



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

December 3, 2024

7:00 PM

PRESIDING: Alonzo L. Jones, Mayor

**CITY COUNCIL
MEMBERS:**

James B. Buckner
L.G. "Larry" Campbell, Jr.
Bryant Hood
Barry P. Mayo

Dr. Gary P. Miller, Vice Mayor
Sherman M. Saunders
J. Lee Vogler, Jr.,
Madison J. Whittle

STAFF:

Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. All meetings of the Council are open to the public.

Communications from Visitors

Communication from Visitors is an opportunity for citizens, who have signed up to speak at www.danvilleva.gov/council or by contacting the Office of the City Clerk, to address Council on matters not on the agenda. Citizens who desire to speak on agenda items will be heard when the agenda item is considered. Each speaker shall clearly state his or her name and address, and shall have three uninterrupted minutes. A representative of a group may have up to five uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - VICE MAYOR GARY P. MILLER

PLEDGE OF ALLEGIANCE TO THE FLAG

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine, have previously been discussed by City Council and/or introduced for First Reading. There will be no separate discussion on these items and they will be enacted by one motion. If discussion is desired by a Council Member or a citizen, the item(s) will be removed from the consent process and considered separately.

PUBLIC HEARING

- A. Consideration of Approval of Minutes for Regular Council Meeting held on November 7, 2024.
Council Letter Number CL - 1741.
Consideration of Approval of Minutes from Regular Council Meeting held on November 7, 2024.
- B. Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of General Obligation Bonds.
Council Letter Number CL - 1654.
An Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of Bonds and Appropriating Same for Anticipated Expenditures.
Final Adoption

APPOINTMENTS

- A. Consideration of Recommendations to City Boards and Commissions.
Council Letter Number CL - 1752.
Consideration of Recommendations to the Following Boards and Commissions:
1. Building Code Board of Appeals
 2. Employee Retirement System
 3. Fair Housing Board
 4. Planning Commission
 5. Industrial Development Authority.

NEW BUSINESS

- A. Consideration of a Rezoning Application filed by J. Cubas Holdings, LLC to Rezone a total of 22.50 Acres that Includes Parcel 76199 and a portion of Parcel 75939 (Goodyear Blvd).
Council Letter Number CL - 1699.
1. Public Hearing
 2. An Ordinance Rezoning to M-R Multi-Family Residential from HR-C Highway Retail Commercial and T-R Threshold Residential Parcel ID 76199 and a Portion of Parcel ID 75939 (Goodyear Boulevard), Respectively.

- B. Consideration of Special Use Permit Application filed by J. Cubas Holdings, LLC to Allow Assisted Living Residences at Parcel 76199 and a Portion of Parcel 75939 (Goodyear Blvd).
Council Letter Number CL - 1700.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00491, J. Cubas Holdings LLC, Requesting a Special Use Permit to Allow Assisted Living Residences at Parcel 76199 and a 10.66 Acre Portion of Parcel ID 75939 (Goodyear Boulevard) in Accordance with Article 3.G. Section C Item 8.
- C. Consideration of a Special Use Permit Application filed by J. Cubas Holdings, LLC to Grant a Waiver of Maximum Density at Parcel 76199 and a Portion of Parcel 75939 (Goodyear Blvd).
Council Letter Number CL - 1733.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24-00602, J. Cubas Holdings LLC, Requesting a Special Use Permit to Allow a Waiver of Maximum Density at Parcel 76199 and a 10.66 Acre Portion of Parcel ID 75939 (Goodyear Boulevard) in Accordance with Article 3.G. Section C Item 8.
- D. Consideration of Rezoning Application filed by SPM Empowerment and Skills Inc. to Rezone Parcels 02809 and 02854.
Council Letter Number CL - 1713.
1. Public Hearing
 2. An Ordinance Rezoning from OT-R Old Town Residential to A-R Attached Residential Parcel IDS 02809 and 02854 (North Main Street).
- E. Consideration of Rezoning Application filed by Sandra Salas Tamayo to Rezone 2608 Westover Drive.
Council Letter Number CL - 1714.
1. Public Hearing
 2. A Resolution Maintaining Parcel ID 71942 in the S-R Suburban Residential Zoning District; OR
 3. An Ordinance Rezoning from S-R Suburban Residential to A-R Attached Residential Parcel ID 71942 (2608 Westover Drive).
- F. Consideration of a Special Use Permit Application filed by William Elam to Allow Waiver of Minimum Lot Size at 124 Hurt Street.
Council Letter Number CL - 1715.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00523, filed by William Elam, Requesting a Special Use Permit to Allow a Waiver of Minimum Lot Size at Parcel 50850 (124 Hurt Street) in Accordance with Article 3.E. Section C Item 21.
- G. Consideration of a Special Use Permit Application filed by Evesting LLC to allow Attached Residential Dwellings 434 Kemper Road.
Council Letter Number CL - 1716.

1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00534, filed by Evesting LLC, Requesting a Special Use Permit to Allow an Attached Residential Dwelling at Parcel 24535 (434 Kemper Road) in Accordance with Article 3.E. Section C Item 1.
- H. Consideration of a Special Use Permit Application filed by Phoenix House LLC to Allow a Group Home at 158 Montague Street.
Council Letter Number CL - 1717.
1. Public Hearing
 2. A Resolution Denying Special Use Permit Application PZ24- 00554, filed by Phoenix House LLC, Requesting a Special Use Permit to Operate a Group Home in Accordance with Article 3.E Section C. Item 9. of the Danville Zoning Ordinance at Parcel ID 24813 (158 Montague Street); OR
 3. An Ordinance Granting Special Use Permit Application PZ24- 00554, filed by Phoenix House LLC, Requesting a Special Use Permit to Allow a Group Home at Parcel 24813 (158 Montague Street) in Accordance with Article 3.E. Section C Item 9.
- I. Consideration of a Special Use Permit Application filed by Jonathan Sharolli to Allow Attached Residential Dwellings at 224 Winslow Street.
Council Letter Number CL - 1718.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00518, filed by Jonathan Sharolli, Requesting a Special Use Permit to Allow an Attached Residential Dwelling at Parcel 24572 (224 Winslow Street) in Accordance with Article 3.E. Section C Item 1.
- J. Consideration of a Special Use Permit Application filed by Katillia Johnson to Allow a Child Daycare Center at 130 Clarkson Street.
Council Letter Number CL - 1719.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00553, filed by Katillia Johnson, Requesting a Special Use Permit to Allow a Child Day Care Center at Parcel 56540 (130 Clarkson Street) in Accordance with Article 3.E. Section C Item 7.
- K. Consideration of a Special Use Permit Application filed by David Dujardin to Allow Attached Residential Dwellings at 161 Holbrook Avenue.
Council Letter Number CL - 1720.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00566, filed by David Dujardin, Requesting a Special Use Permit to Allow an Attached Residential Dwelling at Parcel 21610 (161 Holbrook Avenue) in Accordance with Article 3.E. Section C Item 1.
- L. Consideration of a Code Amendment Request filed by BWWD, LLC to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended.

Council Letter Number CL - 1721.

1. Public Hearing
2. An Ordinance Amending Chapter 41 Entitled, "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as Amended, More Specifically, to Amend Article 3.N. Section C, to Create Item 27.

- M. Consideration of a Special Use Permit Application filed by BWDD, LLC to Allow a Mini-Storage Warehouse, with no Exterior Storage 143 Crown Drive.

Council Letter Number CL - 1722.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ24- 00565, filed by BWDD LLC, Requesting a Special Use Permit to Allow a Mini-Storage Warehouse, with no Exterior Storage at Parcel 72436 (143 Crown Drive) in Accordance with Article 3.N. Section C Item 27.

- N. Consideration of a Special Use Permit Application filed by Good Living Group LLC to Allow a Hotel/Motel at 136 West Main Street.

Council Letter Number CL - 1723.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ24- 00567, filed by Good Living Group LLC, Requesting a Special Use Permit to Allow a Hotel/Motel at Parcel 23512 (136 West Main Street) in Accordance with Article 3.I. Section C Item 24.

- O. Consideration of a Special Use Permit Application filed by Danville Public Schools to Allow a Waiver of Minimum Yard Requirements for Parking at 155 Mountain View Avenue.

Council Letter Number CL - 1724.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ24- 00527, filed by Danville Public Schools, Requesting a Special Use Permit to Allow a Waiver of Minimum Yard Requirements at Parcel 26346 (155 Mountain View Avenue) in Accordance with Article 3.I. Section C Item 19.

- P. Consideration of Adoption of the City of Danville Comprehensive Plan "PLANDanville, A Comprehensive Plan for a Unified Future".

Council Letter Number CL - 1726.

1. Public Hearing
2. An Ordinance Receiving the Recommendation of the Planning Commission and Adopting a new Comprehensive Plan for the City of Danville, "PLANDanville: A Comprehensive Plan for a Unified Future."

- Q. Consideration of the City Manager's Amended Employment Agreement.

Council Letter Number CL - 1740.

A Resolution of the City Council of the City of Danville, Virginia Approving the City Manager's Amended Employment Agreement.

- R. Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for USDA Grant Funds for Food Services at W. W. Moore, Jr. Detention Home.

Council Letter Number CL - 1680.

An Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance for a Federal Grant in the Amount of Approximately \$70,489 to Aid the Food Service Operations at W. W. Moore, Jr. Detention Home and Appropriating Same.

First Reading

- S. Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for Virginia Juvenile Community Crime Control Act Funding Appropriation.

Council Letter Number CL - 1682.

An Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance for a Grant from the Department of Juvenile Justice in the Amount of \$86,999 and a Local Share of \$39,830, for a Total Appropriation of \$126,829, to Provide for the Electronic Monitoring and Outreach Detention Programs, Online Intervention Programs, and Pro- Social Skills Programs for the City of Danville at the W. W. Moore Jr. Detention Home and Appropriating Same.

First Reading

- T. Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance to Provide Funds for Renovations at Dan River Falls.

Council Letter Number CL - 1734.

An Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance to Provide Funding from Unassigned General Fund Balance and Operating Funds for Renovations at the Dan River Falls Building for City Offices in the Amount of \$5,600,000 and Appropriating Same.

First Reading

COMMUNICATIONS FROM VISITORS

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COMMUNICATIONS

A. City Manager

B. Deputy City Manager

C. City Attorney

D. City Clerk

E. Roll Call

ADJOURNMENT