PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

November 12, 2024

2:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. NEW BUSINESS

1. Rezoning application PZ24-00546 filed by SPM Empowerment and Skills Inc. to rezone Parcels 02809 and 02854 from OT-R Old Town Residential to A-R Attached Residential.

2. Rezoning application PZ24-00555 filed by Sandra Salas Tamayo to rezone 2608 Westover Drive (Parcel 71942) from S-R Suburban Residential to A-R Attached Residential.

3. Special Use Permit application PZ24-00523 filed by William Elam to allow waiver of minimum lot size in accordance with Article 3.E Section C Item 21 at 124 Hurt Street (Parcel 50850).

4. Special Use Permit application PZ24-00534 filed by Evesting LLC to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at 434 Kemper Road (Parcel 24535).

5. Special Use Permit application PZ24-00554 filed by Phoenix House LLC to allow a group home in accordance with Article 3.E Section C Item 9 at 158 Montague Street (Parcel 24813).

6. Special Use Permit application PZ24-00518 filed by Jonathan Sharolli to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at 224 Winslow Street (Parcel 24572).

7. Special Use Permit application PZ24-00553 filed by Katillia Johnson to allow a child daycare center in accordance with Article 3.E Section C Item 7 at 130 Clarkson Street

(Parcel 56540).

8. Special Use Permit application PZ24-00566 filed by David Dujardin to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at 161 Holbrook Avenue (Parcel 21610).

9. Code Amendment request PZ24-00564 filed by BWWDD, LLC to amend Chapter 41 entitled “Zoning Ordinance” of the City of Danville, 1986 as amended. Specifically, amend Article 3.N Section C to create Item 27 "Uses permitted by right and by special use permit in the HR-C District."

10. Special Use Permit application PZ24-00565 filed by BWWDD, LLC to allow a mini-storage warehouse, with no exterior storage in accordance with Article 3.N Section C Item 27 at 143 Crown Drive (Parcel 72436).

11. Special Use Permit application PZ24-00567 filed by Good Living Group LLC to allow a hotel/motel in accordance with Article 3.I Section C Item 24 at 136 West Main Street (Parcel 23512).

12. Special Use Permit application PZ24-00527 filed by Danville Public Schools to allow a waiver of minimum yard requirements for parking in accordance with Article 3.I Section C Item 19 at 155 Mountain View Avenue (Parcel 26346).

13. Review and adoption of the City of Danville Comprehensive Plan. This plan establishes goals and plans for future land use decisions by the City.

IV. APPROVAL OF MINUTES

1. Minutes from October 7, 2024

V. PLANNING DIRECTOR'S REPORT

VI. ADJOURNMENT

STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Rezoning application PZ24-00546 filed by SPM Empowerment and Skills Inc. to rezone Parcels 02809 and 02854 from OT-R Old Town Residential to A-R Attached Residential.

SUMMARY

Parcels 02809 and 02854 are vacant lots zoned OT-R, Old Town Residential and located at the corner of Sublett Alley and North Main Street. The combined acreage of the parcels is 1.02 acres. The applicant is proposing to consolidate the two (2) lots and construct a townhouse complex comprised of two (2) four-unit groupings and adjacent parking.

The applicant, SPM Empowerment and Skills, Inc, purchased the properties in the spring of 2024 with the intent to construct a small development of attached dwellings. The preliminary layout drafted by Solex Architecture shows eight (8) units with sixteen (16) parking spaces. Each unit will have three (3) bedrooms.

The subject parcels are surrounded by North Main Street to the east, Sublett Alley to the north and Abbott Street to the west. This is a high traffic area with four (4) multi-family units within 300 feet of the subject property.

The preliminary layout for construction meets the regulations set forth in the A-R, Attached Residential zoning district with the exception of the separation spacing between units. Article 3. F Section I Item 6a states "Building structures for single-family attached dwelling units shall be separated from one another by a minimum of 24 feet". The preliminary layout only shows twenty (20) foot separation between the structures. A new layout showing twenty-four (24) foot separation must be provided before a building permit can be issued.

The subject property is located in Planning Area 10 of our Comprehensive Plan. Planning Area 10 includes the Arnett Boulevard, North Main Street and Richmond Boulevard thoroughfares. The Comprehensive Plan does not identify this location as a sub area for development, but states that "traditional neighborhoods of the Planning Area should be protected and enhanced through redevelopment".

Sixty-seven (67) notices were sent to surrounding property owners. Five (5) notices were received. Two (2) were not opposed, three (3) were opposed.

RECOMMENDATION

Planning Staff recommends that Planning Commission recommend PZ24-00546 filed by SPM Empowerment and Skills Inc. to rezone Parcels 02809 and 02854 from OT-R, Old Town Residential to A-R, Attached Residential. The rezoning request is in compliance with the Comprehensive Plan and the character of the neighborhood.

ATTACHMENTS

1. Application
2. Site Plan
3. N Main Aerials Map
4. N Main Owners Zoning Map
5. N Main Land Use Map
6. Comprehensive Plan Area 10

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
    a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
    b. A written statement of proposed project compatibility with the following:
        1. The Comprehensive Plan.
        2. The applicable zoning district.
        3. The surrounding properties.
        4. Current and future neighborhood conditions.
        5. Pedestrian and vehicular traffic patterns, on-site and off-site.
        6. Adequate public facilities.
    c. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
        1. The architectural elevations and floor plans of proposed building(s).
        2. Traffic impact analysis.
        3. Fiscal impact analysis.
        4. Parking and site circulation analysis.
        5. Photographs of property and surrounding area.
        6. Environmental impact statement.
        7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____

Date Received: _____ Received By: _____

Parcel ID: _____ Zoning District: _____

Existing Zoning: OT-R Old Town Res. Proposed Zoning: A-R Attached Residential

APPLICANT PROVIDED INFORMATION

Exact legal description of property (Attach if insufficient space).

Property Address: 02809 & 02854 Gross Area/Net Area: 1.0249 ACRES

Property Location: N☐ S☒ E☐ W☐ Side of: SUBLETT ALLEY

Between: N. MAIN STREET and ABBOTT STREET

Proffered Conditions (if any, please attach): CONSTRUCTION OF 8 TOWNHOMES

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

Name: SPM EMPOWERMENT AND SKILLS Telephone: 336-917-8855

Mailing Address: 709 INDUSTRIAL AVENUE, DANVILLE, VA 24541

Email Address: STATESVILLEPAINTSVB@GMAIL.COM

APPLICANT (PLEASE TYPE OR PRINT):

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

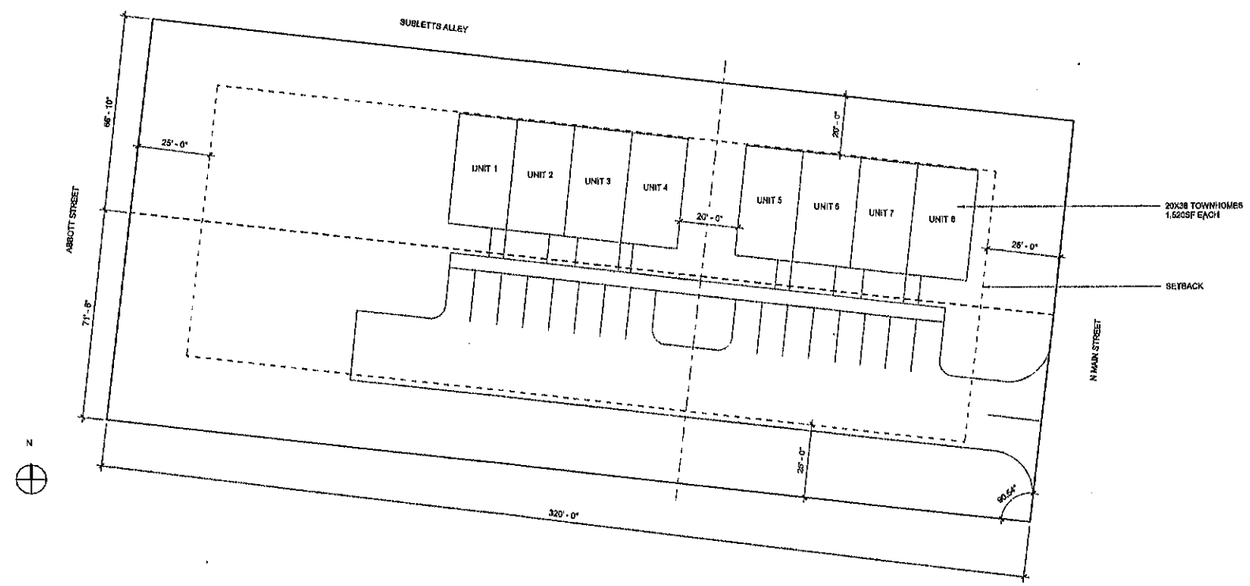
Name: _____ Telephone: _____

Mailing Address: _____

Email Address: _____

_____ Applicant Signature date

_____ Property Owner Signature date (if not applicant)



PRELIMINARY SITE LAYOUT
Scale: 1" = 20'-0"

SOLEX ARCHITECTURE

SOLEX ARCHITECTURE INC.
641 MAIN STREET
DANVILLE, VIRGINIA 24541
434.585.0767 PHONE
434.791.3281 FAX

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

SPM EMPOWERMENT AND SKILLS INC.

NORTH MAIN TOWNHOMES

SUBLETT ALLEY, DANVILLE, VIRGINIA

PRELIMINARY DESIGN

SHEET INFORMATION

REVISIONS NO.	DESCRIPTION	DATE

PROJECT NO.	2024-0013
DRAWN BY	JLB
CHECKED BY	JLB
DATE	2024.08.05
SCALE	1" = 20'-0"

SHEET NAME
PRELIMINARY SITE LAYOUT

SHEET NUMBER
A-100

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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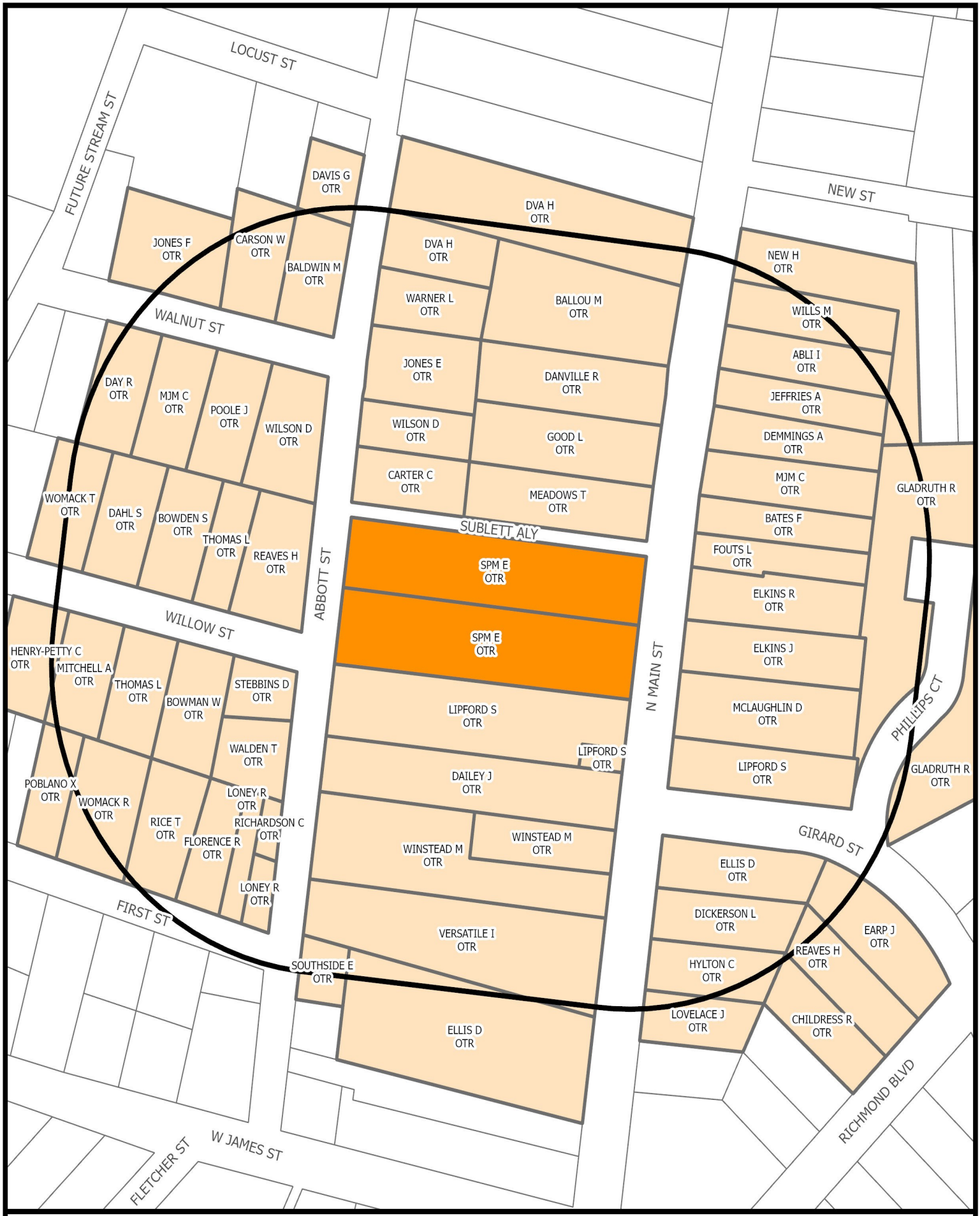

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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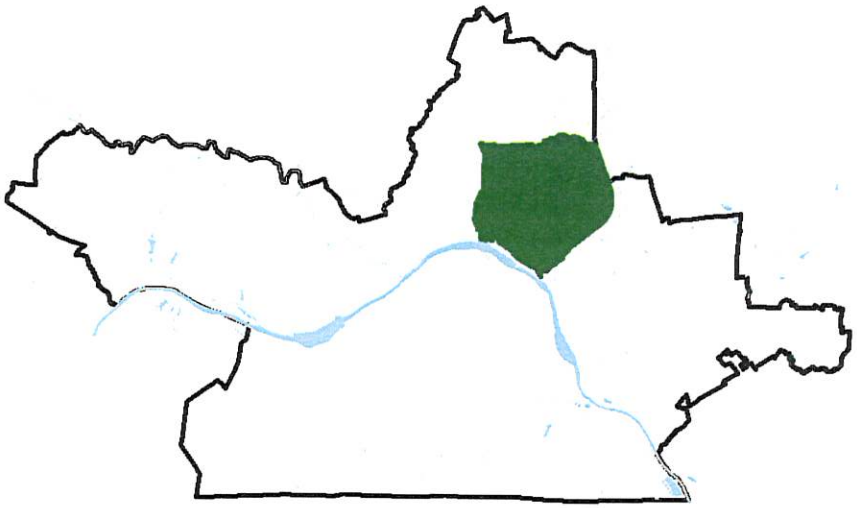
Planning Area 10: NORTH MAIN



Location: The North Main Planning Area is located in the northeastern portion of Danville. The Planning Area consists of over 1800 acres, which represents approximately 6% of the City's entire land area. It is bordered on the west by Arnett Boulevard, on the north by Fagan Street, on the east by the City's corporate boundary and Richmond Boulevard and on the south by Riverside Drive. Nine individual Sub Areas have been identified within the Planning Area.

Existing Land Use: The Planning Area is largely residential in nature, although it does include some neighborhood commercial uses along North Main Street as well as the North Danville Shopping Center. The Leemont Cemetery is also located within the Planning Area. There are undeveloped parcels in the northwestern quadrant of the Planning Area that will be opened up to new development as the Route 41 Extension connects the Franklin Turnpike to a newly constructed Route 29 interchange just east of the City boundary.

Public Utilities: Public Water and Sewer is available to all existing structures and residents whom are willing to connect to the system. Some of the more remote undeveloped parcels do not have direct access to public water and/or sewer.

Transportation: Planning Area 10 relies upon three thoroughfares, Arnett Boulevard, North Main Street, and Richmond Boulevard to provide access to its various neighborhoods and nonresidential neighborhoods. Internal access is provided by a local residential street system that functions adequately for both existing and planned land uses. Arnett Boulevard serves as the principal local collector road in Planning Area 10. However, cut-through traffic on Arnett threatens the safety of pedestrians and children playing in the neighborhood. The Comprehensive Plan recommends the implementation of traffic calming measures, to include increased speed limit signage and enforcement and re-striping of the pavement along Arnett Boulevard.

Corridors: Riverside Drive, North Main Street, and Richmond Boulevard (Rt. 360)

Revitalization Opportunities:

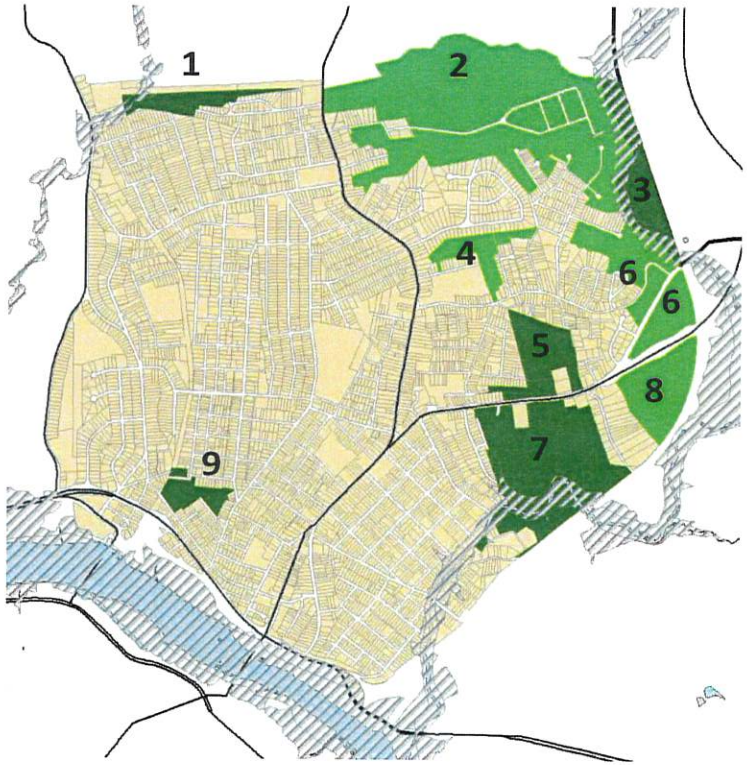
- The traditional neighborhoods of the Planning Area should be protected and enhanced through redevelopment.

Future Land Use:

- Sub areas 3 and 6 suitable locations for regional commercial or economic development as it adjoins the proposed Route 41 extension.

PLANNING AREA 10					
Sub Area	Zoning Classification	Developable Acreage	Potential Yield		Future Land-Use Recommendation
			Units	Sq Feet	
1	Old Town Residential	**12**	**155**		Medium Density Residential
2	Threshold Residential	55	21		Mixed Use
	Old Town Residential	93	274		
	Highway Retail Commercial	11		239,580	
	Sub Total:	**159**	**575**	**239,580**	
3	Light Economic Development	**19**		**1,276,621**	Mixed Use
4	Transitional Office District	3		31,595	Medium Density Residential
	Old Town Residential	10	29		
	Sub Total:	**13**	**29**		
5	Attached Residential	2	8		High Density Residential
	Multi-Family Residential	22	285		
	Sub Total:	**24**	**293**		
6	Old Town Residential	16	47		Light Industrial
	Light Economic Development	23		1,545,384	
	Sub Total:	**39**	**47**	**1,545,384**	
7	Threshold Residential	7	3		Medium Density Residential
	Old Town Residential	46	136		
	Multi-Family Residential	10	130		
	Attached Residential	2	8		
	Sub Total:	**65**	**276**		
8	Multi-Family Residential	**27**	**350**		High Density Residential
9	Old Town Residential	**9**	**27**		Medium Density Residential
PLANNING AREA:		**355**	**1,598**	**3,061,585**	

Planning Area 10: NORTH MAIN



STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Rezoning application PZ24-00555 filed by Sandra Salas Tamayo to rezone 2608 Westover Drive (Parcel 71942) from S-R Suburban Residential to A-R Attached Residential.

SUMMARY

2608 Westover Dr is a single-family dwelling built in 1921 and zoned S-R Suburban Residential. The structure sits on approximately three (3) acres.

The applicant, Sandra Salas Tamayo, purchased the property in March of 2021. Under construction is a 31' x 32' addition to the existing structure. The applicant is requesting to use this addition as an attached second dwelling on the property. The Zoning Code requires a Special Use Permit for attached dwellings in the S-R, Suburban Residential District.

The subject property is located in Planning Area 1 within our Comprehensive Plan. Planning Area 1 is "home to the highest concentration of active agricultural uses and undeveloped land in the City". The Comprehensive Plan does not identify this location as a sub area for development, but states that an objective of the future land use should be to "maintain residential character of Westover Drive". Within a 300' foot buffer of the subject property there are 39 properties, none of which are multi-family. The character of this portion of Westover Drive is single family residential with a place of worship nearby.

Thirty-nine (39) notices were sent to surrounding property owners. 16 notices were received. Seven (7) were not opposed, nine (9) were opposed.

RECOMMENDATION

Planning staff recommends that Planning Commission recommend denial of PA24-00555 filed by Sandra Salas Tamayo to rezone 2608 Westover Drive (Parcel 71942) for S-R, Suburban Residential to A-R, Attached Residential. The rezoning request is not in compliance with the Comprehensive Plan nor is it in accordance with the surrounding neighborhood. The application has also received a majority of opposing responses from neighbors.

ATTACHMENTS

1. Application
2. Pictures
3. 2608 Westover Dr Aerials Map
4. 2608 Westover Dr Owners Zoning Map

5. 2608 Westover Dr Land Use Map
6. Comprehensive Plan Area 1

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
    a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
    b. A written statement of proposed project compatibility with the following:
        1. The Comprehensive Plan.
        2. The applicable zoning district.
        3. The surrounding properties.
        4. Current and future neighborhood conditions.
        5. Pedestrian and vehicular traffic patterns, on-site and off-site.
        6. Adequate public facilities.
    c. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
        1. The architectural elevations and floor plans of proposed building(s).
        2. Traffic impact analysis.
        3. Fiscal impact analysis.
        4. Parking and site circulation analysis.
        5. Photographs of property and surrounding area.
        6. Environmental impact statement.
        7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: P24-00555 PC Meeting Date: Nov. 12

Date Received: 10/8 Received By: Williams

Parcel ID: 71942 Zoning District: _____

Existing Zoning: S-R Proposed Zoning: A-R

APPLICANT PROVIDED INFORMATION

Exact legal description of property (Attach if insufficient space).

Property Address: 2608 westover Dr Gross Area/Net Area: _____

Property Location: N☐ S☐ E☐ W☑ Side of: Woodlan Baptist Church

Between: 2518 westover Dr and 2706 westover Dr

Proffered Conditions (if any, please attach): _____

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

Name: Sandra Salas Tamayo Telephone: 276 806 6571

Mailing Address: 110 Spring Ave

Email Address: Sandylu31@hotmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

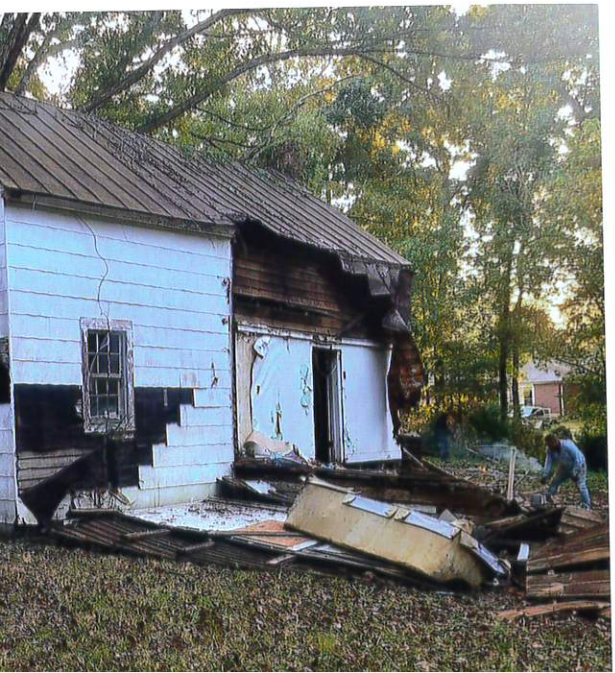
Name: _____ Telephone: _____

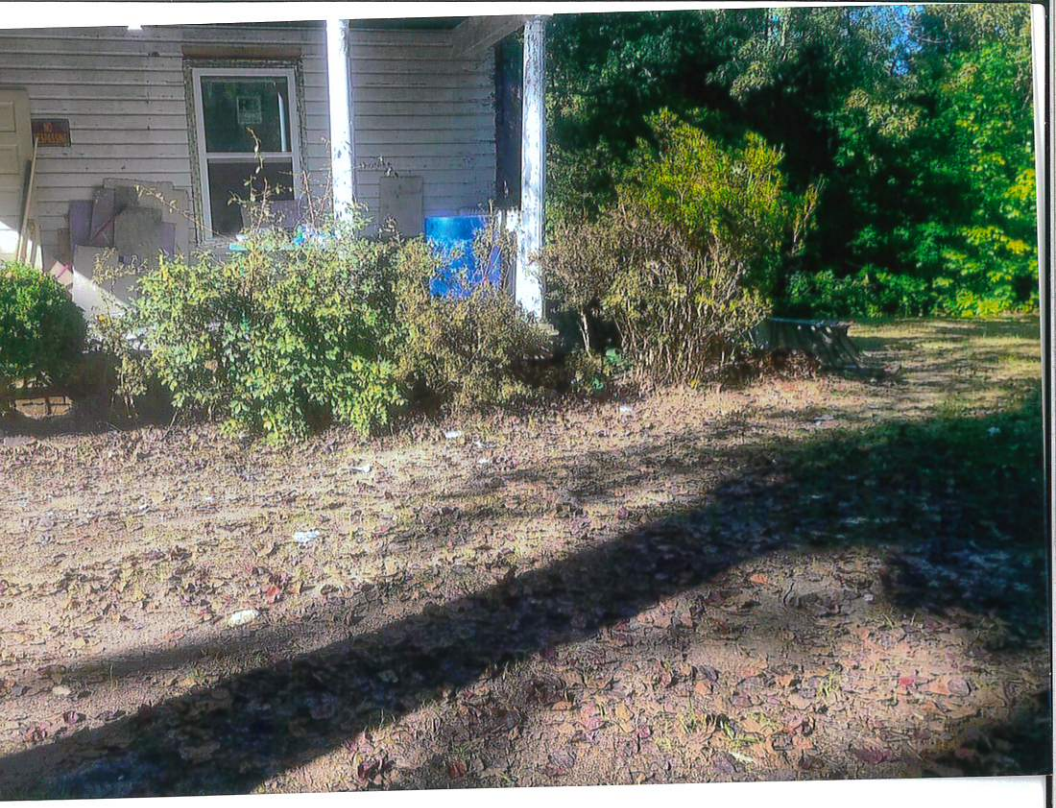
Mailing Address: _____

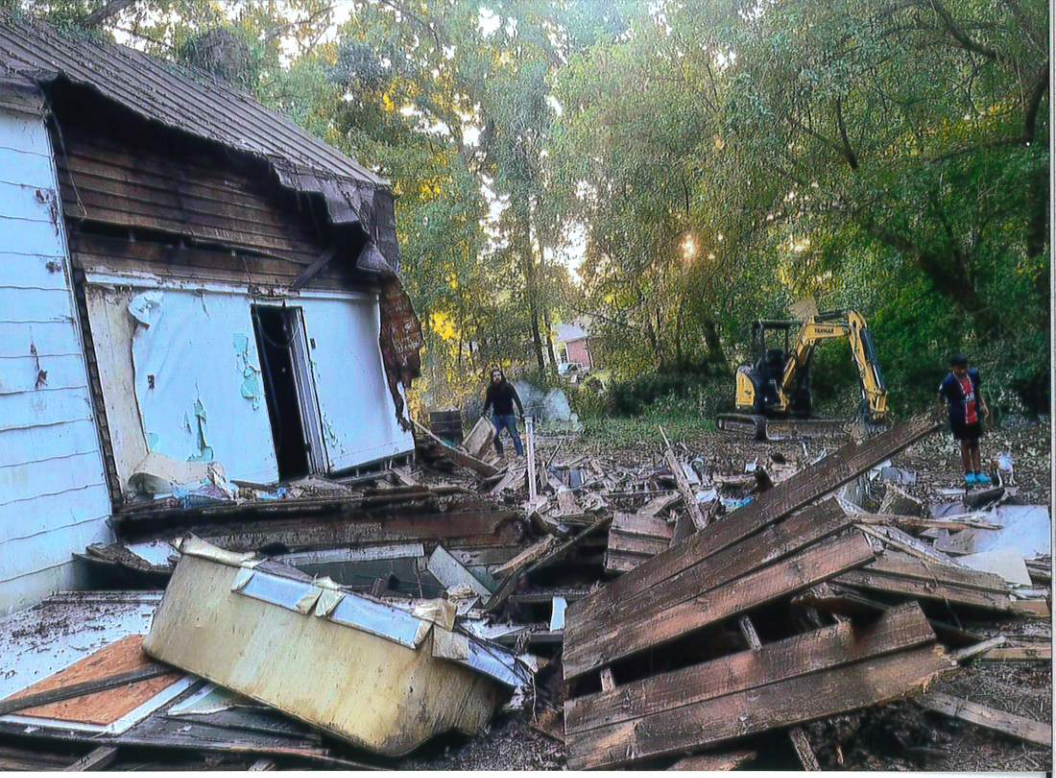
Email Address: _____

_____ Applicant Signature date

Sandra Salas Tamayo 10-08-2024 Property Owner Signature (if not applicant) date







2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/10/2024

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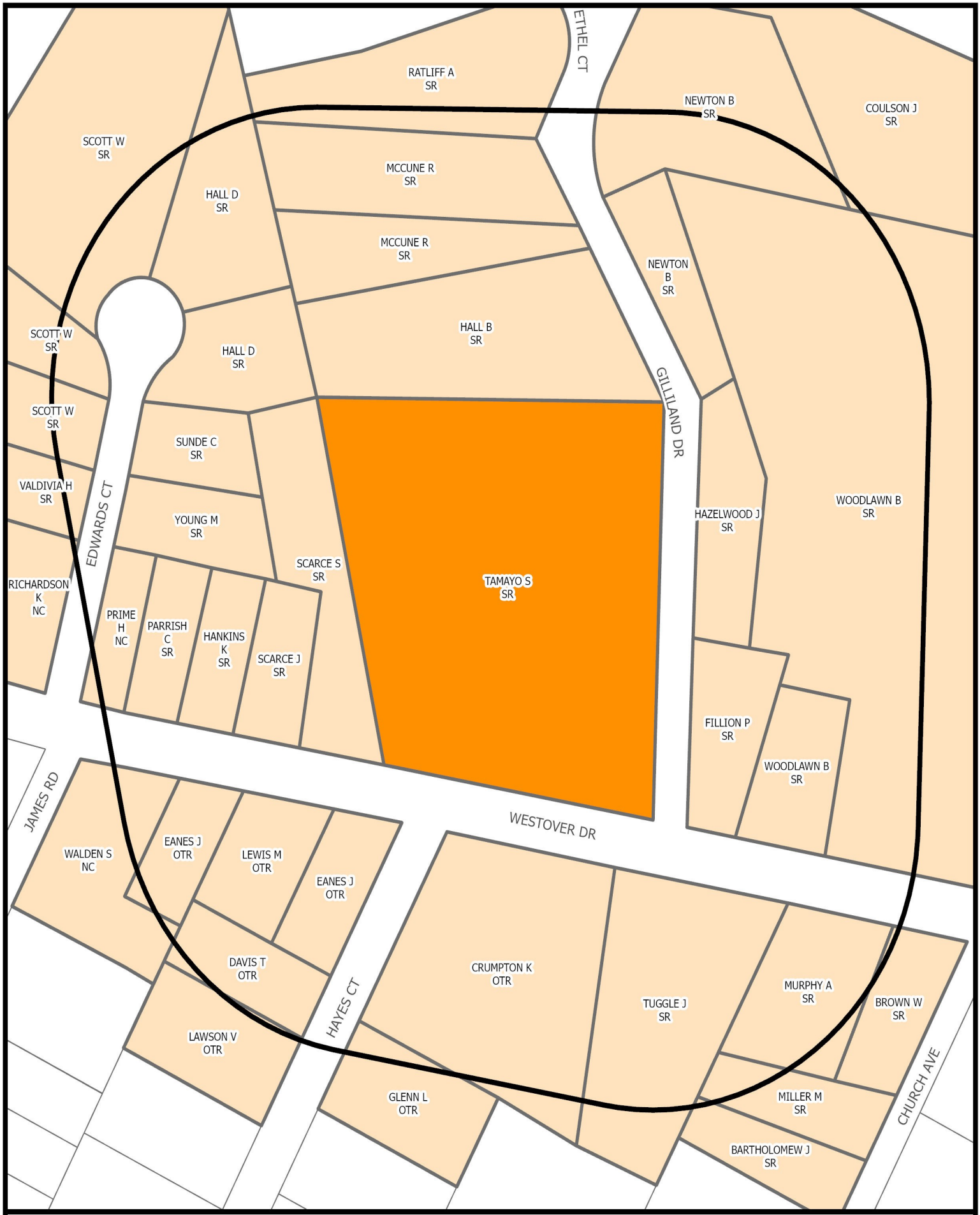

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/10/2024

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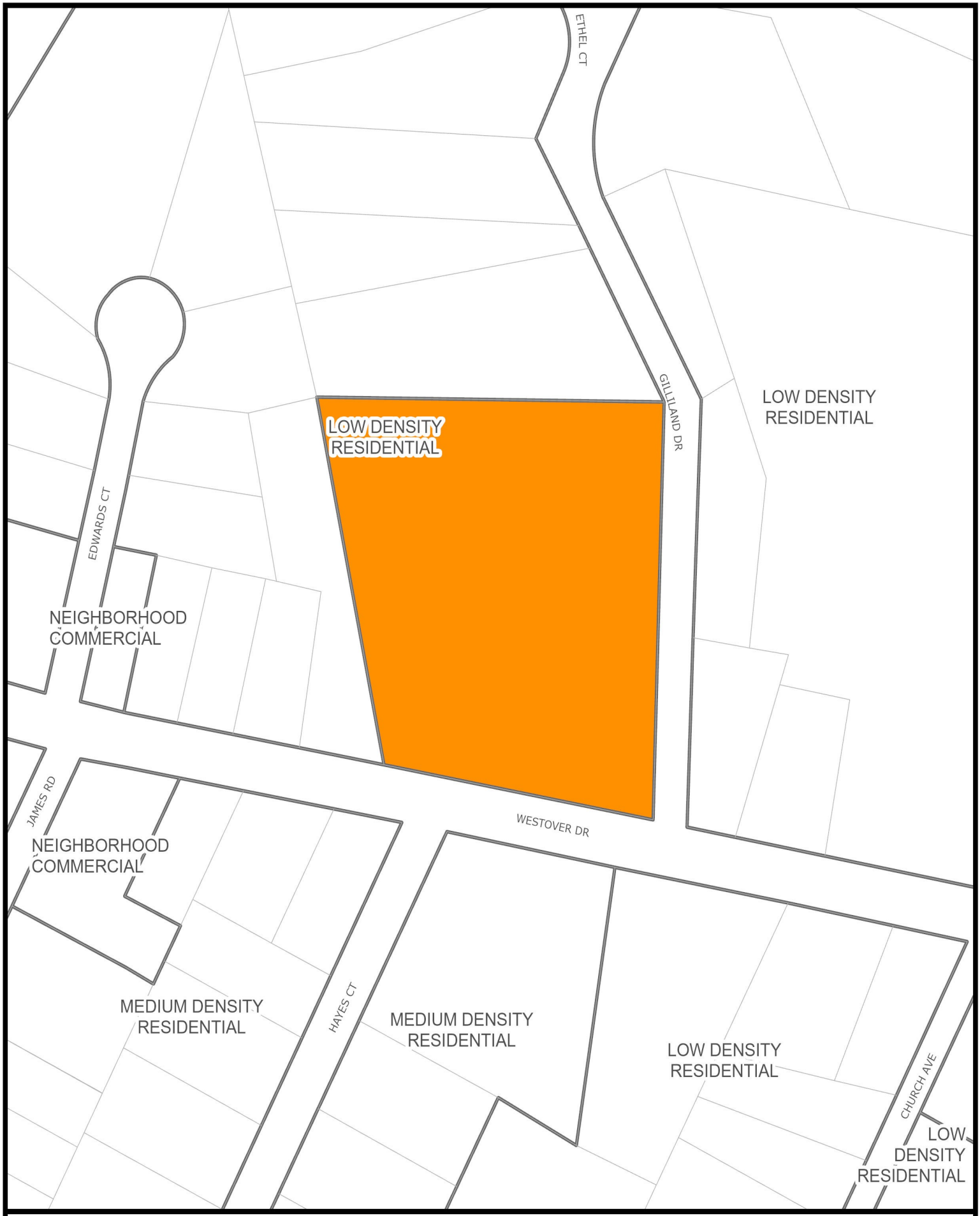

YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/10/2024

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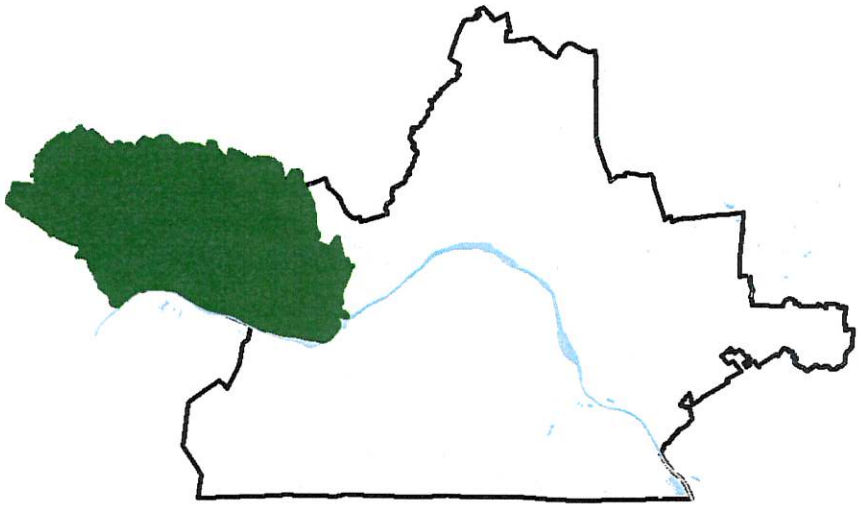
Planning Area 1: WESTOVER



Location: Planning Area 1 is the largest Planning Area identified within the City. It is located in the northwestern portion of the City, encompassing over 5700 acres, or approximately one fifth of the City's entire land area. It is bordered on the west by the City's corporate boundary, on the north by the Sandy River, on the east by Sandy River and Piedmont Drive, and on the south by the Dan River. Nineteen sub areas have been identified within the Planning Area.

Existing Land Use: The Westover Planning Area is predominantly residential in nature, with a mix of scattered neighborhood service and public uses supporting the span of neighborhoods in the area. Some of the largest subdivisions located within the Planning Area include: Westover Hills, Surry Hills, Fox Hollow Farms, Sandy Shores, Oak Hills, Wyndover Woods, Birnham Woods, Westend Estates, Dan's Hill, and Windsor Heights. Planning Area 1 is home to the highest concentration of active agricultural uses and undeveloped land in the City.

Environment: The planning area is bordered by the Sandy River to the north and the Dan River to the south. Flood plains and steep slopes are also present as they relate to streams and ravines that lead to the two rivers.

Public Utilities: Public water and sewer is available through most of the planning area with the exception of outlying areas along the northern city boundary and along the Dan River. Extension of public water and sewer would be necessary for new development.

Corridors: Riverside Drive and Westover Drive

Future Land Use:

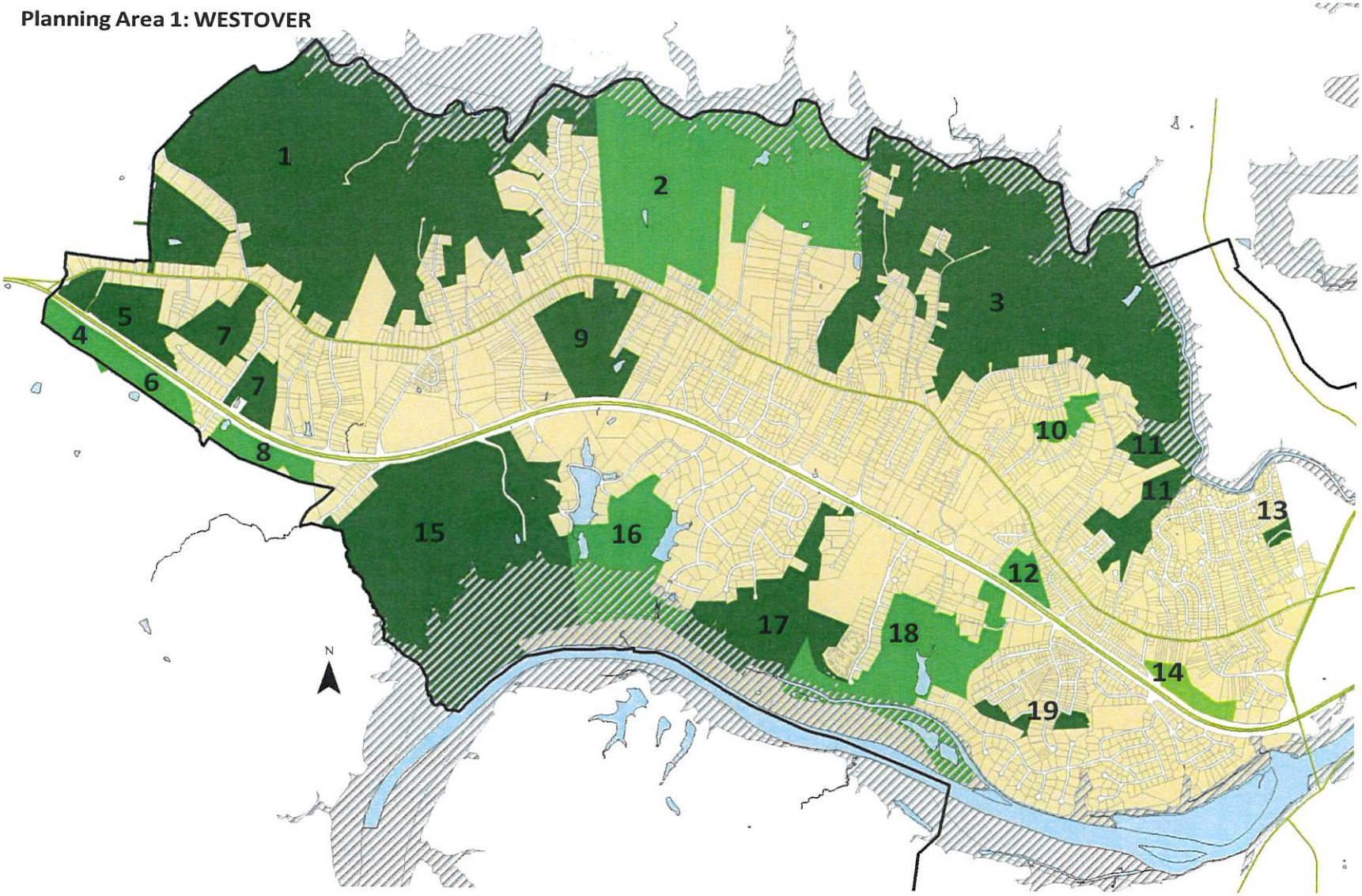
- Limit access points along Riverside Drive to maintain its role as an arterial road.
- Maintain residential character of Westover Drive.
- Prioritize infill residential and assisted living development close to major thoroughfares over "leap frog" suburban development in outlying areas of the planning area. Revisit large-scale residential development in fringe sub-areas only as housing demand grows.
- Neighborhood Commercial development at the intersection of Westover and Riverside Drive.
- To prepare for future growth (10-15 years forward), work with Pittsylvania County to secure right-of-way between Westover and Mt. Cross (north of city limits) for a through road that would alleviate traffic congestion along Westover and Riverside and open up northern parcels of land for more concentrated residential development.

PLANNING AREA 1

Sub Area	Zoning Classification	Developable Acreage	Potential Yield		Future Land Use Recommendation
			Units	Sq Feet	
1	Threshold Residential	342	129		Rural Residential
	Sandy River Residential	106	11		
	Suburban Residential	125	116		
	Sub Total:	**573**	**255**		
2	Sandy River	282	28		Rural Residential
	Suburban Residential	8	7		
	Sub Total:	**290**	**36**		
3	Threshold Residential	278	105		Rural Residential
	Sandy River Residential	37	4		
	Suburban Residential	143	133		
	Sub Total:	**458**	**242**		
4	Highway Retail Commercial	**24**		**230,134**	Mixed Use
5	Suburban Residential	16	17		Neighborhood Commercial
	Planned Shopping Center Commercial	31		297,256	
	Sub Total:	**47**	**17**	**297,256**	
6	Attached Residential	**18**	**75**		Mixed Use
7	Suburban Residential	**56**	**61**		Medium Density Residential
8	Suburban Residential	**22**	**24**		Mixed Use
9	Threshold Residential	50	19		Medium Density Residential
	Suburban Residential	25	27		
	Sub Total:	**75**	**46**		

Area	Classification	Acreage	Yield		Recommendation
			Units	Sq Feet	
10	Suburban Residential	6	7		Medium Density Residential
	Old Town Residential	7	21		
	Sub Total:	**13**	**27**		
11	Old Town Residential	**47**	**139**		Medium Density Residential
12	Transitional Office District	8		84,254	Community Commercial
	Highway Retail Commercial	6		57,533	
	Sub Total:	**14**	**0**	**141,787**	
13	Old Town Residential	**4**	**12**		Medium Density Residential
14	Attached Residential	**18**	**75**		Multifamily Residential
15	Threshold Residential	227	85		Rural Residential
	Suburban Residential	50	47		
	Sub Total:	**277**	**132**		
16	Suburban Residential	**52**	**48**		Low Density Residential
17	Suburban Residential	78	73		Low Density Residential
	Attached Residential	15	60		
	Sub Total:	**93**	**133**		
18	Suburban Residential	77	72		Medium Density Residential
	Old Town Residential	6	18		
	Highway Retail Commercial	8		76,711	
	Sub Total:	**91**	**89**	**76,711**	
19	Suburban Residential	6	7		Medium Density Residential
	Old Town Residential	5	15		
	Sub Total:	**11**	**21**		
	PLANNING AREA:	**2,182**	**1,433**	**745,889**	

Planning Area 1: WESTOVER



STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00523 filed by William Elam to allow waiver of minimum lot size in accordance with Article 3.E Section C Item 21 at 124 Hurt Street (Parcel 50850).

SUMMARY

The applicant, William Elam, is requesting a waiver of minimum lot size at 124 Hurt Street in accordance with Article 3.E Section C Item 21 to allow the property to be subdivided into two parcels. The subject property is a corner lot with Hurt Street to the south, Skyline Avenue to the east, and Westview Drive to the north and is 11,687 square feet in size. The subdivision will allow the applicant to construct a new single family dwelling.

The minimum lot area in the OT-R Old Town Residential zoning district is 6,500 square feet. Subdividing the lot will result in a conforming lot with an existing single family residence (fronting Hurt Street), and a residual vacant parcel of approximately 5,100 square feet. Per the Zoning Code, the residual lot would allow for a structure of approximately 1,500 square feet.

Forty-five (45) notices were sent to surrounding property owners. Thirteen notices were received. Four (4) were not opposed, seven (7) were opposed.

RECOMMENDATION

The Planning Staff recommends that the City Planning Commission recommend approval of PZ24-00523 to grant a waiver of the minimum lot size at 124 Hurt Street.

ATTACHMENTS

1. Special Use Permit 124 Hurt Street
2. 124 Hurt St
3. 124 Hurt St Aerials Map
4. 124 Hurt St Owners Zoning Map
5. 124 Hurt St Land Use Map

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPEACIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*
2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ24-00523 PC Meeting Date: Nov. 12

Date Received: 9/20/24 Received By: Williams

Parcel ID: 50850 Address: 124 Hurt St

Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#) 124 HURT ST.

Applicant: William C. Elam

Applicant's Address: 425 Skyline Ave.

Applicant's Phone Number: 434-728-0706

Applicant's E-mail: barberelam@hotmail.com

Applicant's Signature William C. Elam Date 9-20-24

November 1, 2024

Street Names

Parcel Numbers

House Numbers

1:564

0 20 40 80 ft

0 5 10 20 m

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2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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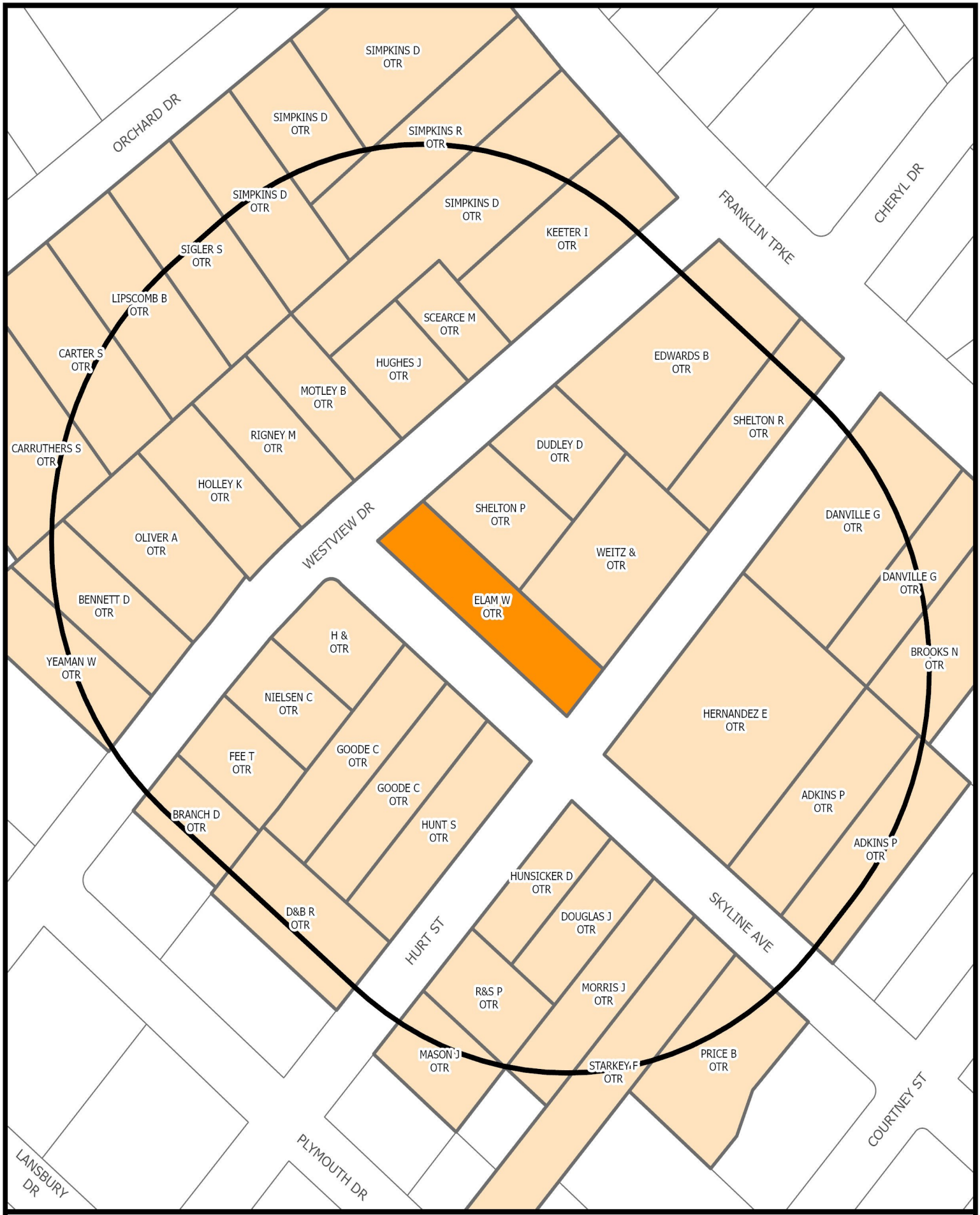

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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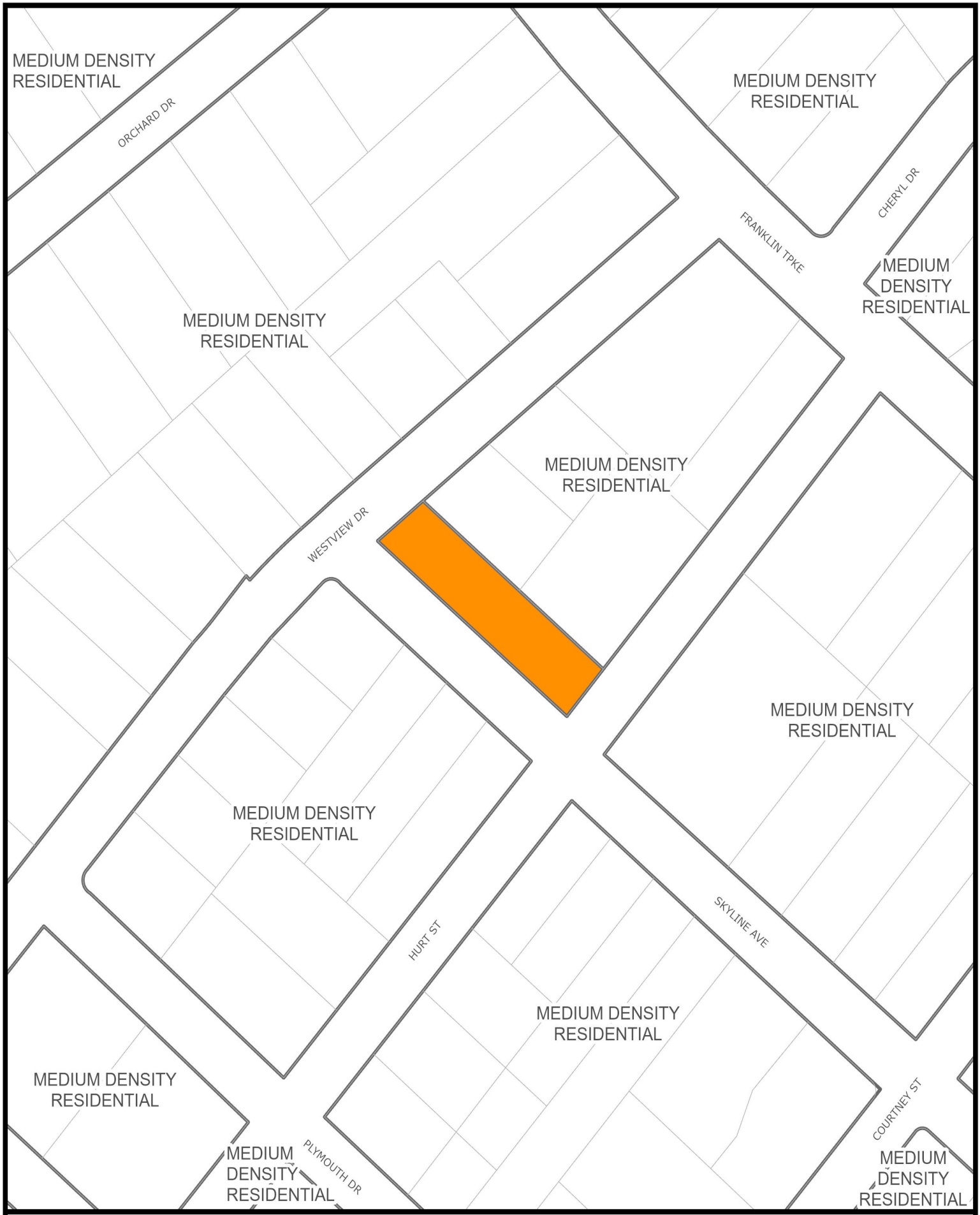

YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00534 filed by Evesting LLC to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at 434 Kemper Road (Parcel 24535).

SUMMARY

The applicant, Evesting LLC, purchased 434 Kemper Road, once a condemned property, in August 2024. Since that time, the applicant has received the required permits and is actively upgrading the electrical and plumbing and stabilizing the structure.

434 Kemper Road is zoned OT-R, Old Town Residential and contains a structure with a finished main level and an unfinished lower level. Each level is 1,149 sf. The applicant is requesting to alter the floor plan of the existing single family home to create an upper and lower two (2) unit attached dwelling. The upper level will be a three (3) bedroom one (1) bath apartment and the lower level will be a two (2) bedroom one (1) bath apartment. The units will have separate exterior access and parking in the front yard.

The subject property is located in Planning Area 4 within our Comprehensive Plan. Planning Area 4 is "located in the southernmost portion of the City". The Comprehensive Plan identifies this location as a sub area for development for threshold residential and light economic development. Within the 300-foot buffer around 434 Kemper Road are multi-family and commercial uses, with only a few single family dwellings. The character of this portion of Kemper Road is commercial and multi-family.

Forty-six (46) notices were sent to surrounding property owners. Eight (8) notices were received, all were unopposed.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of PZ24-00534 filed by Evesting LLC to allow an attached dwelling in accordance with Article 3.E, Section C, Item 1 at 434 Kemper Road.

ATTACHMENTS

1. Special Use Permit 434 Kemper Road
2. 434 KEMPER RD SPECIAL USE DUPLEX
3. 434 Kemper Rd Aerials Map
4. 434 Kemper Rd Owners Zoning Map

5. 434 Kemper Rd Land Use Map
6. Comprehensive Plan Area 4

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*

2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #:	PZ24-00534	PC Meeting Date:	Nov. 12
Date Received:	9/25	Received By:	Williss
Parcel ID:	24535	Address:	434 Kemper
Existing Zoning:	OT-R	Future Land Use:	multi-family / duplex

APPLICANT PROVIDED INFORMATION

Property Location:	434 Kemper Rd
Applicant:	Evesting LLC / Erik Chambers
Applicant's Address:	Wimbish Pl Danville, Va 24541
Applicant's Phone Number:	434.429.0480
Applicant's Email:	echambers@evestingllc.com

Describe Proposed Request: Convert two level 2,298 sqft house into a duplex.

Upper level will be a 3 bedroom, one bathroom apartment with washer/dryer hookup1,149 sqft

Lower level will be a 2 bedroom,one bathroom apartment with washer/dryer hookup 1,149 sqft

Each unit will have a separate Elecrtical Service and HVAC systems

The uppper and lower apartments will have 5/8 fire rated sheetrock and minaral wool installed

between the two levels for required fire separation. Link smoke detectors will be installed.

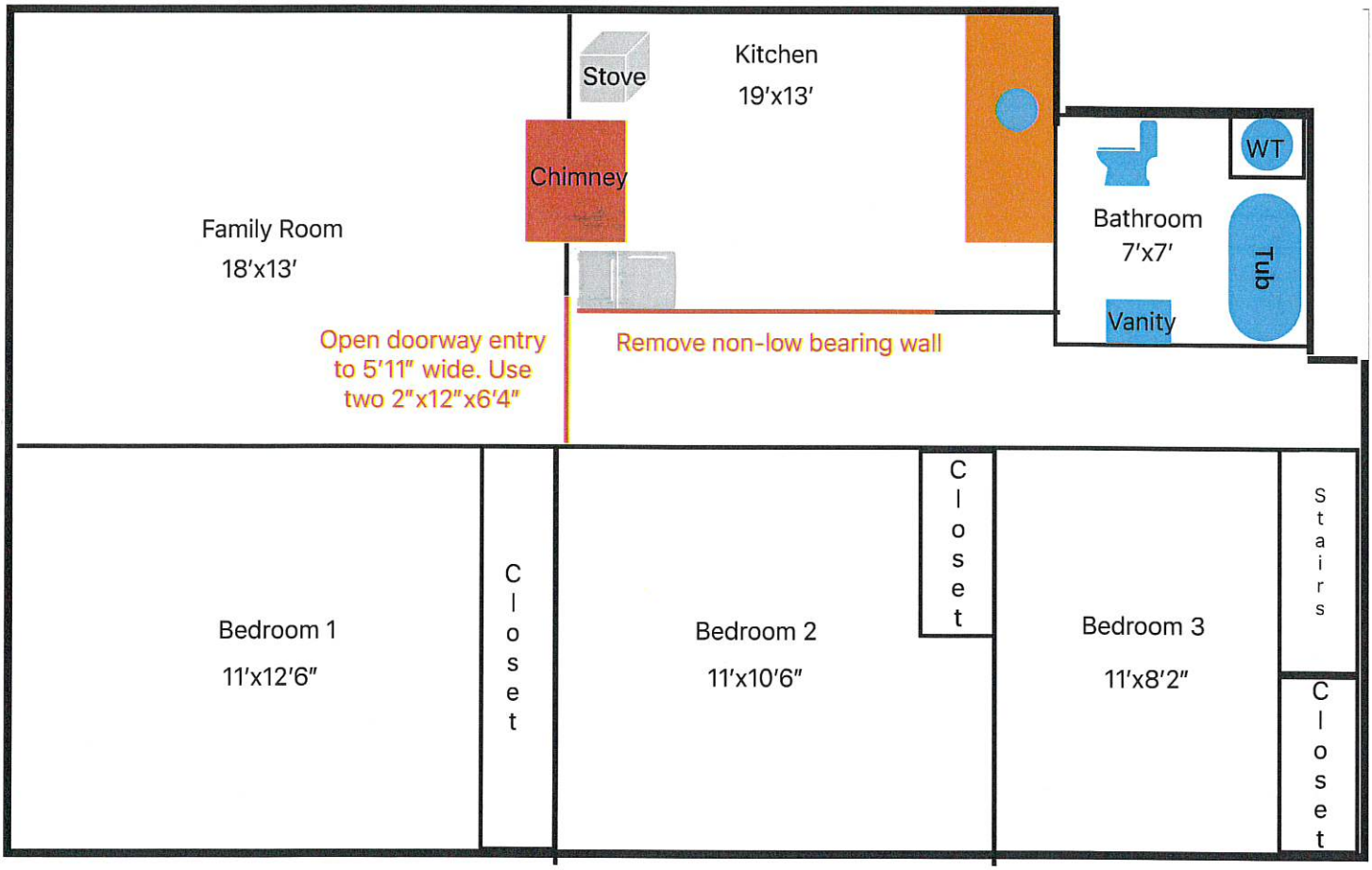
Parking in front yard will be added and outdoor stairs and walkway for lower level apartment.

	9/25/2024		9/25/2024
Applicant's Signature	Date	Property Owner's Signature (if not applicant)	Date

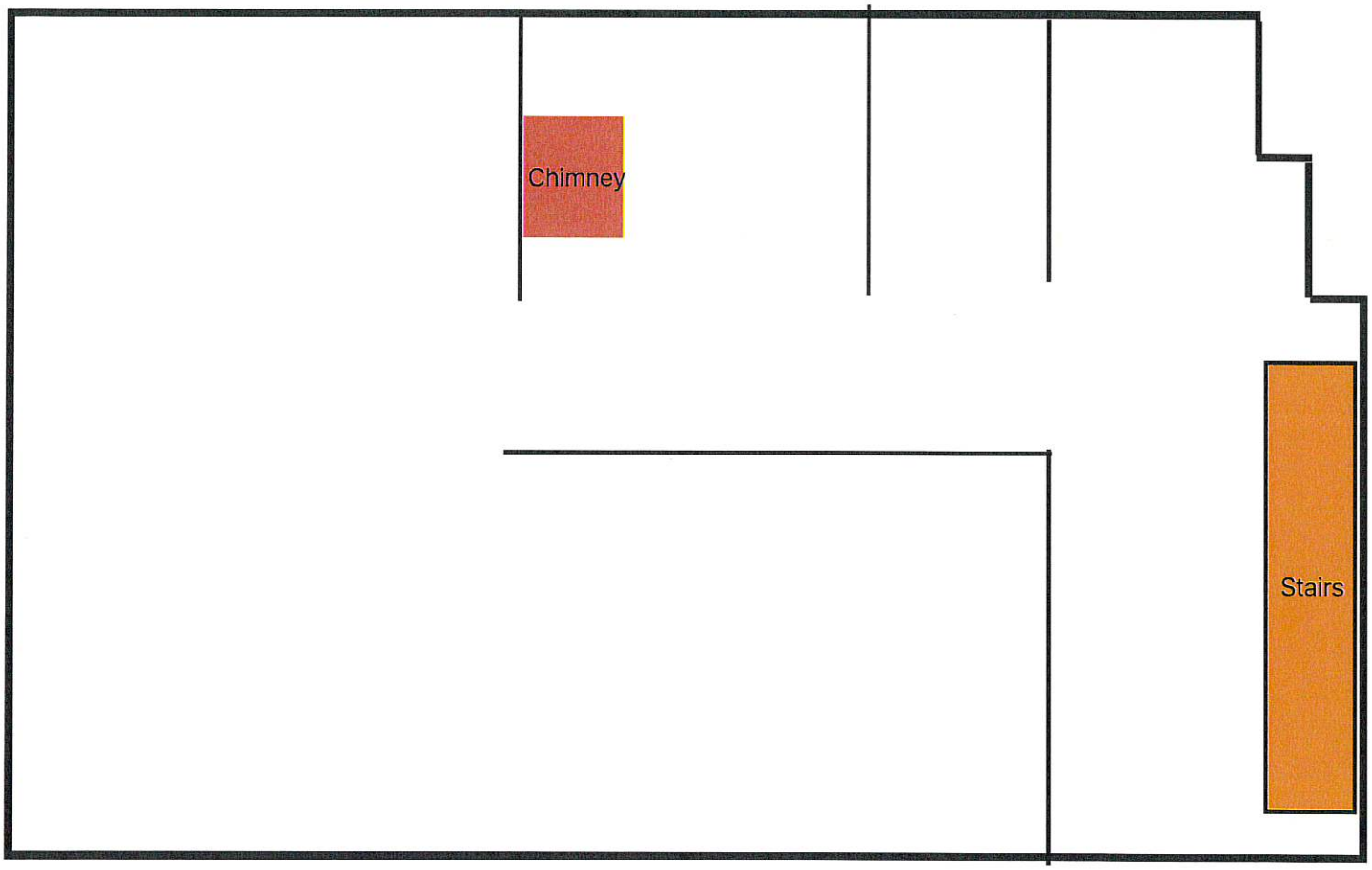
PLEASE ATTACH THE FOLLOWING

1. A preliminary site plan in accordance with the Site Plan Regulations.
2. 2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
3. 3. A written statement of proposed project compatibility with the following:
    a. The Comprehensive Plan.
    b. The applicable zoning district.
    c. The surrounding properties.
    d. Current and future neighborhood conditions.
    e. Pedestrian and vehicular traffic patterns, on-site and off-site.
    f. Adequate public facilities.
4. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
    a. The architectural elevations and floor plans of proposed building(s).
    b. Traffic impact analysis.
    c. Fiscal impact analysis.
    d. Parking and site circulation analysis.
    e. Photographs of property and surrounding area.
    f. Environmental impact statement.

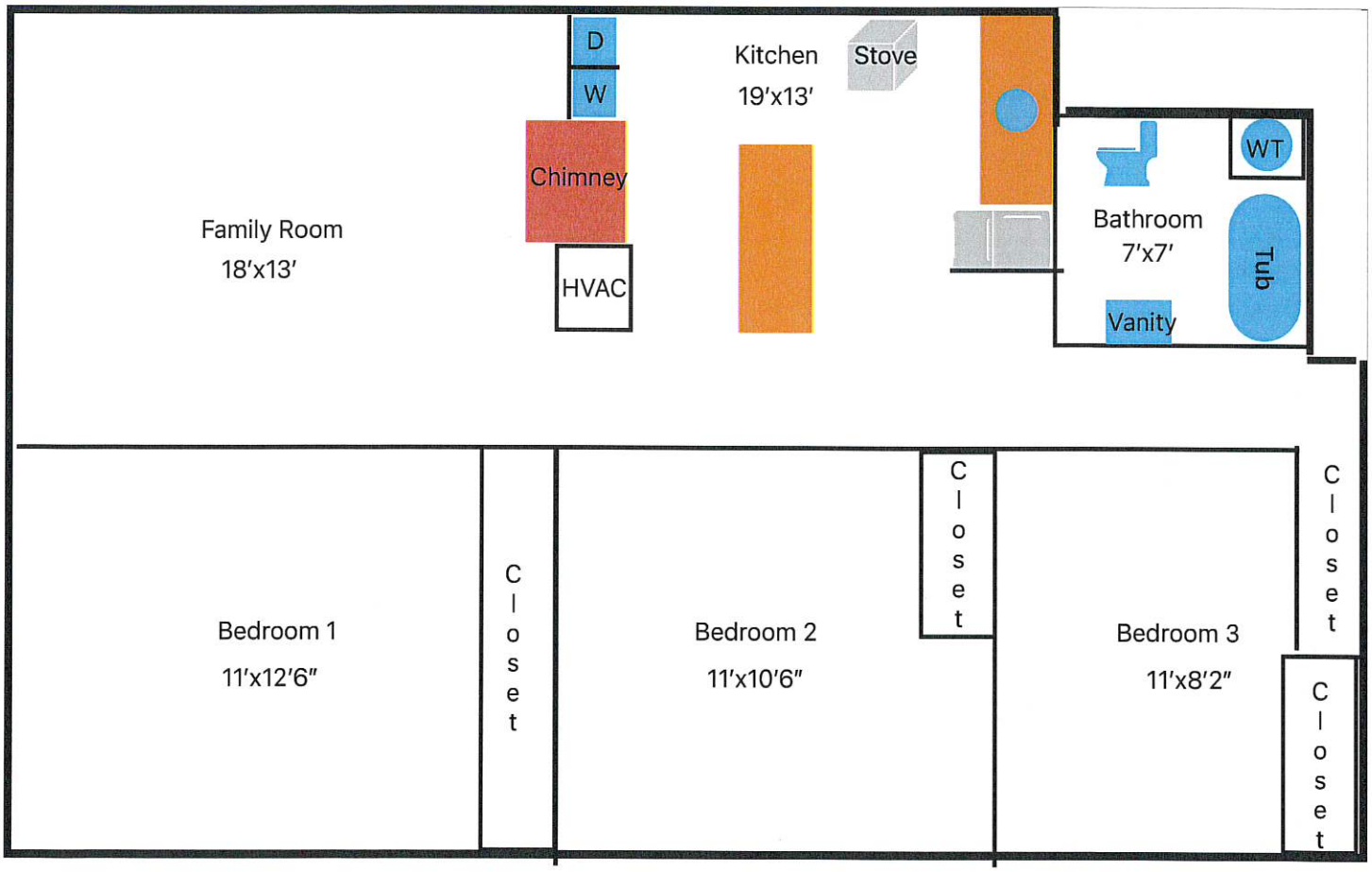
434 Kemper Rd Upper Level
Original



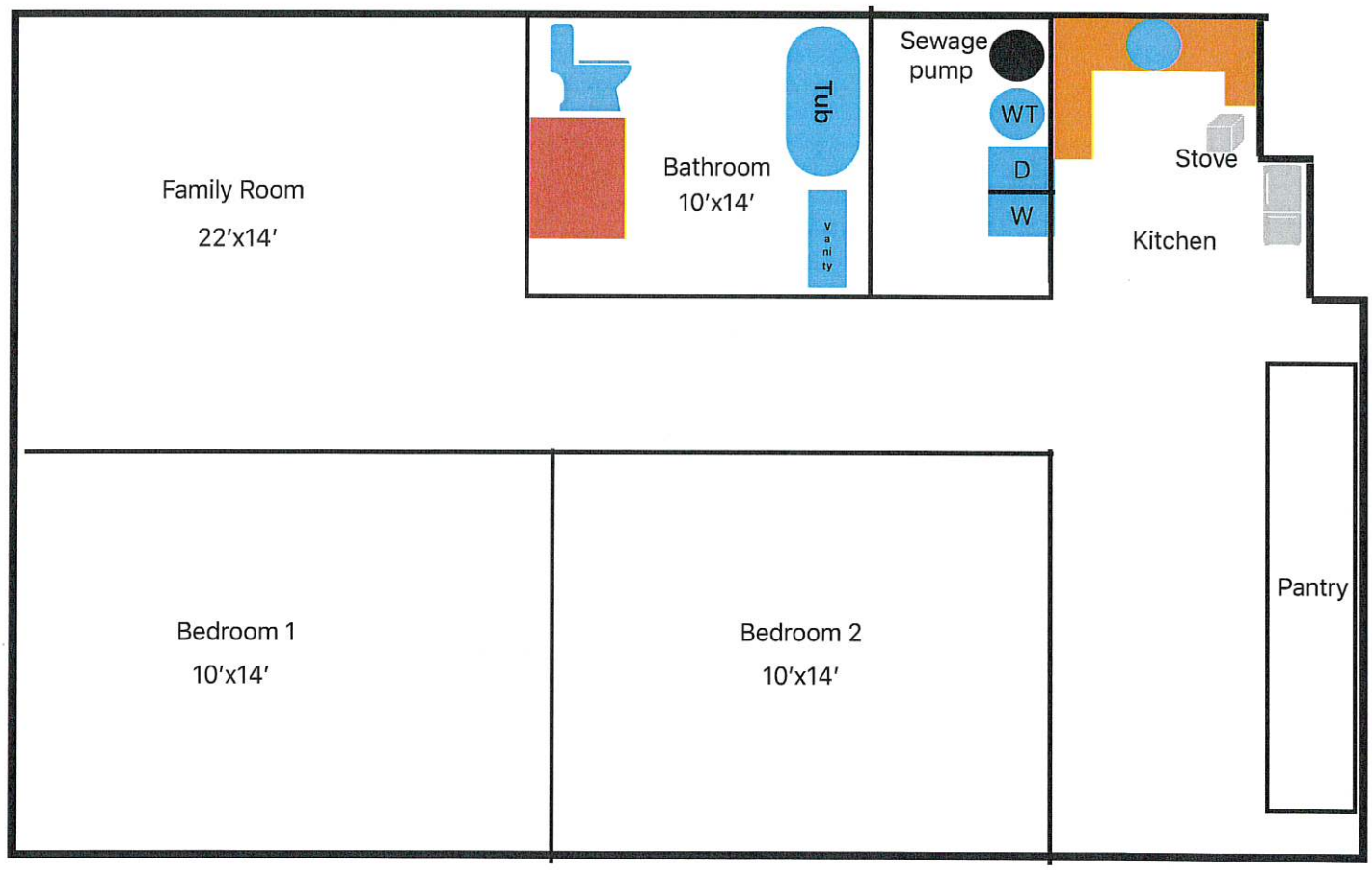
434 Kemper Rd Lower Level
Original



434 Kemper Rd Upper Level
Proposed



434 Kemper Rd Lower Level
Proposed



434 KEMPER RD

Special Use Request: Convert SFH to Duplex

Erik D. Chambers
Evesting LLC
echambers@evestingllc.com
434.429.0480
evestingllc.com

Who is Erik D. Chambers?

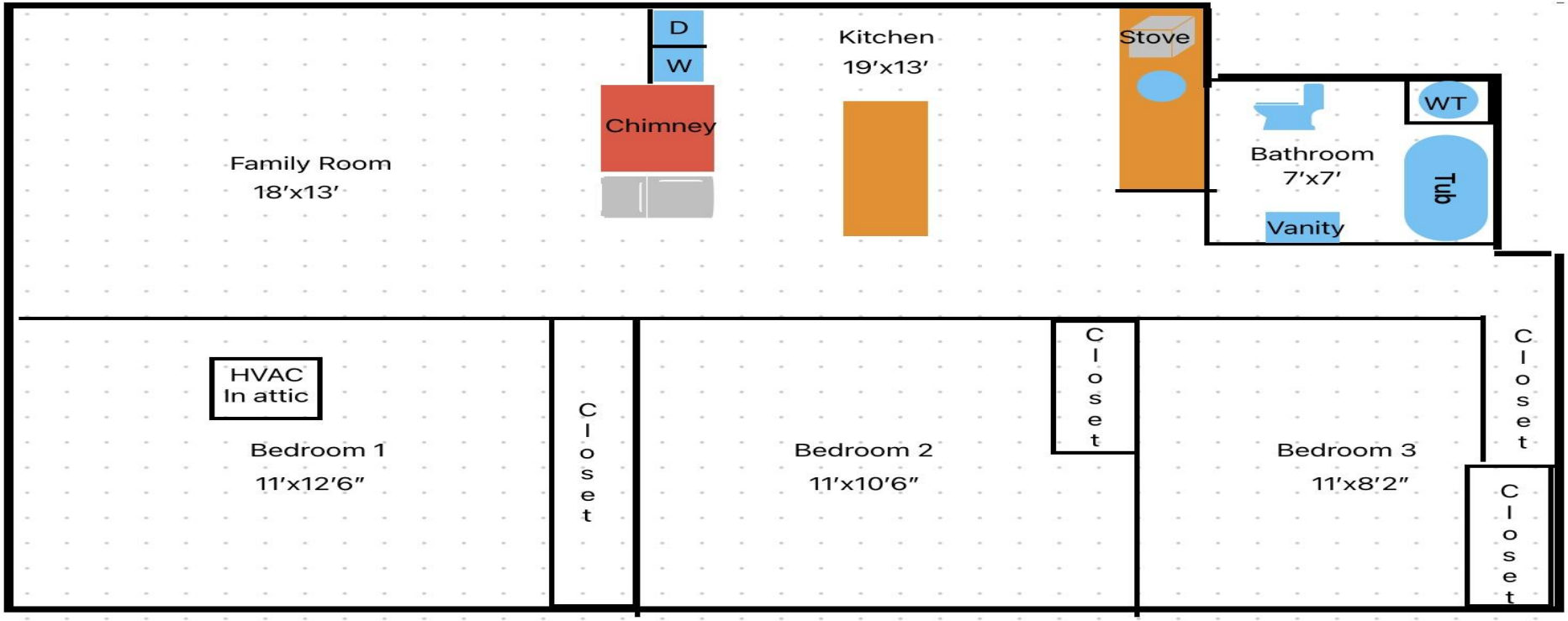
- I am a Danville native, born and raised in the lovely City of Danville.
- I served nine years in the US Army.
- I currently serve the City of Danville for 21 years. First as an Electrical Engineering Technician and currently in year 19 as the Communications Systems Manager.
- Evesting LLC has been investing in Danville since 2019, with one mission: “To provide quality and affordable housing. No matter the neighborhood or your social standing; everyone deserves a clean, safe and energy efficient living space.”
- This mission is near and dear to my heart from growing up in some of the forgotten neighborhoods and being homeless for a period of time as a child with my mother and baby sister.
- The Kemper Rd area is where I grew up, it is an honor to have the opportunity and resources to help improve the neighborhood.

434 Kemper Rd Renovation Plans

Reason For Convert To Duplex:

Danville is in need of quality affordable housing. During my research and experience in the Real Estate rental market a two level house with 2,298 sq ft total, 1,149 sq ft each level would better serve two families as a duplex rather than a large single family home.

434 Kemper Rd Upper Level Proposed

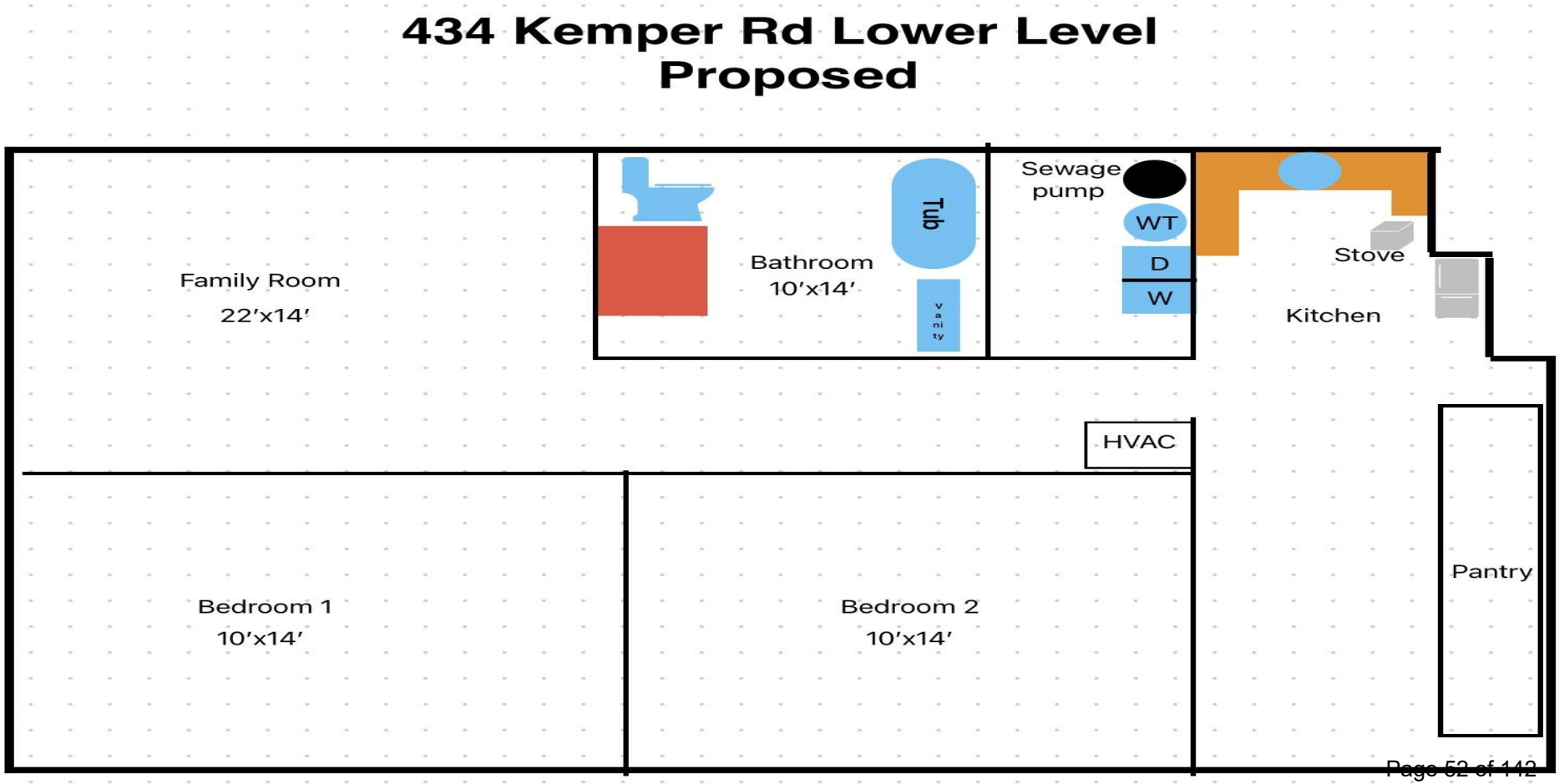


Unit A:

Unit A will be the upstairs 3 bedroom, one bath 1,149 sq ft unit.

- New central heat and air HVAC system.
- A new 200 amp electrical system and ¾ water line.
- Unit A will have separate utilities service and HVAC system.
- Washer and dryer hookup.
- Refrigerator, dishwasher, stove and over the range microwave included.
- New replacement windows.
- Private front porch.
- Shared 20’x20’ driveway.
- Plenty of street parking available on Bonner Ave.
- Shared outdoor common area.
- Shared new sewage system.
- Lawn maintenance provided.

434 Kemper Rd Unit B



Unit B:

Unit B will be the upstairs 2 bedroom, one bath 1,149 sq ft unit.

- New central heat and air HVAC system.
- A new 200 amp electrical system and ¾” water line.
- Unit B will have separate utilities service and HVAC system.
- Washer and dryer hookup.
- Refrigerator, dishwasher, stove and over the range microwave included.
- New replacement windows.
- Private side porch.
- Shared 20’x20’ driveway.
- Plenty of street parking available on Bonner Ave.
- Shared outdoor common area.
- Shared new sewage system.
- Lawn maintenance provided.

Life Safety Protection:

Unit A and B will be separated between the two levels with Rockwool Safe & Sound insulation. It is Non-combustible, fire-resistant up to 2150 degrees fahrenheit, excellent sound absorbency and has sound deadening properties. ⅝” Gold Bond Fire-Shield Drywall panels will be used on the ceilings in Unit B (lower level) for fire-rated construction per building code.

Smoke alarms will be installed in each unit per building codes.

Parking & Walkways:

- ➔ A sheared 20'x20' driveway will be added to the front right of the house on the same side as neighboring duplex.
- ➔ Concrete stairs and walkway will be added for access to lower level Unit B. The stairs will be 5' wide on the hill leading to the door for Unit B.
- ➔ Plenty of street parking on the left side of the property on Bonner Ave. (Evesting LLC also owns the property at 715 Bonner Ave to allow more street parking if needed).

Parking Layout:

Parking Layout Street Parking:

Unit B Stairs and Walkway Layout:

Existing Duplex Next to 434 Kemper Rd:

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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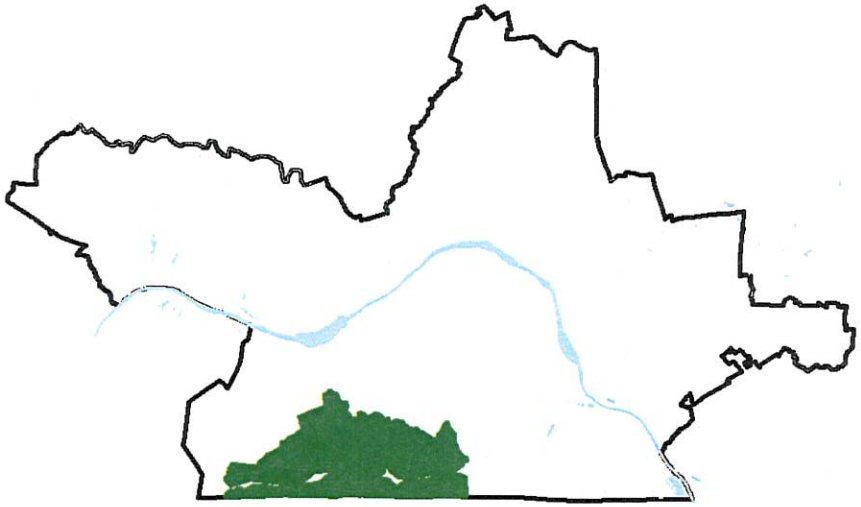
Planning Area 4: SOUTH DANVILLE



Location: Planning Area 4 is located in the southernmost portion of the City. It includes a total of nearly 2000 acres, which represents approximately 7% of the City's total area. It is bordered on the west by Rutledge Creek and West Main Street, on the north by the same creek, on the east by South Main Street and College Park Drive Extension and on the south by the Virginia/North Carolina state line. Eight individual Sub Areas have been identified within the Planning Area.

Existing Land Use: The South Danville Planning Area is characterized by a large concentration of undeveloped land on which limited agricultural activities take place. The vast majority of active uses in the Planning Area are devoted to low density single family dwellings. The former Corning Inc. site has been reoccupied in the southwest corner of the city by a tire molding operation. This was the only major industrial land use in the Planning Area.

Environment: Pumpkin Creek bisects the Planning Area and Rutledge Creek forms its northern border.

Public Utilities: Public utility availability is fair in the majority of the Planning Area. Public service extensions would be necessary to support the recommended development in each of the Sub Areas.

Transportation: Access serves as an additional development constraint for many of the identified Sub Areas. Although the Danville Bypass transverses the Planning Area, it is a limited access highway with interchange access only. The nearest interchanges are located at the South Main and West Main interchanges. Two minor collector roads (Elizabeth Street and Holland Road) are relied upon for primary access for much of the internal land in Planning Area 4.

Despite access issues VDOT ROW includes areas for two additional interchanges at Elizabeth Street and connecting to Locket Drive. This available ROW creates opportunities for development at these potential interchanges.

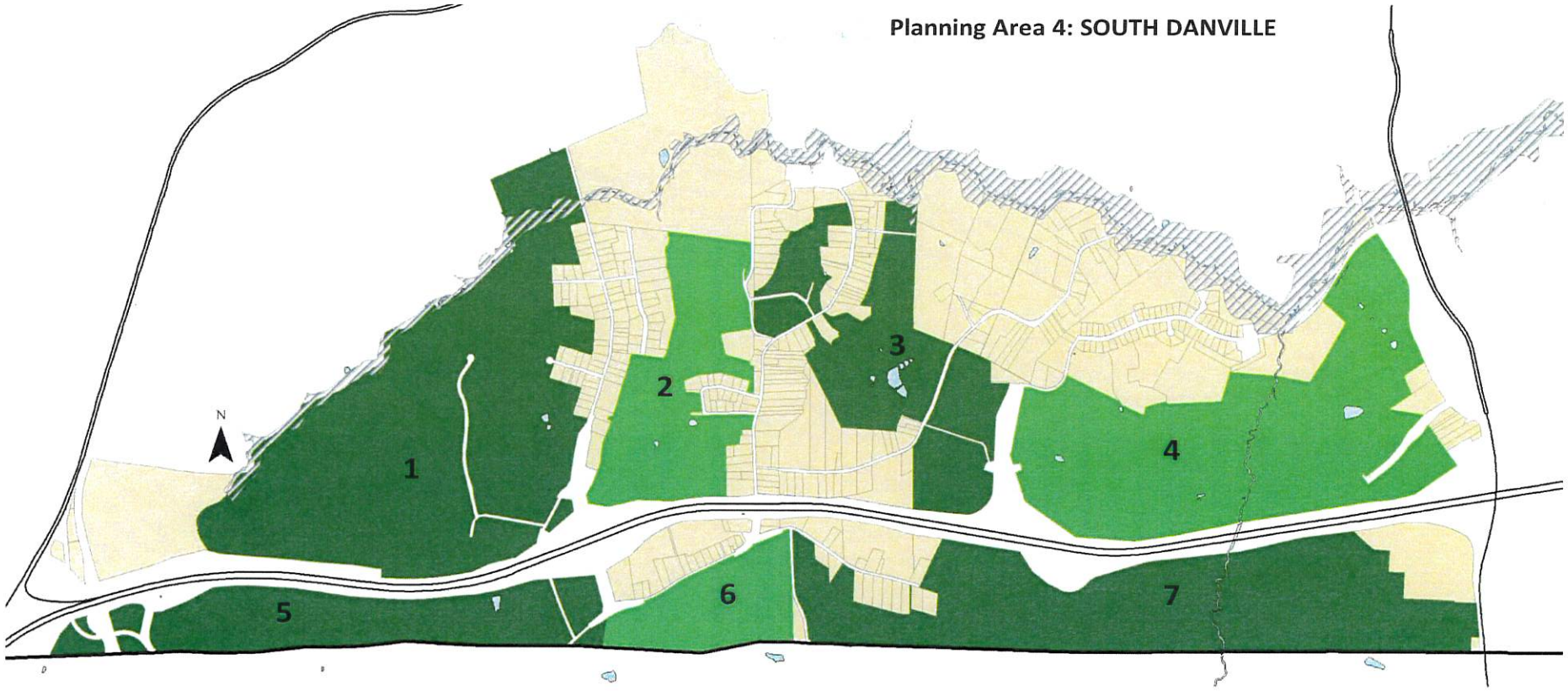
Corridors: Both the South Main Street and West Main Street corridors would be impacted indirectly by future development in the South Danville Planning Area.

Future Land Use:

- Maintain low-density residential use. Revisit large-scale residential development in fringe sub-areas only as housing demand grows.
- Low density residential south of the bypass, with the exception of Light Industrial at the interchanges.

PLANNING AREA 4

Sub Area	Zoning Classification	Developable Acreage	Potential Yield		Future Land-Use Recommendation
			Units	Sq Feet	
1	Threshold Residential	126	47		Rural Residential
	Suburban Residential	141	153		
	Old Town Residential	4	12		
	Manufacturing District	22		123,651	
	Sub Total:	**293**	**213**	**123,651**	
2	Threshold Residential	70	26		Rural Residential
	Old Town Residential	25	74		
	Sub Total:	**95**	**100**		
3	Threshold Residential	44	17		Rural Residential
	Suburban Residential	19	21		
	Old Town Residential	44	130		
	Highway Retail Commercial	16		153,423	
	Sub Total:	**123**	**167**	**153,423**	
4	Threshold Residential	194	73		Rural Residential
	Light Economic Development	39		262,064	
	Sub Total:	**233**	**73**	**262,064**	
5	Threshold Residential	36	72		Heavy Industrial
	Suburban Residential	9	45		
	Manufacturing District	57		1,241,460	
	Sub Total:	**102**	**117**	**1,241,460**	
6	Suburban Residential	41	82		Rural Residential
	Old Town Residential	9	45		
	Sub Total:	**50**	**127**		
7	Threshold Residential	58	116		Light Industrial
	Suburban Residential	19	95		
	Light Economic Development	119		799,632	
	Sub Total:	**196**	**211**	**799,632**	
	PLANNING AREA:	**1,092**	**1,008**	**2,580,230**	


Planning Area 4: SOUTH DANVILLE
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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00554 filed by Phoenix House LLC to allow a group home in accordance with Article 3.E Section C Item 9 at 158 Montague Street (Parcel 24813).

SUMMARY

The applicant, Phoenix House, LLC, is requesting a Special Use Permit to operate a group home at 158 Montague Street. 158 Montague Street is a single family dwelling zoned OT-R, Old Town Residential. There are six (6) short-term rentals permitted within 300 feet of the subject property.

Montague Street is a densely populated area of single family dwellings and short-term rentals. The street is narrow and often congested with cars parked along both sides, making traffic flow difficult.

A Certificate of Occupancy inspection was completed, and the occupancy has been established at 7 persons. This suggests the structure is large enough to accommodate the four (4) persons in care and two (2) caregivers, as suggested by the application.

Sixty-eight (68) notices were sent to surrounding property owners. Thirty (30) notices were received. One (1) was not opposed, twenty-nine (29) were opposed.

RECOMMENDATION

Due to the overwhelming opposition of the surrounding neighborhood and the incompatibility of the request with the surrounding area, the Planning Staff recommends that the Planning Commission recommend denial of PA24-00554 to allow a group home in accordance with Article 3.E. Section C Item 9 at 158 Montague Street.

ATTACHMENTS

1. Special Use Permit for 158 Montague Street
2. 158 Montague St Aerials Map
3. 158 Montague St Owners Zoning Map
4. 158 Montague St Land Use Map
5. 158 Montague St Short Term Rental

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*
2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ24-00554 PC Meeting Date: Nov 12, 2024

Date Received: 10-8-24 Received By: Lisa Jones

Parcel ID: 24813 Address: 158 Montague Street

Existing Zoning OTR Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#) 158 MONTAGUE ST, DANVILLE, VA 24541

Applicant: Phoenix House LLC, MARK HOWARD

Applicant's Address: 233 West MAIN ST, DANVILLE, VA 24541

Applicant's Phone Number: 540-287-3460

Applicant's E-mail: HOWARD605@aol.com

Applicant's Signature 10/8/2024 Date

PLEASE ATTACH THE FOLLOWING:

1. A preliminary site plan in accordance with the Site Plan Regulations.
2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
3. A written statement of proposed project compatibility with the following:
   A) The Comprehensive Plan.
   B) The applicable zoning district.
   C) The surrounding properties.
   D) Current and future neighborhood conditions.
   E) Pedestrian and vehicular traffic patterns, on-site and off-site.
   F) Adequate public facilities.

4. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
   A) The architectural elevations and floor plans of proposed building(s).
   B) Traffic impact analysis.
   C) Fiscal impact analysis.
   D) Parking and site circulation analysis.
   E) Photographs of property and surrounding area.
   F) Environmental impact statement.

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

- Proposed use of the land: size and location of structures with dimensions to lot lines.
- Vehicular circulation system with points of ingress and egress.
- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

_____

_____

_____

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

1. NAME: MICHAEL HOWARD TELEPHONE: 434-713-4849

MAILING ADDRESS: 233 W. MAIN ST DANVILLE, VA 24541

SIGNATURE: Michael Howard DATE: 10/8/24

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: MARK HOWARD TELEPHONE: 540-287-3460

MAILING ADDRESS: 233 W. MAIN ST DANVILLE, VA 24541

EMAIL ADDRESS: HOWARD605@aol.com

SIGNATURE: _____ DATE: 10/8/24

Application Request for Special Use Permit

Request:

Phoenix House, LLC is requesting a Special Use Permit to establish a licensed Group Home at 158 Montague Street, Danville, VA 24541.

The property owner is Michael Lowell Howard and will lease the property to Phoenix House, LLC. Mark Lowell Howard will assume the Chief Executive Officer role and operational oversight of the program.

Background:

The proposed group home would serve no more than four residents between the ages of 12-17 with developmental and other disabilities. The program will be licensed by DBHDS (Department of Behavioral Health and Developmental Services). As part of the licensing requirements the home will maintain 24 hour supervision of the individuals served. The program will employ nine staff including the Chief Executive Officer. Staffing patterns will provide for two staff members working the residents at any given time.

Residents receive a wide range of services to meet their physical, emotional, and developmental needs. The primary goal of the home is to integrate those with disabilities into their larger community by providing a homelike environment, recreational activities, and community-based skill building opportunities.

Site Plan: See Exhibit A (no physical adjustments or changes are planned).

The Comprehensive Plan: The proposed group home is aligned with the current 2030 Comprehensive Plan. Specifically the proposed group home addresses Housing and Neighborhood goals in providing for additional non-institutional housing opportunities for those with disabilities while integrating those with disabilities into our larger community.

The Applicable Zoning District: The proposed group home would be a residence for four individuals with professional supports consistent with current zoning.

The Surrounding Properties: The proposed group home would have minimal impact on the current properties as it would be a licensed group home through DBHDS which maintains regulatory standards and expectations. Given the size and scope of the program there would be minimal impact to the surrounding properties.

Current and Future Neighborhood Conditions: The proposed group home would have no foreseeable impact on the neighborhood conditions.

Pedestrian and Vehicular Traffic Patterns, On-site and Off-site: The proposed group home would have no foreseeable impact on pedestrian or vehicular traffic patterns outside of any other typical residential use.

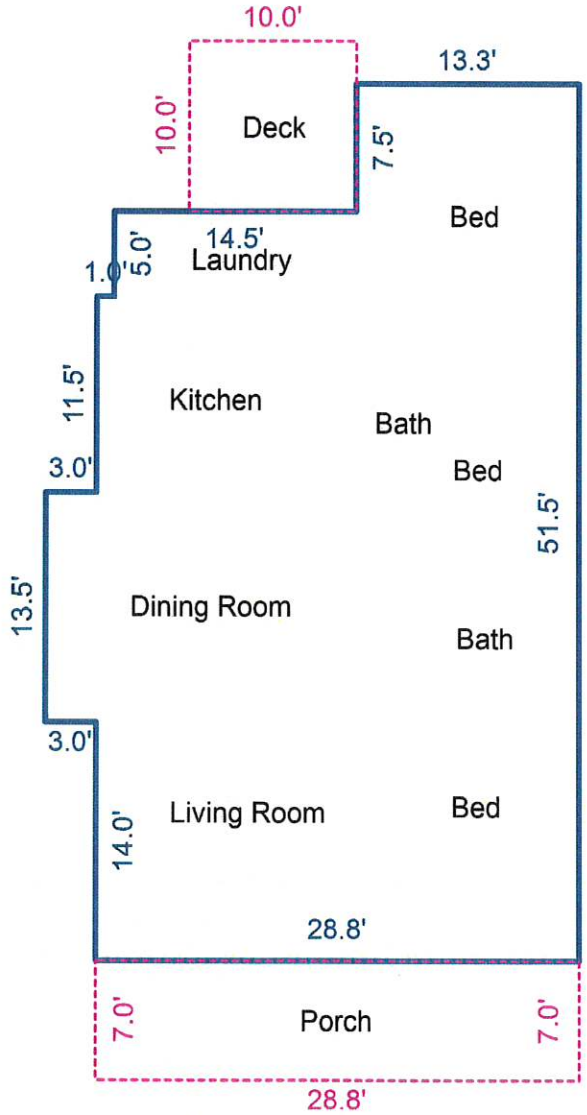
Adequate Public Facilities: The proposed group home would have no foreseeable impact on current public facilities outside of any other typical residential use.

SITE PLAN

Borrower or Owner	Michael Howard						
Property Address	158 Montague Street						
City	Danville	County	n/a, City of Danville	State	VA	Zip Code	24541
Client	Movement Mortgage						

SKETCH ADDENDUM

Borrower or Owner Michael Howard
Property Address 158 Montague Street
City Danville County n/a, City of Danville State VA Zip Code 24541
Client Movement Mortgage



Main Level

Sketch by ApexSketch

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	First Floor	1.0	1404.2	166.7	1404.2
P/P	Porch	1.0	201.8	71.7	
	Wood Deck	1.0	100.0	40.0	301.8
	Net LIVABLE	cnt	1	(rounded)	1,404

AREA CALCULATIONS BREAKDOWN

Name	Base x	Height x	Width =	Area
First Floor		13.5 x	3.0 =	40.5
		44.0 x	27.8 =	1224.7
		13.3 x	7.5 =	100.0
		39.0 x	1.0 =	39.0
4 total items			(rounded)	1,404

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IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 09-13-2024

Employer Identification Number:
99-4915066

Form: SS-4

Number of this notice: CP 575 G

PHOENIX HOUSE LLC
MARK L HOWARD SOLE MBR
233 W MAIN ST
DANVILLE, VA 24541

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 99-4915066. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

Taxpayers request an EIN for their business. Some taxpayers receive CP575 notices when another person has stolen their identity and are opening a business using their information. If you did **not** apply for this EIN, please contact us at the phone number or address listed on the top of this notice.

When filing tax documents, making payments, or replying to any related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

* Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.

* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.

* Refer to this EIN on your tax-related correspondence and documents.

* Provide future officers of your organization with a copy of this notice.

Your name control associated with this EIN is PHOE. You will need to provide this information along with your EIN, if you file your returns electronically.

Safeguard your EIN by referring to Publication 4557, Safeguarding Taxpayer Data: A Guide for Your Business.

You can get any of the forms or publications mentioned in this letter by visiting our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions about your EIN, you can contact us at the phone number or address listed at the top of this notice. If you write, please tear off the stub at the bottom of this notice and include it with your letter.

Thank you for your cooperation.

Keep this part for your records. CP 575 G (Rev. 7-2007)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 G

9999999999

Your Telephone Number
( ) -

Best Time to Call

DATE OF THIS NOTICE: 09-13-2024
EMPLOYER IDENTIFICATION NUMBER: 99-4915066
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

PHOENIX HOUSE LLC
MARK L HOWARD SOLE MBR
233 W MAIN ST
DANVILLE, VA 24541

Business Registration

Confirmation Number: B240948070880

Your Registration Update with the Virginia Department of Taxation is now complete.

Please use the following Account Numbers when submitting tax returns, making payments or when making inquiries about your account:

Pass-Through Entities 38-994915066F-001

Please carefully review the following information, which is being provided to assist you in understandin your responsibilities going forward. We suggest you save this file on your computer at this time or prin off and keep it with your tax records as this information cannot be recreated.

Pass-Through Entities

Feedback

Commonwealth of Virginia
Department of Taxation

IReg Registration Complete – Pass-Through Entity

Your registration is successful and complete!

Please save and / or print a copy of this document for your tax records. This information is only available one time.

Tax Type	Virginia Account Number	Filing Frequency	Beginning Liability Date
Pass-Through Entity	38-994915066F-001	Calendar	09/2024

Account Number

Your 15 character Virginia Account Number (displayed above) is important and required every time you file a return, make a payment or contact the Virginia Department of Taxation (VirginiaTax).

Filing Requirements and Obligations

The next sections help explain your tax obligations as a pass-through entity and to Virginia Tax.

Forms, Frequency and Due Dates

Based on your registration, your filing frequency is **Calendar** and you must file / pay using the following forms and schedules. Additional information is available on the Pass-Through Entity Tax page.

- **Form 502** – annual form (and related schedules) to report pass-through entity income taxes
  NOTE: This tax return is required even if there is no tax to report for the filing period.
  - Due on / before the **15th day of the 4th month** following the close of the taxable year.
  - Nonprofits – due on / before the **15th day of the 6th month** following the close of the taxable year.
- **Form 502W** – form to make a withholding payment prior to filing the 502 – due on / before **April 15**
  NOTE: This payment is required for pass-through entities that withhold tax from their nonresident owners income.

An automatic 6 month filing extension is allowed, provided that the return is filed within 6 months from the due date of the return. This filing extension does not apply to paying; your payment must still be made on / before the due date.

How to File and Pay

You are **required** to electronically file / pay your Pass-Through Entity Tax using one or more of the following online options.

- **Form 502 and schedules** - use either of the options based on your filing needs / eligibility.
  - Pass-Through Entity e-File - paid software option to file federal / state returns using the IRS e-File program
  - 500EZ eForm - free option to file a state only return that is based on specific eligibility
- **Forms 502W** – use free eForms option

If you are unable to file/pay electronically at this time, you may request a temporary waiver to use the paper method.

Filing Requirements and Obligations (continued)

Penalty and Interest

You are required to file/pay your annual tax return on or before the due date, even when no tax is due for the filing period. Failure to file on time (or at all) will result in Virginia Tax sending you a penalty notice for failure to file, even if no tax is due.

Depending on the situation, additional different penalties may apply. Review the Form 502 instructions for full details. For late filing and payment, interest is assessed at the rate established in Schedule 6621 of the Internal Revenue Code, plus 2%.

Record Keeping

Keep the following information with your tax records and store it according to the length of time described below.

- Account Number = Always
- Copies of returns / schedules / payments filed with Virginia Tax = 3 Years
- Online system / electronic confirmations = 3 Years

Report Changes

Keep your information current and report changes in a timely manner using our Business Online Account option. Access the **Update Your Business Profile** feature to report your changes.

- Update Addresses and Contacts
- Update Responsible Officer Details
- Register for Additional Taxes
- Add a New Business Location
- Close a Business or Business Location

Contact Us

For assistance or for questions regarding your registration, please call 804.367.8037.

For specific tax type questions and related phone numbers, visit our Contact Us page.

Visit our website www.tax.virginia.gov for your Virginia tax needs.

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/10/2024

N

DANVILLE VIRGINIA

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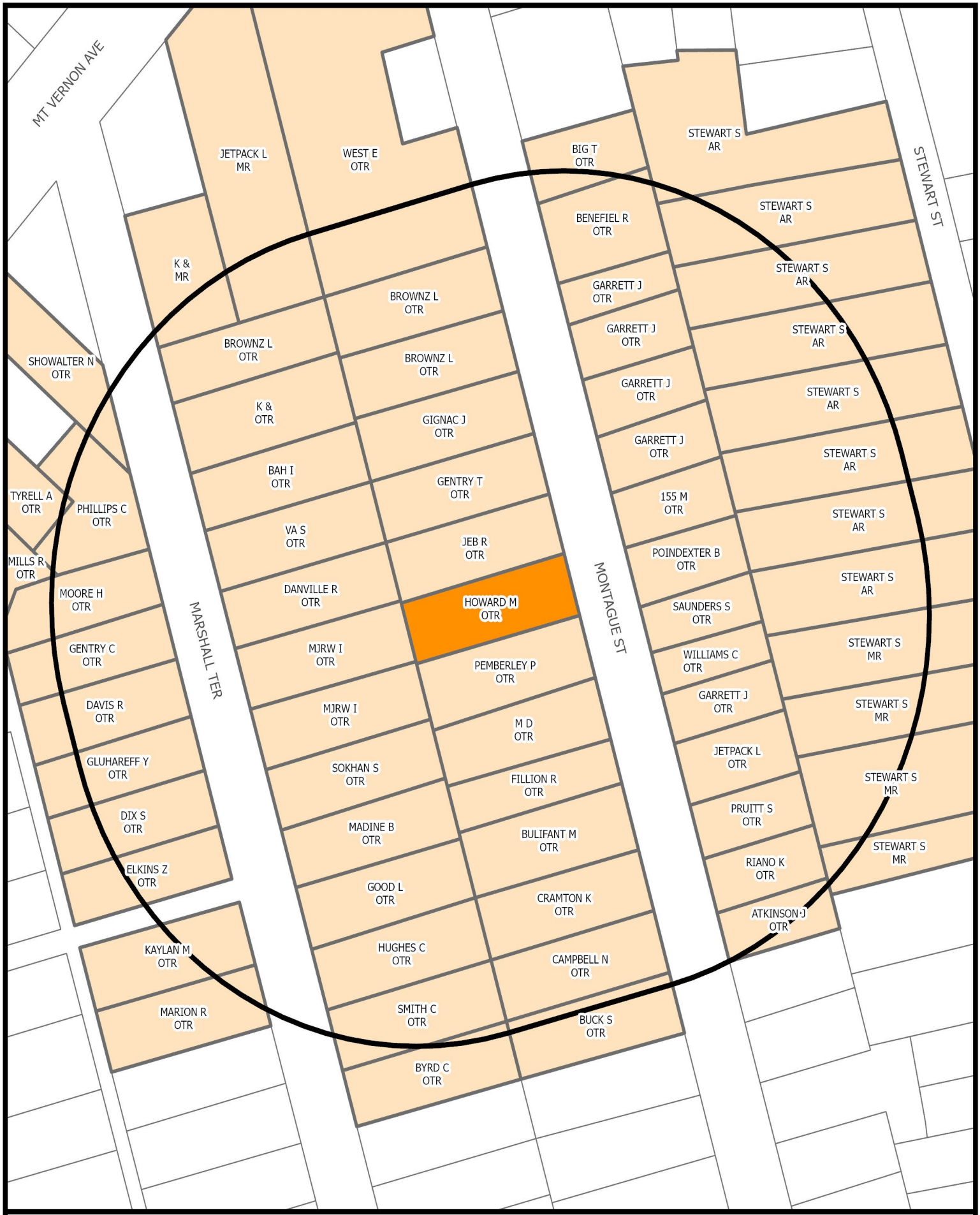

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/10/2024

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DANVILLE VIRGINIA

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

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DANVILLE VIRGINIA

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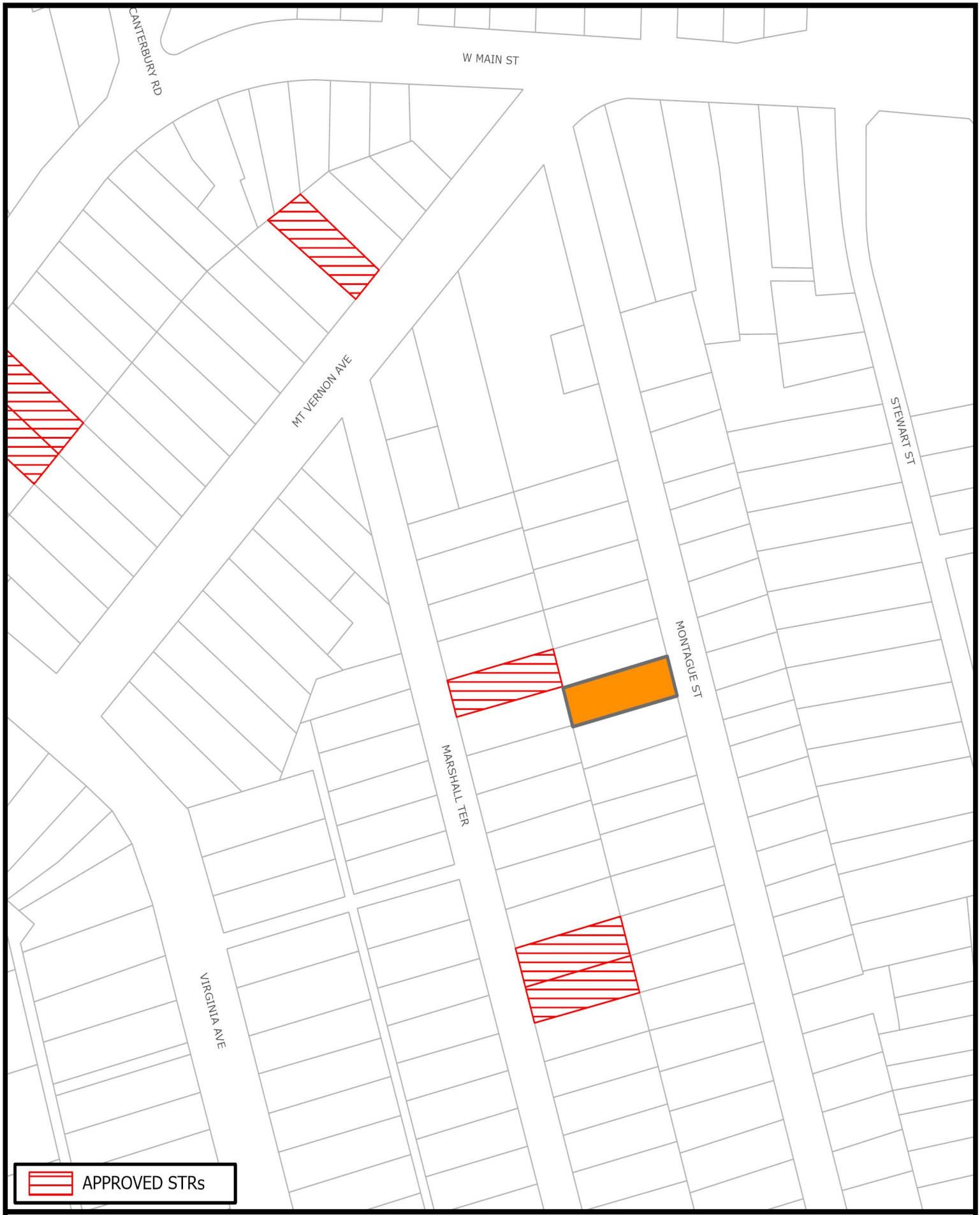

SUBJECT PROPERTY WITH 300 FT BUFFER

Prepared by:
Planning Division
11/4/2024

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00518 filed by Jonathan Sharolli to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at 224 Winslow Street (Parcel 24572).

SUMMARY

The applicant, Jonathan Sharolli, has requested a Special Use Permit to allow an attached dwelling at 224 Winslow Street. 224 Winslow Street was once in use as a duplex and has remained vacant and unkept for many years. The subject property is located in the Almagro community. Winslow Street has multiple legal non-conforming duplexes in the vicinity.

The Almagro community has recently participated in the development of a Neighborhood Action Plan with PLAN Danville. The meetings for the development of this plan highlighted the community's interest in improving the existing homes in the neighborhood to increase their value and the resident's quality of life. Mr. Sharolli's request will require rehabilitation of the existing structure to meet all Building and Fire Codes. Staff believes that allowing a Special Use Permit for an attached dwelling is in line with the feedback received from the community.

Sixty (60) notices were sent to surrounding property owners. Four (4) notices were sent. Two (2) were not opposed, two (2) were opposed.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of PZ24-00518 to allow an attached residential dwelling in accordance with Article 3.E. Section C Item 1 at 224 Winslow Street.

ATTACHMENTS

1. Special Use Permit 224 Winslow Street
2. 224 Winslow St Aerials Map
3. 224 Winslow St Owners Zoning Map
4. 224 Winslow St Land Use Map

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*
2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ24-00518 PC Meeting Date: November 12, 2024

Date Received: 9-18-24 Received By: Lisa Jones

Parcel ID: 24572 Address: 224 Winslow Street

Existing Zoning OTR Future Land Use: Duplex

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#) 224 Winslow St Danville, VA

Applicant: Jonathan Sharolli

Applicant's Address: 253 Davis Rd Chatham, VA 24531

Applicant's Phone Number: (571) 437-3167

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

Applicant's Signature _____ 9/18/24 Date

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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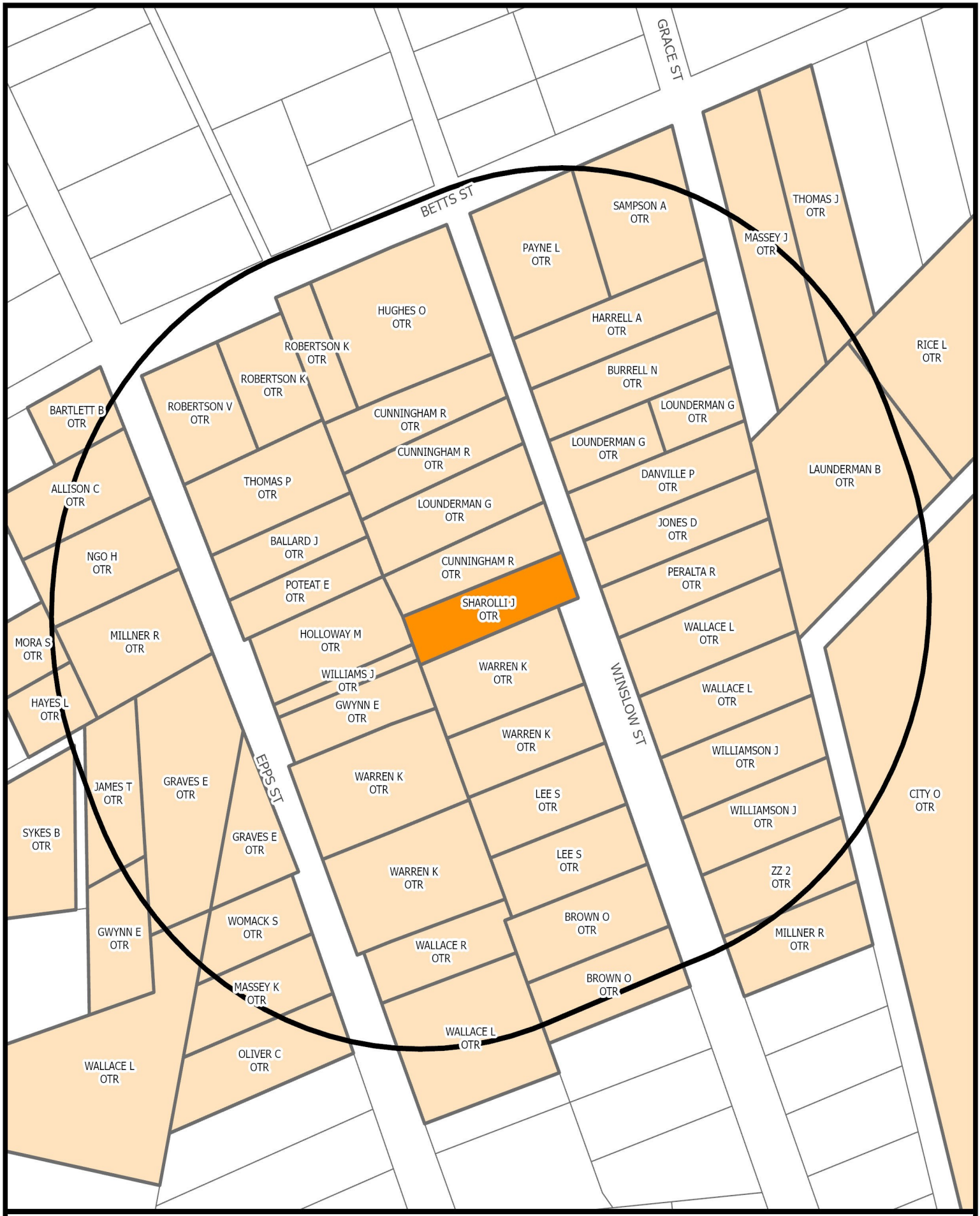

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00553 filed by Katillia Johnson to allow a child daycare center in accordance with Article 3.E Section C Item 7 at 130 Clarkson Street (Parcel 56540).

SUMMARY

130 Clarkson Street once operated as Tot Spot, a child day care center, and is zoned OT-R, Old Town Residential. The property has been vacant for more than two (2) years and lost its vested rights to continue operation as a child day care. The applicant, Katillia Johnson, is requesting a Special Use Permit to allow a child day center to operate in accordance with Article 3.E. Section C Item 7.

Our records indicate that the subject property received a Special Exception Permit to operate a child day care center in 1990. The child day care operated as Tot Spot from April 1,1992, to April 10, 2019. The Building Inspections Division is working with Ms. Johnson to ensure the structure is in compliance with the existing Certificate of Occupancy (50 persons) and all existing regulations for a child day care center.

130 Clarkson Street is a block building with a paved parking lot that does not have markings for parking spaces or drive aisles. Markings will need to be completed prior to operation.

There has been a need identified within the area for child day care centers. The operation of a day care at 130 Clarkson Street will assist to fulfill this need in a structure designed for this operation. The subject property is also conveniently located near the Franklin Turnpike intersection, a main thoroughfare, to allow ease of access and minimal disruption to the surrounding neighborhood.

Forty-five (45) notices were sent to surrounding property owners. Fourteen (14) notices were received. Ten (10) were not opposed, four (4) were opposed.

RECOMMENDATION

Planning Staff recommends that the Planning Commission recommend approval of PZ24-00553, filed by Katillia Johnson, to operate a child day care center at 130 Clarkson Street in accordance with Article 3.E. Section C Item 7.

ATTACHMENTS

1. Special Use Permit - 130 Clarkson Street

2. 130 Clarkson St- CofO (1)
3. Ordinance 130 Clark St
4. 130 Clarkson St Aerials Map
5. 130 Clarkson St Owners Zoning Map
6. 130 Clarkson St Land Use Map

Application deadline: Oct 15
Planning Commission date: Nov. 12

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*
2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ24-00553 PC Meeting Date: NOV 12, 2024

Date Received: 10-7-24 Received By: Lisa Jones

Parcel ID: 56540 Address: 130 Clarkson Street

Existing Zoning DTR Future Land Use: Daycare

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#) 130 Clarkson Street Danville, VA 24540

Applicant: Katillia Johnson

Applicant's Address: 238 West end Ave Danville VA 24541

Applicant's Phone Number: 434 7709084

Applicant's E-mail: Katillia.Johnson@gmail.com

Applicant's Signature

10-7-24
Date

PLEASE ATTACH THE FOLLOWING:

1. A preliminary site plan in accordance with the Site Plan Regulations.
2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
3. A written statement of proposed project compatibility with the following:
   A) The Comprehensive Plan.
   B) The applicable zoning district.
   C) The surrounding properties.
   D) Current and future neighborhood conditions.
   E) Pedestrian and vehicular traffic patterns, on-site and off-site.
   F) Adequate public facilities.

4. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
   A) The architectural elevations and floor plans of proposed building(s).
   B) Traffic impact analysis.
   C) Fiscal impact analysis.
   D) Parking and site circulation analysis.
   E) Photographs of property and surrounding area.
   F) Environmental impact statement.

Certificate of Use and Occupancy

CITY OF DANVILLE, VIRGINIA
Department of Community Development
Inspections Division

This Certificate issued pursuant to the requirements of Section 116 of the 2015 Virginia Uniform Statewide Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City and the Virginia Uniform Statewide Building Code regulating building construction or use.

For the following location:
130 CLARKSON ST, DANVILLE, VA 24540

For occupancy as:
Day care

Use Group:
E- Educational

Type of Construction:
5B= Wood framing with NO rating

Building Owner and Address: FRENCH JOHNNY RAY & ELLEN C
130 CLARKSON ST
DANVILLE, VA 24540

Occupancy Load: 50 Persons

CODE	PERMIT#	INSPECTOR	FINAL APPROVED
Property Maintenance Inspector	PRCOUO201900269	Dennis J Bisson Jr.	2/11/2019
Fire Inspector	PRCOUO201900269	Jay Thornton	2/11/2019

NOTE: Legal use of this structure may also require a Certificate of Zoning Compliance

Conditions and/or Modifications: This Certificate of Occupancy is issued in accordance with section 116.4 of The Virginia Construction Code for continued Educational Use. Age limit not restricted in accordance with previous documents.

FIRE ALARM SYSTEM INSTALLED
FIRE SPRINKLER SYSTEM NOT INSTALLED

Building Official

Date 2/11/19

POST IN A CONSPICUOUS PLACE

PRESENTED: August 7, 1990

ADOPTED: August 7, 1990

ORDINANCE NO. 90- 8.5

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE CITY PLANNING COMMISSION AND GRANTING A SPECIAL EXCEPTION PERMIT TO CONTINUE OPERATING THE JACK-N-JILL DAY CARE AT 130 CLARKSON STREET AND TO EXPAND THE FACILITY INTO THE FIRST FLOOR OF THE BUILDING LOCATED AT 132 CLARKSON STREET, BOTH LOCATED ON THE NORTHWEST SIDE OF CLARKSON STREET BETWEEN PLYMOUTH DRIVE AND SKYLINE AVENUE, OTHERWISE KNOWN AS PARCELS NO. 5 AND 6 OF SECTION 6 ON SHEET 150 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP (TAX PARCEL 150, SECTION 6, IDENTIFICATION NOS. 7 AND 8).

BE IT ORDAINED by the Council of the City of Danville, Virginia that the report of the City Planning Commission recommending that a Special Exception Permit be granted to continue the operation of the Jack-N-Jill Day Care at 130 Clarkson Street and to expand the facility into the first floor of the building located at 132 Clarkson Street, both located on the northwest side of Clarkson Street between Plymouth Drive and Skyline Avenue, otherwise known as Parcels 5 and 6 of Section 6 on Sheet 150 of the City of Danville, Virginia Zoning District Map (Tax parcel 150, Section 6, Identification Nos. 7 and 8) be, and the same is hereby, received;

AND BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by the Council, a Special Exception Permit be, and the same is

hereby, granted to continue the operation of the Jack-N-Jill Day Care at 130 Clarkson Street and to expand the facility into the first floor of the building located at 132 Clarkson Street, both located on the northwest side of Clarkson Street between Plymouth Drive and Skyline Avenue, otherwise known as Parcels 5 and 6 of Section 6 on Sheet 150 of the City of Danville, Virginia Zoning District Map (Tax Parcel 150, Section 6, Identification Nos. 7 and 8), subject to the following conditions:

(1) The child care facility shall be limited to a maximum of fifty-five (55) preschool children and thirty (30) school age children.

(2) The hours of operation shall be restricted to between 6:00 A. M. and 7:00 P. M.

(3) The existing six-foot wood fence and vegetative screening around the playground shall be maintained.

(4) Off-street parking for the first floor facilities at 132 Clarkson Street shall be provided at the ratio of one (1) space per two hundred (200) net square feet.

(5) The wooden fence which currently exists on a portion of the perimeter of the property at 130 and 132 Clarkson Street will be extended an additional sixty (60) feet along the property line separating that property from the Adkins property on Lot 10 and a six-foot high chain link fence will be installed around the remaining perimeter of the child care center with a set back in the front consistent with current local ordinances.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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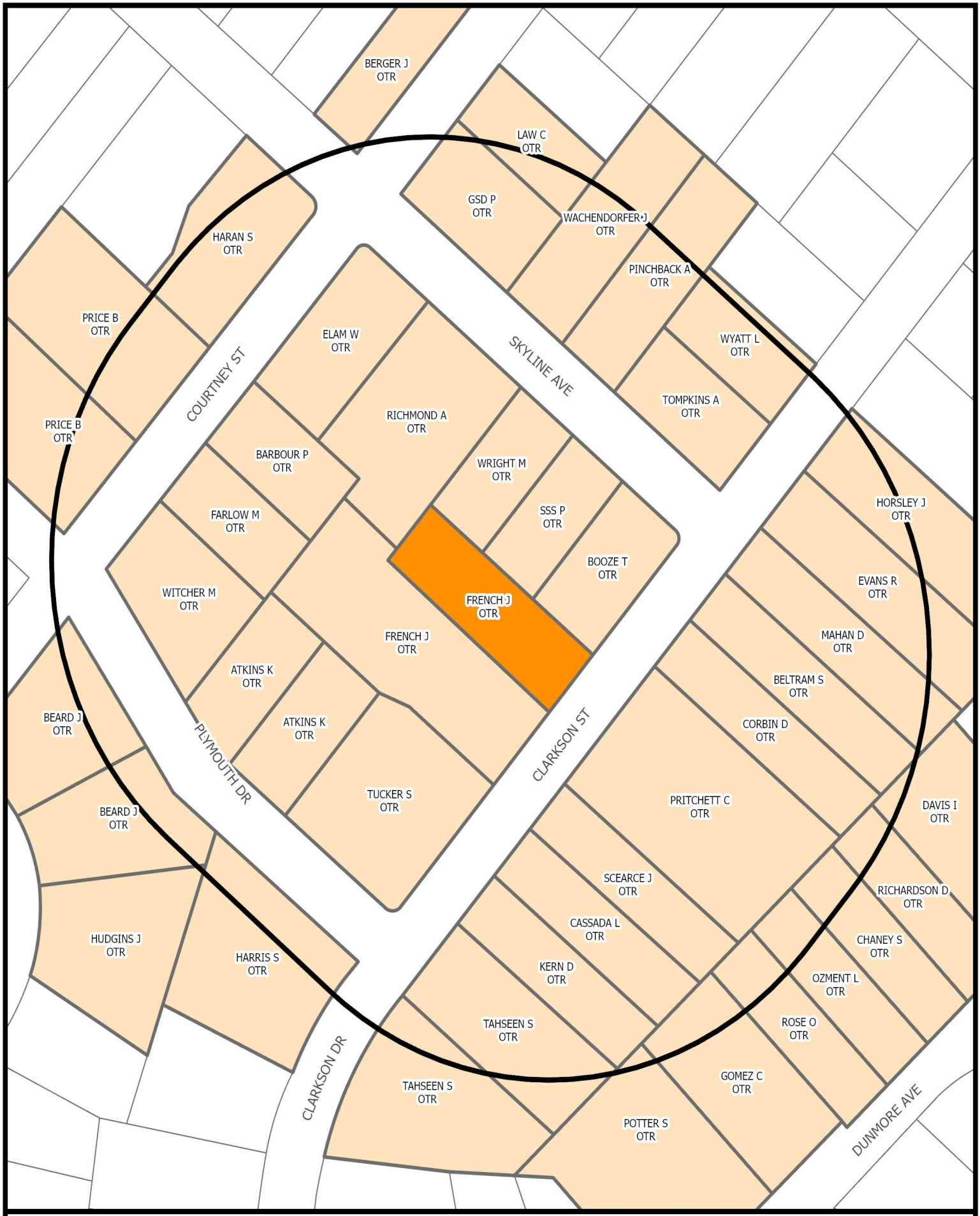

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00566 filed by David Dujardin to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at 161 Holbrook Avenue (Parcel 21610).

SUMMARY

161 Holbrook Avenue is zoned OT-R, Old Town Residential, a single family zoning district and is located in the Old West End Historic District. The applicant, David Dujardin, purchased the property in August 2024 with the understanding that the third floor apartment could be rented as an income unit. After research, it is unclear to the Planning Division whether the third floor apartment has maintained its legal non-conforming status. To ensure that the legal nonconforming status of the unit does not come in question again, the applicant has applied for a Special Use Permit for an attached dwelling to ensure that the third floor unit remains compliant.

To continue to maintain its legal non-conforming status, the apartment must not be vacant for more than two (2) consecutive years. Generally, this is evident through the use of utilities. At 161 Holbrook Avenue there is no separate meter for the third floor unit. The meter was removed by the owner in 2012 and notes on the utility records state that it is a single family dwelling. The property transferred in 2019 when the new owner received a letter from the Planning Division that the third floor unit was legal non-conforming. There are no notes on the letter to indicate what research was completed to come to this conclusion and the staff person is no longer employed with the City of Danville. Therefore, staff cannot verify that the use has continued.

In the vicinity of 161 Holbrook Avenue are several duplexes and apartment buildings with both conforming and legal nonconforming status. Approval of a Special Use Permit for an attached dwelling at 161 Holbrook Avenue would not change the exterior of the structure and would be in character with the surrounding community.

Sixty-three (63) notices were sent to surrounding property owners. Four (4) notices were received. Two (2) were not opposed, two (2) were opposed.

RECOMMENDATION

Planning staff recommends that Planning Commission recommend approval of PZ24-00566 to allow an attached dwelling in accordance with Article 3.E. Section C Item 1 at 161 Holbrook Avenue.

ATTACHMENTS

1. Special Use Permit 161 Holbrook Avenue
2. 161 Holbrook Letter Apt Legal Status 2019
3. 161 Holbrook Ave Aerials Map
4. 161 Holbrook Ave Owners Zoning Map
5. 161 holbrook Ave Land Use Map

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*

2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

Application #:	PZ 24-005666	PC Meeting Date:	NOV 12, 2024
Date Received:	10-15-24	Received By:	Shanika Williams
Parcel ID:	21610	Address:	161 Holbrook Ave.
Existing Zoning:	OTR	Future Land Use:	

Property Location:	161 HOLBROOK AVE. DANVILLE, VA 24541
Applicant:	DAVID DUJARDIN AND WENDY DUJARDIN
Applicant's Address:	161 HOLBROOK AVE. DANVILLE, VA 24541
Applicant's Phone Number:	(615) 598-7354
Applicant's Email:	DAVID.DUJARDIN@LIVE.COM

Describe Proposed Request: WE ASK THE CITY OF DANVILLE TO REINSTATE THE NON-CONFORMING USE PERMIT FOR THE EXISTING ACCESSORY DWELLING UNIT LOCATED ON THE 3RD FLOOR. THE ADU HAS BEEN OCCUPIED BY TENANTS WHO RENTED OR DELIVERED SERVICES CONTINUOUSLY OVER THE PAST 5 YEARS. THE NON-CONFORMING STATUS SHOULD NOT HAVE BEEN REMOVED PER DOCUMENTS RECEIVED BY PREVIOUS OWNER IN 2019.

Applicant's Signature | Date 10-14-2024 | Property Owner's Signature (if not applicant) | Date

1. A preliminary site plan in accordance with the Site Plan Regulations.
2. 2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
3. 3. A written statement of proposed project compatibility with the following:
   a. The Comprehensive Plan.
   b. The applicable zoning district.
   c. The surrounding properties.
   d. Current and future neighborhood conditions.
   e. Pedestrian and vehicular traffic patterns, on-site and off-site.
   f. Adequate public facilities.
4. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
   a. The architectural elevations and floor plans of proposed building(s).
   b. Traffic impact analysis.
   c. Fiscal impact analysis.
   d. Parking and site circulation analysis.
   e. Photographs of property and surrounding area.
   f. Environmental impact statement.

City of Danville
Community Development
Planning Division

April 25, 2019

David Corp
161 Holbrook Ave.
Danville, VA 24541

RE: LEGAL NONCONFORMING STATUS OF 161 HOLBROOK AVE

Mr. Corp,

Thank you for checking about the legal status of the third floor apartment at 161 Holbrook Ave. As discussed previously in 2012, this apartment is considered to be legal nonconforming. This means that it is not normally permitted in this zoning district. However, it has been in continued existence since this zoning regulation was put into place. As long as evidence indicates an active intention to continue use (such as renting the apartment or attempting to rent) of the apartment, it shall remain legal nonconforming. If such use discontinues for at least two (2) years, it will lose that status.

City utility records indicate that the apartment has continued to be in use since 2012, when you last confirmed the legal status. If you have any other questions, please contact me at 434-799-5260, ext. 2503 or johnsbw@danvilleva.gov.

Hope you are enjoying the spring weather,

Bryce Johnson
Senior Planner

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

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DANVILLE VIRGINIA

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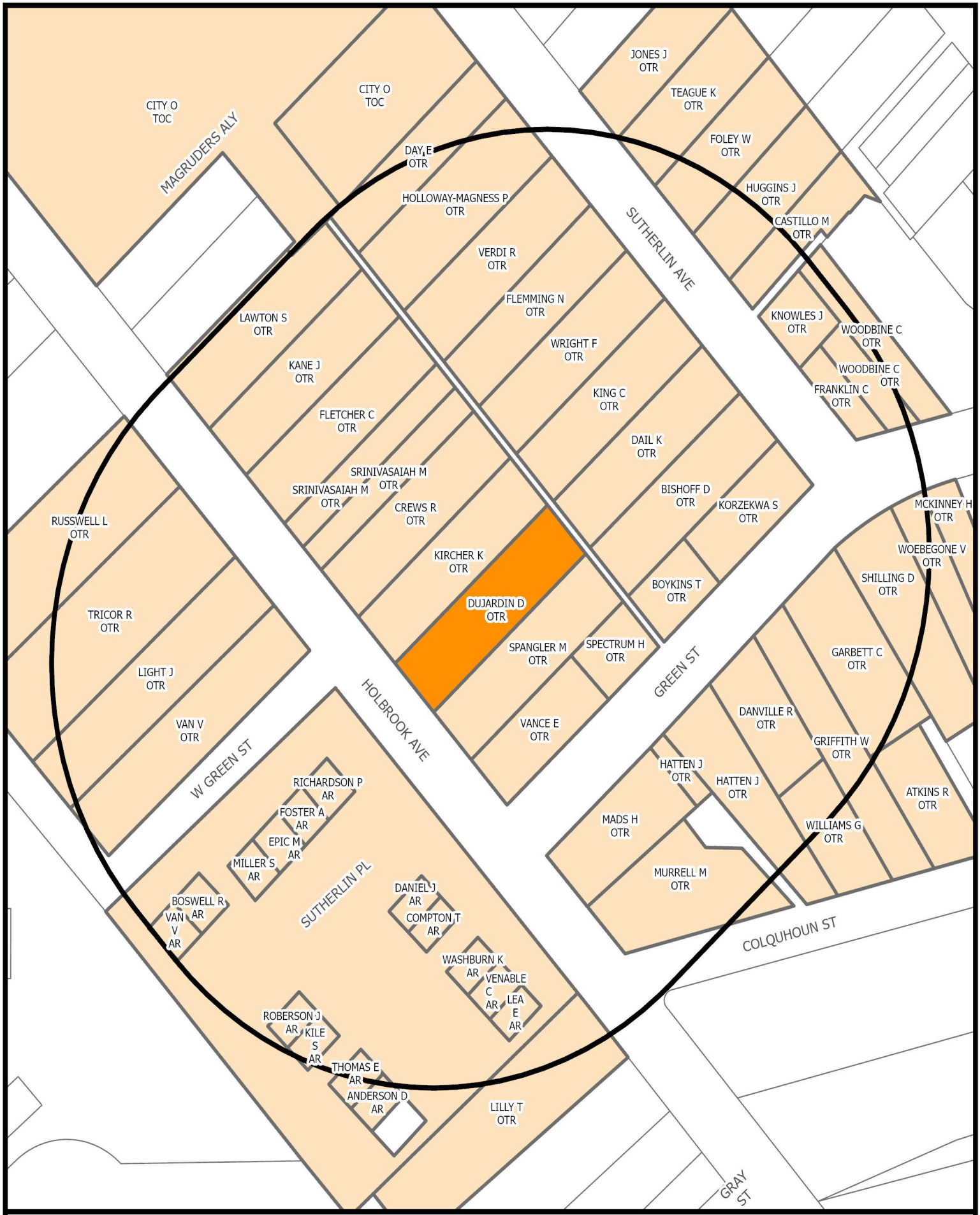

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

N

DANVILLE VIRGINIA

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

N

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Code Amendment request PZ24-00564 filed by BWWDD, LLC to amend Chapter 41 entitled “Zoning Ordinance” of the City of Danville, 1986 as amended. Specifically, amend Article 3.N Section C to create Item 27 "Uses permitted by right and by special use permit in the HR-C District."

SUMMARY

BWWDD, LLC has requested to amend Chapter 41 entitled “Zoning Ordinance” of the City of Danville, 1986 as amended. The request is to amend Article 3.N Section C to create Item 27 "Uses permitted by right and by special use permit in the HR-C District." Article 3.N. Section C is Uses Permitted by Special Use Permit in the PS-C, Planned Shopping Center Commercial zoning classification.

Permitted Uses and Uses Permitted by Special Use Permit are not the same in the HR-C, Highway Retail Commercial and PS-C, Planned Shopping Center Commercial Districts. The proposed Code Amendment would allow an applicant to request a Special Use Permit to allow a specific use that is allowed in the HR-C, but not in the PS-C. For example, taxidermist, urban agriculture and mini-storage warehouse are not uses permitted by right or by Special Use Permit in the PS-C district. However, they are listed in the HR-C district. This proposed Code Amendment would allow a future applicant with property in the PS-C to apply for a Special Use Permit that would allow them to operate a taxidermist, urban agriculture or mini-storage warehouse without having to change the zoning classification to allow this use.

This Code Amendment would be beneficial to applicants that have property that meets all other criteria of the PS-C zoning district, but may have something unique about their property that would make it a good candidate for an additional use not generally permitted. The application is then reviewed on its merits at a specific location with a specific use and on a case by case basis.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of PZ24-00564 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended, specifically Article 3.N Section C to add item 27 "Uses permitted by right and by special use permit in the HR-C District".

ATTACHMENTS

1. Code Change Amendment Request - BWWDD,LLC 10-15-2024

Docusign Envelope ID: FEB9B28E-98BD-41E9-B2CE-F2FA5F2B9C42

CODE CHANGE AMENDMENT

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL
Application is hereby made for the Code Change Amendment as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER: DATE FILED:

RECEIVED FROM:

SECTION AFFECTED:

PLANNING COMMISSION DATE/ACTION:

CITY COUNCIL DATE/ACTION: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

Zoning Code Section:

Chapter 41, Article3.O, Section C, Item #15
"Uses Permitted by right and by special use permit in the HR-C District"

Purpose for proposed amendment:

See attached narrative for request details.

PRESENT OWNER(S) OF ALL PROPERTIES INCLUDED IN APPLICATION:

1. NAME (PLEASE PRINT OR TYPE): GDC Properties I, LLC

ADDRESS: 223 Riverview Drive, #A
Danville, VA 24541

Docusign Envelope ID: FEB9B28E-98BD-41E9-B2CE-F2FA5F2B9C42

EMAIL: ttorborg@tdanielgroup.com

TELEPHONE: (434) 791-8200
SIGNATURE:

2. NAME (PLEASE PRINT OR TYPE): Teresa A. Torborg, Vice President of The Daniel Group, Inc., as the Manager of GDC Properties I, LLC

ADDRESS: 223 Riverview Drive
Suite A
Danville, VA 24541

TELEPHONE: 434-791-8200
SIGNATURE: Teresa Torborg
B11D6C41DA8344D...

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

NAME (PLEASE PRINT OR TYPE): BWWDD, LLC c/o Benjamin Blackburn

ADDRESS: 2903 N. Augusta Street Staunton, VA 24401

EMAIL: benblackburn@triangleinvestmentsva.com

TELEPHONE: 1.336.577.3533
SIGNATURE:

Agent:

Balzer and Associates, Inc.
c/o Ben Crew

1208 Corporate Circle
Roanoke, VA 24018
540.772.9580

Bcrew@Balzer.cc

CODE CHANGE AMENDMENT

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL
Application is hereby made for the Code Change Amendment as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER: DATE FILED:

RECEIVED FROM:

SECTION AFFECTED:

PLANNING COMMISSION DATE/ACTION:

CITY COUNCIL DATE/ACTION: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

Zoning Code Section:

Chapter 41, Article3.O, Section C, Item #15
"Uses Permitted by right and by special use permit in the HR-C District"

Purpose for proposed amendment:

See attached narrative for request details.

PRESENT OWNER(S) OF ALL PROPERTIES INCLUDED IN APPLICATION:

1. NAME (PLEASE PRINT OR TYPE): GDC Properties I, LLC

ADDRESS:

EMAIL:

TELEPHONE:
SIGNATURE:

2. NAME (PLEASE PRINT OR TYPE): _____

ADDRESS:

TELEPHONE:
SIGNATURE:

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

NAME (PLEASE PRINT OR TYPE): BWWDD, LLC c/o Benjamin Blackburn

ADDRESS: 2903 N. Augusta Street Staunton, VA 24401

EMAIL: benblackburn@triangleinvestmentsva.com

TELEPHONE: 1.336.577.3533
SIGNATURE:

Agent:

Balzer and Associates, Inc.
c/o Ben Crew

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Roanoke, VA 24018
540.772.9580

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BALZER & ASSOCIATES
PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS

1208 Corporate Circle
Roanoke, VA 24018
540.772.9580
www.balzer.cc

October 15, 2024

City of Danville, VA - Community Development
Division of Planning and Zoning
c/o Renee Burton – Division Director of Planning
427 Patton Street
Danville, VA 24541
434.799.5260 Ext. 2502
BurtonR@Danvilleva.gov

RE: Code Change Amendment - Narrative
143 & 153 Crown Drive Danville, VA
City of DanvilleTax Number: 72436
B&A Job # 04240075.00

BWWDD, LLC (Applicant and Contract Purchaser) is requesting a code change amendment to the Code of the City of Danville. The proposed request will be for all parcels zoned PS-C and will apply specifically to the proposed development of 143 and 153 Crown Drive to support redevelopment efforts on the subject parcel. Balzer and Associates, Inc. is acting as the agent on behalf of the Applicant and Contract purchaser.

The request is to include Highway Retail Commercial District (HR-C) uses by right and by special use permit within the Planned Shopping Center District (PS-C). This information is referenced in Chapter 41, Article 3.O, Section C, Item #15.

This request maintains the current zoning district while allowing appropriate commercial uses within the HRC District to be permitted within the PSC District specific to this parcel. Any proposed use within the HR-C district that would be utilized within the PS-C would be required to apply thru the special use permit application process prior to any use approval.

We appreciate your consideration of this code change amendment and look forward to the investment by the applicant to provide new opportunities within the City of Danville.

Sincerely,
Balzer and Associates, Inc.

BC

Ben Crew, L.A - Agent for the Applicant
Vice President

STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00565 filed by BWWDD, LLC to allow a mini-storage warehouse, with no exterior storage in accordance with Article 3.N Section C Item 27 at 143 Crown Drive (Parcel 72436).

SUMMARY

BWWDD, LLC has requested a Special Use Permit to allow a mini-storage warehouse with no exterior storage in accordance with Article 3.N Section C Item 27 at 143 Crown Drive.

Plannnig Staff recognizes that a mini-storage warehouse meets Zoning Code regulations in this location and that ample parking is provided. However, Staff believes that mini-storage warehouse is not the highest and best use for this property. This property is in the center of a high-traffic commercial district with high visibility, easy access and a large number of parking spaces available. There are also mini-storage warehouses downtown, in the old K-Mart building on Riverside Drive and a new U-Haul facility with plans for construction across from the theater.

Nineteen (19) notices were sent to surrounding property owners. Six (6) notices were received. Five (5) were not opposed, one (1) was opposed.

RECOMMENDATION

Planning Staff recommends that the Planning Commission present a recommendation of action for application PZ24-00565 to City Council.

ATTACHMENTS

1. Special Use Permit - BWWDD, LLC 10-15-2024
2. 143 Crown Dr Aerials Map
3. 143 Crown Dr Owners Zoning Map
4. 143 Crown Dr Land Use Map

Docusign Envelope ID: FEB9B28E-98BD-41E9-B2CE-F2FA5F2B9C42

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*

2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #:		PC Meeting Date:	
Date Received:		Received By:	
Parcel ID:		Address:	
Existing Zoning:		Future Land Use:	

APPLICANT PROVIDED INFORMATION

Property Location:	143 & 153 Crown Drive Danville, VA
Applicant:	BWWDD, LLC c/o Benjamin Blackburn
Applicant's Address:	2903 N. Augusta Street Staunton, VA 24401
Applicant's Phone Number:	1.336.577.3533
Applicant's Email:	benblackburn@triangleinvestmentsva.com

Docusign Envelope ID: FEB9B28E-98BD-41E9-B2CE-F2FA5F2B9C42

Describe Proposed Request: See attached narrative

Agent:
Balzer and Associates, Inc.
c/o Ben Crew
1208 Corporate Circle
Roanoke, VA 24018
540.772.9580
Bcrew@Balzer.cc

GDC Properties I, LLC
By: The Daniel Group, Inc., its Manager

DocuSigned by:
By: Teresa Torborg 10/15/2024
B11D6C41DA8344D...

Applicant's Signature Date

Property Owner's Signature Date
(if not applicant)
Teresa A. Torborg, Vice President

PLEASE ATTACH THE FOLLOWING

1. A preliminary site plan in accordance with the Site Plan Regulations.
2. 2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
3. 3. A written statement of proposed project compatibility with the following:
    a. The Comprehensive Plan.
    b. The applicable zoning district.
    c. The surrounding properties.
    d. Current and future neighborhood conditions.
    e. Pedestrian and vehicular traffic patterns, on-site and off-site.
    f. Adequate public facilities.
4. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
    a. The architectural elevations and floor plans of proposed building(s).
    b. Traffic impact analysis.
    c. Fiscal impact analysis.
    d. Parking and site circulation analysis.
    e. Photographs of property and surrounding area.
    f. Environmental impact statement.

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*

2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #:		PC Meeting Date:	
Date Received:		Received By:	
Parcel ID:		Address:	
Existing Zoning:		Future Land Use:	

APPLICANT PROVIDED INFORMATION

Property Location:	143 & 153 Crown Drive Danville, VA
Applicant:	BWWDD, LLC c/o Benjamin Blackburn
Applicant's Address:	2903 N. Augusta Street Staunton, VA 24401
Applicant's Phone Number:	1.336.577.3533
Applicant's Email:	benblackburn@triangleinvestmentsva.com

Describe Proposed Request: See attached narrative

Agent:
Balzer and Associates, Inc.
c/o Ben Crew
1208 Corporate Circle
Roanoke, VA 24018
540.772.9580
Bcrew@Balzer.cc

10/14/24

Applicant's Signature Date

Property Owner's Signature (if not applicant) Date

PLEASE ATTACH THE FOLLOWING

1. A preliminary site plan in accordance with the Site Plan Regulations.
2. 2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
3. 3. A written statement of proposed project compatibility with the following:
   a. The Comprehensive Plan.
   b. The applicable zoning district.
   c. The surrounding properties.
   d. Current and future neighborhood conditions.
   e. Pedestrian and vehicular traffic patterns, on-site and off-site.
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   a. The architectural elevations and floor plans of proposed building(s).
   b. Traffic impact analysis.
   c. Fiscal impact analysis.
   d. Parking and site circulation analysis.
   e. Photographs of property and surrounding area.
   f. Environmental impact statement.

BALZER & ASSOCIATES
PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS

1208 Corporate Circle
Roanoke, VA 24018
540.772.9580
www.balzer.cc

October 15, 2024

City of Danville, VA - Community Development
Division of Planning and Zoning
c/o Renee Burton – Division Director of Planning
427 Patton Street
Danville, VA 24541
434.799.5260 Ext. 2502
BurtonR@Danvilleva.gov

RE: Special Use Permit - Narrative
143 & 153 Crown Drive Danville, VA
City of Danville Tax Number: 72436
B&A Job # 04240075.00

BWWDD, LLC (Applicant and Contract Purchaser) is requesting a special use permit specific to the proposed development of 143 and 153 Crown Drive to support redevelopment efforts on the subject parcel. Balzer and Associates, Inc. is acting as the agent on behalf of the Applicant and Contract purchaser.

The property is currently zoned Planned Shopping Center District (PS-C) and the special use request is for the use of self-storage mini-warehouse within the existing building(s). This requested use is by special use permit only within parameter of the uses of the Highway Retail Commercial (HR-C) District by which an earlier Code Change Request was submitted within the PSC District for the Code of the City of Danville, VA.

This information is referenced in Chapter 41, Article 3.M. Section B, Item #17.

The proposed "self-storage mini-warehouse" is intended to be a modern, climate controlled indoor facility to be located within the former furniture storage portion of the existing building. The building may require minor modifications such as a covered drop off or updating to the façade, but the overall building will remain in the same location as it does today. The hours of operation and number of employees is unknown at this time, but this use is a low impact user.

The area will remain commercial which is supported by the Comprehensive Plan and the existing zoning district with various commercial entities surrounding the property including big box stores, multi-tenant retail, restaurants, and restaurants with drive-thru. No changes to access locations or existing development patterns are antipcated with the exception of minor updates that may be required by future tenants of the building. Existing utilities currently serve the building and will remain in place to serve future users.

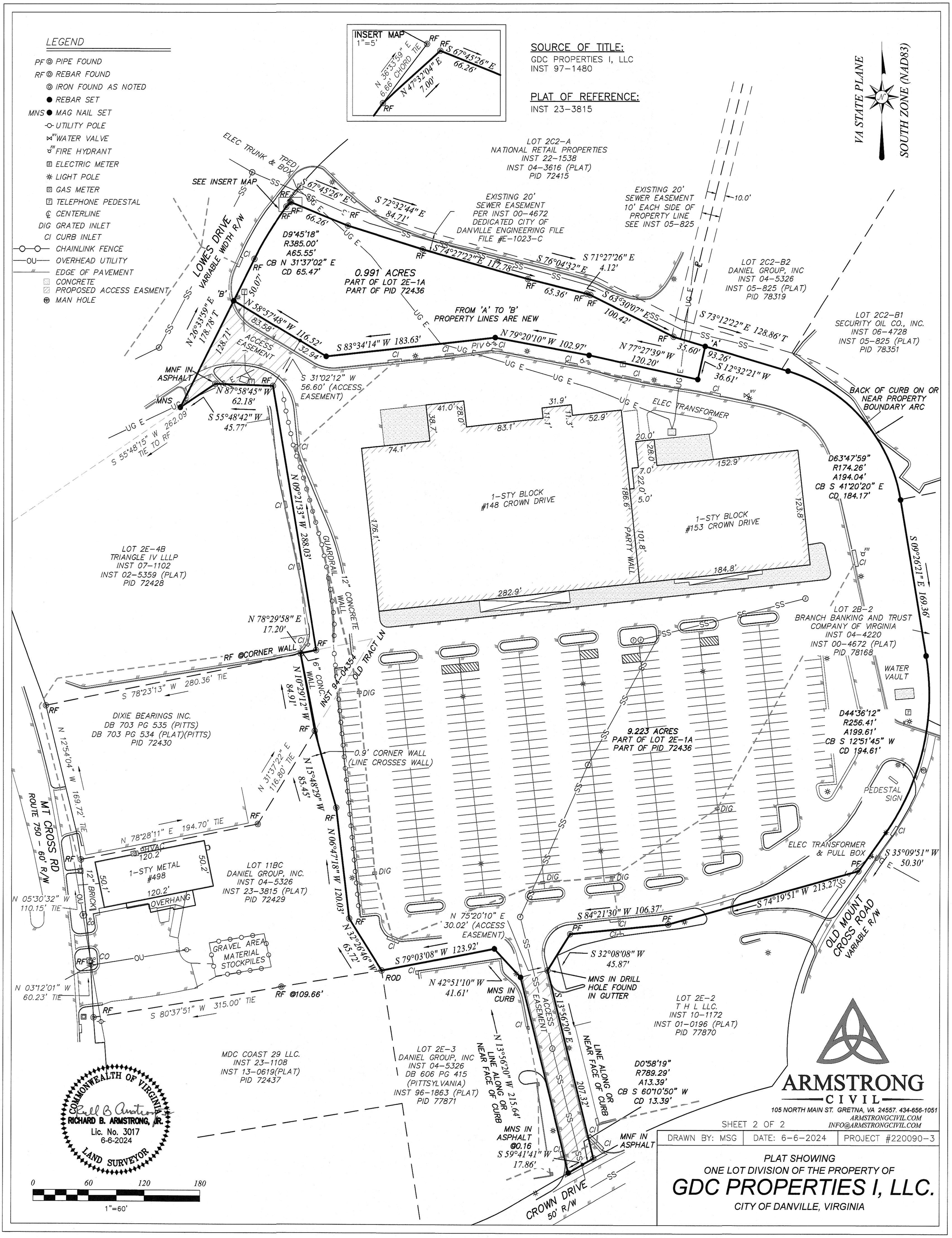
The project location and use is appropriate with the existing surrounding land uses and zoning designations. We appreciate your consideration of this Special Use Permit application and look forward to the new investment by the applicant to provide new opportunities within the City of Danville.

Sincerely,
Balzer and Associates, Inc.

BIC

Ben Crew, L.A - Agent for the Applicant
Vice President

Attachments: Existing Survey


LEGEND
PF PIPE FOUND
RF REBAR FOUND
IRON FOUND AS NOTED
REBAR SET
MNS MAG NAIL SET
UTILITY POLE
WATER VALVE
FIRE HYDRANT
ELECTRIC METER
LIGHT POLE
GAS METER
TELEPHONE PEDESTAL
CENTERLINE
DIG GRATED INLET
CI CURB INLET
CHAINLINK FENCE
OU OVERHEAD UTILITY
EDGE OF PAVEMENT
CONCRETE
PROPOSED ACCESS EASMENT
MAN HOLE
INSERT MAP
1"=5'
N 36°33'59" E
6.66' CHORD TIE
N 47°32'04" E
7.00'
S 67°45'26" E
66.26'
SOURCE OF TITLE:
GDC PROPERTIES I, LLC
INST 97-1480
PLAT OF REFERENCE:
INST 23-3815
VA STATE PLANE
SOUTH ZONE (NAD83)
LOT 2C2-A
NATIONAL RETAIL PROPERTIES
INST 22-1538
INST 04-3616 (PLAT)
PID 72415
EXISTING 20' SEWER EASEMENT PER INST 00-4672 DEDICATED CITY OF DANVILLE ENGINEERING FILE FILE #E-1023-C
EXISTING 20' SEWER EASEMENT 10' EACH SIDE OF PROPERTY LINE SEE INST 05-825
LOT 2C2-B2
DANIEL GROUP, INC
INST 04-5326
INST 05-825 (PLAT)
PID 78319
LOT 2C2-B1
SECURITY OIL CO., INC.
INST 06-4728
INST 05-825 (PLAT)
PID 78351
ELEC TRUNK & BOX
SEE INSERT MAP
LOWES DRIVE
VARIABLE WIDTH R/W
D9°45'18"
R385.00'
A65.55'
CB N 31°37'02" E
CD 65.47'
0.991 ACRES
PART OF LOT 2E-1A
PART OF PID 72436
FROM 'A' TO 'B' PROPERTY LINES ARE NEW
S 67°45'26" E
S 72°32'44" E
84.71'
S 74°27'22" E 117.78'
S 76°04'32" E
S 71°27'26" E
4.12'
S 63°30'07" E
100.42'
S 73°12'22" E 128.86' T
N 26°33'59" E
178.78' T
N 58°57'48" W 116.52'
S 83°34'14" W 183.63'
N 79°20'10" W 102.97'
N 77°27'39" W
120.20'
S 12°32'21" W
36.61'
ACCESS EASEMENT
S 31°02'12" W
56.60' (ACCESS EASEMENT)
MNF IN ASPHALT
N 87°58'45" W
62.18'
S 55°48'42" W
45.77'
S 55°48'15" W 262.09'
TIE TO RF
ELEC TRANSFORMER
BACK OF CURB ON OR NEAR PROPERTY BOUNDARY ARC
D63°47'59"
R174.26'
A194.04'
CB S 41°20'20" E
CD 184.17'
1-STY BLOCK
#148 CROWN DRIVE
1-STY BLOCK
#153 CROWN DRIVE
PARTY WALL
LOT 2E-4B
TRIANGLE IV LLLP
INST 07-1102
INST 02-5359 (PLAT)
PID 72428
N 09°21'33" W 288.03'
GUARDRAIL
12" CONCRETE WALL
S 09°26'21" E 169.36'
LOT 2B-2
BRANCH BANKING AND TRUST COMPANY OF VIRGINIA
INST 04-4220
INST 00-4672 (PLAT)
PID 78168
WATER VAULT
N 78°29'58" E
17.20'
RF @CORNER WALL
6" CONC. WALL
INST 94-04354
OLD TRACT LN
S 78°23'13" W 280.36' TIE
N 10°29'12" W
84.91'
DIXIE BEARINGS INC.
DB 703 PG 535 (PITTS)
DB 703 PG 534 (PLAT)(PITTS)
PID 72430
N 12°54'04" W 169.72' TIE
0.9' CORNER WALL (LINE CROSSES WALL)
N 31°37'22" E
116.80' TIE
N 15°48'29" W
85.45'
9.223 ACRES
PART OF LOT 2E-1A
PART OF PID 72436
D44°36'12"
R256.41'
A199.61'
CB S 12°51'45" W
CD 194.61'
PEDESTAL SIGN
MT CROSS RD
ROUTE 750 - 60' R/W
N 78°28'11" E 194.70' TIE
HVAC
1-STY METAL
#498
120.2'
50.2'
50.1'
12" BRICK
OVERHANG
LOT 11BC
DANIEL GROUP, INC.
INST 04-5326
INST 23-3815 (PLAT)
PID 72429
N 05°30'32" W
110.15' TIE
N 06°47'18" W 120.03'
ELEC TRANSFORMER & PULL BOX
S 35°09'51" W
50.30'
S 74°19'51" W 213.27'
N 75°20'10" E
30.02' (ACCESS EASEMENT)
S 84°21'30" W 106.37'
N 32°26'46" W
65.72'
S 79°03'08" W 123.92'
S 32°08'08" W
45.87'
OLD MOUNT CROSS ROAD
VARIABLE R/W
GRAVEL AREA MATERIAL STOCKPILES
N 03°12'01" W
60.23' TIE
RF @109.66'
N 42°51'10" W
41.61'
MNS IN CURB
MNS IN DRILL HOLE FOUND IN GUTTER
S 80°37'51" W 315.00' TIE
S 13°56'20" E
ACCESS EASEMENT
LOT 2E-2
T H L LLC.
INST 10-1172
INST 01-0196 (PLAT)
PID 77870
MDC COAST 29 LLC.
INST 23-1108
INST 13-0619(PLAT)
PID 72437
LOT 2E-3
DANIEL GROUP, INC
INST 04-5326
DB 606 PG 415
(PITTSYLVANIA)
INST 96-1863 (PLAT)
PID 77871
N 13°56'20" W 215.64'
LINE ALONG OR NEAR FACE OF CURB
207.32'
D0°58'19"
R789.29'
A13.39'
CB S 60°10'50" W
CD 13.39'
MNS IN ASPHALT @0.16
S 59°41'41" W
17.86'
MNF IN ASPHALT
CROWN DRIVE
50' R/W
COMMONWEALTH OF VIRGINIA
RICHARD B. ARMSTRONG, JR.
Lic. No. 3017
6-6-2024
LAND SURVEYOR
0 60 120 180
1"=60'
ARMSTRONG CIVIL
105 NORTH MAIN ST. GRETNA, VA 24557. 434-656-1051
ARMSTRONGCIVIL.COM
INFO@ARMSTRONGCIVIL.COM
SHEET 2 OF 2
DRAWN BY: MSG
DATE: 6-6-2024
PROJECT #220090-3
PLAT SHOWING
ONE LOT DIVISION OF THE PROPERTY OF
GDC PROPERTIES I, LLC.
CITY OF DANVILLE, VIRGINIA

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

N

DANVILLE VIRGINIA

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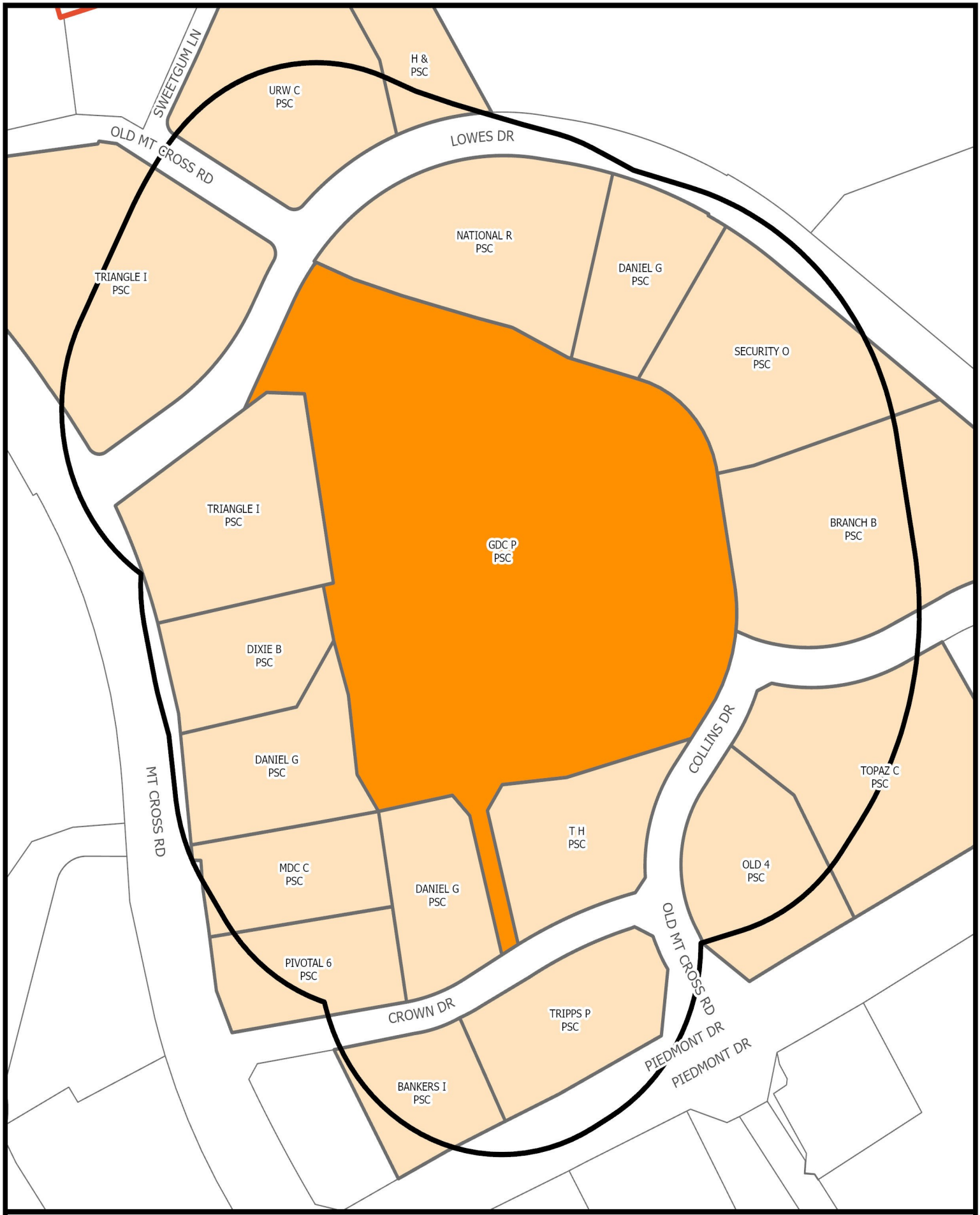

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

N

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00567 filed by Good Living Group LLC to allow a hotel/motel in accordance with Article 3.I Section C Item 24 at 136 West Main Street (Parcel 23512).

SUMMARY

136 West Main Street was once known as the Foundation House. The structure was used by families and overnight guests of patients at SOVAH Health. The applicant, Good Living Group LLC, is requesting to operate a hotel, offering rooms to those that want to stay near their loved ones in the hospital. Each room has independent facilities and a sprinkler system.

Behind 136 West Main Street is a parking lot with approximately twenty (20) spaces for guest use and a rear access with an elevator for those that need it. The surrounding properties are commercial.

Seven (7) notices were sent to surrounding property owners. No responses were received.

RECOMMENDATION

Planning Staff recommends that Planning Commission recommend approval of PZ24-00567 to allow a hotel in accordance with Article 3.I Section C Item 24 at 136 West Main Street.

ATTACHMENTS

1. 136 W Main St SUP App
2. 136 W Main St Aerials Map
3. 136 W Main St Owners Zoning Map
4. 136 W Main St Land Use Map

Docusign Envelope ID: DEDD4B84-DF68-49D4-BB38-BCB84FF92B28

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*

2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #:		PC Meeting Date:	
Date Received:		Received By:	
Parcel ID:		Address:	
Existing Zoning:		Future Land Use:	

APPLICANT PROVIDED INFORMATION

Property Location:	136 W Main Street Danville, VA
Applicant:	Good Living Group LLC
Applicant's Address:	3905 Railroad Ave. Suite 205s Fairfax, VA 22030
Applicant's Phone Number:	+1 (703) 930-4131
Applicant's Email:	Margie@barrnoneteam.com

Docusign Envelope ID: DEDD4B84-DF68-49D4-BB38-BCB84FF92B28

Describe Proposed Request: Requesting a special use permit to use the property under the "Hotel/Motel" use. I feel this use would be beneficial to family members of hospital patients.

Signed by:
Margie Barr
60F8C69E02F46...

Applicant's Signature	Date	Property Owner's Signature (if not applicant)	Date
	10/16/2024		

PLEASE ATTACH THE FOLLOWING

1. A preliminary site plan in accordance with the Site Plan Regulations.
2. 2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
3. 3. A written statement of proposed project compatibility with the following:
    a. The Comprehensive Plan.
    b. The applicable zoning district.
    c. The surrounding properties.
    d. Current and future neighborhood conditions.
    e. Pedestrian and vehicular traffic patterns, on-site and off-site.
    f. Adequate public facilities.
4. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
    a. The architectural elevations and floor plans of proposed building(s).
    b. Traffic impact analysis.
    c. Fiscal impact analysis.
    d. Parking and site circulation analysis.
    e. Photographs of property and surrounding area.
    f. Environmental impact statement.

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

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DANVILLE VIRGINIA

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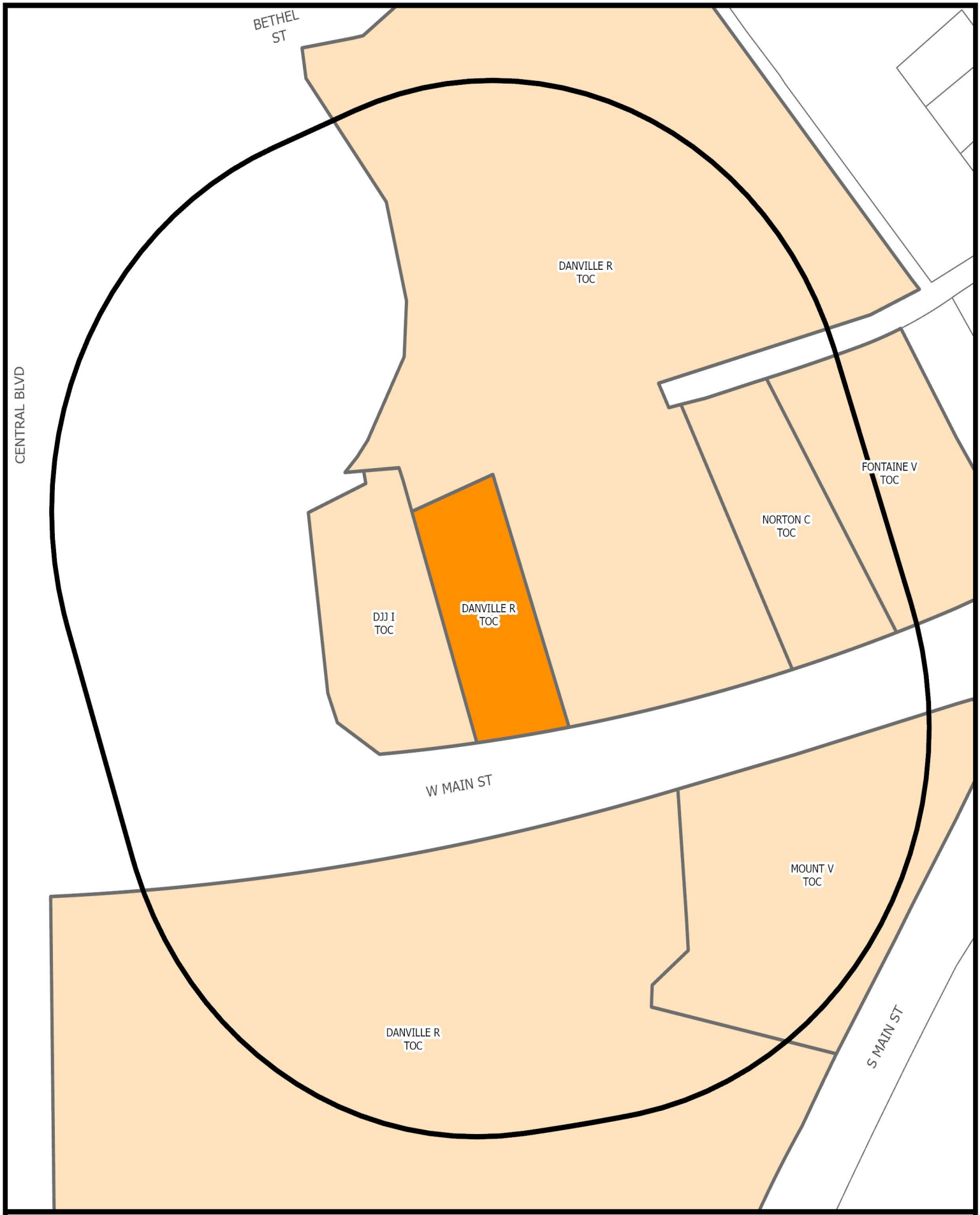

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

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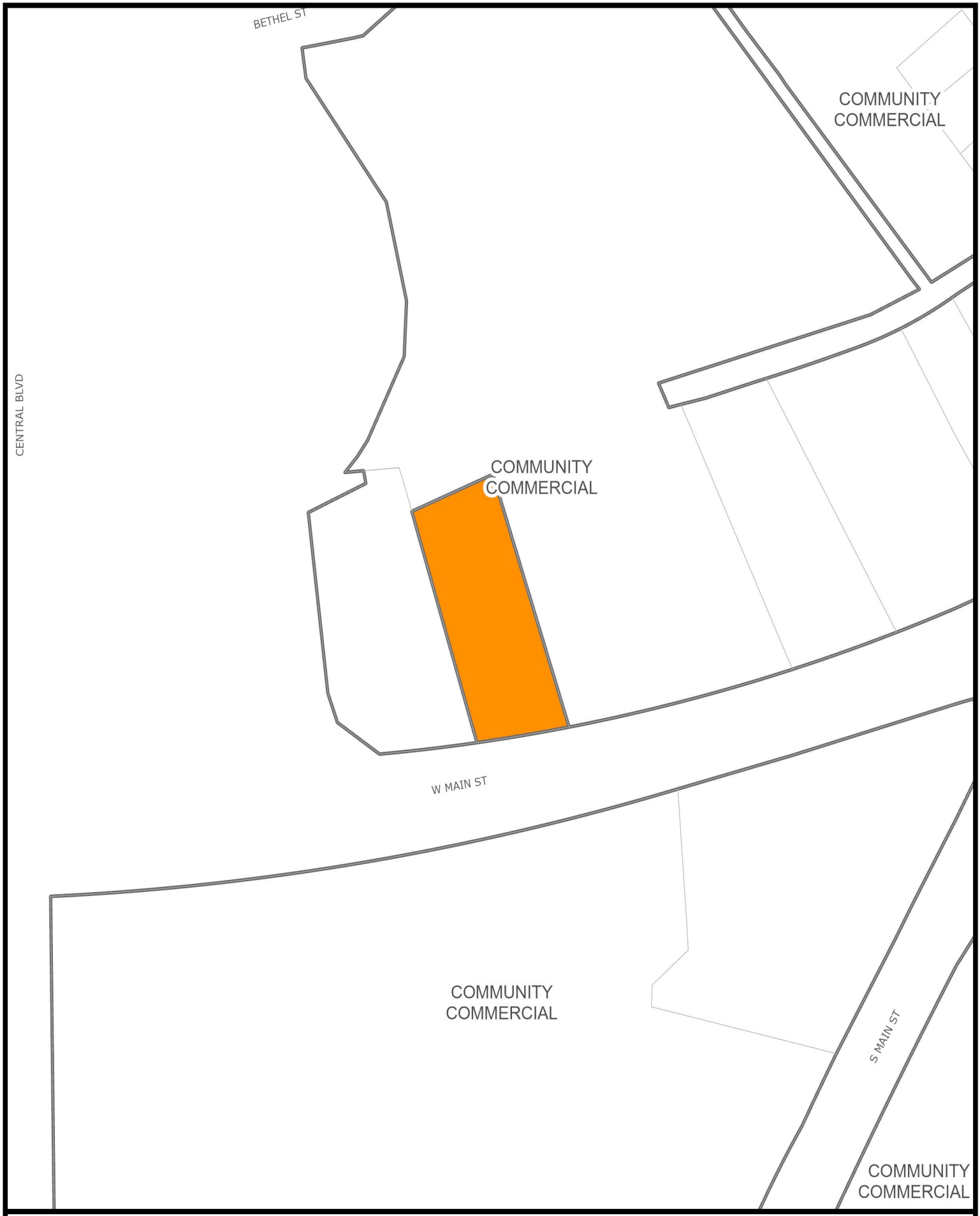

YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/21/2024

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Special Use Permit application PZ24-00527 filed by Danville Public Schools to allow a waiver of minimum yard requirements for parking in accordance with Article 3.I Section C Item 19 at 155 Mountain View Avenue (Parcel 26346).

SUMMARY

Danville Public Schools (DPS) has requested a waiver to the minimum yard requirements in accordance with Article 3.I Section C Item 19 at 155 Mountain View Avenue. 155 Mountain View Avenue is zoned TO-C, Transitional Office Commercial. Article 3.I Section F Item 2a states "[f]ront yard: 25 feet, provided that no parking is located within a front yard. If parking is provided in a front yard, the required setback is the parking area width plus 25 feet".

The proposed redevelopment of 155 Mountain View Avenue, Forest Hills Elementary, includes off-street parking along Mountain View Avenue and Lockett Drive. The parking design requires a Special Use Permit for a waiver of yard requirements to move forward. The design allows off- street parking for parents and bus drop-offs at Mountain View and for teachers and staff at Lockett Drive. This proposed change will alleviate some of the congestion on Mountain View Avenue for buses and car riders at Forest Hills Elementary and for the Averett students and staff parking on the street.

Thirty-six (36) notices were sent to surrounding property owners. Four notices were received. Three (3) were not opposed, one (1) was opposed.

RECOMMENDATION

Planning Staff recommends that Planning Commission recommend approval of PZ24-00527 to allow a waiver of minimum yard requirements for parking in the front yard at 155 Mountain View Avenue.

ATTACHMENTS

1. Special Use Permit Application for 155 Mountain View Avenue (1)
2. 155 Mountain View Ave Aerials Map
3. 155 Mountain View Ave Owners Zoning Map
4. 155 Mountain View Ave Land Use Map

CITY OF DANVILLE
Community Development
Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 6. Section D. Application Requirements for Special Use Permit.

1. *An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of $400.00.*
2. *If the request for a special use permit has been denied by the City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.*

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ24-00527 PC Meeting Date: November 12, 2024

Date Received: 9-24-24 Received By: Renee Burton

Parcel ID: 26346 Address: 155 Mountain View Ave.

Existing Zoning TDC Future Land Use:

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#) 155 Mountain View Ave., Danville, VA. 24541

Applicant: Danville Public Schools (Walter Lucas)

Applicant's Address: 341 Main St., Suite 100, Danville, VA., 24541

Applicant's Phone Number: (434) 799-6434 X254

Applicant's E-mail: wlucas@mail.dps.k12.va.us

Applicant's Signature

9/20/2024
Date

SPECIAL USE PERMIT APPLICATION

APPLICANT PROVIDED INFORMATION

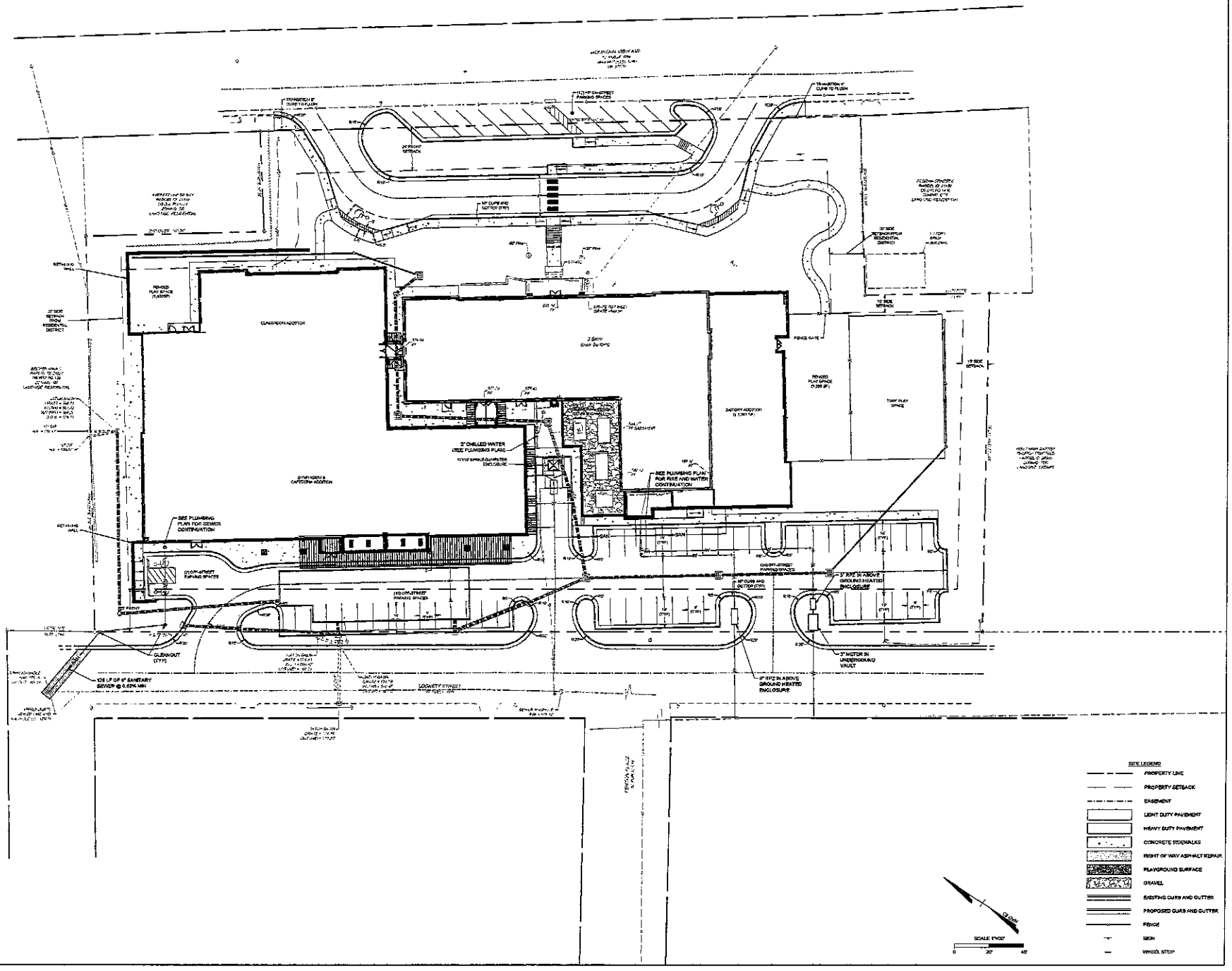
Property Location: 155 Mountain View Ave., Danville, VA. 24541

Danville Public Schools is currently in the design phase to renovate and place additions to Forest Hills Elementary School. In the design on this 2.5 acre property, and in order to alleviate the on street traffic issues on both Mountain View Ave. and Lockett Dr.. Off street parking has been included in the design for visiting people or parents seeking to pick up of drop off their children. Without it parking on the street that is barely wide enough for street parking on both sides to allow for safe traffic flow. Therefore, Danville Public Schools is requesting a Special Use Permit allowing for "Off Street Parking".

Walter Lucas

Director of Capitol Improvement

Danville Public Schools


ARCHITECTS
DANVILLE PUBLIC SCHOOLS
Forest Hills Elementary School Addition and Renovation
TIMMONS GROUP
DESIGN DEVELOPMENT
SITE AND UTILITY LAYOUT
C-300
SITE LEGEND
PROPERTY LINE
PROPERTY SETBACK
EASEMENT
LIGHT DUTY PAVEMENT
HEAVY DUTY PAVEMENT
CONCRETE SIDEWALKS
RIGHT OF WAY ASPHALT REPAIR
PLAYGROUND SURFACE
GRAVEL
EXISTING CURB AND GUTTER
PROPOSED CURB AND GUTTER
FENCE
SIGN
WHEEL STOP
SCALE 1"=20'
CLASSROOM ADDITION
CAFETERIA ADDITION
SANITARY ADDITION
TURF PLAY SPACE
FENCE GATE
2" CHILLED WATER (SEE PLUMBING PLAN)
SEE PLUMBING PLAN FOR SEWER CONTINUATION
SEE PLUMBING PLAN FOR FIRE AND WATER CONTINUATION
3" RPZ IN ABOVE GROUND HEATED ENCLOSURE
3" METER IN UNDERGROUND VAULT
CLEANOUT (TYP)
LOGANETT STREET

2023 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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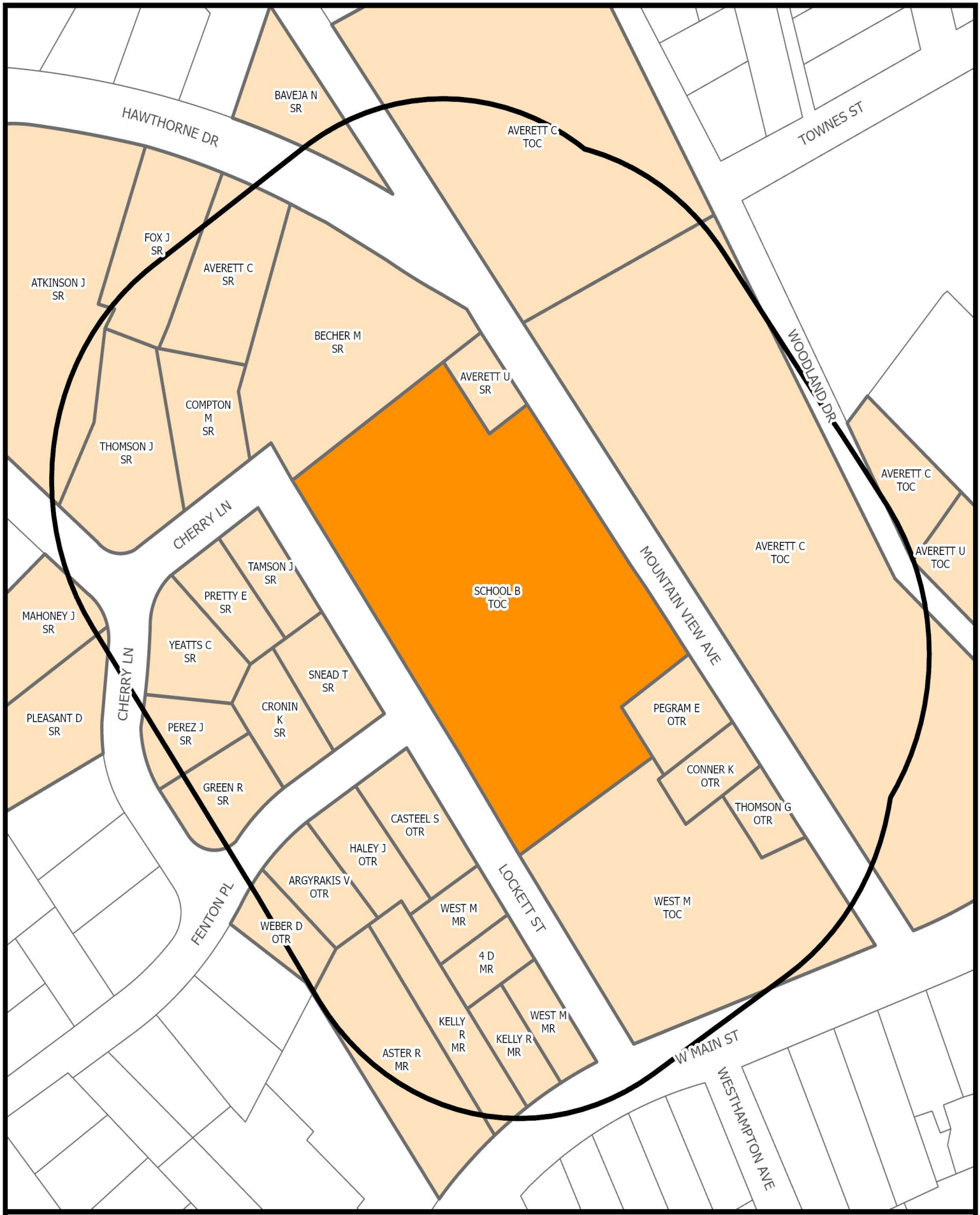

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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YEAR 2030 LAND USE SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/8/2024

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DANVILLE VIRGINIA

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STAFF REPORT

DATE: November 12, 2024

TO: Planning Commission

FROM: Renee Burton, Division Director of Planning

RE: Review and adoption of the City of Danville Comprehensive Plan. This plan establishes goals and plans for future land use decisions by the City.

SUMMARY

For over two years, the City of Danville has been working to create a Comprehensive Plan to serve as a road map for the City's future, with a robust public engagement process. This Plan is designed to be a comprehensive approach to the development of our home, the City of Danville. The document looks at the development of the land, as required, but also at the development of the community and the individuals that live within our community.

The draft document was made available for public comment on October 15, 2024 at plandanville.org/resources. City Council is scheduled to review the plan during their work session on November 7th. Planning Commission review of the Plan is on the November 12, 2024 Planning Commission agenda with additional work sessions scheduled on November 14th and 21st, if they are needed.

Comprehensive plans are mandatory by the Commonwealth of Virginia and are designed to be a living document. The document must be reviewed and revised by the locality every five years to respond to the changing conditions, laws, funding sources and tools available.

This comprehensive plan update was carried out with the intention of being the most community-involved process to date, and was created through a city-led planning effort called PLANDanville. This effort involved significant community outreach to pinpoint community members' top priorities and outline capital improvement objectives for the next 20 years. PLANDanville is a road map for the City's future, a long-range policy document that offers guidance on various topics.

The main goal of PLANDanville is to provide a visionary outlook for the future of Danville that will enhance the quality of life for all community members through the implementation of practical and adaptable policies that meet the needs of both current and future generations.

The community outreach was guided by six community ambassadors and a concentrated social media campaign supported by Kegerreis Digital Marketing. Throughout the two years, seventy-five separate events were conducted throughout the City, over 1,200 survey responses were received, and over 13,000 people were engaged in conversation about the

future of the city.

The voice of the community created our eight focus area or eight chapters of the Plan; they are:

1. Community
2. Land Use
3. Transportation
4. Infrastructure
5. Housing
6. Economy
7. Environment
8. Culture

RECOMMENDATION

Planning Staff recommends that Planning Comission recommend approval of the City of Danville Comprehensive Plan. If the Planning Commission has additional concerns or discussions and they would like to continue the conversation, a special meeting has been advertised for November 14th at 2:00 pm. Planning Commission may postpone a vote until this meeting.

ATTACHMENTS

1. One page summary

Plan Danville is a the development of the new comprehensive plan in line with government mandates, to which city planners and council members resolved to establish trust with the community at large to create an inclusive vision in five fun and interactive phases.

Through small conversations held through art, games and activies, parties, and prize, food and refreshments, engagement process seeks to build trust in the community promote and encourage active listening towards future implementation.

Belong today, Become together, Sustain tomorrow.

PLAN Danville

Unified Community Vision

Our unified vision is to create a supportive, and diverse community, where everyone can thrive to achieve their unique potential. Together, we will engage and encourage one another to build a sustainable and equitable future for all.

6

Community Ambassadors

A team of local individuals who are connected to their local area, and have the trust and respect of other community members

13K

Engaged Citizens

Our website and social media accounts have garnered constructive feedback and engagement from thousands of unique visitors.

75

Events

Plan Danville Ambassadors and volunteers host focused community engagement events throughout the city.

1,200+

Survey Participants

People who live, work, play, and engage in and near Danville have provided feedback on their future vision for Danville.

PLANNING COMMISSION MINUTES
OCTOBER 7, 2024

MEMBERS PRESENT	MEMBERS ABSENT	STAFF
Mr. Petrick		**Renee Burton**
Mr. Dodson		**Cynthia Lester**
Mr. Ranson		**Clarke Whitfield**
Mr. Jones		**Shanika Williams**
Mr. Bolton		
Ms. Evans		
Mr. Khan		

ITEMS FOR PUBLIC HEARING:

NEW BUSINESS

1. Special Use Permit application PZ24-00482 filed by Lightshift Energy to allow a public utilities facility in accordance with Article 3.M Section C Item 23. At 900 at Mt Cross Road (Parcel 72885).

Mr. Petrick opened the Public Hearing.

Mr. Elder stated. I am the director of development at Lightshift Energy. And a brief introduction of who the company is and what the project benefits are to the locality and the physical location on 900 Mt. Cross Road facility. We are a battery storage operator of projects, headquarter in Arlington Va. We have a large pipeline on our projects anywhere from 2 to 200 megawatts in size. 4000 megawatts in total. We develop build and operate these facilities for the benefit of our customers and localities. We have 5 operational projects in place up and down the East Coast including the one just down the street here in the City of Danville, it began operation in October of 2022 a 10 ½ megawatt, 24. 6 megawatt hour facility It ultimately utilized by Danville Utilities to do peak shaving, to be able to save on costly transmission and charges as it relates to bills the utility have to pay in order to be able to procure capacity from the power market. Simply it saves money for the City of Danville. It actually could save over $40 million dollars over its useful life. Talking to Jason Grey the Director of Utilities they're already expecting 2 ½ million dollars to be saved next year based on this year operation of the facility. The benefit to the financial benefits, local tax benefits and an investment per our company's policy. We invest at least 10 thousand dollars into a community center of choice so that we can support the locality in the places where we develop our projects in. We use local service and labor wherever beneficial. There is no impact to neighboring residents and view shed concerns because of natural topographical design of the site, we are looking to install 13 containers for the battery project there. This will be a 12 ½ megawatt facility. We have done due diligence: we have engaged with all neighboring landowners. We are expecting it to be in operation sometime Q2 in 2026.

Mr. Dodson stated. Is there any danger of fires from these?

Mr. Elder stated. There can be but if you go back and look at historical incidents that have happen the 2018 – 2022 time frame. There were some fires safety concerns even an explosion.

Mr. Bolton stated. What is the reasoning behind needing a second storage facility location? What is the catalyst for that?

Mr. Elder stated. Speaking to Jason Gray, the director of Danville Utilities there is a need as demand has grown n the city the need for power. There is more of a need to have power peak shaving that ultimately to take place so that the customers may not have to pay as much on their Utilities bill.

Mr. Petrick closed the Public Hearing.

Mr. Ranson stated. In your recommendation it says the planning division approved with conditions that the special use permit shall become void if the facility is not under contract with the city of Danville. Is there a time limit on that.

Ms. Burton stated. As long as the Danville Utility Department and Lightshift Energy are still within their agreement, the first contract maybe 5 years and then it is extended another 5 years but as long as it is an active contract the special use permit will be active as well.

Ms. Evans stated. One person stated that they oppose he would like to purchase that parcel because he owns property on both sides. The parcel is not for sell, correct?

Ms. Burton stated. The parcel is not for sale.

Mr. Bolton made a motion to approve special use permit application PZ24-00482 with condition the special use permit should become void if the facility is not under contract with the city of Danville Utility Department and interconnected to the city of Danville's electric system. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.

2. Rezoning application PZ24-00490 filed by J. Cubas Holdings, LLC to rezone Parcel (76199) Goodyear Blvd. from HR-C Highway Retail Commercial to M-R Multifamily Residential.13.

Mr. Petrick opened the Public Hearing.

Mr. Cubas stated. When we started, we had 2 projects in 2 different properties. This property was going to be for multi-family. We had another for the assisting living facility that eventually I withdrew because I was not aware of the actions that was taking place across the street over on Woodside. We then started integrating both projects into one. The idea behind this project and the way it is designed and the way it's being marketed, is providing family the ability to live within the same development where their elderly may be taking care of. The ideal is to create a resort-style community where you can have both. There are 8 buildings with 30 units each in accordance with the ordinance for 240 units. The AFL portion is on 7 ½ acres of the property that we've offered for the ALF at 180 units. The total between the 2 is 420. The reports say 360 but we will get into that once we get into the second application which is the SUP.

Mr. Petrick closed the Public Hearing.

Mr. Khan stated. Is the traffic study being done?

Ms. Burton stated. Correct. We will take some of the number from the previous traffic study, more than likely will look at those as well and complete a traffic study coming off of Goodyear Blvd.

Mr. Khan stated. That is my concern coming from 86 on to Goodyear Blvd. Very meandering there.

Mr. Petrick stated. Egress and ingress are better I think than the previous project over there, but we'll find out for sure.

Mr. Bolton made a motion to approve rezoning application PZ24-00490 with two conditions placed by staff. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.

3. Special Use Permit application PZ24-00491 filed by J. Cubas Holdings, LLC to allow assisted living residences in accordance with Article 3.G Section C Item 8 and a waiver of maximum density in accordance with Article 3.G Section C. Item 21 Parcel (76199) and a portion of (75939) Goodyear Blvd.

Mr. Petrick opened the Public Hearing.

Mr. Cubas stated. We recognize there are flood plains on the property, and they need to be addressed. Normally, when you address issues that have to do with engineering, they are not done until or prior to development the engineering phase of the project. We are in the land use portion of this project, and this is confusing to me. When I read this the paragraph requesting denial. Specifically refers to a waive of maximum density. We are only talking about the ALF portion of the project the one that was going to go on Woodside is the one that we have put her. That project had 174 units because this property was bigger, we bumped it up 6 units to 180 units. After I went back and read the ordinance, we are not requesting a waiver of maximum density. The ordinance clearly states the maximum density for multi-family dwellings that are proffered for ALF are 24 units an acre. Density is not included under the uses for special use permit.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve special use permit application PZ24-00491 with condition placed by staff. Mr. Ranson seconded the motion. The motion was approved by a 7-0 vote. Mr. Bolton made a motion to approve a waiver with maximum density. Mr. Ranson seconded the motion. The motion was approved by a 7-0 vote.

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

The September 9, 2024, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 3:45 p.m.

s/Cynthia Lester

APPROVED