. Burton stated. Thank you.

Ms. Evans stated. To alleviate housing and this is not related to this property but related to the owner, are they going to do anything with Stewart Street.

Ms. Burton stated. I have not seen any current plans submitted. No.

Ms. Evans stated. Is there a certain amount of time they have to do something with that?

Ms. Burton stated. Yes, they actually had a PUD, for that particular development so they would have 18 months from approval to begin construction. Not believe we have exceeded that timeline yet.

Mr. Petrick stated. No.

Mr. Bolton made a motion to approve Application PZ24-00290. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

6. *Special Use Permit application PZ24-00291 filed by CCKW, LLC to allow duplex residential dwellings at (Parcel 20816) Gray Street in accordance with Article 3.E. Section C Item 2.*

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Application PZ24-00291. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

7. *Code Amendment request PZ24-00288 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville 1986 as amended. Specifically, amend Article 3.P Section H of the Zoning Code.*

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Application PZ24-00288. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

Ms. Evans stated. I would like the city to consider creating ordinances to ban parking of cars on the front lawn, on the side yards. Anyway, we are a destination city now and I don't think it looks very nice if we have cars parked on the front lawn. And addition to that, ban upholstered furniture on front porches.

Mr. Petrick stated. Has planning ever researched that as far as parking on the front lawn without the benefits of designated parking area. I know it is a lot of it done in very nice neighborhoods.

Ms. Burton stated. It is non stated in the code. That is a specific violation. It is a violation if you actually drive over the curb to gain access to your front yard but if you use a driveway, curb cut to access the front yard there's not a specific violation.

Mr. Petrick stated. So, if you have a curb cut driveway and you use the driveway to access your front yard, then you are not in violation.

Ms. Burton stated. As long as your vehicles are operable.

Ms. Evans stated. I would like to consider we make it a violation.

Ms. Burton stated. We will look into that.

Ms. Evans stated. I know it had been studied in the pass before Doug left.

Mr. Ranson stated. When people park in the medium on Virginia Avenue, that's illegal because they have to drive over the curb.

Mr. Petrick stated. Yes.

Ms. Evans stated. They are there every weekend.

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

The June 10, 2024, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 3:55 p.m.

s/Cynthia Lester

APPROVED