



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

March 9, 2026

2:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. NEW BUSINESS

1. Special Use Permit application PZ26-00191 filed by the Industrial Development Authority for a waiver to maximum sign area at Parcel 21322 (Memorial Drive).
2. Special Use Permit application PZ25-00424 filed by Blackstone Building Group, LLC to allow a waiver of lot frontage requirements Parcels 78585, 77925, 71138, 77918, 77919, 77920, 77921 and 77922 (Vandola Road, Riverside Drive and Kayewood Lane).
3. Special Use Permit PZ26-00194 filed by Da Ville Management LLC to allow indoor commercial recreation at Parcel 22399 (401 South Ridge Street).
4. Code amendment request PZ26-00221 filed by the City of Danville to amend Chapter 41 entitled "CODE Danville, The Unified Development Code of Danville, Virginia" of the City of Danville, 2025, as amended. Specifically, amend Article 8 "Administration and Procedures".
5. Code amendment request PZ26-00220 filed by the City of Danville to amend Chapter 41 entitled "CODE Danville The Unified Development Code of Danville, Virginia" of the City of Danville, 2025 as amended. Specifically, amend Article 7 "Subdivisions".

IV. APPROVAL OF MINUTES

1. Minutes from February 9, 2026 Meeting

V. PLANNING DIRECTOR'S REPORT

VI. ADJOURNMENT

STAFF REPORT

DATE: March 9, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ26-00191 filed by the Industrial Development Authority for a waiver to maximum sign area at Parcel 21322 (Memorial Drive).

SUMMARY

The applicant requests a waiver of maximum square footage for a tenant identification sign that is to be placed within the right-of-way at Parcel 21322 near Dan River Falls, a mixed-use development. The signage is intended to identify commercial tenants and improve wayfinding for citizens, visitors, and patrons. The installation of signage within the right-of-way requires a Right-Of-Way Use Agreement that is approved by the Director of Public Works and the City Manager.

A Special Use Permit for a waiver of the maximum sign area in the River District will allow the installation of a ground sign not to exceed an advertising area of 125 square feet, a maximum height of 30 feet, and up to 150 square feet of architectural elements. Without the Special Use Permit, the installation of a ground sign may not exceed an advertising area of 24 square feet, 10 feet maximum height, and 32 square feet of architectural elements. The proposed sign will also be subject to compliance with all applicable landscaping and lighting regulations.

Granting a Special Use Permit for a waiver of the maximum sign area will allow the opportunity for each tenant to have an identification tile on the ground sign and it will assist visitors as they determine the correct drive entrance to access the commercial uses.

Forty-five (45) notices were sent out to property owners within three hundred (300) feet. At this time, no responses have been received.

RECOMMENDATION

Planning staff recommends approval of Special Use Permit application PZ26-00191 for a waiver to maximum sign area at Parcel 21322 (Memorial Drive) with the condition that the proposed sign not exceed an advertising area of 125 square feet, a maximum height of 30 feet, and up to 150 square feet of architectural elements.

ATTACHMENTS

1. Application
2. Parcel 21322 Memorial Dr Aerials Map
3. PIN 21322_Owners Zoning Map (1)



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

Applicant:	Industrial Development Authority
Applicant's Address:	PO Box 3300 Danville, VA 24543
Applicant's Phone Number:	434-793-1753
Applicant's Email:	Kim.custer@discoverdanville.com

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.

DANVILLE, VA

- 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.

Property Location: 420 Memorial Drive, Danville VA 24543
ROW Parcel 21322
Identification signage to be placed in the right of way at the entrance to the commercial end of the building for tenants occupying the commercial spaces at Dan River Falls.

Describe Proposed Request:

T. Neal Morris 2/4/20
Applicant's Signature Date

Commonwealth of Virginia
City of Danville

The foregoing instrument was acknowledged before me this 4th day of February
2020
by T. Neal Morris

Kimberly Ann Custer
Notary Public

Registration No.: 7519125 Expires: 11/30/2028

KIMBERLY ANN CUSTER
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7519125

DANVILLE, VA

Owner's Signature
(if not applicant)

Date _____

Commonwealth of Virginia

City of Danville

The foregoing instrument was acknowledged before me this ____ day of _____, 20____.

by _____

Notary Public

Registration No.: Expires:

Tenant Identification Signage for Dan River Falls Commercial Space

Description of Proposed Use

The purpose of this permit application is to request approval for the installation of tenant identification signage within the right of way adjacent to the Dan River Falls commercial space. The signage is necessary to clearly identify the tenants occupying the commercial units and to facilitate wayfinding for citizens, visitors, and patrons.

Signage Location and Features

The parcel is situated within the TWC Tobacco Warehouse Commercial Zone and is bordered by property owned by the Industrial Development Authority, which supports the installation of this signage. Placing the signage in this right of way will provide clear and convenient access to the commercial property.

The proposed sign will be strategically positioned in a prominent area within the public right of way to maximize visibility and ensure effective identification of all tenants within the commercial complex. Its design will complement the surrounding environment and fully comply with applicable municipal regulations, including a maximum advertising area of 125 square feet, a height of 30 feet, and up to 150 square feet of architectural elements.

To ensure visibility and safety during both daylight and nighttime hours, the sign will be illuminated using appropriate lighting fixtures. The lighting will provide clear identification for all citizens and patrons during peak business hours and beyond.

Community Benefit

The installation of this tenant identification signage will enhance the overall accessibility and navigability of the Dan River Falls commercial area. By providing clear, illuminated identification, the sign will serve the needs of the community, support local businesses, and contribute to a welcoming commercial environment.



CITY OF DANVILLE
Department of Public Works
Division of Engineering

February 3, 2026

To Whom It May Concern:

I am writing to express my full support for the proposed installation of tenant identification signage within the right of way adjacent to the Dan River Falls commercial complex. This signage is an important enhancement that will directly benefit the tenants, visitors, and broader community by improving visibility, accessibility, and overall wayfinding throughout the area.

The Dan River Falls site, located within the TWC Tobacco Warehouse Commercial Zone and bordered by property under the ownership of the Industrial Development Authority, is a growing hub of commercial activity. Given the unique configuration of the development and its relationship to surrounding parcels, strategically placed signage in the right of way is both appropriate and necessary to ensure that tenants are clearly identifiable to citizens, visitors, and patrons.

As shown in the schematic drawings, the proposed signage will be thoughtfully designed to complement the existing environment and comply with all municipal regulations, including height, dimensional standards, and architectural allowances. With a maximum advertising area of 125 square feet, a height not to exceed 30 feet, and up to 150 square feet of architectural elements, the sign will serve as an attractive and functional feature for the site. Additionally, the planned illumination will ensure that the sign remains visible and safe during both daytime and evening hours, meeting the needs of the community during peak business times and beyond.

The installation of this signage will provide considerable public benefit. Clear tenant identification enhances navigability, supports the economic vitality of local businesses, and contributes to creating a welcoming and easily accessible commercial environment. As Dan River Falls continues to develop into a high value commercial destination, the addition of effective and attractive wayfinding elements is essential.

For these reasons, I strongly support approval of this permit application and the installation of the proposed tenant identification signage. This improvement will meaningfully enhance the user experience and strengthen the commercial viability of the Dan River Falls development.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Dunevant".

Brian L. Dunevant
City Engineer
Department of Public Works





CITY OF DANVILLE

City Manager's Office

February 3, 2026

To Whom It May Concern:

I am writing to express my support for the proposed installation of tenant identification signage within the right of way adjacent to the Dan River Falls commercial complex. This signage will help the tenants, visitors, and broader community by improving visibility, accessibility, and overall wayfinding throughout the area.

The Dan River Falls site, located within the TWC Tobacco Warehouse Commercial Zone is a former textile manufacturing building that is now a mixed-use development with multiple tenants. A strategically placed signage in the right of way is both appropriate and necessary to ensure that tenants are clearly identifiable to citizens, visitors, and patrons.

The proposed signage will fit the surroundings and meet all municipal regulations for size, height, and architecture, as shown in the drawings. With a maximum advertising area of 125 square feet, a height not to exceed thirty feet, and up to 150 square feet of architectural elements, the sign will serve as an attractive and functional feature for the site. Additionally, the planned illumination will ensure that the sign remains visible and safe during both daytime and evening hours.

The installation of this signage will provide considerable public benefit. Clear tenant identification enhances navigability, supports the economic vitality of local businesses, and contributes to creating a welcoming and easily accessible commercial environment. As Dan River Falls continues to develop into a high value commercial destination, the addition of effective and attractive wayfinding elements is essential.

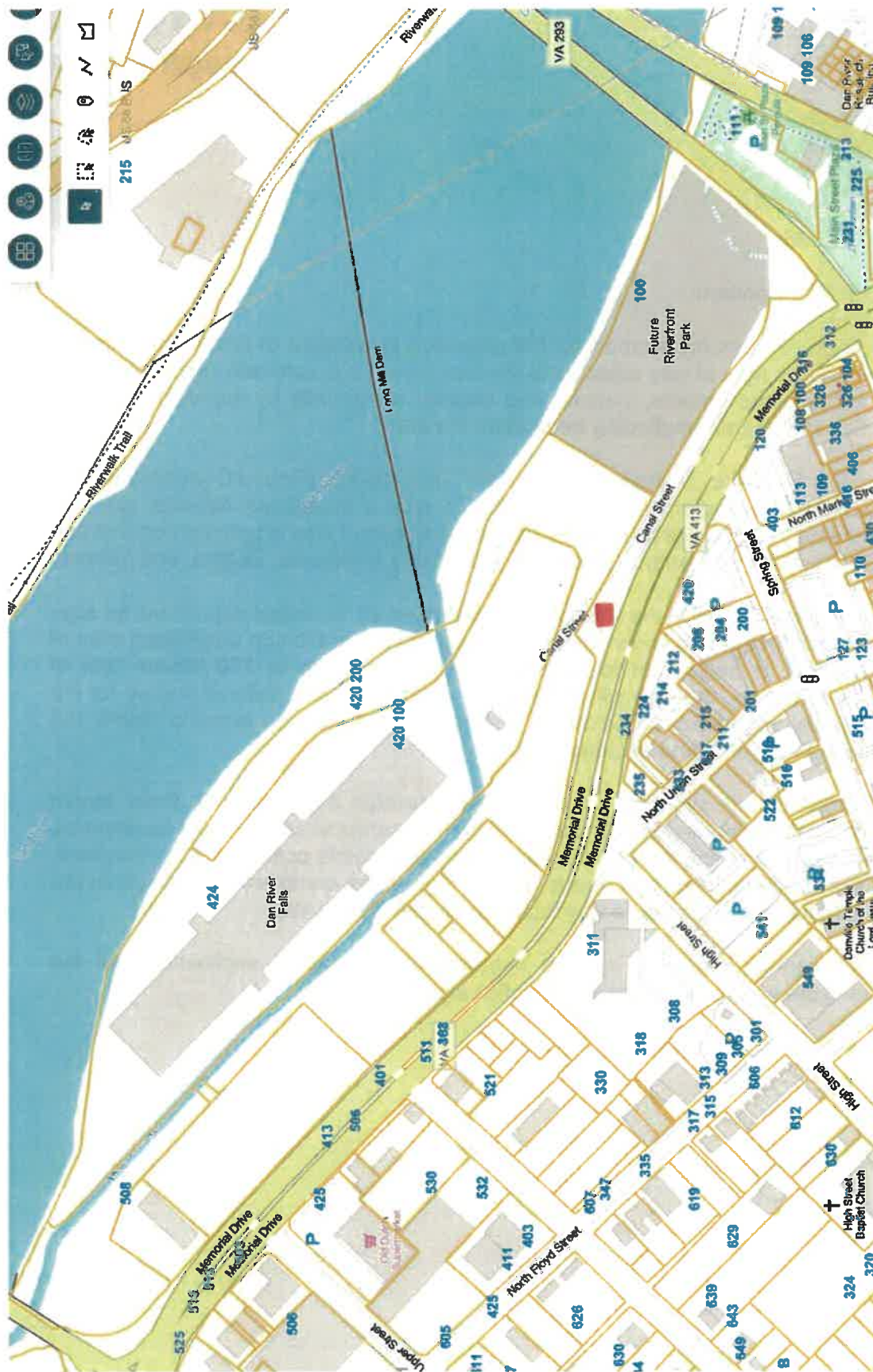
For these reasons, I strongly support approval of this permit application and the installation of the proposed tenant identification signage.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Ken Larking".

Ken Larking
City Manager



Sign location in right-of-way on commercial end of Dan River Falls

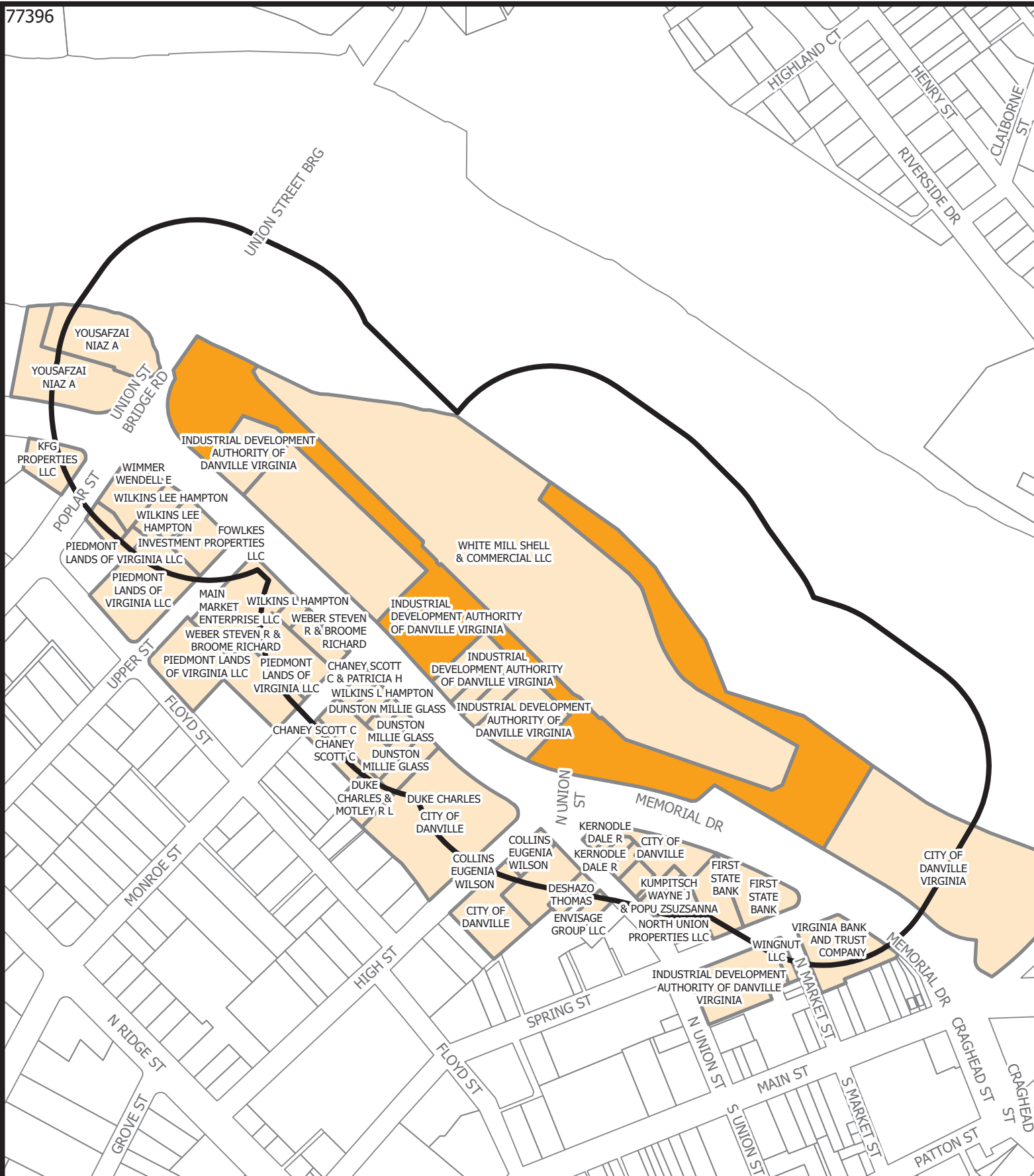


2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
2/19/2026



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.



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
2/20/2026



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.

STAFF REPORT

DATE: March 9, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ25-00424 filed by Blackstone Building Group, LLC to allow a waiver of lot frontage requirements Parcels 78585, 77925, 71138, 77918, 77919, 77920, 77921 and 77922 (Vandola Road, Riverside Drive and Kayewood Lane).

SUMMARY

Blackstone Building Group, LLC is requesting to allow a waiver of lot frontage requirements at Parcels 78585, 77925, 71138, 77918, 77919, 77920, 77921 and 77922 (Vandola Road and Kayewood Lane). The applicant has requested to reduce the minimum lot width requirement from eighteen (18) to sixteen (16) feet. The applicant has requested this waiver to accommodate the building plans of what the applicant has identified as the "workforce housing" portion of the Vandola Crescent development. The "workforce housing" portion of the development equals to what has been identified as three (3) story townhouses. The remaining 96 of the proposed 317 unit development are predetermined to be age-restricted dwellings.

This project was first the subject of a request for a Planned Unit Development (PUD) that was approved by City Council in July 2024 with the following conditions:

1. The development shall include no more than 360 residential units and 2 commercial structures.
2. The commercial structures may be located on Parcel 71143 and 77608 and are to be developed in accordance with Article 3.J, N-C, Neighborhood Commercial zoning classification.
3. The developer will complete a Traffic Impact Analysis in consultation with the City of Danville and implement the recommendations (TIA was completed 09-21-24).
4. A minimum of 35% of the building exteriors will be masonry.
5. The height of each building may not exceed three (3) stories or 45 feet.
6. No more than eight (8) and no fewer than three (3) single-family attached units (townhouses) shall be included in any one physically contiguous grouping.
7. Townhouse grouping shall be designed to minimize "Flat-faced", row-house architectural facades. Architectural projections, off-sets, window bays, canopies, porches, mixed materials and colors and other design elements of a unified architectural theme shall be provided to achieve this result.
8. Architectural treatment of attached dwellings shall vary so that no more than two abutting units are substantially the same and so that no more than four units in any group

are substantially the same; and

9. The development will maintain landscape buffers compliant with Article 16 of the zoning ordinance and or the development agreement, whichever is greater.

10. Parking shall not be placed in the front yard (Vandola Road and Riverside Drive) of the development.

At the request of the applicant, the project was amended to create a development plan where each dwelling unit would be located on a separate lot. This amendment was requested by the applicant to allow application for development reimbursement incentives that are offered by the City. This new proposal required that the land be developed under a change in zoning classification instead of the PUD. The zoning change from TR to AR, Attached Residential was approved by City Council on May and June 2025.

During a submission by the applicant for development review by the Inspections, Planning and Engineering Divisions, it was discovered that the proposed townhome units and lot sizes were a width of sixteen (16) feet. The reviews were rejected due to this inconsistency with the Code and a subsequent Special Use Permit was filed to allow a waiver of lot size for the development.

On September 8, 2025, this application was presented to the City Planning Commission. Staff recommended denial due to its incompatibility with the surrounding community, concern for the quality of housing presented at a reduced width, and the density that would be allowed with the reduction. According to the Missing Middle Housing website, the ideal width for attached residential homes is 18 feet per unit. Reducing unit width may create significant functional challenges and diminish buyer interest. The proposal is generally consistent with the Comprehensive Plan's goals of providing various housing options and securing suitable workforce housing. However, staff finds a decrease in width of the units and an increase in density incompatible with existing structures along Vandola Road and the City's goal of providing quality workforce housing options. The City Planning Commission voted 5-0 to recommend denial of Special Use Permit application PZ25-00424.

Before the request could be reviewed by City Council, proof of ownership was requested by Planning Staff. This was not submitted by the applicant. Therefore, the request was postponed from the October 9, 2025, City Council agenda and was not rescheduled for consideration in November or December at the applicant's request. On January 9, 2026, staff received deeds of sale for the subject parcels. Parcels 78585, 71138, 77918, 77919, 77920, 77921, and 77922 were conveyed to Blackstone Building Group, LLC. However, Parcel 77925 (26.8 acres) was conveyed to MLCHVandola, LLC, with Blackstone Building Group, LLC holding a purchase option agreement for one (1) year. While owner authorizations have been provided, the applicant does not currently hold title to all subject parcels, and implementation of the proposed development would remain contingent upon future transfer of ownership.

At the February 3, 2026 City Council meeting, Council remanded the request to the Planning Commission. Following remand to the Planning Commission, the applicant submitted several additional proffered conditions:

1. Consistency of Scope of Development: The desired special use permit is necessitated by the terms of a cost-share agreement between the City of Danville (the "City") and the Applicant, relative to the City's installation of a high-volume water main, ancillary water lines and water service to the area. In order to maximize the benefit of the costshare agreement, each townhome/villa unit effectively becomes a "lot" within the municipal code definitions,

with dedicated water meters and individual water service to each lot. Notwithstanding the foregoing or the characterization of the structures as a "lot" or a "unit" (as is the case under the approved planned unit development), the special use permit will not impact unit/lot density, and the overall number and size will remain consistent with those densities and unit sizes which were previously approved under the planned unit development scheme.

2. Limited Unit Impact: The Vandola Crescent project consists of a total of 317 units, 96 of which are age-restricted villas, and the remaining 221 workforce housing units are three-story townhomes. The desired special use permit waives the minimum lot size requirements for the applicable zoning district, and the special use permit will apply only to the 221 workforce housing units.

3. Traffic Considerations: Vehicular access to the units comprising Phase I and Phase IA will be by way of Vandola Crescent Lane and/or Vandola Crescent Parkway (both internal development roads), and no parking will be permitted along Vandola Road. All units fronting on Vandola Road will have rear garages and driveways. This measure/design feature is aimed at reducing traffic on Vandola Road and maintaining neighborhood aesthetic.

4. Childcare Proffer: The applicant is committed to reserving and dedicating one large corner lot within the development for the construction and operation of a non-profit childcare center.

Staff finds that the additional proffers do not alter the requirements associated with the Special Use Permit from the original application in any considerable way. Therefore, Staff continues to recommend denial.

Ninety (90) notices were mailed to property owners within 300 feet of the subject properties. Eleven (11) responses were received. Six (6) responses were opposed, five (5) were unopposed.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend denial of PZ25-00424 filed by Blackstone Building Group, LLC to allow a waiver of lot frontage requirements to sixteen (16) feet due to its incompatibility with the surrounding community, neighbor concerns, quality of housing options and lack of ownership/control of the Parcel ID 77925 (11 acres of the proposed project and approximately 175 units of the 221 units of the proposed workforce housing).

ATTACHMENTS

1. Application
2. Vandola Crescent - Phase 1
3. Vandola Aerials Map
4. Vandola Owners Zoning Map
5. Deed fm River Oak Church
6. Assignment Agt River Oak Church
7. Deed fm Searce Land Co to Blackstone
8. Planning Commission Recommendation

DANVILLE, VA

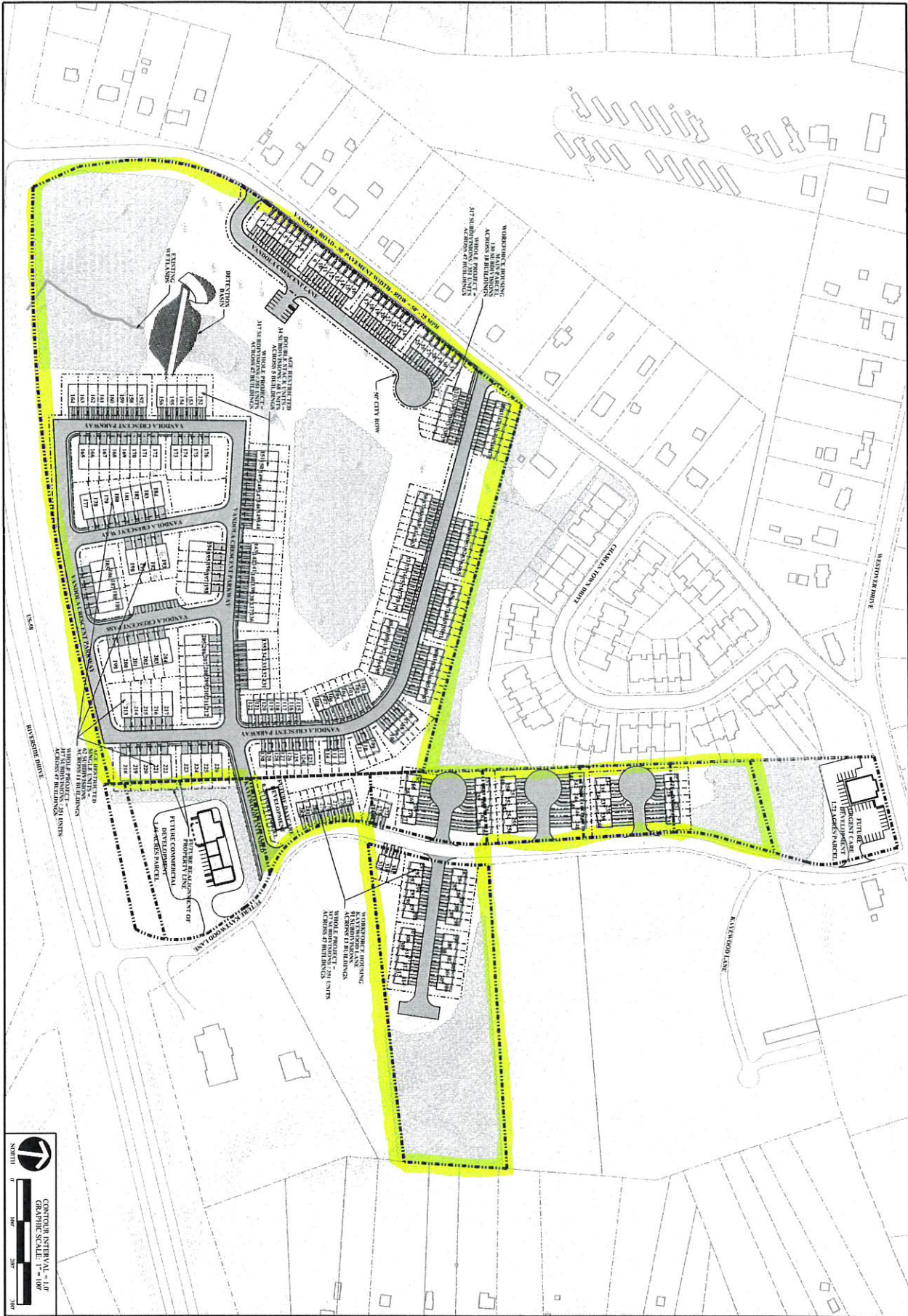
Describe Proposed Request: Waiver of minimum lot frontage requirements to allow lot widths
of 16 feet throughout the Vandola Crescent development, inclusive of parcels identifiable as
PIDs 78585, 77925, 71138, 77918, 77919, 77920, 77921, and 77922 (see attached Exhibit A
with highlighted parcels to which this application applies).

 08/11/2025
Applicant's Signature Date

Property Owner's Signature Date
(if not applicant)

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.



PROJECT MANAGER: EA
DESIGNED: EA
DRAWN: CA
DESIGN ILL: Dm
DATE: 3/2/22
REVISIONS:

VANDOLA CRESCENT
PROPOSED MASTER SUBDIVISION PLAN
ALTERNATIVE A
CITY OF DANVILLE, VIRGINIA

WATERSHED
CONSULTING
P.O. BOX 7216
RICHMOND, VA 23221
(804) 304-6699
WWW.WATERSHEDVA.COM



CITY APPROVAL CERTIFICATION:
I CERTIFY THAT THIS PLATTING IS IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE AND HEREBY APPROVED IN ACCORDANCE WITH CODE OF THE CITY OF DANVILLE 2004, AS AMENDED.

CITY ENGINEER

ZONING ADMINISTRATOR

THE SUBDIVISION OF LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LOT AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

SIGNED

NAME TITLE

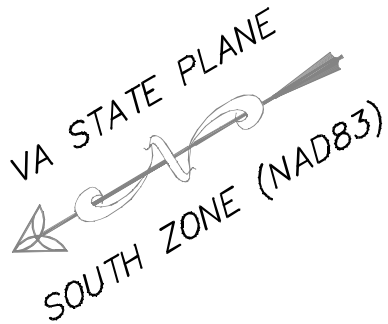
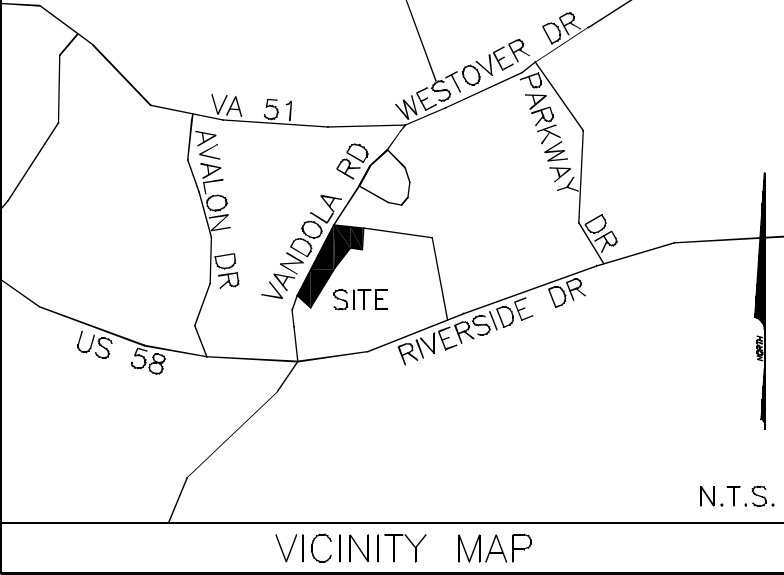
COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/ CITY OF _____
I, _____, A
NOTARY PUBLIC IN AND FOR THE STATE
AFORESAID, DO HEREBY CERTIFY THAT THE
OWNER:

(NAME) (TITLE)
IS SIGNED HEREON HAS ACKNOWLEDGED THE
SAME BEFORE ME THIS _____ DAY OF _____,
20____.

MY COMMISSION EXPIRES:

NOTES:

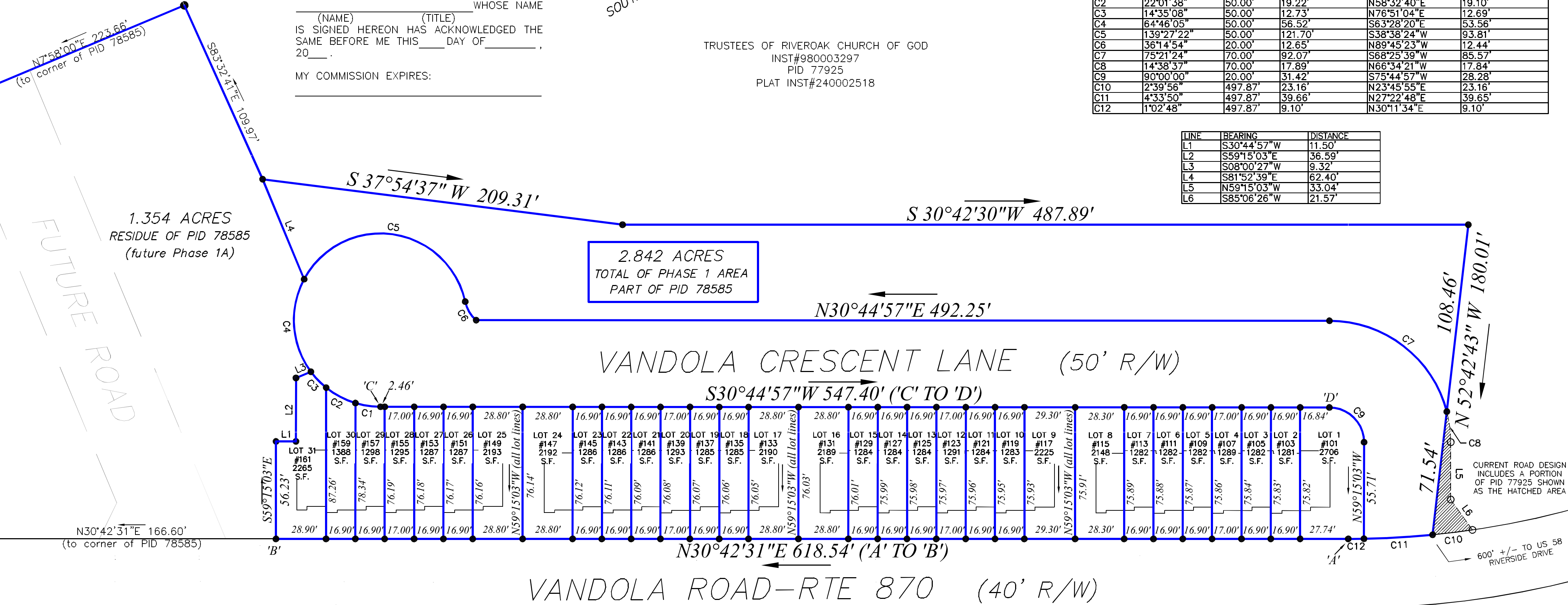
1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY AS PER DATE OF THIS PLAT AND THERE ARE NO READILY APPARENT EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE, DOES NOT NECESSARILY SHOW ALL ENCUMBRANCES ON THE PROPERTY.
3. THE AREA SHOWN HEREON IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD ZONE PER FEMA FLOOD MAP 51143C0626E EFFECTIVE SEPTEMBER 29, 2010.
4. THIS SURVEY DOES NOT ADDRESS THE EXISTENCE, DETECTION, OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR ANY ENVIRONMENTAL PROBLEMS LOCATED ON THE SURVEYED PREMISES.
5. NOT ALL PHYSICAL IMPROVEMENTS ARE NECESSARILY SHOWN AS PART OF THIS SUBDIVISION PLAT. ONLY IMPROVEMENTS WHICH ENCROACH ON THE LINE OR ARE IN CLOSE PROXIMITY TO THE LINE ARE SHOWN.



TRUSTEES OF RIVEROAK CHURCH OF GOD
INST#980003297
PID 77925
PLAT INST#240002518

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	16°46'54"	50.00'	14.64'	N39°08'24"E	14.59'
C2	22°01'38"	50.00'	19.22'	N58°32'40"E	19.10'
C3	14°35'08"	50.00'	12.73'	N76°51'04"E	12.69'
C4	64°46'05"	50.00'	56.52'	S63°28'20"E	53.56'
C5	139°27'22"	50.00'	121.70'	S38°38'24"W	93.81'
C6	36°14'54"	20.00'	12.65'	N89°45'23"W	12.44'
C7	75°21'24"	70.00'	92.07'	S68°25'39"W	85.57'
C8	14°38'37"	70.00'	17.89'	N66°34'21"W	17.84'
C9	90°00'00"	20.00'	31.42'	S75°44'57"W	28.28'
C10	2°39'56"	497.87'	23.16'	N23°45'55"E	23.16'
C11	4°33'50"	497.87'	39.66'	N27°22'48"E	39.65'
C12	1°02'48"	497.87'	9.10'	N30°11'34"E	9.10'

LINE	BEARING	DISTANCE
L1	S30°44'57"W	11.50'
L2	S59°15'03"E	36.59'
L3	S08°00'27"W	9.32'
L4	S81°52'39"E	62.40'
L5	N59°15'03"W	33.04'
L6	S85°06'26"W	21.57'

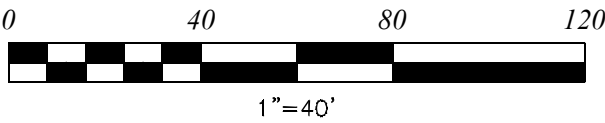


LEGEND

- COMPUTED POINT
- RS ● REBAR SET
- S.F. SQUARE FEET

CITY OF DANVILLE SURVEYORS CERTIFICATE (SUBDIVISIONS):
SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE PLANNING COMMISSION AND CITY COUNCIL, AND ORDINANCES OF THE CITY OF DANVILLE, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS, DIVISIONS WITHIN THE CITY HAVE BEEN COMPLIED WITH GIVEN UNDER MY HAND THIS 9th DAY OF JULY, 2025.

JEFFREY B. CARR, LS #0403002480



SOURCE OF TITLE:
BLACKSTONE BUILDING GROUP, LLC
INST# 240002555
PID 78585
PLAT OF REFERENCE:
INST# 240002518

DRAWN BY: JBC DATE: JULY 9, 2025 PROJECT #240384-2

SUBDIVISION PLAT SHOWING
**VANDOLA CRESCENT
PHASE 1**

????????? DISTRICT, ?????????? COUNTY, VIRGINIA



2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
9/9/2025



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.

Prepared by:
Planning Division
9/9/2025



Page 21 of 135

25- 4382
INSTRUMENT NO.
CITY OF DANVILLE, VA

PID: 77925

PG0030 DEC 15 18

**THIS DEED EXEMPT FROM
GRANTOR'S TAX
PURSUANT TO §58.1-811(C)(6)**

Prepared by/Return to:
B. Cabell Barrow (VSB # 87299)
P.O. Box 11111
Danville, VA 24543

Sales Price: [REDACTED]
Assessed Value: \$93,900.00
Title Insurance Company: Chicago Title Insurance Company

Send Tax Bill To: **MLCHVANDOLA LLC**
424 Memorial Drive, Apt. 226
Danville, VA 24541

MLCHVANDOLA LLC

FROM: DEED

TRUSTEES OF RIVEROAK CHURCH OF GOD

THIS DEED OF BARGAIN AND SALE, made this 12th day of December, 2025, by and between **JUDY JONES, HENRY STOWE, DAVID WILLIS, TRUSTEES OF RIVEROAK CHURCH OF GOD**, one and the same as **RIVER OAK CHURCH OF GOD, DANVILLE, VIRGINIA** and **RIVER OAK CHURCH OF GOD**, a Virginia unincorporated religious entity, parties of the first part and Grantors herein, and **MLCHVANDOLA LLC**, a Virginia limited liability company, party of the second part and Grantee herein.

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid to the Grantors by the Grantee, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the Grantors, the Grantors do hereby bargain, sell, grant and convey, in fee simple with General Warranty and English Covenants of Title, unto the Grantee, all of Grantors' rights, title and interest in and to that certain lot or parcel of land, together

with improvements located thereon and appurtenances thereunto appertaining, situate in the City of Danville, Virginia, and more particularly described as follows:

ALL that certain lot, piece or parcel of land, lying and being in the City of Danville, Virginia, containing 26.780 Acres, more or less, more particularly described on plat entitled "River Oak Church of God Trustees, Plat Showing 2 Parcels of Land Lying Noth of Riverside Drive-Route 58", dated April 15, 2024, by JL Surveying, LLC, recorded July 15, 2024, in the Clerk's Office, Circuit Court, City of Danville, Virginia, as Instrument No. 24-2518.

BEING a portion of the same property conveyed to Trustees of Riveroak Church of God, by Deed from Elizabeth Wilson Whitehead, dated June 22, 1998, recorded June 23, 1998, in the Clerk's Office, Circuit Court, City of Danville, Virginia, as Instrument No. 98-3297.

Reference is here also made to that certain Order of the Circuit Court of the City of Danville, Virginia, entered August 13, 2013, in Case No. CL13-539, confirming David Willis as Trustee of River Oak Church of God, Order entered March 2, 2023, confirming Judy Jones and Henry Stowe as Trustees to serve along with David Willis in Case No. CL23-136, and Order entered July 1, 2024, in Case No. CL24-449, authorizing Judy Jones, Henry Stowe, and David Willis, Trustees of River Oak Church of God, Danville, Virginia, to convey the aforesaid property to the Grantee herein for [REDACTED]

This conveyance is made subject to all easements, rights-of-way, and restrictive covenants now of record or affecting the said property.

WITNESS the following signatures and seals all as of the day and year first written above:

GRANTORS:

**RIVEROAK CHURCH OF GOD,
a Virginia unincorporated religious entity**

By: Judy Jones (SEAL)
JUDY JONES, TRUSTEE

By: Henry Stowe (SEAL)
HENRY STOWE, TRUSTEE

By: David R. Willis (SEAL)
DAVID WILLIS, TRUSTEE

COMMONWEALTH OF VIRGINIA

PG0032 DEC 15 18

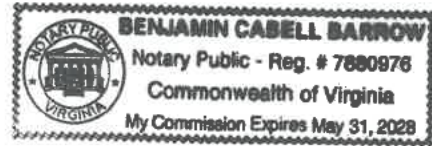
CITY/COUNTY OF DANVILLE, TO-WIT:

The foregoing Deed was sworn to and acknowledged before me this 12th day of December, 2025, by Judy Jones, Henry Stowe and Davis Willis, Trustees of Riveroak Church of God, a Virginia unincorporated religious entity, Grantor herein.


Notary Public

My commission expires: 8.31.2028

Notary Registration Number: 7680976



REFERENCE IS HERE ALSO MADE to Order entered August 13, 2013, in Case No. CL13-539, confirming David Willis as Trustee of River Oak Church of God, Order entered March 2, 2023, confirming Judy Jones and Henry Stowe as Trustees to serve along with David Willis in Case No. CL23-136, and Order entered July 1, 2024, authorizing Judy Jones, Henry Stowe, and David Willis, Trustees of River Oak Church of God, to convey the aforesaid property.

INSTRUMENT 250004382
RECORDED IN THE CLERK'S OFFICE OF
DANVILLE CIRCUIT COURT ON
DECEMBER 15, 2025 AT 12:13 PM
GERALD A. GIBSON, CLERK
RECORDED BY: RDW

COURT ADDRESS:
P. O. BOX 3300
DANVILLE, VA 24543
PHONE #: 434-799-5168



OFFICIAL RECEIPT
DANVILLE CIRCUIT COURT
DEED RECEIPT

DATE : 12/15/2025 TIME : 12:29:37 CASE # : 590CLR250004382
RECEIPT # : 25000010707 TRANSACTION # : 25121500012
CASHIER : RDW REGISTER # : E873 FILING TYPE : DBS PAYMENT : FULL PAYMENT
INSTRUMENT : 250004382 BOOK : RECORDED : 12/15/2025 AT : 12:13
GRANTOR : JONES, JUDY EX : Y LOC : CI
GRANTEE : MLCHVANDOLA LLC EX : N PCT : 100%
RECEIVED OF : B CABELL BARROW PLLC
ADDRESS : 424 MEMORIAL DR DANVILLE, VA 24541
CHECK : \$1,432.33 CHECK NUMBER : 4290
DESCRIPTION 1 : PRY ---
NAMES : 0
CONSIDERATION : \$400,000.00 AVAIL : \$93,900.00 PAGES : 003 OP : 0

ACCOUNT CODE	DESCRIPTION	PAID	ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	\$3.00	145	VSLF	\$3.50
036	DEED PROCESSING FEE	\$20.00	212	TRANSFER FEE	\$1.00
039	STATE GRANTEE TAX	\$1,000.00	214	CITY GRANTEE TAX	\$333.33
106	TECHNOLOGY TRST FND	\$5.00	301	CLERK RECORDING/INDEXING FEE	\$14.50

TENDERED : \$ 1,432.33
AMOUNT PAID : \$ 1,380.33
APPLIED TO NEXT CASE : \$ 52.00

ASSIGNMENT, ASSUMPTION AND PURCHASE OPTION AGREEMENT

THIS ASSIGNMENT, ASSUMPTION AND PURCHASE OPTION AGREEMENT (this “**Agreement**”) is made as of December 15, 2025, by and between MLCHVANDOLA LLC, a Virginia limited liability company (“**MLCH**”), and Blackstone Building Group, LLC, a Virginia limited liability company, and Frederick R. Byers, II (Blackstone Building Group, LLC and Fredrick R. Byers, II, herein collectively, the “**Byers Parties**”).

RECITALS

WHEREAS, the Byers Parties and the Riveroak Church of God Trustees entered into that certain Virginia Realtors Contract for Purchase of Unimproved Property (the “**Purchase Contract**”), dated March 6, 2024, under which Purchase Contract the Byers Parties agreed to acquire a total of 30.973 acres of unimproved property on Riverside Drive (and also fronting on Vandola Road) in the City of Danville, Virginia (the “**Contract Property**”), which Contract Property was, as of the Purchase Contract date, assigned Danville City Parcel ID No. 77925. Under the Purchase Contract, the purchase price for the Contract Property is [REDACTED]; and

WHEREAS, the Byers Parties intend to develop the Contract Property and construct a residential townhome community more commonly known as Valdola Crescent (the “**Project**”); and

WHEREAS, prior to the parties’ execution of this Agreement, Blackstone Building Group, LLC, in partial consummation of the Purchase Contract, subdivided the Contract Property and closed on and acquired, in exchange for [REDACTED] a portion of the Contract Property, containing 4.192 acres (the “**Vandola Parcel**”), by Deed dated July 12, 2024, of record in the Circuit Court Clerk’s Office for the City of Danville, Virginia as Instrument No. 24-2555, and following the hereinabove-referenced closing the Vandola Parcel was reassigned Parcel ID No. 78585; and

WHEREAS, since the closing on the Vandola Parcel as aforesaid, the Byers Parties have been unable to consummate the acquisition of the residue of the Contract Property, said residue containing 26.780 acres (the “**Church Property**”); the Church Property remains designated as Parcel ID No. 77925; and

WHEREAS, as an accommodation to the Byers Parties, and for the purpose of sustaining the development efforts relative to the Project, MLCH has agreed to purchase the Church Property from the sellers under the Purchase Contract for the balance of the purchase price outstanding, totaling [REDACTED], and to hold the Church Property for a limited time, with the ultimate intent of conveying the Church Property to the Byers Parties or any one of them, pursuant to the terms, conditions and obligations set forth in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are hereby incorporated in this Agreement by reference, and in exchange for the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, which consideration specifically includes the sustenance of the Byers Parties’ Project development efforts, the parties agree as follows:

1. **Assignment of Contract.** The Byers Parties do hereby assign unto MLCH, and MLCH does hereby accept and assume all rights, title and interest of the Byers Parties in and to the Purchase Contract, together with all power and authority of the Byers Parties to act thereunder and consummate the transaction contemplated therein. MLCH shall immediately after execution and delivery of this Agreement, endeavor to consummate the acquisition of and take possession of the Church Property, and thereafter MLCH may from time to time and at all times peacefully and quietly have, hold, possess and enjoy the same and every part thereof to and for its own use and benefit without any manner of hindrance, interruption, claim or demand whatsoever of, from or by the Byers Parties or any person whomsoever, and with good and marketable title thereto, free and clear of or from any liens, subject only to the Option (as hereafter defined), rights, terms and accommodations extended to the Byers Parties as set forth in this Agreement.
2. **Holding Period, Option to Purchase.** MLCH does hereby agree that it (or an affiliate entity) shall hold the Church Property for a period of not more than one year (365 days) from the date of this Agreement (the "**Option Term**"), during which timeframe the Byers Parties (or an affiliate entity of the Byers Parties) shall have the exclusive right and option to purchase the Church Property from MLCH (the "**Option**") at an agreed-upon net purchase price of [REDACTED]. For the avoidance of doubt, in the event the Byers Parties or any one of them exercise the Option within the Option Term, MLCH shall receive [REDACTED] at closing, with the Byers Parties defraying any and all closing costs associated with the contemplated transaction. The Byers Parties or any one of them may exercise the Option to purchase the Church Property by giving written notice to a member of MLCH, and, within the Option Term, depositing [REDACTED] with the Law Office of B. Cabell Barrow, PLLC.
3. **Failure to Exercise Option.** In the event the Byers Parties are unable or unwilling to, or otherwise do not, exercise the Option within the Option Term, which exercise of Option must expressly be accompanied by a deposit of the [REDACTED] purchase proceeds as set forth in Section 2 above, then the Option shall terminate and MLCH shall be under no further obligation to sell the Church Property to the Byers Parties, and MLCH shall thereafter hold, possess, enjoy, and be entitled to dispose of, develop or otherwise make beneficial use of the Church Property, at its sole election and in its sole discretion, free and clear of any claim or right inuring to the benefit of, or obligation to, the Byers Parties. In the event that the Byers Parties fail to exercise the Option during the Option Term, and the Byers Parties elect to discontinue Project development, then the Byers Parties shall deliver to MLCH any and all renderings, drawings, designs, site plans, investigation and study reports, plats, advertising materials, and all other documents related to the Project and generated or prepared by or on behalf of the Byers Parties prior to the Byers Parties discontinuance of pursuit of Project development efforts.
4. **Additional Consideration.** As additional consideration for the accommodations extended by MLCH to the Byers Parties, in the event the Byers Parties exercise the Option during the Option Term, the Byers Parties shall give, grant and assign to MLCH and/or its members, as the case may be, and MLCH shall accept, receive and become indefeasibly vested with one Preferred Membership Share in Vandola Crescent Workforce 1, LLC (the "**Share**"), which share shall be valued at [REDACTED] on the books of the company. For the avoidance of doubt, and for further clarification, the parties understand and agree that the Byers Parties, acting by and through Fredrick R. Byers, II, have undertaken and continue to endeavor to amend, revise and tailor the public offering related to the Project and membership opportunities in Vandola Crescent Workforce 1, LLC, and that other properties, investments and/or development opportunities may be incorporated into the final investment opportunity offered by Fredrick R. Byers, II, and irrespective of the nature, composition or scope of any such final

investment product or package, MLCH shall be entitled to a membership interest in the development opportunity offered by Fredrick R. Byers, II, the value of which shall total no less than [REDACTED].

5. **MLCH's Cooperation with Byers Parties.**

- a. **Applications and Permits.** MLCH agrees to cooperate fully with the Byers Parties, at no cost to MLCH, and at no additional fee payable by the Byers Parties to MLCH, in obtaining all governmental approvals, including, without limitation, promptly executing, delivering and/or submitting to the Byers Parties, or, at the Byers Parties' request, directly to the appropriate governmental authority, any and all permit/approval applications, easement/right-of-way agreements, Project agreements and/or other documentation relating to the governmental approvals and/or otherwise necessary, appropriate or requested in furtherance of the Byers Parties' Project development (each in form and substance satisfactory to the Byers Parties) which are required by the appropriate jurisdiction to be executed, submitted and/or issued by or in the name of the fee owner of the Church Property.
- b. **Project Agreements.** If the Byers Parties continued pursuit of Project development activities upon the Church Property requires that MLCH, in its capacity as owner thereof, enter into an operations and maintenance agreement, developer's agreement(s), landscape agreement(s), E&S agreement(s), land development agreement(s), NPDES permit(s) and/or agreement(s), VDOT permit(s) and/or agreement(s) or other similar development, operation and/or maintenance agreements (collectively, as applicable, "**Project Agreements**", and each individually a "**Project Agreement**"), MLCH shall, in its reasonable discretion, upon Byers Parties' request, at no cost to MLCH, and with no additional review/cooperation fee payable by the Byers Parties to MLCH, execute and deliver such Project Agreement(s) in form and substance approved by Byers Parties; provided, however, that MLCH shall have a reasonable amount of time to review and reasonably approve any such Project Agreement(s) (such review/approval not to be unreasonably withheld, conditioned or delayed) and require Byers Parties to sign an indemnity agreement to the extent the same will continue to encumber the Church Property, or impose (or have the potential to impose) continuing obligations or liabilities on MLCH beyond the expiration of the Option Term. MLCH further agrees to promptly deliver to the Byers Parties any notices received under any Project Agreements to the extent not also addressed to the Byers Parties. During the Option Term, the Byers Parties agree to perform any and all obligations imposed upon, and to assume any liabilities arising against MLCH under any Project Agreements relating exclusively to the development, use or occupancy of the Church Property as if the Byers Parties were the landowner, except for liabilities resulting from MLCH's gross negligence or willful misconduct, including, without limitation, MLCH's failure to promptly forward any notices received by MLCH under any Project Agreements and addressed solely to MLCH (and not to the Byers Parties), in which case MLCH shall be liable for any penalties, interest and/or additional fees/costs incurred by the Byers Parties as a result of delayed performance (but the Byers Parties shall remain obligated to complete all other obligations thereunder). The Byers Parties' assumption of obligations and liabilities arising during the Option Term under any Project Agreements shall survive the termination of the Option Term, until any such obligations or liabilities are satisfied and/or discharged, whether or not the option is exercised.

- c. **Entry Upon Property.** MLCH hereby grants to the Byers Parties and the Byers Parties' contractors, consultants, engineers, architects, surveyors, agents and representatives, the right, from and after MLCH's acquisition of the Church Property, through the conclusion of the Option Term, to enter upon the Church Property without unreasonably interfering with MLCH's use of the Church Property, during normal business hours or at such other reasonable times, for the purpose of completing the Byers Parties' due diligence investigations, studies, reports and tests, including, without limitation, preparing or obtaining surveys, drilling for soil tests, performing engineering or structural studies, obtaining geotechnical reports and for any other reasonable purpose to determine the suitability of the Church Property for the Project development. Prior to the Byers Parties or any of the Byers Parties' representatives entering onto the Church Property to conduct the inspections and investigations described above, the Byers Parties shall deliver to MLCH evidence that the Byers Parties have obtained (or Byers Parties' consultant has obtained) commercial general liability insurance having a combined single limit liability of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate, with respect to the Church Property and any entry thereon by the Byers Parties or the Byers Parties' representatives. The Byers Parties agree to indemnify and hold MLCH free and harmless from any and all costs or liability incurred by reason of the Byers Parties entering upon the Church Property to perform Byers Parties' due diligence or other Project development activities.
6. **Memorandum of Agreement.** This Agreement shall not be recorded by either party, but a short form memorandum of Agreement (as applicable, the "**Memorandum of Agreement**") may be recorded at the option of either party. Each party hereby agrees to execute, acknowledge and deliver to the other party any Memorandum of Agreement so requested, in a form and substance mutually agreeable to the parties, to the end that the same may be recorded in the official land records of the jurisdiction in which the Church Property is located. The party requesting any such Memorandum of Agreement shall be solely responsible for any realty transfer taxes and/or recording fees that may be due as a result of the recordation thereof.
7. **Indemnification.** During the Option Term, the Byers Parties agree to indemnify, defend, and hold MLCH harmless from and against any and all actions, claims and demands arising out of the use, occupancy, construction on or non-use of the Church Property by the Byers Parties or the failure of the Byers Parties to maintain the Church Property as herein provided, including, without limitation, any liability arising out of or related to the Byers Parties' failure to comply with any federal, state, county or municipal environmental statute, ordinance, rule or regulation in connection with the Church Property, together with any acts, omissions, carelessness, negligence, or improper conduct by the Byers Parties or its agents, employees, business invitees, suppliers or licensees at or in connection with the Church Property, and any and all costs, expenses and fees, including reasonable outside attorneys' fees, incurred by MLCH incidental thereto. Notwithstanding the foregoing, the Byers Parties shall not be required to indemnify or save MLCH harmless from any such action, claim or demand arising out of, resulting from or directly relating to (i) MLCH's failure to perform any of its obligations under this Agreement, or (ii) the negligence or willful misconduct of MLCH or MLCH's agents or employees.
8. **Notices.** Any notice, demand, consent, authorization or other communication (collectively, a "**Notice**") which either party is required or may desire to give to, or make upon, the other party pursuant to this Agreement shall be effective and valid only if in writing, signed (including electronic and/or e-mail signature) by the party giving such Notice, and delivered (a) personally to the other party, (b) by electronic mail with read receipt, (c) by next day express courier or delivery service, providing for a receipt, or (d) by registered or certified mail of the United States

Postal Service, return receipt requested, addressed to the other Party as follows (or to such other address or person as either Party or person entitled to Notice may by notice to the other specify):

If to MLCH: MLCHVANDOLA LLC
Attn: Wilson Walden
733 River Park Drive
Danville, VA 24540

If to Byers Parties: Fredrick R. Byers, II
424 Memorial Drive
Apt. 226
Danville, VA 24541

Unless otherwise specified, Notices shall be deemed delivered when sent.

9. **Miscellaneous Provisions.**

- a. **Binding Effect; Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.
- b. **Entire Agreement; Waiver; Modification.** This Agreement shall be deemed to include the entire agreement between the parties hereto and supersedes any oral statement and/or prior written matter between the parties with respect to the subject matter hereof, and no waiver of any right, agreement or condition hereof and no modification hereof shall be binding upon the parties hereto unless in writing and signed by the party to be charged therewith.
- c. **Headings.** The headings of particular Sections of this Agreement are inserted only for convenience and are in no way to be construed as part of this Agreement or as a limitation on the scope of the particular Sections to which they refer.
- d. **Partial Invalidity.** In the event any provision of this Agreement or part thereof shall be determined by any court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions hereunder, or parts thereof, shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby, it being understood that such remaining provisions shall be construed in a manner most closely approximating the intention of the parties with respect to the invalid, void or unenforceable provision or part thereof.
- e. **Construction.** Wherever used in this Agreement the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, together with a corporation or other entity, as may be appropriate.
- f. **Governing Law.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the Commonwealth of Virginia, without regard to its conflicts of laws principles.
- g. **Time of the Essence.** Time shall be of the essence with regard to all time requirements contained in this Agreement.

- h. **Calculation of Time.** Any period of time referred to in this Agreement shall be so computed as to exclude the first day and include the last day of such period. If the last day of any such period shall fall on a Saturday or Sunday, or generally recognized bank holiday, then the period shall be deemed to end on the next business day.
- i. **No Joint Venture.** Nothing contained herein shall be deemed or construed by the parties hereto or by any third party as creating the relationship of principal and agent or of partnership or of joint venture between the Parties hereto.
- j. **No Implied Waivers.** The failure of any party to insist upon strict observance of any covenant, provision or condition of this Agreement in any one or more instances shall not constitute or be deemed a waiver, at that time or thereafter, of such or any other covenant, provision, or condition of this Agreement.
- k. **No Offer.** This Agreement shall become effective, and the parties shall become legally bound, only if and when executed by all parties hereto, and a fully executed copy has been delivered to each party.
- l. **Construction Against Drafting Party.** Neither this Agreement nor any provision hereof shall be construed against a party hereto because such party drafted it or caused it to be drafted.
- m. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. Signatures transmitted electronically will be binding upon the party transmitting such signature and such party will not use as a defense against the enforceability of this Agreement the lack of an original signature. Any party delivering an executed counterpart of this Agreement by electronic transmission may, at the request of the other party, deliver an original executed counterpart, but the failure to so deliver an original counterpart shall not affect the validity, enforceability or binding effect of this Agreement.
- n. **Confidentiality.** Except for any terms hereof which are set forth in a mutually agreed upon and recorded Memorandum of Agreement, the parties hereby acknowledge and agree to keep the terms and provisions set forth in this Agreement, including, without limitation, all financial terms (the “**Information**”) in strict confidence and shall not discuss, disclose or publish the Information other than to any employees, auditors, agents, accountants and/or attorneys who reasonably need to know it and who are directed to comply with the confidentiality requirements herein contained. The Information may also be disclosed: (a) to the extent that disclosure is required by regulatory requirement or judicial or administrative process or other requirement of law (including, without limitation, in order to satisfy the requirements of applicable securities or banking laws); (b) in connection with any action or proceeding to enforce or interpret this Agreement or any provision hereof; (c) to the extent that the Information is in the public domain through no fault of or cause by the disclosing party; or (d) to the extent otherwise expressly permitted by this Agreement or consented to in writing by the other party. The parties agree to treat as confidential and to use reasonable efforts to prevent the inadvertent disclosure of the Information and/or other proprietary information of either party delivered to the other pursuant to or in furtherance of the purposes of this Agreement.

- o. **Enforcement.** In the event of a party's breach of any of the terms of this Agreement or a party's nonperformance hereunder, the non-breaching or nonperforming party, as the case may be, shall be entitled to recover from the other respective party or parties all costs incurred in the enforcement of the terms of this Agreement, to include attorney's fees and all costs.
- p. **Force Majeure.** Whenever a period of time is herein prescribed for the taking of any action or fulfillment of any obligation contained herein neither party shall be deemed to have defaulted under or breached this Agreement, or otherwise be deemed liable or responsible for, any period of delay, hindrance, and/or prohibition of performance or action due to strikes, riots, Act of God, shortages of labor or materials, war, governmental laws, regulations, restrictions, delays, an outbreak and/or spread of an epidemic, pandemic, or other disease causing local, regional, or national emergency, or other unforeseen causes beyond the reasonable control of such party (as applicable, an "**Event of Force Majeure**"). For an event to qualify as an Event of Force Majeure, the delayed party must: (a) provide written notice to the other party of such Event of Force Majeure within a reasonable period of time after the occurrence of same, not to exceed five (5) business days following the occurrence of such Event of Force Majeure; (b) thereafter periodically (and in any event upon such other party's request from time to time) keep the other Party advised by notice of the status and/or continuation of such delays; and (c) use commercially reasonable efforts and diligence to effect the required performance as soon as reasonably possible following the elimination or expiration of such Event of Force Majeure. An Event of Force Majeure shall be deemed expired when the affected party is fully able to resume performance of the delayed action as provided or otherwise required herein. Provided that all requirements of this section are satisfied, the time required for the performance of the applicable act or obligation shall be extended for a period of time equivalent to the length of delay, hindrance, and/or prohibition caused by the Event of Force Majeure.

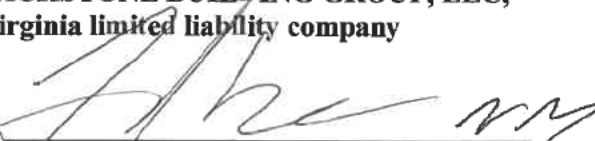
[SIGNATURES ON FOLLOWING PAGE]

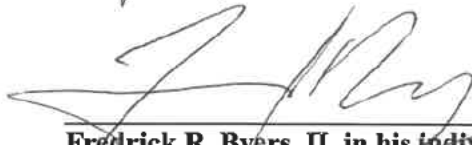
IN WITNESS WHEREOF, the undersigned have executed and delivered this Assignment and Assumption and Option Agreement by their respective representatives, thereunto duly authorized, as of the date first above written.

MCLHVANDOLA LLC,
a Virginia limited liability company

By: 
Lawrence Wilson Walden, Member/Manager

BLACKSTONE BUILDING GROUP, LLC,
a Virginia limited liability company

By: 
Fredrick R. Byers, II, Member/Manager


Fredrick R. Byers, II, in his individual capacity

PID: 71138

Prepared by/Return to:
B. Cabell Barrow (VSB # 87299)
P.O. Box 11111
Danville, VA 24543

Sales Price: [REDACTED]
Assessed Value: \$10,400.00
Title Insurance Company: Chicago Title Insurance Company

Send Tax Bill To: Blackstone Building Group, LLC
424 Memorial Drive, Apt. 226
Danville, VA 24541

BLACKSTONE BUILDING GROUP, LLC

FROM: DEED

SCEARCE LAND COMPANY

THIS DEED OF BARGAIN AND SALE, made this 6th day of January, 2025, by and between **KAYE W. ROGERS, CHARLES E. SCEARCE**, and **JAMES DAVID SCEARCE**, Trustees in Dissolution for **SCEARCE LAND COMPANY, L.L.C.**, formerly **SCEARCE LAND COMPANY**, a Virginia general partnership, parties of the first part and Grantors herein, and **BLACKSTONE BUILDING GROUP, LLC**, a Virginia limited liability company, party of the second part and Grantee herein.

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid to the Grantors by the Grantee, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the Grantors, the Grantors do hereby bargain, sell, grant and convey, in fee simple with General Warranty and English Covenants of Title, unto the Grantee, all of Grantors' rights, title and interest in and to that certain lot or parcel of land, together

with improvements located thereon and appurtenances thereunto appertaining, situate in the City of Danville, Virginia, and more particularly described as follows:

BEGINNING at a point in the eastern margin of Woodland Drive, being the front common corners of Lots 25 and 26, as shown on the map herein after referred to; thence along Woodland Drive N. 10 degrees 50' E. 142.04 feet; thence N. 1 degrees 47-1/2' E. 155.99 feet; thence leaving Woodland Drive N. 83 degrees 02' E. 732.8 feet to a point; thence due South 250 feet to a point; thence S. 79 degrees 58' W. 770.7 feet to the point and place of beginning, containing 4.6 acres, more or less, and being all of Lot No. 25 as shown on Map Showing Survey of Tracts for ed Richardson Est., dated February 15, 1978, prepared by H.S. Peirce, Surveyor, and recorded in the Clerk's Office, Circuit Court, County of Pittsylvania, Virginia, in Map Book 24, page 13.

BEING the same property conveyed to Searce Land Company, a partnership consisting of Jasper E. Searce, Charles E. Searce and James David Searce, by Deed from Joe C. Richardson, Jr. and Francis S. Richardson, his wife, Ann Cox Shelton and Kenneth A. Shelton, her husband, Hubert A. Richardson and Grace M. Richardson, his wife, Clyde Odell Parrish and Mabel R. Parrish, his wife, William Edward Parrish and Sarah M. Parrish, his wife, James Cephas Parrish and Virginia F. Parrish, his wife, and Louise B. Seymore, widow, dated May 10, 1978, recorded June 13, 1978, in the Clerk's Office, Circuit Court, County of Pittsylvania, Virginia, in Deed Book 652, page 596.

This conveyance is made subject to all easements, rights-of-way, and restrictive covenants now of record or affecting the said property.

[REMAINDER INTENTIONALLY BLANK. SIGNATURE TO APPEAR ON FOLLOWING PAGE.]

WITNESS the following signatures and seals all as of the day and year first written above:

GRANTORS:

Kaye W. Rogers (SEAL)
KAYE W. ROGERS, Trustee in Dissolution
for Searce Land Company, L.L.C., formerly Searce Land
Company, a Virginia general partnership

Charles E. Searce (SEAL)
CHARLES E. SCEARCE, Trustee in Dissolution
for Searce Land Company, L.L.C., formerly Searce Land
Company, a Virginia general partnership

____ (SEAL)
JAMES DAVID SCEARCE, Trustee in Dissolution
for Searce Land Company, L.L.C., formerly Searce Land
Company, a Virginia general partnership

COMMONWEALTH OF VIRGINIA

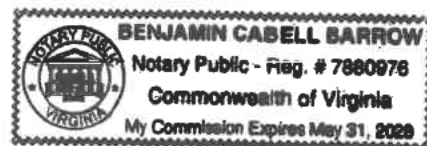
CITY OF DANVILLE, TO-WIT:

The foregoing Deed was sworn to and acknowledged before me this ^{7th} 6th day of
January, 2025, by Kaye W. Rogers, Trustee in Dissolution for Searce Land Company,
L.L.C., formerly Searce Land Company, a Virginia general partnership, Grantor herein.

[Signature]
Notary Public

My commission expires: 5.31.2028

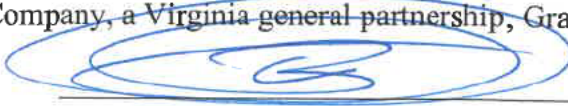
Notary Registration Number: 7880976



COMMONWEALTH OF VIRGINIA

CITY OF DANVILLE, TO-WIT:

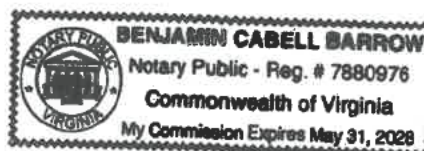
The foregoing Deed was sworn to and acknowledged before me this 6th day of January, 2025, by Charles E. Searce, Trustee in Dissolution for Searce Land Company, L.L.C., formerly Searce Land Company, a Virginia general partnership, Grantor herein.



Notary Public

My commission expires: 5.31.2028

Notary Registration Number: 7880976



COMMONWEALTH OF VIRGINIA

CITY OF DANVILLE, TO-WIT:

The foregoing Deed was sworn to and acknowledged before me this ____ day of January, 2025, by James David Searce, Trustee in Dissolution for Searce Land Company, L.L.C., formerly Searce Land Company, a Virginia general partnership, Grantor herein.

Notary Public

My commission expires: _____

Notary Registration Number: _____



CITY OF DANVILLE

Community Development Division of Planning and Zoning

MEMORANDUM

DATE: SEPTEMBER 8, 2025
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT REQUEST PZ25-00424

Special Use Permit application PZ25-00424 filed by Blackstone Building Group, LLC to allow a waiver of lot frontage requirements in accordance with Article 3.F, Section C, Item 20 at Parcels 78585, 77925, 71138, 77918, 77919, 77920, 77921 and 77922 (Vandola Road, Riverside Drive and Kayewood Lane).

RECOMMENDATION

The Planning Commission, at their September 8, 2025, meeting voted 5-0 to recommend denial of Special Use Permit request PZ25-00424.

A handwritten signature in blue ink, appearing to read "Steve Petrick", is written over a horizontal line.

Mr. Steve Petrick, Chair

STAFF REPORT

DATE: March 9, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit PZ26-00194 filed by Da Ville Management LLC to allow indoor commercial recreation at Parcel 22399 (401 South Ridge Street).

SUMMARY

The applicant, Kafe Da Ville, is requesting a Special Use Permit to allow indoor commercial recreation at 401 South Ridge Street. The property is zoned RD, River District and is currently in operation as a restaurant. The applicant has requested a Special Use Permit to allow them to expand the restaurant operations to include entertainment, music events, and private parties. Operation of a facility that requires payment to attend events or have meetings is deemed indoor commercial recreation by the Unified Development Code and a Special Use Permit is required.

The property is surrounded by a mix of commercial and light industrial uses, with a multi unit residential building located to the north, and is designated Downtown Mixed Use on the Future Land Use Map, which supports commercial and entertainment activities.

The applicant states that the entertainment use would be limited to funeral repasts, community meetings, and private family events, with hours of 6:00 A.M. to 10:00 P.M. The property holds a Certificate of Occupancy for 156 persons and has adequate parking for both restaurant and commercial recreation uses.

The subject property, 401 South Ridge Street, has an extensive history of violation activities over the past ten (10) months. Multiple events were held without the required Special Use Permit. Repeated zoning violation notices were sent during 2025 and early 2026. A final notice was issued on February 2, 2026, after which the applicant contacted the Planning Office to apply for the Special Use Permit. The following list represents a timeline of zoning violation notices issued to the applicant and the subsequent events that continued to occur despite the notices. This sequence shows that, even after being formally notified on multiple occasions that a Special Use Permit was required, the applicant proceeded to hold additional events without approval.

- Zoning Violation Letter – June 2, 2025
- Zoning Violation Letter – October 24, 2025
- **Halloween Event held October 31, 2025**
- **Private Event – December 15, 2025**

- **Christmas Bash – December 26, 2025**
- Zoning Violation Letter – December 30, 2025
- **First Fridays Event – January 2, 2026**
- Final Notice – February 2, 2026

Staff found these events publicly advertised on social media platforms, further confirming they were promoted and conducted without the required Special Use Permit. Because staff's verification relied on publicly advertised material, it is possible that additional unpermitted events occurred that were not promoted on social media.

The chain of events displays a clear and ongoing pattern of disregard for required zoning procedures, reflecting a lack of ethical business practice by both the applicant and the property owner. Despite receiving multiple violation notices over an extended period, the applicant continued operating in violation of City code. This pattern of noncompliance not only raises substantial concerns regarding future adherence to any conditions that may be imposed through a Special Use Permit but also reflects an unwillingness to operate within the standards expected of businesses within the City.

Thirty-five (35) notices were sent out to property owners within three hundred (300) feet. At this time, no responses have been received.

RECOMMENDATION

Planning staff recommends denial of Special Use Permit application PZ26-00194 to allow indoor commercial recreation at Parcel 22399 (401 South Ridge Street). The applicant's repeated operation of unpermitted events, despite multiple zoning violation notices, raises concerns about the applicant's intention to comply with the requirements of the Unified Development Code.

ATTACHMENTS

1. Application
2. 401 S Ridge_Aerials Map
3. 401 S Ridge_Owners Zoning Map (1)
4. Christmas Event Ad
5. DJ Battle 10.26.25
6. New Years Ad
7. New Years Event Ad 2
8. Kafe Da Ville Halloween
9. Kafe Da Ville Party

DANVILLE, VA

- 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.

Property Location: 401 S. RIDGE ST, DANVILLE VA 24541

Describe Proposed Request: SEE ATTACHMENT

 2/9/26
Applicant's Signature Date

Lovric Johnson

Commonwealth of Virginia

City of Danville

The foregoing instrument was acknowledged before me this _____ day of _____, 20____
by _____

Notary Public

Registration No.: _____ Expires: _____


Owner's Signature
(if not applicant)

DANVILLE, VA
2-29-26
Date

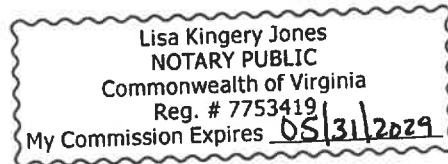
Commonwealth of Virginia

City of Danville

The foregoing instrument was acknowledged before me this 9th day of February, 2026
by Lisa Kingery Jones

Lisa Kingery Jones
Notary Public

Registration No.: 7753419 Expires: 05/31/2029



Jones, Lisa K.

From: Da Ville Management LLC <kafedaville@gmail.com>
Sent: Monday, February 9, 2026 1:45 PM
To: Jones, Lisa K.
Subject: Description section of Special Use Permit App

CAUTION: This is an external email. Do not click links or open attachments unless you're sure it's safe. When in doubt, click the Phish Alert Button.

City of Danville
Community Development Department
Division of Planning and Zoning
427 Patton Street
Danville, VA 24541

Re: Special Use Permit Application
Property: 401 South Ridge Street, Danville, VA 24541

Dear Planning and Zoning Staff and Members of the Planning Commission,

I am writing on behalf of Kafe Da Ville Bar and Grill Inc., a locally owned, full-service restaurant operating at 401 South Ridge Street in the City of Danville. We respectfully submit this application for a Special Use Permit to allow limited commercial recreation (indoor) in conjunction with our existing restaurant operations.

Kafe Da Ville is a full-service dining establishment focused on quality cuisine, hospitality, and community service. Since opening, we have experienced consistent demand for private gatherings and structured events that are directly connected to surrounding community and hospitality partners.

A primary purpose of this request is to allow us to accommodate funeral repasts and private family gatherings for Fisher & Watkins Funeral Home, which is located immediately adjacent to our property. Families regularly seek a nearby, respectful, and comfortable setting for meals and gatherings following funeral services. Without an approved Special Use Permit, we are currently unable to fully meet this community need, resulting in lost business and limited service availability.

In addition, Kafe Da Ville regularly serves dinner guests and visitors from nearby hospitality destinations, including Caesars Palace Hotel & Casino, located approximately 2.5 to 3 miles from the restaurant. Many visitors seek a full-service dining experience in the surrounding area, and this permit would allow us to better serve those guests in a structured, supervised manner consistent with restaurant operations.

The requested Special Use Permit would allow:

- Funeral repasts and private family gatherings
- Community and organizational meetings
- Evening cultural dining experiences such as jazz sets, acoustic performances, and similar low-impact

events

Kafe Da Ville plans to open to the general public at 3:30 PM daily, while accommodating scheduled repasts and private gatherings earlier in the day. The business does not currently offer alcoholic privileges, and all activities are conducted indoors, pre-scheduled, supervised, and family-oriented. No nightclub-style operations, late-night disturbances, or disruptive activities are proposed.

We believe this request aligns with the intent of the RD River zoning district, supports neighborhood compatibility, enhances economic activity, and provides an important community service. We respectfully request favorable consideration of this application.

Thank you for your time and consideration.

Sincerely,

Tiffany Cooper
Secretary
Kafe Da Ville Bar and Grill Inc.
401 South Ridge Street
Danville, VA 24541
(434) 228-7505



2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
2/20/2026



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.



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
2/20/2026



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.



Kafe Da'Ville

5d · 🌐

DM me for your invites. Dinner with LIVE ENTERTAINMENT by DJ B-STUPID AND JADAH PEARL !!



👍 26

💬 16

➦ 6





Wallace Saunders is with **LW Hughes** and **4 others**.



Oct 26, 2025 ·

**Dj battle at Kafe Da
Ville... Dj Juice
versus Dj Splack!!
Come on down to
401 South Ridge
Street! We here!**



1





Kafé Da Ville

BAR AND GRILL

FIRST FRIDAYS
NEW YEAR
Dinner & Vibes

FEATURING

DjB-Stupid



FRIDAY, JANUARY 2

DOORS OPEN 7PM

ADVANCE TICKETS \$20 • \$25 AT THE DOOR

401 S. RIDGE ST., DANVILLE, VA 24541

(434) 207-8383

Kafe Da'Ville

7 MINUTES AGO





Kafé Da Ville

BAR AND GRILL

FIRST FRIDAYS
NEW YEAR
Dinner & Vibes

FEATURING

DjB-Stupid



FRIDAY, JANUARY 2

DOORS OPEN 7PM

ADVANCE TICKETS \$20 • \$25 AT THE DOOR

401 S. RIDGE ST., DANVILLE, VA 24541

☎ (434) 207-8383

Kafe Da'Ville

TUE AT 12:10 PM

👍 45 💬 2 ➦ 24



ADVANCE TICKETS \$25
COSTUMES ARE A MUST!

BOOTHS & TABLES AVAILABLE
FOOD, DRINKS & MUSIC

\$100
BEST COSTUME



32



3



Kafe Da'Ville 🌐

🎵 - Original audio Kafe

Following ▾



11

Kafe Da'Ville
• BAR AND GRILL •

DOORS OPEN AT 7PM ☎ 434.207.8383

\$20 DINNER ENTRY! ALL LADIES FREE

401 S RIDGE ST DANVILLE VA 24541



1



Kafe Da'Ville

🎵 original audio

Kafe Da

Following ▾

STAFF REPORT

DATE: March 9, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Code amendment request PZ26-00221 filed by the City of Danville to amend Chapter 41 entitled "CODE Danville, The Unified Development Code of Danville, Virginia" of the City of Danville, 2025, as amended. Specifically, amend Article 8 "Administration and Procedures".

SUMMARY

Planning staff proposes a text amendment to the Unified Development Code (UDC) to remove §41.8.O entitled "Subdivision", §41.8.P entitled "Subdivision, Consolidated Review", and §41.8.Q entitled "Subdivision, Minor" from Article 8 and relocate it to Article 7 of the Uniform Development Code entitled "Subdivisions". These sections currently reside in Article 8 "Administration and Procedures" and outline the subdivision review process.

Article 7 "Subdivisions" was initially reserved when CODE Danville was adopted on December 2, 2025, and enacted January 1, 2026. Additional coordination with VDOT, Public Works, and the Planning Division was required before completion. Article 7 is now finalized and ready for incorporation into the Unified Development Code. Relocating these sections does not change the review process. The relocation improves clarity and consistency within the UDC.

RECOMMENDATION

Planning Staff recommends that the City Planning Commission recommend approval of PZ26-00221 to amend Article 8 entitled "Administration and Procedures" to remove §41.8.O, §41.8.P, and §41.8.Q of CODE Danville, A Unified Development Code of Danville, Virginia.

ATTACHMENTS

1. Exhibit

§ 41.4.E. Lighting.	114
§ 41.4.F. Adequate Public Facilities.	116

Article 5 Signs 120

§ 41.5.A. Existing Signage Provisions to Stay in Effect.	121
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Article 6 Nonconformities 124

§ 41.6.A. Purpose and Intent.	125
§ 41.6.B. Applicability.	125
§ 41.6.C. Nonconforming Parcels.	125
§ 41.6.D. Nonconforming Structures.	126
§ 41.6.E. Nonconforming Uses.	126
§ 41.6.F. Nonconforming Signs.	127
§ 41.6.G. Restoration, Repair, and Reconstruction.	128
§ 41.6.H. Relationship to Site Plan.	129

Article 7 Subdivisions 130

§ 41.7.A. Reserved.	131
---------------------	-----

Article 8 Administration and Procedures 134

§ 41.8.A. Division Director of Planning/ Zoning Administrator.	135
§ 41.8.B. Planning Commission.	135
§ 41.8.C. Board of Zoning Appeals.	138
§ 41.8.D. City Council.	141
§ 41.8.E. Architectural Review Board.	141
§ 41.8.F. Certificate of Appropriateness.	143
§ 41.8.G. Certificate of Occupancy.	146
§ 41.8.H. Construction Clearance.	147
§ 41.8.I. Proffers.	148
§ 41.8.J. Residential Parcel Plans.	154
§ 41.8.K. Short-Term Rental Permit.	156
§ 41.8.L. Site Plan.	158
§ 41.8.M. Special Exception Permit.	181
§ 41.8.N. Special Use Permit.	186
§ 41.8.O. Subdivision.	191
§ 41.8.P. Subdivision, Consolidated Review.	213
§ 41.8.Q. Subdivision, Minor.	219
§ 41.8.R. Variances.	220
§ 41.8.S. Zoning Amendment.	224

STAFF REPORT

DATE: March 9, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Code amendment request PZ26-00220 filed by the City of Danville to amend Chapter 41 entitled "CODE Danville The Unified Development Code of Danville, Virginia" of the City of Danville, 2025 as amended. Specifically, amend Article 7 "Subdivisions".

SUMMARY

Article 7 " Subdivisions" was initially reserved when CODE Danville was adopted on December 2, 2025, and enacted January 1, 2026. Additional coordination with VDOT, Public Works, and the Planning Division was required before completion. Article 7 is now finalized and ready for incorporation into the Unified Development Code.

Article 7 of CODE Danville, Subdivisions, establishes updated and modernized subdivision regulations to ensure coordinated infrastructure design, compliance with state standards, and efficient review processes. Adoption of Article 7 will replace existing subdivision regulations currently found in Chapter 35.5 of the City Code.

RECOMMENDATION

Planning Staff recommends that the City Planning Commission recommend that City Council repeal Chapter 35.5 of the City Code entitled "Subdivision Code", and adopt the proposed Article 7 of CODE Danville, a Unified Development Code of Danville, Virginia.

ATTACHMENTS

1. Chapter 35

Article 7. Subdivisions.

§ 41.7.A. Purpose.

1. *Purpose and intent.*
 - a. This article is intended to guide and facilitate the orderly subdivision of land and its development while promoting the health, safety, and general welfare of the public. This article shall also further the objectives of Section 15.2-2240 of the Code of Virginia, as amended.

§ 41.7.B. Legal Provisions.

1. *Authority.*
 - a. City Council hereby exercises the police power conferred by Chapter 22 of Title 15.2 of the Code of Virginia to assure the orderly subdivision of land and to implement PLANDanville.
2. *Administration.*
 - a. The administration and enforcement of this ordinance shall be vested in City Council and the Planning Commission.
 - b. The Division Director of Planning/ Zoning Administrator and City Engineer are hereby delegated as the agent of City Council and Planning Commission and are hereby authorized to administer and enforce this Code.
3. *Conflicting ordinances.*
 - a. If another State or Federal statute or City ordinance or regulation contains conflicting provisions with this article, the more restrictive of the provisions, ordinances, or regulations shall govern.
 - b. Nothing in this article shall affect the power of a court of equity to order that property be partitioned.
4. *Relation to other laws and contracts.*
 - a. The requirements of this article are separate from, but supplementary to, all other applicable requirements established by local, state, or federal laws, private agreements and covenants, proffers and conditions of zoning, and other applicable ordinances and regulations.
 - b. This ordinance bears no relation to any private easement, covenant, agreement, or restriction. The responsibility of enforcing such private

easement, covenant, agreement, or restriction is not implied to any public official.

5. *Applicability.*

- a. No person shall divide, subdivide, or cause a subdivision to be made of, by deed or plat, any tract of land located within the City of Danville, except in conformity with the provisions of this article.
- b. Except as provided below, any individual seeking to subdivide a tract of land shall adhere to the standards set forth in § 41.7.K. prior to recording a Final Subdivision Plat.
 1. Individuals seeking a minor subdivision may subdivide a tract of land in accordance with § 41.7.L.
- c. No person shall sell or transfer any land within a subdivision prior to recording a Final Subdivision Plat and posting a Subdivision Improvements Bond in accordance with § 41.7.K.4.

6. *References to other documents.*

- a. All references to any statute, regulation, guideline, manual, or standard shall be to that regulation, guideline, manual, or standard as it exists on the effective date of this Code and includes any amendment thereafter or reissue in a subsequent edition.

7. *Pro rata share funding for water, sewer, and drainage improvements.*

- a. The applicant shall pay to City Council one's pro rata share of the cost of providing reasonable and necessary sewer, water, and drainage improvements, located outside the boundary of the property which are necessitated or required, at least in part, by the construction or improvement of the subdivision, provided that:
 1. No payment shall be required until the City establishes a general sewer, water, and drainage improvements program and plan for an area having related and common sewer, water, and drainage conditions, and within which the property is located or where City Council has committed to such a program; and
 2. The program and plan comply with Section 15.2-2243 of the Code of Virginia.

8. *Pro rata share funding for off-site transportation improvements.*

- a. When the construction or improvement of a subdivision necessitates off-site road or roadway improvements, the applicant shall be required to contribute a fair and reasonable proportionate share, up to and including the full cost, of such improvements, to the extent the need for the improvements is reasonably required by and fairly attributable to the subdivision. City Council may accept funds or other contributions from the applicant toward the cost of such off-site improvements.
 1. The determination of whether the need for an improvement is substantially generated by, reasonably required by, and fairly attributable the subdivision shall be made by the Planning Commission. The Planning Commission shall consider whether:
 - A. The impact of the subdivision would create a threat to the public health, safety, or welfare if not addressed by the improvement;
 - B. The improvement is identified in PLANDanville, the City's Major Roadway Plan, adopted Virginia Department of Transportation (VDOT) roadway construction plans for the City, or the Official Zoning Map of Danville;
 - C. The improvement is identified in the City's Capital and Special Projects Plan;
 - D. The improvement is identified in the VDOT Six-Year Improvement Program; and
 - E. The need generated is more than an incremental effect that would otherwise result from general population growth, background traffic, or other appropriate criteria.

§ 41.7.C. Abbreviations.

1. Where provided in this Article, the following abbreviations shall carry the following meanings, unless otherwise noted. In the case of conflict between the meaning established in this section and the definitions provided in Article 9 of this Code, the meaning established in this section shall control in the administration of this article.
 - a. AASHTO.
 1. American Association of State Highway and Transportation Officials.
 - b. FHWA.

- 1. The Federal Highway Administration.
- c. IES.
 - 1. Illuminating Engineering Society.
- d. MUTCD.
 - 1. The Manual on Uniform Traffic Control Devices.
- e. PROWAG.
 - 1. The Public Right-of-Way Accessibility Guidelines.
- f. VDOT.
 - 1. The Virginia Department of Transportation.

§ 41.7.D.Changes and Revisions to Plats.

- 1. Changes or revisions may be made to an approved Preliminary Subdivision Plat or Final Subdivision Plat provided that prior written authorization by the Division Director of Planning/ Zoning Administrator has been received.
 - a. A change or revision to an approved Preliminary Subdivision Plat or Final Subdivision Plat shall not be permitted when the item being changed or revised has been required by the Planning Commission.
- 2. A proposed change or revision shall be submitted and reviewed in the same manner as set forth in § 41.7.K.4.f.
 - a. A minor change or revision to a Final Subdivision Plat may be approved by the Division Director of Planning/ Zoning Administrator in accordance with the procedures established for Minor Subdivisions in § 41.7.L.
- 3. A change or revision to a Final Subdivision Plat shall be signed by the owner or owners of the land being subdivided.

§ 41.7.E. Re-Subdivision.

- 1. A tract of land may be re-subdivided to eliminate, relocate, or otherwise alter a boundary line without the formal vacation of a recorded Final Subdivision Plat, provided that the re-subdivision does not involve the relocation or alteration of roadways, alleys, public rights-of-way, easements for public access, easements for utilities and public infrastructure, or easements for public use or common areas.

2. An application for the re-subdivision of land shall be submitted, reviewed, and considered for approval in the same manner as a Final Subdivision Plat as set forth in § 41.7.K.4.
 - a. Minor changes and revisions that result in a re-subdivision may be approved by the Division Director of Planning/ Zoning Administrator in accordance with the procedures established for Minor Subdivisions in § 41.7.L.
3. The Division Director of Planning/ Zoning Administrator and City Engineer, or their designee, shall sign all plats of re-subdivision.
4. The approval of a re-subdivision of land does not extend the period of validity of the Final Subdivision Plat in which the re-subdivided parcel is located.

§ 41.7.F. Vacation of plat and relocation of boundary lines.

1. A duly recorded Final Subdivision Plat or any part thereof may be vacated, or its boundary lines may be relocated pursuant to Section 15.2-2271 through 15.2-2276 of the Code of Virginia.
2. An application for the vacation of a recorded plat shall be submitted, reviewed, and considered for approval by the Planning Commission in the same manner as a Final Subdivision Plat as set forth in § 41.7.K.4.
3. The vacation of a recorded plat shall operate to destroy the force and effect of the recording of the Final Subdivision Plat so vacated, or any portion thereof.

§ 41.7.G. Minor Subdivisions.

1. *Applicability.*
 - a. Minor subdivisions of land are recognized where a single parcel of land is proposed to be divided into not more than two (2) parcels, or where the parcel lines of existing parcels are proposed to be changed or vacated.
2. *General standards.*
 - a. All minor subdivisions must meet the following standards.
 1. All parcels created by the division of land must meet all applicable zoning requirements and proffered conditions of zoning.
 2. The division of land shall not involve or require any new public roadway, road, or easement of access.

3. The division of land shall not offer the opportunity to obstruct any of the following features.
 - A. Floodplains, marshes, and rivers.
 - B. Planned or existing highways, public infrastructure, transportation facilities, and public facilities.
4. The division of land shall not adversely affect any part of PLANDanville or any other adopted plan.
5. The division of land shall not in any way violate the intent of this Code or other applicable ordinances, agreements, or conditions.
6. A Minor Subdivision Plat must be prepared, submitted, and approved in accordance with the standards set forth in § 41.7.L.

§ 41.7.H. Required Improvements.

1. *General standards.*
 - a. No Final Subdivision Plat or Public Improvements Plan shall be approved until the Planning Commission can determine that the required improvements will be provided according to the standards established in this article.
 - b. The subdivider be responsible for making all required improvements.
 1. All such improvements shall be installed at the cost of the subdivider unless a cost-sharing agreement or other means of City participation is approved by City Council.
 - A. Any such agreements shall be included in the Final Subdivision Plat.
 - c. No subdivider shall commence the construction of any required improvements prior to receiving approval of a Public Improvements Plan in accordance with § 41.7.K.4.
 1. In addition to a Public Improvements Plan, the subdivider must obtain any applicable written approval or permit from the City, the Virginia Department of Environmental Quality, the U.S. Army Corp of Engineers, VDOT, and any other applicable federal, state or local agency.
 - d. All required improvements shall comply with the approved Preliminary Subdivision Plat, Final Subdivision Plat, Public Improvements Plan, and § 41.7.I. of this Code.

- e. No Subdivision Improvement Bond shall be released until the construction of all required improvements is satisfactorily completed.
 - 1. The discharge and release of all subdivision bonds shall be executed pursuant to the procedures established in § 41.7.K.10.
- 2. *Site improvements.*
 - a. A subdivision which requires or conducts land disturbing activities shall be governed by Chapter 13, Erosion and Sediment Control and Stormwater Management. The subdivider shall install temporary and permanent erosion and sedimentation control measures in accordance with Chapter 13 and the Virginia Department of Environmental Quality Stormwater Management Handbook, latest edition, based on the approved plan.
 - b. The subdivider must provide comprehensive grading improvements and individual parcel grading improvements at the time of implementation of the subdivision's public improvements.
 - 1. Such improvements must ensure that all parcels, rights-of-way, and other improved areas within a subdivision are provided positive drainage and ensure that public drainage improvements are engineered, coordinated, and aligned to provide adequate collection of runoff from developed properties, in accordance with the approved plan.
- 3. *Access.*
 - a. All subdivisions must have at least one (1) direct access to public roadways dedicated to the City, County, or State.
 - 1. All commercial or industrial subdivisions expected to generate traffic exceeding 1,000 vehicles per day, and all residential subdivisions with more than 100 dwelling units, must provide at least two (2) connections to existing public roadway.
 - A. Where only one (1) connection is physically achievable, City Council, at its discretion, may require that the connecting portion of the entrance roadway to be developed as a four-lane divided roadway extending into the development for at least 250 feet. Where a such an entrance is permitted, no internal public or

private roadway may intersect the four-lane divided roadway within 250 feet of the entrance to the subdivision.

- B. If the storm elevation of a 100-year flood could be anticipated to inundate, block, or obstruct a principal means of access to a residential subdivision, the principal means of access shall be designed and constructed so as to provide unobstructed access at the time of flooding.

4. *Rights-of-way.*

- a. The subdivider shall construct and dedicate rights-of-way needed for highways, roadways, pedestrian facilities, and service drives which permit vehicular and pedestrian travel to, from, and within the subdivision.
- b. Where PLANDanville, Major Roadway Plan, or other adopted plan indicates a right-of-way greater than that existing along the boundaries of the subdivision or the boundaries of any parcel within the subdivision, such additional right-of-way shall be dedicated for public use on the Final Subdivision Plat when it is recorded.
- c. Where a subdivision abuts a public roadway with less than 50 feet of right-of-way width, the right-of-way shall be expanded so that the total public right-of-way complies with the minimum standard established in § 41.7.I.6.d.
 - 1. A right-of-way may be required to be wider than the minimum established in § 41.7.I.6.d. if the Planning Commission determines such expansion necessary upon input from the Division Director of Planning/ Zoning Administrator and City Engineer.

5. *Roadways.*

- a. The subdivider shall provide roadways in accordance with § 41.7.I.6. and § 41.7.I.7. of this Code.
- b. Consistency with adopted plans.
 - 1. The subdivider shall construct and dedicate extensions or improvements of existing roadways where such extensions or improvements complement the subdivision's layout or are shown or indicated by PLANDanville, the City's Major Roadway Plan, or other adopted transportation plans or adopted transportation studies.

- c. *Improvements to proposed and existing roadways.* The subdivider shall make, or cause to be made, such roadway improvements to proposed and existing roadways as are reasonably necessary to provide safe and efficient access to and from the subdivision. Such improvements may include, but are not limited to:
 - 1. Entrances and connections to public roadways;
 - 2. Private roadways;
 - 3. Roadway widening, realignment, or geometric improvements;
 - 4. Roadway lighting;
 - 5. Screening and landscaping; and
 - 6. Other related transportation improvements within the public right-of-way
 - d. *Traffic impact evaluation.* When deemed appropriate by the City Engineer or designee, the subdivider may be required to submit a traffic impact analysis, or other traffic study, prepared by a qualified professional, to evaluate the effects of the proposed subdivision on the adjacent and nearby roadway network.
 - 1. Any roadway improvements required pursuant to such evaluation shall be based on generally accepted traffic engineering practices and shall be reasonably related to addressing traffic, safety, or operational impacts associated with the proposed subdivision, considering the size, type, and intensity of the development.
 - 2. Required improvements shall not duplicate or replace transportation improvements that are fully funded and programmed for construction by the City, VDOT, or other public agency.
6. *Sidewalks and pedestrian access.*
- a. Sidewalks shall be constructed on both sides of all public streets within a subdivision in accordance with § 41.7.1.9. of this Code.
 - 1. The City Engineer may authorize the construction of sidewalks on only one (1) side of the roadway where the applicant demonstrates, through a sealed engineering analysis, that construction on both sides is technically infeasible due to topography or other unique site conditions.

- A. Such analysis shall demonstrate that construction of a sidewalk on the affected side would require one (1) or more of the following
 - 1. A retaining wall at least four (4) feet or greater in height;
 - 2. Grading on natural slopes exceeding 25% measured perpendicular to the roadway centerline; or
 - 3. Grading that would adversely affect the structural stability of the roadway or adjacent property, as determined by the City Engineer.
 - 2. If no portion of a roadway within one half (0.5) mile, measured along a public street network, of the outer boundary of the subdivision provides sidewalks on both sides of the roadway, the proposed subdivision may provide sidewalks on only one (1) side of the roadway.
 - b. The subdivider shall construct any bicycle trails, pedestrian paths, and sidewalks in accordance with the general location shown in PLANDanville or any other adopted plan or study approved by the Division Director of Planning/ Zoning Administrator.
- 7. *Lighting.*
 - a. All public roadways and pedestrian facilities within a subdivision shall be illuminated in accordance with City standards and applicable VDOT and/or IES (Illuminating Engineering Society) roadway lighting guidelines, or other published roadway lighting guidelines, as approved by the City.
- 8. *Water supply.*
 - a. All subdivisions shall construct or extend the pipes, easements, and service areas needed to provide adequate water services to all parcels in the subdivision.
 - 1. Off-site water supply improvements may be provided subject to the City's facility plans and pro rata share funding agreements subject to Code of Virginia § 15.2-2243.
- 9. *Sanitary sewer.*
 - a. All subdivisions shall provide the pipes, easements, and service areas needed to provide adequate sanitary sewer services to each parcel in the subdivision.

1. Off-site sanitary sewer improvements may be provided subject to the City's facility plans and pro rata share funding agreements subject to Section 15.2-2243 of the Code of Virginia.

10. *Stormwater management.*

- a. The subdivider shall ensure effective management of the quality and quantity of runoff resulting from land-disturbing activities associated with the subdivision and provide an adequate storm drainage system and Best Management Practices (BMPs) for the subdivision as well as from off-site properties which the subdivision impact.
 1. Off-site stormwater management improvements may be provided subject to the City's facility plans and pro rata share funding agreements subject to Section 15.2-2243 of the Code of Virginia.
 2. Stormwater management improvements shall be in accordance with Chapter 13, the Virginia Erosion and Stormwater Management Acts and Regulations.
- b. The subdivider shall also provide improvements, rehabilitation, and stabilization of existing streams, natural channels, waterways, and adjacent embankments or landscaping to ensure adequate control of storm runoff and preservation of environmentally sensitive areas which may be impacted by storm runoff.
- c. Curbs shall be provided on each side of every roadway in accordance with § 41.7.1.8. of this Code.

11. *Fire protection.*

- a. Adequate fire hydrants shall be installed in a subdivision at locations as required to provide adequate fire protection and in accordance with § 41.7.1.15. of this Code.

12. *Electric and telephone lines.*

- a. The subdivider shall coordinate with local power and telephone providers prior to submission of the Preliminary Subdivision Plat to ensure adequate location, alignments, easements, maintenance access, and other design criteria can be provided.

13. *Gas.*

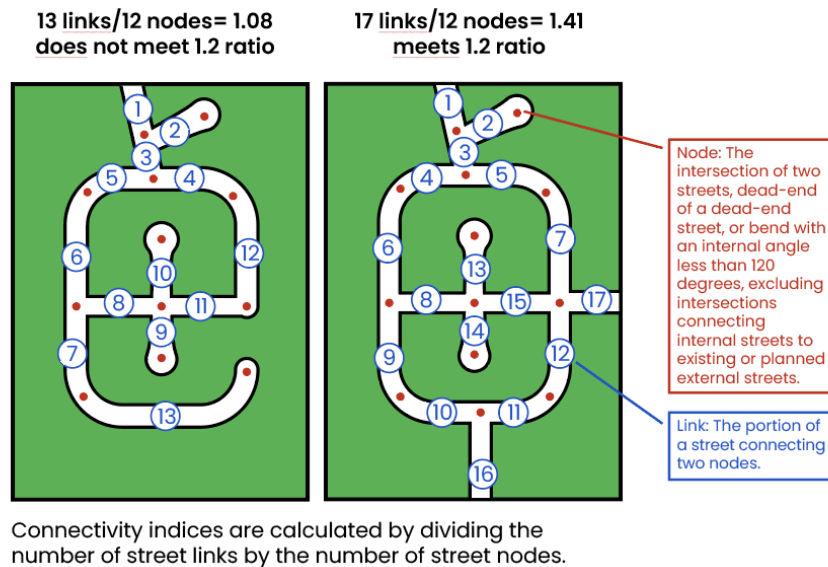
- a. The subdivider shall coordinate Preliminary Subdivision Plats, Final Subdivision Plats, and Public Improvements Plans to ensure the proper engineering, alignment, and location of gas mains.
14. *Easements.*
- a. The subdivider shall dedicate easements or rights-of-way for all utilities and facilities within subdivisions which are intended to serve the public subject to Planning Commission approval.
 - 1. Public easements for Minor Subdivisions may be approved by the Division Director of Planning/ Zoning Administrator.
15. *Monuments.*
- a. All parcel corners shall be marked by monuments in accordance with § 41.7.I.14. of this Code.
 - 1. Parcel corners not marked by monuments shall be marked with permanent reference markers.
16. *Public facilities.*
- a. In the subdividing of land, consideration shall be given to suitable sites for public facilities such as parks, open spaces, natural areas, schools, and other areas of public use as may be described in PLANDanville or other adopted plan.
 - 1. The location, boundary, and size of all such areas shall be indicated on the Preliminary Subdivision Plat and Final Subdivision Plat so that it may be determined if, when, and in what manner such areas will be dedicated to, reserved for, or acquired by the City for that use.
 - 2. This provision shall not be construed to preclude the reservation or dedication of property for public use not included in PLANDanville or other adopted plan, provided such property is acceptable to the City for such dedication and maintenance.

§ 41.7.I. Design Standards.

- 1. *General design objectives.*
 - a. The following minimum design standards shall be required and demonstrated on the Final Subdivision Plats and Public Improvements Plans for all subdivisions.

- b. The design of each subdivision shall be prepared so as to be consistent with the principles and recommendations for land use, transportation, community facilities, and infrastructure established by PLANDanville.
2. *Physical features.*
- a. The layout and design of a subdivision shall minimize the impact, removal, or grading of respect existing physical features such as topography, trees, rock outcroppings, waterways, wetlands, and other significant geographic elements.
 - b. The Planning Commission, in the interest of the health, safety, and general welfare of the present and future inhabitants of the City Danville, shall control the subdivision of any property which lies within a 100-year floodplain.
 - 1. In addition to any standards set forth by the Planning Commission, the following standards apply to all parcels within a 100-year floodplain.
 - A. If an area in a proposed subdivision along a river, stream, wetlands, marsh, or other watercourse which is subject to periodic flooding has not had a 100-year floodplain specifically delineated by the Federal Emergency Management Agency, the subdivider shall be required to prepare an engineering floodplain study which establishes the flood elevations and contours for both the pre-development and post-development property conditions.
 - 1. If required, the engineering floodplain study shall be based on contour mapping prepared at a minimum scale of one (1) inch equals 100 feet with two-foot contour intervals. The hydraulic analysis of the floodplain shall be based on standard HEC modeling (or equivalent engineering analysis technique) with minimum analysis sections of 100 feet (preferably 50 feet). Analysis shall include pre- and post-development water surface elevation impacts.
 - 2. Floodplain studies shall be prepared by a registered professional engineer qualified to perform such work.
 - 2. Refer to the FPO Floodplain Overlay Zone in § 41.2.S., for additional requirements.
3. *Access.*

- a. No individual parcel shall have direct access to any principal arterial roadway. Where an individual parcel abuts such roadways and access cannot be provided to a minor arterial, collector, or local roadway, a service drive roadway shall be provided in accordance with § 41.7.H.3. of this Code.
 - 1. City Council, at its sole discretion, may waive this provision if the physiography, shape, or size of the tract would preclude other methods of providing appropriate public roadway access.
- 4. *Blocks.*
 - a. No block shall be greater than 650 feet or less than 300 feet, as measured from the centerline of an intersection to the centerline of the next intersection.
 - b. The width of a proposed block shall be sufficient to allow two (2) tiers of minimum sized parcels in the underlying zone or district, except where fronting on a controlled access roadway.
 - 1. City Council may approve a single tier of parcels of minimum size wherever physiography, access requirements, or the PLANDanville so prescribes.
 - c. Any proposed blocks of irregular shape or otherwise not conforming to the dimensions required in this section may be accepted upon review and approval of City Council.
 - d. The roadway layout within all subdivisions shall have a connectivity index score of one and two tenths (1.2) or higher.
 - 1. The connectivity index is measured by dividing the number of roadway links by the number of roadway nodes.
 - A. The dead-end of a dead-end roadways shall count as a node unless the dead-end roadway is aligned so as to provide for the planned continuation of such roadway into adjoining properties.
 - B. Existing public roadways connecting to new roadways in the subdivision shall not count as roadway links.
 - C. The intersection of an existing public roadway and a new roadway shall not count as a roadway node.



- e. The arrangement of roadways in a shall be coordinated with and provide for the planned continuation of existing roadways into adjoining properties.
5. *Parcels.*
- a. *Minimum parcel size and buildable area.*
 1. No parcel shall be smaller than the minimum parcel size established in the underlying zone or district.
 - b. *Relationship to the roadway.*
 1. Each parcel shall front on a public roadway dedicated by the Final Subdivision Plat or deed of dedication, or on an existing approved public roadway.
 - A. The Planning Commission may allow, but shall not require, a parcel to front a private roadway.
 - c. *Corner Parcels.*
 1. Corner parcels shall be designed to meet the front setback line requirements on both roadways on which the corner parcel fronts.
 2. Property lines at roadway intersections shall be rounded with a radius of not less than 15 feet.
 - A. At an intersection of any roadway with a major or minor arterial roadway, or at other locations where traffic hazards and congestion may be anticipated, property lines shall be rounded

with a radius of not less than 25 feet, or greater if deemed necessary by the Planning Commission.

- B. Smaller radii for property lines coinciding with roadway rights-of-way may be allowed by the Planning Commission where such radii are consistent with the City's objectives for community planning and land use.

d. *Double frontage and reverse frontage parcels.*

- 1. Double frontage or reverse frontage parcels shall be permitted where essential to provide separation of residential development from roadways, to overcome disadvantages of topography, or where exceptional site design permits.

e. *Parcel shape.*

- 1. Each parcel shall be of a shape which provides a satisfactory and desirable building site.
- 2. No parcel shall contain peculiarly shaped elongations which are designed solely to provide the necessary square footage of area or frontage on a public roadway.
- 3. No flag parcels or pipe stem parcels shall be permitted.

f. *Remnant parcels.*

- 1. Remnant parcels shall not be created by the subdivision of land.
- 2. Any remnant parcels shall be added to abutting parcels rather than remain as unbuildable parcels.

g. *Side parcel lines.*

- 1. Side parcel lines shall be approximately perpendicular to the centerline bearing of the roadway on which the parcel has frontage.
- 2. Side parcel lines on circular turnarounds should be radial to the circular curvature of the turnaround unless otherwise constricted by special terrain conditions, landscape design considerations, or unique parcel access requirements.

h. *Reserve strips.*

- 1. Reserve strips are prohibited.

6. *Public roadways.*

a. *General standards.*

1. The subdivider shall be required to construct, dedicate, and guarantee the performance of all public roadways directly serving the subdivision, including any existing roadways being extended.
2. All public roadways within a subdivision must conform to the standards established in this Code and by the VDOT Road Design Manual, as amended.
3. Subdividers shall be required to reserve right-of-way for minor and major arterials and other transportation facilities as may be depicted in PLANDanville, the City Major Roadway Plan, or other official map.
4. The subdivider shall be required to construct service drives and access points as may be required to satisfy the transportation goals of the City and as may be depicted in PLANDanville, the City Major Roadway Plan, VDOT plans, or the Official Zoning Map.
5. Half roadways are prohibited.

b. *Roadway classifications.*

1. The classification of proposed roadways shall be determined by an estimate of the anticipated vehicular traffic volume as determined by a Traffic Impact Analysis performed by the applicant in conjunction with the review of the Preliminary Subdivision Plat.
 - A. The Traffic Impact Analysis shall be prepared in accordance with § 41.7.H.5.d.

c. *Roadway surfacing.*

1. All roadways shall be paved in accordance with a pavement design prepared and sealed by a professional engineer licensed in the Commonwealth of Virginia. The pavement design shall be based on site-specific subsurface conditions and geotechnical information prepared by or under the direction of a qualified geotechnical professional.
2. The pavement design shall conform to the intent and requirements of the VDOT Pavement Design Guide for Subdivision and Secondary Roads in Virginia and shall account for anticipated traffic loading, subgrade characteristics, drainage conditions, and long-term performance.

3. The proposed pavement design shall be submitted to the City for review and approval prior to construction. The City may require revisions to the pavement design if field conditions, testing results, or construction observations indicate that modifications are necessary to achieve adequate performance.
- d. *Maximum roadway width.*
1. Unless otherwise required by the VDOT Road Design Manual or other applicable VDOT standards, roadway widths for new subdivision streets shall comply with Table 7.H-1: Maximum Roadway Width.
 - A. The maximum width of any roadway may be extended if a bicycle lane is provided in accordance with § 41.7.I.9.b. of this Code.

Table 7.II-1: Maximum Roadway Width

Roadway Type	Minimum Right-of-Way Width	Minimum Curb-to-Curb Roadway Width	Maximum Curb-to-Curb Roadway Width
Principal Arterial	80 ft.	48 ft.	60 ft.
Minor Arterial	70 ft.	40 ft.	54 ft.
Collector	60 ft.	32 ft.	44 ft.
Local	50 ft.	24 ft.	34 ft.
Private Alley	15 ft. for one-way traffic. 25 ft. for two-way traffic.	10 ft. for one-way traffic. 20 ft. for two-way traffic.	12 ft. for one-way traffic. 24 ft. for two-way traffic.

- e. *Entrances.*
1. The entrance of a new roadway onto any public roadway shall be subject to the approval of the Planning Commission and shall be designed and constructed in accordance with applicable VDOT standards.
 2. Horizontal separation between planned new and existing entrances shall be based on traffic impact analysis and evaluations.
 3. Minimum vertical and horizontal sight distances between planned and existing entrances shall be a function of the appropriate design speed for the subject roadways as set forth in the VDOT Road Design Manual.
- f. *Roadway layout.*

1. The roadway layout, grading, and drainage shall not cause unnecessary hardship to the owners of any adjoining property when they plat their own land and seek to provide for convenient access to it.
 - A. Where the City Engineer determines it is desirable to provide roadway access to adjoining property, proposed roadways shall be extended by dedication to the boundary line of such property and improved in accordance with the regulations set forth herein for public roadways.
- g. *Intersections.*
 1. All intersections shall be separated by at least 300 feet from the intersection of roadway centerlines at one (1) intersection to the intersection of roadway centerlines at the next intersection.
 - A. For the purposes of this provision, two (2) roadways sharing the same right-of-way shall be considered one (1) roadway with the centerline of such roadway being the line lying midway between the side lines of each roadway, as measured in the horizontal plane.
 2. Subdivision roadways shall intersect with an existing or proposed roadway at an angle as close to 90 degrees as practicable.
 - A. In no case shall a roadway intersect with an existing or proposed roadway at an angle less than 80 degrees unless the City Engineer approves a lesser angle for reasons of contour, terrain, or matching of existing patterns.
- h. *Dead-end roadways and turnarounds.*
 1. No dead-end roadway shall extend more than 325 feet from the nearest intersection.
 2. All dead-end roadways shall provide a circular turnaround having a right-of-way radius as prescribed by the VDOT Road Design Manual.
 - A. Branch and T-type turnarounds are prohibited.
 3. Temporary turnarounds shall be constructed for those roadways within a subdivision, or section thereof, which are planned for future extension on an approved Final Subdivision Plat.

1. The temporary turnaround shall be located within the platted roadway right-of-way, upon other abutting property owned by the subdivider, or on an easement established by the subdivider on parcels within the subdivision.
 - a. In the case of easements, appropriate agreements shall be filed with the City setting forth the terms of the easement agreements. These agreements shall be approved as to the form by the City Attorney.
 - i. *Alternative Intersections.*
 1. Alternative intersection designs, including but not limited to roundabouts, may be employed in place of conventional signalized or stop-controlled intersections where such designs are determined by the City Engineer to be appropriate for the site and consistent with the City's transportation objectives.
 - A. All alternative intersection designs shall be planned, analyzed, and designed in accordance with current VDOT guidance, standards, and manuals applicable to the selected intersection type.
 1. The geometry, lane configuration, traffic control, and operational characteristics of the intersection shall be based on accepted traffic engineering analysis and modeling methods (such as SYDRA for roundabouts or other VDOT-accepted analytical tools for alternative intersection forms), or an equivalent technique approved by the City Engineer.
 - B. At all points of intersection of roadway lines, horizontal curves appropriate for the design vehicle and operating conditions shall be computed and dedicated as part of the public right-of-way in accordance with VDOT standards.
 1. In no case shall the curb return radius be less than the minimum permitted by the applicable VDOT design criteria for the functional classification and design vehicle.
 - j. *Alleys.*
 1. Privately maintained and properly documented alley easements may be permitted at the discretion of City Council, provided there are

agreements and documentation acceptable to City Council ensuring the intended access arrangements, adequate storm drainage improvements, grading, construction materials, maintenance, and upkeep of the alley easement.

2. No alley easement shall be less than 20 feet in width and no alley pavement shall be less than 12 feet in width.
3. Dead-end alleys are prohibited.

k. *Service drives.*

1. When a proposed subdivision contains or is adjacent to a principal arterial roadway and where the frontage parcels in such subdivision are proposed to front on such roadway, sufficient land shall be reserved so as to provide for subsequent construction of service drive roadways.
 - A. Service drive roadways shall run approximately parallel to the adjacent principal arterial roadway.
 - B. The dimension of the area between the service drive roadway and principal arterial roadway, and the points of access between the same, shall be determined after due consideration of traffic safety requirements.
 1. Except where impractical due to topographic hardship, the area between the service drive and the principal arterial roadway shall be sufficient to provide landscape planting and screening.
 - C. City Council, at its sole discretion, may waive the requirements of this provision if the physiography, shape, or size of the tract would preclude other methods of providing appropriate public roadway access.

l. *Roadway identification signs.*

1. Street name and roadway identification signs shall be installed at all public street intersections in accordance with the Manual for Uniform Traffic Control Devices, as adopted VDOT, and the latest edition of the VDOT Road and Bridge Specifications and Standard Drawings. Sign design, size, lettering, retro reflectivity, placement, and mounting shall

conform to these standards and be subject to approval by the City Engineer.

m. *Roadway names.*

1. All roadways shall be named.
2. Names of existing roadways shall not be changed without approval of the Address Management Committee in accordance with the Address Management Guidelines.
3. No roadway name shall contain more than 20 letters including such symbols as St., Ave., or other abbreviations.
4. Proposed roadways which are extensions of or in obvious alignment with existing named roadways shall bear the names of the existing roadways.
5. Except as allowed for the extension of an existing roadway, the names of proposed roadways shall not duplicate or too closely approximate existing roadway names elsewhere in the City, irrespective of the use of the suffix street, avenue, boulevard, drive, way, place, land, or court.
6. Roadway names shall be indicated on all Final Subdivision Plat.
 - A. Approval of the Final Subdivision Plat shall indicate approval of the roadway names, unless otherwise noted.

7. *Private roadways.*

a. *Applicability.*

1. Access to a subdivision may be provided via private roadways under the following conditions.

b. *General standards.*

1. Neither the City nor the state will maintain such private roadways unless they are brought into compliance with applicable public roadway standards of the City in effect at such time and without cost to the City.
2. The Final Subdivision Plat and all deeds of subdivision, or similar instruments, shall clearly designate the roadways which are to be private and shall contain the following note:
 - A. "The following roadway(s), _____, in this subdivision are privately owned and maintained by the parcel owner(s), do not

meet City requirements, and will not be maintained by either the Commonwealth of Virginia or the City of Danville."

1. Grantors of any subdivision parcel to which such statement applies must include the statement on each deed of conveyance thereof.
 2. The Final Subdivision Plat shall provide adequate easements across private roadways for ingress, egress, drainage, maintenance of utilities, and access by public agencies including the City's Police and Fire Departments to allow them to carry out their duties.
 3. All parcel owners must be assured perpetual right of access via the private roadway to a public roadway maintained by the City or State.
 4. In a non-residential subdivision, no private roadways shall carry more than 1,000 vehicles per day.
 5. In a residential subdivision, no private roadways may serve more than 100 dwelling units, unless otherwise approved by the Planning Commission.
 6. All permitted private roadways shall carry a roadway name meeting the naming standards for public roadways in § 41.7.1.6.m. and approved by the City.
 - A. Individual parcels fronting a private roadway shall carry a roadway address.
 7. No parking spaces shall be permitted to have direct access on private roadways carrying more than 1,000 vehicles per day.
- c. *Private roadway surfacing.*
1. The applicant shall provide engineering plans, profiles, details, design sections, and construction standards consistent with the requirements of a Public Improvements Plan for all private roadways and related infrastructure.
 2. Geometric design requirements for private roadways and parking areas shall conform with the VDOT Road Design Manual.

3. The methods of pavement design, construction practices, and materials used in the construction of private roadway improvements shall conform to the VDOT Road Design Manual.
 4. Signs and striping of private roadways shall be provided and paid for by the developer in the same manner as public roadways in accordance with § 41.7.1.6.l.
 - A. Signs shall be designated on the Public Improvements Plan.
 5. Any private roadway within a subdivision which is not intended to be incorporated into the state system shall be identified with a sign attached to the roadway sign stating: "Private Road Not Publicly Maintained."
 - d. *Private roadway maintenance.*
 1. Perpetual maintenance of private roadways and, where appropriate, sidewalks and trails shall be the responsibility of the subdivision owner or developer.
8. *Curbs.*
 - a. *Curbs and stormwater conveyance systems.*
 1. Curbs and associated stormwater conveyance systems shall be installed by the subdivider in accordance with the applicable VDOT standards and details.
 2. The curb or curb and gutter type shall be selected based on roadway functional classification, design speed, drainage needs, and site conditions, and shall conform to the VDOT Road Design Manual and related standard drawings, as approved by the City.
9. *Pedestrian facilities.*
 - a. *Sidewalks.*
 1. *General standards.*
 - A. Sidewalks shall be designed and constructed in accordance with the latest edition of the VDOT Road Design Manual and Road and Bridge Specifications, applicable Federal Highway Administration (FHWA) pedestrian facility guidance, ADA accessibility

- requirements, and Public Rights-of-Way Accessibility Guidelines (PROWAG).
- B. Unless otherwise approved by the City Engineer based on context-sensitive design, the minimum clear pedestrian through-zone width shall be consistent with ADA/PROWAG and VDOT standards.
 - C. Sidewalk pavement shall be Portland cement concrete meeting VDOT material and construction requirements. Minimum thickness shall comply with VDOT standard sidewalk sections, with increased thickness at driveway crossings or other vehicular conflict points as required by VDOT standards and details.
 - D. Curb ramps, blended transitions, detectable warning surfaces, cross slopes, running slopes, and landings at intersections and crossings shall comply with ADA/PROWAG and current VDOT standard drawings for accessible pedestrian facilities.
2. *Sidewalk buffer and furnishing zone.*
- A. Where curb and gutter are present, a buffer or planting strip (tree lawn) between the back of curb and the sidewalk should be provided in accordance with VDOT Road Design Manual.
 - 1. The width of this buffer shall be based on roadway functional classification, design speed, and context. The width should be at least five (5) feet and capable of accommodating street trees, utilities, and snow storage consistent with VDOT and FHWA best practices, where the right-of-way width allows.
 - B. Landscaping and street trees within the buffer shall be installed and maintained in accordance with applicable City landscaping requirements and VDOT clear zone and sight distance guidance.
3. *Connectivity*
- A. Where a proposed or reconstructed sidewalk is located within 50 feet of an existing or planned public trail, shared-use path, or similar multimodal facility, the development shall provide a direct, accessible, and unobstructed pedestrian connection to that facility,

designed in accordance with VDOT and FHWA shared-use path and pedestrian connection guidance. Such connections shall:

1. Meet ADA and PROWAG accessibility requirements;
2. Conform to VDOT standards for grades, cross slopes, and transitions; and
3. Be located to provide safe and practical access as determined by the City Engineer.

- B. To avoid excessive or redundant connections, no more than one (1) such connection shall be required to any individual trail or path within 200 feet of a sidewalk frontage, unless additional connections are warranted for safety, accessibility, or network continuity as determined by the City Engineer.

b. *Bicycle lanes.*

1. *Construction standards.*

- A. Bicycle lanes shall be planned, designed, and constructed in accordance with the latest applicable VDOT standards, specifications, and guidelines.
- B. Where VDOT standards do not directly address a specific condition, design shall be guided by nationally recognized best practices, including, but not limited to, the guidance published by AASHTO or FHWA, such as the AASHTO Guide for the Development of Bicycle Facilities and applicable FHWA bikeway selection and design resources.

2. *Buffering.*

- A. Where a bicycle facility is provided within the right-of-way of a principal arterial or other higher-speed, higher-volume roadway, the facility shall be separated from adjacent motor vehicle travel lanes in accordance with VDOT, AASHTO, and FHWA guidance, and other acceptable national guidance as approved by the City, for protected or separated bicycle lanes.
 1. Separation methods may include, but are not limited to, a raised curb, landscaped buffer, barrier, parking separation, or

other physical or vertical elements consistent with applicable standards.

B. Where a bicycle facility is provided within the right-of-way of a minor arterial or collector roadway, a buffer or separation area shall be provided between the bicycle facility and adjacent motor vehicle travel lanes in accordance with VDOT, AASHTO, and FHWA guidance, and other acceptable national guidance as approved by the City.

1. Such buffer may be achieved through striping, pavement markings, textured or colored pavement, vertical delineators, curb, or landscaping, as appropriate to roadway context and safety considerations.

3. The type and width of any buffer or separation shall be determined during design based on roadway classification, operating speed, traffic volumes, on-street parking, sight distance, drainage, maintenance needs, and other site-specific factors, consistent with the latest applicable VDOT, AASHTO, and FHWA guidance, and other acceptable national guidance as approved by the City.

c. *Shared-use paths.*

1. *General design and construction standards.*

A. Shared-use paths shall be designed and constructed in accordance with the latest editions of the following, as applicable:

1. VDOT Road Design Manual and related VDOT Road & Bridge Standards;
2. AASHTO Guide for the Development of Bicycle Facilities;
3. FHWA guidance on shared-use paths and separate bicycle facilities;
4. MUTCD guidance for all pavement markings, signs, and traffic control devices; and
5. Other guidance and technical standards as approved by the City Engineer.

2. *Surface and cross section.*

- A. Shared-use paths shall be paved and constructed to meet or exceed the structural, surface, and accessibility requirements applicable to sidewalks and multi-use paths under the above references, as well as ADA accessibility standards.

3. *Width.*

- A. Path width shall be determined based on anticipated user volumes, context, and safety considerations in accordance with the guidance.
- B. In constrained conditions, a reduced width consistent with minimum criteria may be permitted.
- C. Where higher user volumes, frequent passing, or multi-directional use is expected, wider sections consistent with recommended dimensions in the guidance should be provided.

4. *Buffering.*

- A. If located next to the same right-of-way of or adjacent to a right-of-way containing a public roadway, a landscaped buffer at least five (5) feet wide shall be provided between the edge of the curb and shared-use path.
 - 1. If a shared-use path is adjacent to a sidewalk, no landscape buffer shall be required.

10. *Lighting.*

a. *Roadway lights.*

- 1. Roadway lights shall be installed by the subdivider on one (1) or both sides of the roadway in accordance with the VDOT Road Design Manual, or as per the direction of the Planning Commission.
 - A. The Planning Commission may require lights on one (1) or both sides of the roadway depending upon the topography, intensity of the development, location with respect to schools and other public or semi-public facilities, and such other factors.
 - B. All public roadways and pedestrian facilities within a subdivision shall be illuminated in accordance with City standards and applicable VDOT and IES roadway lighting guidelines, or other roadway lighting guidelines, as approved by the City.

- C. All roadway light types shall be approved by the City.
- 2. The City, with the approval of the subdivider, may assume the responsibility for installing roadway lights along public or private roadways within a subdivision if the City Engineer determines the assumption of such responsibility by the City furthers the infrastructure goals established in PLANDanville.
 - A. The subdivider shall cover the full cost of all poles, fixtures, wiring, and labor used to provided roadway lighting to the subdivision.
 - B. The subdivider shall provide all necessary public utility easements required for the construction and maintenance of the roadway lights.
- 11. *Easements.*
 - a. The easement agreement and dedication documentation shall be provided in accordance with the typical form provided by the City Engineer.
 - b. Easements on individual subdivision parcels shall be maintained by the parcel owner unless otherwise provided for by separate agreement.
- 12. *Stormwater management.*
 - a. All stormwater management systems shall be provided and designed in accordance with Chapter 13 Erosion and Sediment Control of the Danville City Code.
- 13. *Water and sanitary sewer.*
 - a. *Parcel sewer service.*
 - 1. All parcels shall be provided with sewer laterals with adequate and necessary access to public sewer to be constructed with the required subdivision improvements.
 - 2. A lateral schedule shall be provided with the Preliminary Subdivision Plats, Final Subdivision Plat, and all Public Improvements Plans.
 - 3. It shall be the responsibility of the parcel owner to maintain sewer laterals from the public sanitary sewer main line to the building.
 - b. *Parcel water service.*

1. Public water improvements shall be designed to ensure a residual water pressure for all fixtures of at least 20 psi to the elevation of the highest story of any structure permitted in the underlying zone or district.
 2. It shall be the responsibility of the parcel owner to maintain water laterals on private property.
- c. *Authority.*
1. City Council shall have authority over sewer and water connections in Danville.
 2. No individual private well and septic service is permitted to provide domestic service for any dwelling or structure within the City.
- d. *General design and construction requirement.*
1. Sanitary sewer design shall be in accordance with the Commonwealth of Virginia Sewage Collection and Treatment Regulations.
- e. *Contributing population.*
1. Refer to water and sewerage recommendations outlined in PLANDanville or the City's Water and Sewer Master Plan.
- f. *Design quantities.*
1. Refer to water and sewerage recommendations outlined in PLANDanville, and to data which may be otherwise provided by the Division Director of Planning/ Zoning Administrator.
- g. *Hydraulic design criteria.*
1. Refer to PLANDanville, the Virginia Department of Health's regulations and design standards, and other adopted water and sewer facilities plans.
- h. *Location of water mains, sewers, and appurtenances.*
1. Refer to water and sewerage standards and criteria as outlined by PLANDanville, the City's Water and Sewer Master Plan, and the Virginia Department of Health.
- i. *Acceptance tests.*
1. Criteria for acceptance testing of sanitary sewer and water mains shall be as specified by the City of Danville.

14. *Monuments.*

a. *Monument location and type.*

1. Permanent reference monuments shall be placed in accordance with applicable VDOT Road and Bridge Standards and Specifications and generally accepted land surveying practices within the Commonwealth of Virginia.

b. *Parcel corner location and type.*

1. Parcel corners not marked by monuments shall be marked with permanent reference markers.
 - A. Permanent reference markers delineating a parcel corner shall be placed by a certified land surveyor prior to the recordation of a Final Subdivision Plat.
2. Any existing parcel corners which are removed during the installation of required subdivision improvements shall be reinstalled prior to the issuance of an Occupancy Permit on any parcel.

c. *Visibility.*

1. Upon completion of all roadways and other improvements in the subdivision, all monuments and pins required shall be clearly visible or marked with a guard stake and flag for inspection and use prior to the release of the subdivision bond or surety.

15. *Fire protection.*

a. *Installation.*

1. Adequate fire hydrants shall be installed by the developer in a subdivision at locations as required by Chapter 14 Fire Prevention and Protection of the Danville City Code, and as necessary to provide adequate fire protection.
2. Fire hydrants shall be installed within the public right-of-way or public access easement.

b. *Fire hydrant placement.*

1. No fire hydrant shall be placed less than 50 feet from any building or structure.

2. No fire hydrant shall be located more than 100 feet from the nearest fire department connection. The fire department connection must be visible from the fire hydrant.
 - A. A fire department connection for an automatic sprinkler system or standpipe system shall be located on as to be readily visible from the street.
 - B. The location for the fire department connection must be approved by the Fire Marshal's Office.
3. Depending on the use, no fire hydrant shall be separated from another fire hydrant more than the distance established in Table 7.I-2.

Use	Distance
Industrial or storage use.	300 ft.
School or institutional use.	300 ft.
Commercial use.	300 ft.
Single-unit or two-unit dwellings.	500 ft.
All other residential uses.	300 ft.

4. In a subdivision containing exclusively single-unit or two-unit dwellings, all fire hydrants shall be located on a parcel line or along the curve of pavement.
- c. *Obstruction.*
 1. No obstructions such as a fence, landscape material, or retaining wall shall be permitted within three (3) feet of a fire hydrant or 10 feet of an automatic sprinkler system or standpipe system fire department connection.
 - d. *Fire hydrants in or on top of parking structures.*
 1. All fire hydrants and water mains located in or on top of a parking structure shall be protected from freezing. Heat tape shall be prohibited.
 - e. *Water mains.*

1. All water mains shall be designed to provide hydrant flows and residual pressures to established standards set by the Virginia Department of Health.

16. *Underground electric, telephone, and cable services.*

- a. The subdivider shall coordinate with local electric, telephone, cable, and other communications or broadband service providers prior to submission of the Preliminary Subdivision Plat to ensure adequate locations, alignments, easements, maintenance access, and other applicable design criteria are provided.

§ 41.7.J. Subdivision Surety Bonds.

1. The applicant shall be required to post bonds in accordance with § 41.7.K.5 and § 41.7.K.9 to ensure the timely construction, adequate design, and continued maintenance of the subdivision improvements.

§ 41.7.K. Subdivisions.

1. *Summary of major subdivision approval process.*
 - a. The process for major subdivision approval shall be as set forth in Table 7.K-1.

Step		Action	Actor	Time Frame
1		Pre-Application Planning Conference.	Applicant, City staff, and Subdivision Review Committee.	As determined by the applicant.
2	Preliminary Subdivision Plat	Submit a complete Preliminary Subdivision Plat.	Applicant.	As determined by the applicant.
3		Review the Preliminary Subdivision Plat.	City staff, Subdivision Review Committee, and state agencies, if applicable.	45 days after submission; or as established by Va. Code. Ann. § 15.2-2260.
4		Review the Preliminary Subdivision Plat.	Planning Commission.	
5		Modify the Preliminary Subdivision Plat.	Applicant.	As determined by the Code of Virginia.
6	Final	Submit a complete Final Subdivision Plat and Public	Applicant.	As determined by the applicant.

Step	Action	Actor	Time Frame
	Improvements Plan, if necessary.		
7	Review the Final Subdivision Plat and Public Improvements Plan.	City staff, Subdivision Review Committee, and state agencies, if applicable.	60 days after submission; or as established by Va. Code. Ann. § 15.2-2259.
8	Review the Final Subdivision Plat and Public Improvements Plan.	Planning Commission.	
9	Modify the Final Subdivision Plat and Public Improvements Plan, if necessary.	Applicant.	As determined by the Code of Virginia.
10	Post Subdivision Improvements Bond and Landscaping Bond.	Applicant.	As determined by the applicant.
11	Construction of required improvements.	Applicant.	As determined by the applicant.
12	Request inspection of constructed improvements.	Applicant.	As determined by the applicant.
13	Inspect constructed improvements.	City staff.	Up to 30 days after request by applicant.
14	Release Subdivision Improvements Bond.	City staff.	Upon receipt of inspection approval.
15	Post Subdivision Maintenance Bond.	Applicant.	Upon release of Subdivision Improvements Bond.
16	Approve dedication of required improvement.	City Council.	As determined by City Council.
17	Release all remaining bond agreements.	City Council.	As determined by City Council.

2. *Pre-Application Planning Conference.*

a. *Conference required.*

1. Prior to the submission of the Preliminary Subdivision Plat, the applicant shall contact the Division Director of Planning/ Zoning Administrator to schedule a Pre-Application Planning Conference.
2. The Pre-Application Planning Conference does not replace the requirement for the submission of a Preliminary Subdivision Plat, Final

Subdivision Plat, Public Improvements Plan, or any other provisions of this Code or any other requirement of the City.

b. *Purpose of conference.*

1. The purpose of this conference is to establish the following:
 - A. Establish the intended use, scope, type, density, physical characteristics, and phasing of proposed subdivision.
 - B. Coordinate the proposed subdivision with any adopted facilities or infrastructure plans, PLANDanville, the City's Capital Improvements Program, and existing or proposed plans for development of neighboring properties.
 - C. Coordinate transportation improvements with existing and planned roadways within the vicinity of the proposed subdivision and as otherwise may be prescribed by PLANDanville, the Official Zoning Map or the City's Street Plan.
 - D. Determine any reasonable regulations and provisions uniquely applicable to the proposed subdivision as related to physiography, public utility and facilities service, drainage and flood control, transportation, environmental and historic impact, economic development, and facilitation of the creation of a convenient, attractive, and harmonious development.
 - E. Determine consistency with any conditions of zoning and proffer agreements.

c. *Required information.*

1. During the Pre-Application Planning Conference, the subdivider or developer shall provide the following information.
 - A. Any plans, sketches, draft plat exhibits, or other materials as deemed necessary by the Division Director of Planning/ Zoning Administrator to adequately describe the proposed subdivision.
2. During the Pre-Application Planning Conference, the Division Director of Planning/ Zoning Administrator shall provide the following information.
 - A. Any comprehensive planning and zoning issues, subdivision and site planning considerations, utility and infrastructure

considerations, or other regulations and provisions which are found to be supportive of this Code or contributive to the applicant's understanding of the general requirements as well as any special circumstances which may be related to subsequent subdivision approval.

3. *Preliminary Subdivision Plat.*

a. *Applicability.*

1. When the owner of any tract of land desires to subdivide their tract of land into more than 50 parcels, the subdivider shall receive Preliminary Subdivision Plat approval. If the owner of a tract of land desires to subdivide their tract into 50 parcels or fewer, the subdivider may voluntarily elect to seek Preliminary Subdivision Plat approval.
 - A. The Preliminary Subdivision Plat Checklist shall be prepared by the applicant's engineer or surveyor, and the checklist shall be certified for completeness in the signature block provided thereon.
 - B. A Preliminary Subdivision Plat shall display all information required by this Code and be consistent with the Preliminary Subdivision Plat Checklist.
 1. A submission including this information shall be deemed a complete submission.
 2. A submission lacking one (1) or more required pieces of information shall be deemed to be an incomplete submission.
 - a. If the application is deemed an incomplete submission, the applicant shall be notified by mail of any deficiencies in the application within 10 business days of submitting such Preliminary Subdivision Plat.
 3. The resubmission of a corrected Preliminary Subdivision Plat, which has been previously determined to be incomplete, shall be considered a new submission.

b. *Preparation standards.*

1. All Preliminary Subdivision Plats shall be prepared to the following standards.
 - A. All files shall be committed as a .pdf copy.
 - B. The file shall be no larger than 18 inches by 24 inches.
 - C. Each page shall include a page number and the seal of the surveyor/ engineer that prepared the plat.
 - D. All dimensions shall be shown to the nearest one hundredth (0.01) of a foot.
 - E. All bearings shall be shown in degrees.
 - F. All minutes and seconds shall be shown to the nearest second.
 - G. All areas shall be shown to the nearest on hundredth of a square foot.
 - H. All angles shall be shown to the nearest half degree, which shall be balanced and closed with an error of closure not to exceed one (1) to 20,000.
 1. All curves shall be defined by their radius, arc length, chord distance and chord bearing.
 2. Such curve data shall be tabulated and numbered to correspond with the respective numbered curve shown throughout the plat.
 - I. All maps shall include a north arrow and identify the scale used.
 - J. Where a map is split across multiple sheets, a sheet match line must be shown.
 - K. Topographic maps shall show contours at two-foot intervals.
2. A Preliminary Subdivision Plat and Preliminary Subdivision Plat Checklist shall display all of the following information as well as any information as may be reasonably necessary to determine compliance with this Code and any City, State, or federal regulation.
 - A. General information.
 1. Project name.
 2. Project location.
 3. Tax map and deed book.
 4. City project reference number.

5. Submission date.
 6. Applicant name.
 7. Applicant signature and parcel owner, if different than applicant.
 8. Applicant address.
 9. Applicant phone number.
 10. Engineer/ surveyor name.
 11. Engineer/ surveyor address.
 12. Engineer/ surveyor phone number.
- B. Title information.
1. Title block.
 - a. Subdivision name.
 - b. City of Danville tax map and parcel number.
 - c. Names and addresses of the owners of the property, existing mortgages, the subdivider, and the surveyor.
 - d. Scale of drawings.
 - e. Date of preparation.
 2. Surveying and mapping control information.
 3. Vicinity map at a scale of one (1) inch equals 1,000 feet.
 4. General information section, including the number of sheets comprising the preliminary plat and an index showing the location of the various sheets.
 5. Reference any proffers, special use permit conditions, waivers, or variances granted. Copies of all are to be attached.
 6. Seal and signature (on each sheet) by a Virginia certified land surveyor or professional engineer.
 7. Owner's dedication and consent properly worded and notarized.
 8. Signature panel for City approval.
- C. Plat information.
1. North arrow, match lines, and sheet numbers.
 2. Topography.

- a. Existing contours at two-foot intervals.
 - b. Proposed contours at two-foot intervals.
3. Current boundary survey.
 - a. Bearings and distances to at least three (3) nearest existing roadway lines, bench marks, or other permanent monuments.
4. Zoning and land use.
 - a. Present zoning and land use of tract.
 - b. Present zoning and land use of all abutting parcels.
 - c. Owners of all abutting parcels.
5. Existing parcels and setbacks.
 - a. Location of all existing parcel lines and total acreage in each.
6. Proposed parcels and setbacks.
 - a. Location of all proposed parcels.
 - b. All proposed setback lines.
 - c. Approximate acreage of each proposed parcel.
 - d. Approximate dimensions of each proposed parcel.
 - e. Proposed grading.
 - f. Proposed right-of-way acreage.
7. Roadways, easements, and rights-of-way.
 - a. Location of all existing and proposed roadways, easements, and other rights-of-way within or adjoining the subdivision.
 - b. Width of existing and proposed roadways, easements, and other rights-of-way within or adjoining the subdivision.
 - c. Grade of existing and proposed roadways, easements, and other rights-of-way within or adjoining the subdivision.
 - d. Names of existing and proposed roadways.
8. Utilities and fire hydrants.

- a. Location of all existing and proposed utilities and fire hydrants within or adjoining the subdivision.
 - b. Size of all existing and proposed utilities and fire hydrants within or adjoining the subdivision.
 - c. Elevations of all existing and proposed utilities and fire hydrants within or adjoining the subdivision.
- 9. Water supply, sanitary sewer, and drainage.
 - a. Proposed method of water supply, sanitary sewer, and drainage.
 - b. Proposed connections with existing facilities.
 - c. Size of proposed facilities and any related accessory structures.
- 10. Location of existing and proposed storm drainage and stormwater managements systems.
- 11. Easements.
 - a. Holders of any easements affecting the property.
 - b. The location, width, and use of any easements affecting the property.
- 12. Location of all existing buildings within the property.
- 13. Location of any natural or cultural features, cemeteries, and landmarks.
- 14. Designation, location, area, and names of existing watercourses, marshes, and wetlands.
- 15. Boundary of any 100-year floodplain and the source the floodplain information.
- 16. Open space, recreation areas, and buffer areas.
 - a. The location all existing and proposed open spaces, recreation areas, and buffer areas.
 - b. The ownership structure all existing and proposed open spaces, recreation areas, and buffer areas.
 - c. The use of all existing and proposed open spaces, recreation areas, and buffer areas.

17. Proposed pedestrian facilities, bicycle paths, and shared-use paths.
 18. Location and dimensions of all proposed private alleys.
 19. Location and dimensions of all private roadways.
 20. Elements shown in PLANDanville or the Official Zoning Map.
 21. Proposed phasing plans and timeframe for completion.
 22. Legal description of the subdivision.
 23. Soils study and geotechnical report.
 24. Additional documentation and technical reports.
 25. Application for waiver, variance, or substitution.
- D. Surveyor/ engineer's certification of completion.
1. Surveyor/engineer name.
 2. Surveyor/ engineer seal.
 3. Surveyor/ engineer registration number.
 4. Date of certification.
- c. *Submission by the applicant.*
1. The applicant shall submit one (1) .pdf copy and two (2) hard copies of the Preliminary Subdivision Plat and Preliminary Subdivision Plat Checklist, including any relevant information, to the Division Director of Planning/ Zoning Administrator.
 - A. The Preliminary Subdivision Plat and Preliminary Subdivision Plat Checklist shall comply with subsection (b) above.
 - B. Review of the Preliminary Subdivision Plat and Preliminary Subdivision Plat Checklist shall comply with the proceedings of the Pre-Application Planning Conference.
 2. At the time of submission, the subdivider shall pay a fee. Such fee shall be in the form of cash or check, the amount thereof is to be determined in accordance with a schedule set and adopted by resolution by City Council.
 3. The Preliminary Subdivision Plat and other documents comprising an application shall be available for public viewing in the Department of Planning and Zoning.
- d. *Action by City staff.*

1. Within five (5) business days of receiving the Preliminary Subdivision Plat and Preliminary Subdivision Plat Checklist, the Division Director of Planning/ Zoning Administrator shall distribute a copy of the complete submission of the Preliminary Subdivision Plat, Preliminary Plat Checklist, and supporting plans to the individual members of the Subdivision Review Committee. The Committee shall meet within 30 business days from the date the complete Preliminary Subdivision Plat was received.
2. The Division Director of Planning/ Zoning Administrator shall provide the applicant with comments and recommendations of the City staff and Subdivision Review Committee within 30 business days of a complete submission.
 - A. In cases where Preliminary Subdivision Plat revisions, deletions, or additions are necessary to complete and satisfy the agency review process, the Division Director of Planning/ Zoning Administrator shall notify the applicant in writing.
 - B. Where revisions are required, the subdivider or developer shall revise the Preliminary Subdivision Plat to include all requirements of the Subdivision Review Committee and shall submit such revisions to the Division Director of Planning/ Zoning Administrator within 15 business days of receipt of the City's review comments.
 1. If the revised plat does not include required revisions or is not resubmitted within the 15 day period, the Division Director of Planning/ Zoning Administrator shall suspend the review period and shall notify the applicant in writing that the plat review shall not proceed until the required revisions are submitted per the determination of the Division Director of Planning/ Zoning Administrator.
 - C. Nothing contained herein shall obligate the applicant to revise the Preliminary Subdivision Plat to include recommendations from City staff or the Subdivision Review Committee which are above those specified as the minimum standards in this ordinance. However, in such case in which the applicant does not revise the

Preliminary Subdivision Plat to include recommendations of the Subdivision Review Committee, the applicant shall submit in writing to the Division Director of Planning/ Zoning Administrator a statement as to the reasons and justification for not incorporating such recommendations in the revised Preliminary Subdivision Plat.

3. At such time as the Division Director of Planning/ Zoning Administrator determines that the Preliminary Subdivision Plat complies with the requirements of this Code, the Division Director of Planning/ Zoning Administrator shall transmit the Preliminary Subdivision Plat, including the recommendations of the Subdivision Review Committee, to the Planning Commission for review and action.

e. *Action by the Planning Commission.*

1. A decision to approve or disapprove the Preliminary Subdivision Plat shall be rendered by the Planning Commission within the time frame outlined by the Code of Virginia § 15.2-2260, as measured from the date of the Division Director of Planning/ Zoning Administrator receiving the submission outlined in subsection (3)(c) of this section, unless the timeframe is waived by mutual agreement of the applicant and the City.

f. *Effect of approval.*

1. The approval of the Preliminary Subdivision Plat does not guarantee approval of the Final Subdivision Plat or Public Improvements Plan; nor does Preliminary Subdivision Plat approval constitute acceptance of the subdivision, or public dedications of areas within, nor does it establish authorization to proceed with construction or improvements within the subdivision.
2. No property shall be transferred or offered for sale, nor shall a permit be issued on the basis of an approved Preliminary Subdivision Plat.

g. *Validity period.*

1. Applicants shall have no more than five (5) years after receiving the Preliminary Subdivision Plat approval to submit a Final Subdivision Plat, Public Improvements Plan, and related engineering studies for a portion

or all of the subdivision. Failure to do so shall render the Preliminary Subdivision Plat approval null and void.

A. The Planning Commission may grant, upon written request by the applicant, an extension for a 12-month period.

4. *Public Improvements Plan and Final Subdivision Plat.*

a. *Applicability.*

1. When the owner of any tract of land desires to subdivide their land, the subdivider shall receive Final Subdivision Plat approval according to the standards established in this Code.
2. An applicant shall have the right to record an approved Preliminary Subdivision Plat through the phased approval of multiple Final Subdivision Plats in accordance with the Code of Virginia.

A. All such Final Subdivision Plats must be recorded within a time frame agreed to by the City and the subdivider during the Pre-Application Conference.

1. Upon petition by the applicant, the Planning Commission may grant an extension of this minimum timeframe for recordation by no more than 12 months. The extension must otherwise be consistent with the plat recordation guidelines established in the Code of Virginia.

b. *Preparation standards.*

1. All Final Subdivision Plats shall be prepared to the following standards.
 - A. All files shall be committed as two (2) hard copies and one (1) .pdf copy.
 - B. All copies shall contain the notarized signature of the applicant and parcel owner, if different than applicant.
 - C. The file shall be no larger than 18 inches by 24 inches.
 - D. Each page shall include a page number and the seal of the surveyor/ engineer that prepared the plat.
 - E. All dimensions shall be shown to the nearest one hundredth (0.01) of a foot.
 - F. All bearings shall be shown in degrees.
 - G. All minutes and seconds shall be shown to the nearest second.

- H. All areas shall be shown to the nearest on hundredth of a square foot.
- I. All angles shall be shown to the nearest half (0.5) degree, which shall be balanced and closed with an error of closure not to exceed one (1) to 20,000.
 - 1. All curves shall be defined by their radius, arc length, chord distance and chord bearing.
 - 2. Such curve data shall be tabulated and numbered to correspond with the respective numbered curve shown throughout the plat.
- J. All maps shall include a north arrow and identify the scale used.
- K. Where a map is split across multiple sheets, a sheet match line must be shown.
- L. Topographic maps shall show contours at two-foot intervals.
- 2. A Final Subdivision Plat and Final Subdivision Plat Checklist shall display all of the following information as well as any information as may be reasonably necessary to determine compliance with this Code and any City, State, or federal regulation.
 - A. General information.
 - 1. Project name.
 - 2. Project location.
 - 3. Tax map and deed book.
 - 4. City project reference number.
 - 5. Submission date.
 - 6. Applicant name.
 - 7. Applicant signature, parcel owner, if different than applicant.
 - 8. Applicant address.
 - 9. Applicant phone number.
 - 10. Surveyor/ engineer name.
 - 11. Surveyor/ engineer address.
 - 12. Surveyor/ engineer phone number.
 - B. Title information.
 - 1. Title block.

- a. Subdivision name.
 - b. City of Danville tax map and parcel number.
 - c. Surveyor/ engineer name.
 - d. Surveyor/ engineer address.
 - e. Scale. (Must be one (1) inch equals 1,000 feet.)
 - f. Date of preparation.
 2. Surveying and mapping control information.
 3. Vicinity map at scale of one (1) inch equals 1,000 feet.
 4. General information section, including the number of sheets comprising the preliminary plat and an index showing the location of the various sheets.
 5. Original seal and signature by a Virginia certified land surveyor or professional engineer.
 - a. Must be on every page.
 6. Surveyor's/ engineer's certificate.
 7. Owner's dedication and consent properly worded and notarized.
 8. Information contained on approved Preliminary Subdivision Plat.
 9. Signature panel for City approval.
- C. Plat information.
1. A topographic map.
 2. A current boundary survey showing bearings and distances to the three (3) nearest existing roadway lines, bench marks, or corner monuments.
 3. Parcel and subdivision boundaries with bearings and distances.
 4. City tax map and parcel number.
 5. Zoning classification.
 6. Number of parcels and area of each proposed parcel, listed by parcel number with property owner and PIN number.
 7. Total site or parcel acreage
 8. Location, dimensions, and purpose of any existing or proposed easements.

9. Location, dimensions, and purpose of any existing areas reserved or dedicated for public use.
10. Location, dimensions, and purpose of any proposed areas to be reserved or dedicated for public use.
11. When the subdivision consists of land acquired from more than one (1) source of title, the outlines of the various tracts shall be identified and indicated by dashed lines.
12. Location and dimensions of existing and proposed roadways, rights-of-way, and alleys.
13. Location of proposed roadway right-of-way lines.
14. Location and dimensions of existing and proposed parcels and building lines.
15. Location and type of all existing and proposed monuments.
16. All curve data listed in a complete curve table.
17. Sources of data used in preparing the Final Subdivision Plat.
 - a. Includes but is not limited to, plats of record and the deed book and page number citation of the last instrument in the chain of title whereby the parcel to be subdivided was created.
18. Location, type, and size of any existing watercourses or wetlands.
19. Location of any 100-year floodplains.
20. Location, centerline, and name of all existing or proposed public roadways within, adjacent to, or providing access to the subdivision.
21. Vacated roadways and parcels showing area vacated and area amounts reverted to adjacent parcels.
22. Location of all existing and proposed underground electric, telephone, and cable services.
23. Exact boundary lines of the tract as determined by a field survey.
24. When one (1) or more temporary turnarounds are shown, the following note shall be included on the plat.

- a. "The area on this plat designated as cul-de-sac will be constructed and used as other roadways in the subdivision until *(insert roadway name)* is/are extended to *(insert roadway name if possible, otherwise insert the following note: "A connecting roadway or to another cul-de-sac which is approved by plat by the Planning Commission")* at which time the land in the temporary turnaround area will be abandoned for roadways purposes and will revert to adjoining parcel owners in accordance with specific provisions in their respective deeds."
25. Location, widths, and names of all proposed roadways.
 - a. Indicate all angles of deflection, angles of intersection, radii, and lengths of tangents.
26. All dimensions, both linear and angular, for location of parcels, roadways, alleys, public and private easements.
27. A legal description of the subdivision.
28. Statement of availability of public utilities and services.
29. Master phasing plan for the subdivision.
30. Stormwater management study, report, and design based on applicable standards.
31. Traffic impact assessment.
32. Environmental impact assessment.
33. Floodplain engineering study.
34. Engineering studies for any bridges or special structures.
35. Documentation of any deeds of easement to be recorded with the subdivision.
36. Public Improvements Plan.
37. Subdivision parcel grading plan.
38. Every use requiring the establishment of a buffer yard or screening area shall note the following restrictions regarding the use of such buffer on a plat or other instrument recorded among land records.

- a. "Land designated as required buffers or landscape screening shall be landscaped and may only be used for structures, uses, or facilities in accord with the Zoning Ordinance."
- 39. The following note shall be included on the plat for all site plans or subdivisions that require a landscape plan.
 - a. "The owner of fee title to any property on which plant materials have been established per an approved plan shall be responsible for the maintenance, repair, and replacement of the approved plant material as required by the Zoning Ordinance."
- 40. Soils study and geotechnical report.
- 41. Additional documentation and technical reports.
- 42. Verification of adequate public facilities.
- 43. Application for waiver, variance, or substitution.
- 44. Subdivision Improvements Bond estimate.
- 45. Land Disturbance Permit Bond estimate.
- 46. Landscaping Bond estimate.
- 47. Surveyor's/ engineer's certification reading the following and signed by a licensed surveyor/ engineer.
 - a. I hereby certify that to the best of my knowledge and belief, all of the requirements of the Planning Commission and City Council, and ordinances of the City of Danville, Virginia, regarding the platting of subdivisions divisions within the City have been complied with. Given under my hand this *(insert date here.)*
- 48. Certification reading the following and signed by the City Manager.
 - a. This subdivision known as the *(insert subdivision name)* Subdivision is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

49. Owner's consent and dedication reading the following and signed by the applicant.
- a. Know all men by these presents, that the subdivision of land as shown on this plat, containing *(insert number of acres in subdivision)* acres, more or less, and designated as the *(insert subdivision name)* Subdivision situated in Danville, Virginia, is with the free consent and in accordance with the desires of the undersigned owners thereof; that all roadways on said plat are hereby dedicated to the public use, and that all parcels within the subdivision are subject to certain restrictions, reservations, stipulations and covenants as contained in a writing executed by the undersigned, under *(insert date)*, and recorded in the City of Danville Circuit Court Clerk's Office, Virginia, in Deed Book *(insert deed book name)* on Page *(insert deed book page number)*. The said acres of land hereby subdivided having been conveyed to *(insert recipient of conveyance)* by *(insert owner name)* by deed *(insert deed name)* dated *(insert date of deed)*, and recorded in the City of Danville Circuit Court Clerk's Office, Virginia, in Deed Book *(insert deed book name)* Page *(insert deed book page number)*. Given under our hands this *(insert date)*.
- D. Surveyor/ engineer's certification of completion.
1. Surveyor/engineer's name.
 2. Surveyor/engineer's signature.
 3. Surveyor/engineer's seal.
 4. Surveyor/engineer's registration number.
 5. Date of certification.
 6. The following statement.
 - a. "I have fully reviewed the City's requirements and certify this application to be a complete submission. I understand that an incomplete plat or incomplete checklist shall be deemed an incomplete submission

and shall be returned to the applicant upon determination of such by the Division Director of Planning/ Zoning Administrator."

c. Submission by applicant.

1. The applicant shall submit one (1) .pdf copy and two (2) hard copies of the Final Subdivision Plat, Final Subdivision Plat Checklist, Public Improvements Plan, and Public Improvements Plan Checklist to the Division Director of Planning/ Zoning Administrator.
 - A. The Final Subdivision Plat and Public Improvements Plan shall be accompanied by payment of a fee for review and processing, with fee based on a fee schedule adopted by resolution of City Council.
 - B. The Final Subdivision Plat shall be prepared by a certified land surveyor licensed by the Commonwealth of Virginia and shall contain the signature and original professional seal of the land surveyor.
 - C. The accompanying Public Improvements Plan shall have been previously approved, or it shall be submitted and concurrently processed for approval in the manner prescribed by § 41.7.K.4. of this Code.
 1. The Public Improvements Plan shall be prepared by a registered professional engineer or B-class surveyor licensed by the Commonwealth of Virginia and shall contain the signature and original professional seal of the engineer or B-class surveyor.
2. The City may establish a schedule of deadlines and cycles for the submission and review of such applications.
3. The subdivider shall have the right to record one (1) or more of the remaining sections of a subdivision in accord with the Code of Virginia and as shown on an approved and valid Preliminary Subdivision Plat for a period of five (5) years from the date the Final Subdivision Plat for the first section of the subdivision was recorded, pursuant to Section 15.2-2261 of the Code of Virginia.

- A. The City may establish a schedule of deadlines and cycles for the submission and review of such applications.
 - B. Upon petition by the subdivider, an extension of this minimum timeframe for recordation may be granted for a period not to exceed 12 months as deemed reasonable and appropriate by the Planning Commission so long as the extension is otherwise consistent with the plat recordation guidelines established in the Code of Virginia.
- d. *Action by City staff.*
 - 1. Within five (5) business days of receiving a submission, the Division Director of Planning/ Zoning Administrator shall distribute the submission to the Subdivision Review Committee for review and comment on the technical compliance with this Code and all applicable City standards.
 - A. If, in the opinion of the Division Director of Planning/ Zoning Administrator or the Planning Commission, there are substantial differences between the Preliminary Subdivision Plat and a Final Subdivision Plat, the review process shall be suspended until such point in time that the applicant revises the plat or revises such plats to warrant conformity, provided that the applicant, at their discretion, may revise and resubmit the Preliminary Subdivision Plat to conform with the Final Subdivision Plat.
 - B. City staff and the Subdivision Review Committee shall review and provide comments on the Final Subdivision Plat and Public Improvements Plan within 30 business days from the submission of the Final Subdivision Plat and Public Improvements Plan.
 - 1. In cases where revisions, deletions, or additions to the Final Subdivision Plat or Public Improvements Plan are necessary to complete and satisfy the review process, the Division Director of Planning/ Zoning Administrator shall notify the applicant in writing within 30 business days of submission of the Final Subdivision Plat and Public Improvements Plan.
 - 2. The Division Director of Planning/ Zoning Administrator shall provide the applicant with a written summary of such review

comments and recommendations within 30 business days of the submission.

- C. The subdivider or developer shall revise the Final Subdivision Plat and Public Improvements Plan to include all requirements from City staff and the Subdivision Review Committee and shall submit such revisions to the Division Director of Planning/ Zoning Administrator within 30 business days of receiving written notice from the Division Director of Planning/ Zoning Administrator.
 - 1. The resubmission shall be accompanied by a revised or updated Final Subdivision Plat Checklist and correspondence from the applicant's engineer or surveyor addressing each matter presented in the City's summary review comments.
 - 2. Where the revised plat or plan does not include required revisions or is not resubmitted within the 30 day period, the Division Director of Planning/ Zoning Administrator shall suspend the review period and shall notify the applicant in writing that the plat review shall not proceed until the required revisions are submitted per the determination of the Division Director of Planning/ Zoning Administrator.
- 2. Nothing contained herein shall obligate the applicant to revise the Final Subdivision Plat or Public Improvements Plan to include recommendations from City staff or the Subdivision Review Committee above or beyond those revisions required to meet the standards of this Code. However, in such case in which the applicant does not revise a Final Subdivision Plat or Public Improvements Plan to include the recommendations of the City staff or Subdivision Review Committee, the applicant shall submit in writing to the Division Director of Planning/ Zoning Administrator a statement as to the reasons and justification for not incorporating such recommendations in the revised plat and plan.
 - A. The Division Director of Planning/ Zoning Administrator shall prepare a report for distribution to the Planning Commission, applicant and other interested parties.

3. Upon determination that a Final Subdivision Plat does not require further revisions, the Division Director of Planning/ Zoning Administrator shall transmit the Final Subdivision Plat, Public Improvements Plan, and a report containing the findings and recommendations of the City staff and Subdivision Review Committee to the Planning Commission for action.
- e. *Action by Planning Commission.*
1. The Planning Commission shall render a decision to approve or disapprove the Final Subdivision Plat and Public Improvements Plan within the time frame outlined by the Code of Virginia § 15.2-2259, as measured from the date of the Division Director of Planning/ Zoning Administrator receiving the submission outlined in subsection (4)(c) of this section, unless the timeframe is waived by mutual agreement of the applicant and the City.
 2. No Final Subdivision Plat shall be approved prior to approval of the Public Improvements Plan, provided that a Final Subdivision Plat and Public Improvements Plan may be approved concurrently by the Planning Commission.
 3. The Final Subdivision Plat shall not be approved by the Planning Commission until:
 - A. The Public Improvements Plan related to the subdivision has fully complied with the requirements and standards of design outlined specifically and referred to more generally within this Code;
 - B. The applicant has submitted all required deeds and plats of easement; and
 - C. The subdivision bond and subdivision agreement have been approved and accepted by City Council.
 4. Approval of the Final Subdivision Plat shall be shown by attaching a signature panel to be signed by the City Clerk.
 5. Nothing herein shall require the approval of any subdivision or any part or feature thereof which shall be found to constitute a nuisance or to constitute a danger to the public health, safety, or general welfare, or which shall be determined by the Planning Commission to be a departure from or a violation of sound engineering design or standards.

f. *Appeal to City Council.*

1. Any person aggrieved by any decision of the Planning Commission or Division Director of Planning/ Zoning Administrator may, within 15 business days of such decision, appeal to and have a determination made by City Council.
 - A. City Council may approve, deny, or modify the appeal upon review of the facts and finding at a regularly scheduled meeting within 60 business days from date of such appeal.
2. Any applicant aggrieved by the failure of City Council to act on such an appeal within 60 business days or any applicant who is aggrieved by the decision rendered on such appeal by City Council may continue to appeal the matter to the City of Danville Circuit Court, provided that such appeal is filed within 60 business days from the date of such action or lack thereof by City Council.

g. *Effect of approval.*

1. The approval of the Final Subdivision Plat or Public Improvements Plan by the Planning Commission does not constitute acceptance of the public facilities.

h. *Validity period.*

1. Approval of a Final Subdivision Plat and Public Improvements Plan submitted under the provisions of this Code shall expire 12 months after the date of such approval, unless:
 - A. The Final Subdivision Plat has been duly recorded in the City of Danville Circuit Court Clerk's Office; and
 - B. The subdivision surety agreement and bond has been approved and accepted by City Council; or
 - C. An extension of the Final Subdivision Plat has been granted by the Planning Commission upon receipt of written request by applicant.
 1. Such extension grant shall not exceed a period of six (6) months.

5. *Subdivision Improvement Bond and Landscaping Bond.*

a. *Purpose.*

1. The City establishes the following requirements for Subdivision Improvement Bonds and Landscaping Bonds to ensure the timely and competent construction of all public improvements within a subdivision.
- b. *Generally.*
1. An applicant must post a Subdivision Improvement Bond and Landscaping Bond, or series of such bonds, prior to recording any Final Subdivision Plat or Public Improvements Plan to which the bond applies.
 - A. All such bonds must be approved by the City Attorney prior to being posted by the applicant.
 - B. All such bonds shall apply to the required physical improvements located within the existing or proposed public right-of-way, public easements, and private easements, or as are connected to any public utility or facility in form and substance as approved by the City.
 2. All bonds required by Chapter 13 Erosion and Sediment Control of the Danville City Code shall be governed by the standards established in Chapter 13.
- c. *Bond amount.*
1. The applicant's engineer shall submit an itemized, component cost estimate of all improvements planned for the subdivision, including the following elements.
 - A. Subdivision improvements.
 - B. Landscaping improvements.
 - C. Other public or private infrastructure to be dedicated to and maintained by public agents.
 - D. Proffered improvements and financial commitments related to conditional zoning approvals for the subdivision.
 - E. Other items as may be required for bonding by the Division Director of Planning/ Zoning Administrator.
 2. The component cost estimate for bonding shall be based upon industry norms within the region or City standard unit prices.

- A. The bond amount estimate shall include a reasonable allowance for administrative costs, inspection and fees, inflation, and potential damage to existing roadways or utilities. This allowance shall be equal to no more than 25% of the total construction costs.
 - 3. The bond amount estimate shall be submitted to and reviewed by the City Attorney and the Division Director of Planning/ Zoning Administrator prior to the review of the Final Subdivision Plat by the Planning Commission.
- d. *Period of Subdivision Improvement Bond.*
 - 1. When an applicant enters into a bond agreement with the City, it is understood that all necessary physical improvements must be completed in the specified period of time.
 - A. If all of the improvements are not completed to the sole satisfaction of the City within the period of the bond, and no extension has been obtained or a replacement surety has not been approved, the bond agreement shall be deemed in default.
 - 2. The maximum period of the bond agreement shall be 18 months, unless the initial bond period is extended by the Division Director of Planning/Zoning Administrator at the time of Final Subdivision Plat approval.
 - 3. The applicant and surety will be notified by the Division Director of Planning/ Zoning Administrator at least 60 business days prior to the end of the period of surety agreement.
 - A. For bonds which contain an expiration date, the applicant and surety will be notified at least 60 business days prior to expiration that an approved extension or new bond will be required and approved by the Division Director of Planning/Zoning Administrator.
- e. *Extension of bond agreement.*
 - 1. The applicant may request an extension of the expiration date of the bond agreements for a period not to exceed one (1) year provided that the following standards are met. The Division Director of

Planning/Zoning Administrator, at his sole discretion, shall approve or deny such a request.

- A. All bond agreements have been acquired and accepted by the City.
- B. The applicant has submitted an acceptable program of completion to the Division Director of Planning/ Zoning Administrator.
- C. Inspection of existing physical improvements is found satisfactory.
- D. There have been no undue and unattended complaints lodged against the applicant or the subdivision.
- E. The applicant's request for extension of the surety sufficiently addresses the reasons which have precluded the completion of the project within the original bond period.
- F. The bond cost estimate has been updated to the satisfaction of the Division Director of Planning/ Zoning Administrator.
- G. The applicant's extension request is received by the Division Director of Planning/ Zoning Administrator at least 30 business days prior to the end of the period of the bond agreement.

f. *Acceptable bond instruments.*

- 1. Subdivision Improvement Bonds and Landscaping Bonds shall be limited to the following bond instruments.
 - A. Cash escrows.
 - B. Letters of credit from an insured lending institution.
 - C. Cashier's or certified check.
 - D. Other surety as approved by the City Attorney.

g. *Release of a bond.*

- 1. The City shall release the Subdivision Improvement Bond upon issuance of a conditional construction approval by the City Engineer and posting of a Subdivision Maintenance Bond in accordance with § 41.7.K.7 and § 41.7.K.8, respectively.
- 2. Upon written request by the subdivider or developer, the City shall make partial bond releases for satisfactory subdivision performance and other factors in accordance with the Code of Virginia.

- A. Upon the City's review of such request, satisfactory inspection, and approval of improvements subject to the release request, such partial releases shall be made within 30 business days of a request.
 - B. The releases shall be based upon the percentage of the facilities completed and approved by the City, provided that no such releases may occur before the completion of at least 30% of the facilities covered by the bond.
 - C. The City shall not execute more than three (3) partial releases in any 12-month period.
 - D. If the Subdivision Improvement Bond is released in multiple partial releases, a Subdivision Maintenance Bond must be posted prior to each partial release for the appropriate amount to be released in accordance with § 41.7.K.8.
- 3. Landscaping Bond shall be released as set forth in § 41.7.K.11.
- 4. A Land Disturbance Permit bond shall be released in accordance with Chapter 13.
- h. *Bond default.*
 - 1. If the applicant or owner of property subject to a bond agreement fails to complete the criteria for the release of the bond within the specified timeframe of the bond agreement, the applicant and owner shall be deemed in default.
 - A. The applicant, owner, and surety will be mailed a copy of the Division Director of Planning/ Zoning Administrator's report on the default and will be advised of their right to be heard on the matter at a scheduled public hearing of the Planning Commission.
 - 2. The applicant, owner, and surety shall have 30 business days to correct the default and to otherwise complete an agreement with the City to complete the criteria subject to the default.
 - 3. If satisfactory action is not made within the prescribed period, the City Attorney shall proceed with the completion of the default action by the City against the applicant and owner. The City shall take any and all necessary legal actions to call the surety and secure monetary proceeds related thereto.

- A. The City shall take appropriate steps to initiate action to complete the improvements with any money secured from the default action pursuant to prior approved plans or revisions thereto which may be in the best interest of the residents of the subdivision.

6. *Construction inspections during installation of improvements.*

- a. All required public improvements shall be subject to continuous inspection and testing during construction in accordance with generally accepted engineering practice and applicable state and local construction inspection, testing, and quality assurance guidelines, as determined by the City Engineer.
- b. The applicant shall retain, at the applicant's expense, a qualified professional engineer, inspection firm, or other qualified third-party acceptable to the City Engineer to perform construction inspections and material testing for the public improvements.
- c. The inspector shall:
 - 1. Monitor the work for general conformance with the approved plans, specifications, and applicable codes and standards;
 - 2. Prepare periodic written inspection reports and test results and submit such documentation to the City Engineer at intervals specified by the City;
 - 3. Immediately notify the applicant and the City Engineer of any observed nonconforming work.
- d. The City and the City Engineer shall have the right, but not the obligation, to perform independent and unannounced inspections at any time. Such inspections shall not relieve the applicant of responsibility for compliance with approved plans and specifications.
- e. Work shall not proceed to the next construction phase until required inspections and testing for the prior phase have been completed and found acceptable by the third-party inspector and, when required, the City Engineer.
- f. The applicant shall provide reasonable notice to the City Engineer prior to critical construction activities (such as utility installation, subgrade preparation, pavement placement, and similar items) so that the City may perform spot inspections if desired.

7. *Final Inspection and conditional approval.*

- a. Upon completion of all required public improvements shown on the Final Subdivision Plat, the applicant may submit a written request for final inspection to the City Engineer. The request shall include:
 - 1. A certification from the applicant's engineer of record that the improvements have been constructed in general conformance with the approved plans and specifications;
 - 2. All required inspection reports, testing results, and record drawings (as-built plans).
 - b. Within 30 business days of receiving a complete request for final inspection, the City Engineer shall perform a final inspection of the public improvements and shall either:
 - 1. Issue a written conditional approval identifying any minor deficiencies or punch list items to be corrected; or
 - 2. Provide written notice of substantial noncompliance and the required corrective actions.
 - c. If the City Engineer determines that the public improvements substantially comply with this Code, the approved plans, and other applicable regulations, the City Engineer shall issue conditional approval of the construction.
 - d. Conditional approval shall become final and outright approval upon:
 - 1. Completion of all identified punch list or corrective items to the satisfaction of the City Engineer; and
 - 2. Posting and acceptance of the required Subdivision Maintenance Bond.
 - e. If the City Engineer determines that the public improvements do not substantially comply with this Code, the approved plans, or other applicable regulations or requirements, the City Engineer shall notify the applicant in writing of the deficiencies, and final approval shall be withheld until such deficiencies are corrected and a reinspection demonstrates compliance.
8. *Post-construction maintenance period.*
- a. The applicant shall be responsible for the maintenance and proper functioning of all required public improvements for a period of not less than 12 months from the date of conditional approval by the City Engineer, or until such improvements are formally accepted for dedication by the City, whichever occurs later.

9. *Subdivision Maintenance Bonds.*

a. *Purpose.*

1. The Subdivision Maintenance Bond is required to ensure the adequate performance of all public improvements between the conditional approval of such improvements and their acceptance for dedication by City Council.

b. *Generally.*

1. An applicant must post a Subdivision Maintenance Bond prior to the release or partial release of any Subdivision Improvement Bond.
 - A. All such bonds must be approved by the City Attorney prior to being posted by the applicant.
 - B. All such bonds shall apply to all public improvements included in the portion of the Subdivision Improvement Bond to be released.
2. Upon the posting of the Subdivision Maintenance Bond, the conditional approval shall be classified as an approval, and the Subdivision Improvement Bond shall be released.

c. *Bond amount.*

1. The value of the Subdivision Maintenance Bond shall be at least 20% of the total construction cost of the subdivision improvements.
 - A. If the Subdivision Maintenance Bond is released in anticipation of a partial release of a Subdivision Improvement Bond, the Subdivision Maintenance Bond may be equal in value to 20% of the subdivision improvements being released in the partial release.
2. In no circumstances shall the value of the Subdivision Maintenance Bond be insufficient to cover the cost of maintaining all subdivision improvements prior to their acceptance.

d. *Bond period.*

1. The timeframe for the duration of the Subdivision Maintenance Bond shall be determined by the Division Director of Planning/ Zoning Administrator prior to the release of the Subdivision Improvement Bond.

- e. *Extension of bond agreement.*
 - 1. The applicant may request an extension of the expiration date of the bond agreement for a period not to exceed one (1) year provided that the following standards are met. The Division Director of Planning/Zoning Administrator, at his sole discretion, shall approve or deny such a request.
 - A. All bond agreements have been acquired and accepted by the City.
 - B. The bond amount has been updated to the satisfaction of the Division Director of Planning/ Zoning Administrator.
 - C. The applicant's extension request is received by the Division Director of Planning/ Zoning Administrator at least 30 business days prior to the end of the period of the bond agreement.
- f. *Acceptable bond instruments.*
 - 1. Subdivision Maintenance Bonds shall be limited to the following surety instruments.
 - A. Cash escrows.
 - B. Letters of credit from an insured lending institution.
 - C. Cashier's or certified check.
 - D. Other surety as approved by the City Attorney.
- g. *Release of bonds.*
 - 1. The Subdivision Maintenance Bond shall not be released until the subdivision improvements are accepted and dedicated by the City in accordance with § 41.7.K.10.
- h. *Bond default.*
 - 1. The criteria and procedure for default of a Subdivision Maintenance Bond shall be as set forth in § 41.7.K.5.h.
- 10. *Acceptance and dedication.*
 - a. The rules and procedures for achieving acceptance and dedication of public improvements within a subdivision shall be established by City Council, as amended.

- b. Prior to acceptance of any public improvements, the applicant shall submit one (1) set of mylar record drawings, also known as as-built drawings, to the City as a condition for the acceptance of such facilities.
 - 1. The as-built drawings shall be prepared and sealed by a certified land surveyor or registered professional engineer duly authorized by the Commonwealth of Virginia to prepare the same,
 - 2. A digital copy of the above information in a format compatible with the City's GIS mapping system shall be provided.
 - c. Final release of subdivision bonding shall not be given until all site improvements are complete, and the as-built drawings are submitted to and approved by the City.
11. *Release of all remaining bond agreements.*
- a. *Subdivision Improvement Bond.*
 - 1. The Subdivision Improvement Bond shall be released in accordance with § 41.7.K.5.g.
 - b. *All other bonds.*
 - 1. For all bonds other than the Subdivision Improvement Bond, the City shall release all remaining instruments to the applicant upon acceptance of said improvements by the City and state.
 - A. For the purpose of a Subdivision Maintenance Bond, the term "acceptance" shall mean the said public improvements are accepted by and taken over for operation and maintenance by the City.
 - B. For the purpose of a Land Disturbance Permit Bond, acceptance shall mean when final stabilization of the site is determined by the City's Erosion and Sediment Control Program Administrator, and in accordance with Chapter 13.
 - C. For the purpose of a Landscaping Bond, acceptance shall mean the final installation of all required landscaping measures as determined by the Division Director of Planning/ Zoning Administrator.

§ 41.7.L. Subdivisions, Minor.

1. *Submission.*

- a. A Minor Subdivision Plat shall be prepared by a certified land surveyor licensed in the Commonwealth of Virginia and show the metes and bounds of all parcels resulting from the minor subdivision. The minor subdivision plat shall include the following surveyor's certification.
 1. "This minor subdivision known as _____ Subdivision is approved by the undersigned pursuant to the Unified Development Code of the Danville City Code and may be admitted to record."
- b. A complete Minor Subdivision Plat shall include all information necessary to determine compliance with § 41.7.G.
 1. An application containing all the information required shall be deemed a complete submission.
 2. If an application lacks any of the information required by this Code, the City Engineer shall, within the timeframe established in the Code of Virginia § 15.2, return the application to the applicant with a written statement explaining the information needed to determine compliance with this Code.

2. *Approval.*

- a. Within the timeframe established in the Code of Virginia § 15.2, the Division Director of Planning/ Zoning Administrator shall act to approve or disapprove the Minor Subdivision Plat.
 1. If the Division Director of Planning/ Zoning Administrator approves the Minor Subdivision Plat, the Division Director of Planning/ Zoning Administrator shall forward the Minor Subdivision Plat to the City Engineer for approval or disapproval.
 2. If the Division Director of Planning/ Zoning Administrator disapproves the Minor Subdivision Plat, the Division Director of Planning/ Zoning Administrator shall return the Minor Subdivision Plat to the applicant with written notice explaining the reason for disapproval.
- b. Within the timeframe established in the Code of Virginia § 15.2 of receiving the Minor Subdivision Plat from the Division Director of Planning/ Zoning

Administrator, the City Engineer shall approve or disapprove the Minor Subdivision Plat.

1. If the City Engineer approves the Minor Subdivision Plat, the Minor Subdivision Plat shall be recorded in the City of Danville Circuit Court Clerk's Office, within the time period as set forth in this Code.
2. If the City Engineer disapproves the Minor Subdivision Plat, the City Engineer shall return the Minor Subdivision Plat to the applicant with written notice explaining the reason for disapproval.

§ 41.7.M.Waivers, Variances, and Substitutions.

1. An applicant may request a waiver, variation, or substitution to the requirements for a Preliminary Subdivision Plat, Final Subdivision Plat, or Public Improvements Plan.
 - a. No such waiver, variation, or substitution shall be detrimental to the public health, safety or welfare, orderly development of the area, sound engineering practice, or to properties located within the project impact area.
2. A written request for a waiver, variation, or substitution shall state the rationale and justification for such request together with such alternatives as may be proposed by the applicant or owner.
3. Such request shall be submitted to the Division Director of Planning/ Zoning Administrator with the filing of a Preliminary Subdivision Plat, Final Subdivision Plat, or Public Improvements Plan.
 - a. For each requested individual waiver, variation, or substitution, a separate letter of application for the request must be submitted, accompanied by relevant documentation.
4. The Planning Commission or Board of Zoning Appeals, at its sole discretion, may accept the request for waiver, variation, or substitution for any requirement in a particular case upon a finding that the waiver, variation, or substitute of such requirement would advance the purposes of this Code and otherwise serve the public interest in a manner equal to or exceeding the desired effects of the requirements of this article.

- a. Alternatively, the Planning Commission or Board of Zoning Appeals may recommend a conditional modification to the request or the Planning Commission or Board of Zoning Appeals may deny the request.
5. Approval or conditional approval of a waiver, variation, or substitution request shall be accompanied by a statement from the approving authority as to the public purpose served by such waiver, variation, or substitution, particularly in regard to the purpose and intent of this Code and PLANDanville.
6. In deliberating on the request, the Planning Commission or Board of Zoning Appeals may require the submission of a formal engineering report or other related technical documentation or graphic exhibits to support the applicant's request for waiver, variation, or substitution.
 - a. At its discretion, the approving authority may solicit the input from a professional engineer or other consultant to assist in the review of the applicant's documentation.
7. The City shall adopt a schedule of fees for consideration of waivers, variances, and substitutions, with said fee to be paid by the applicant upon submission of a request for waiver, variance, or substitution.

§ 41.7.N. Violations, Penalties, and Legal Remedies.

1. *Enforcement.*
 - a. City Council may act through the Division Director of Planning/ Zoning Administrator to the extent that City Council finds appropriate for the enforcement of this article.
 1. No person may act for the Planning Commission in approving or disapproving any document requiring Planning Commission approval as set forth in §§ 41.7.K or 41.7.L unless explicitly provided for in this Code.
2. *Violations and penalties.*
 - a. Any person, whether the owner, applicant, subdivider, or agent, who sells or transfers any land of a subdivision before the Final Subdivision Plat has been duly approved and recorded and surety agreements for the subdivision have been posted and approved by City Council shall be guilty of a Class 1 misdemeanor.

- b. Any person who should knowingly continue construction after the issuance of a Stop Work Order by the Division Director of Planning/ Zoning Administrator or other designated representative of the City shall be guilty of a Class 1 misdemeanor for each day of said construction which should continue after issuance of the Stop Work Order.
 - c. Any person, whether owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of this Code, or permits any such violation, or fails to comply with any of the requirements of this Code, or who subdivides any land, constructs any improvements, erects any building, or uses any land in violation of any Preliminary Subdivision Plat, Final Subdivision Plat, or Public Improvements Plan submitted and approved under the provisions of this Code shall be guilty of a Class 1 misdemeanor and, upon conviction thereof, shall be subject to punishment as provided by law.
 - 1. Each parcel that constitutes a violation and each day that a violation continues shall be deemed a separate offense subject to cumulative fines and other penalties.
 - d. The Division Director of Planning/ Zoning Administrator may initiate injunction, mandamus, or any other appropriate action to prevent, enjoin, abate, or remove such erection or use in violation of any provision of this Code.
 - 1. Such action may also be instituted by any citizen who may be aggrieved or particularly damaged by a violation of any provisions of the Code.
3. *Notice of termination.*
- a. Upon becoming aware of any violation of any provisions of this Code, the Division Director of Planning/ Zoning Administrator shall serve notice of such violator on the person committing or permitting the same.
 - b. If such violation has not ceased within such reasonable time as specified on the notice served by the Division Director of Planning/ Zoning Administrator, the Division Director of Planning/ Zoning Administrator shall institute such action as may be necessary to terminate the violation.
4. *Remedies.*
- a. The remedies provided for in this Code are cumulative and not exclusive and shall be in addition to any other remedies provided by the law.

PLANNING COMMISSION MINUTES

FEBRUARY 9, 2026

MEMBERS PRESENT

Steve Petrick
Jimmy Bolton
Kalil Khan
Ann Evans
John Ranson
Pierre Jones

MEMBERS ABSENT

Sylvester Townes

STAFF

Cynthia Lester
Clarke Whitfield
Stefanie Jackson
Renee Burton

ITEMS FOR PUBLIC HEARING

1. *Application PZ25-00563 requesting an amendment to the Zoning Map affecting Parcels 76469, 76463, and 77642 (Eastwood Drive), from TR, Transitional Residential, to CHB, "Conditional" Highway Business, filed by Major Construction Inc.*

Mr. Petrick opened the Public Hearing.

Mr. Barrow stated. I am an attorney and I will be speaking on behalf of Major Construction Inc today. We previously back in January filed a consolidation plat combining all 3 parcels into one. Major Construction focuses primarily on curb and gutter sidewalk projects. They do signage. They have been in business for 26 years and over the past decade or so, much of their business has focused here in Danville. They are currently located in South Boston, as the focus has shifted over the past several years, that has necessitated an office close to where the bigger chunk of their jobs is being seen these days. The property was acquired several years ago. We have been working on a plan to consolidate it and hopefully have it rezoned. The zoning amendment would allow for a contractor's office with storage, which is currently not authorized under the transitional residential classification. We have worked with planning and zoning in an effort to narrowly tailor this application to ensure minimal impact on the surrounding resident property owners.

The subject property is located in a cul-de-sac at the end of Eastwood Drive, which is my understanding that prior to Major Construction's acquisition of the property, this area was kind of subject to loitering and other forms of misuse. Major Construction has gone in and improved the property; there is a presence there and I think that some of those instances of misuse have become less frequent and with the location of nice construction and contractor's offices down there. We would hope to see the same trend. Working with Ms. Burton it's kind of down at the terminus of Eastwood Drive, we wanted to ensure that any impacts to the surrounding neighboring landowners were minimized, and we are proposing a conditional rezoning with buffers. We have Dan Daniel Park to the southwest and the Eastwood Trailer Pak to the northwest and we are proposing that natural vegetation buffers of 200 feet which is possible along the Dan Daniel property line be maintained in perpetuity as a condition of the rezoning 100 feet vegetation buffer to the northwest. Abutting the trailer park and then the natural vegetative buffer be maintained. The storage and commercial use of the site would be minimal given the overall acreage, which is right at 25, 26 acres. We would propose that the commercial uses for the property be limited to a total of not more than 5 acres with just under 4 acres of storage which would be screened and fenced to keep that out of sight. Additional conditions restrict the time of commercial use to minimize any traffic impacts from 7AM to 5 PM during weekdays. Lighting will not exceed the height or brightness of what's already existing along the roadway. There will be no freestanding signage, they typically have a small pickup truck with trailers, but Major Construction intermittently uses a dump truck that will be stored on the yard. We would minimize the maximum number of dump trucks to 2 stored at a time. The use is permissible under the rezoning would similarly be restricted. The office would be no more than 16

feet tall, would be another preferred condition, future use would be restricted to contractors' offices, general offices with outdoor storage places of worship, public parks, and public utility facilities.

Mr. Bolton stated We have about twenty-five acres, are you proposing to rezone the whole thing or just the 5 acres?

Mr. Barrow stated. The whole thing. The application is for the condition. This use and all future uses will be restricted to 5 acres, there is a nice buffer there which is still going to be relatively wooded and natural.

Mr. Petrick stated. The buffer is topography too, because it five acres is about the maximum usable space you've have there, right?

Mr. Barrow stated. Without doing a significant amount of grading and clearing.

Ms. Evans stated. A comment mentions two creeks on the property. And so, bridges will be built across those creeks?

Mr. Major stated. We probably won't even come anywhere close to the creeks. There is one creek that runs parallel with highway business 29 that has a crossing there, that's actually one of the main sewer lines that public works put in themselves. Our parameter will not get anywhere close to any live running water, so therefore I don't think we will have to address that issue in the future.

Mr. Petrick stated. Your site is relatively level the site you intend to build on. Isn't it? Have you been grading on that site?

Mr. Major stated. We have been grading on the site. The 25 acres is really undulated and it's a lot of gullies and ravines and when we purchased it might have been an acre of usable land, maybe 3 acres depending on slope, we intend on trying to fill it properly and compact it and out of the 25 acres there is very little usable land at the time. Property sat on the market for 1,300 days before offer was accepted.

Mr. Petrick stated. I think there were some questions about traffic. Do you anticipate any major increase in traffic to that area?

Mr. Barrow stated. No.

Mr. Ranson stated. What types of materials are you storing there? Are you storing forms?

Mr. Major stated. We do a lot of work for the municipality here in Danville. We have a blanket contract; we do a lot of concrete work. Today we pulled our attenuator trailer and truck in there. Tomorrow we will not have to take it from South Boston and bring it back here. The storage is going to be more like equipment small excavators. We might put Conex boxes or two out there to store cones in to be able to lock them up, road signs stuff like that.

Ms. Coleman stated. I would like to know what effect this will have on me as a resident for 31 years.

Mr. Barrow stated. The traffic impact is going to be very minimal, with one or two pickup trucks back and forth on a regular basis with equipment they will drop off in the afternoon. No anticipated noise or light interferences. No heavy deliveries with materials.

Ms. Coleman stated. How will this affect my taxes?

Mr. Petrick stated. It's not going to do anything to your taxes.

Mr. McGuire stated. I live at 258 Eastwood Drive. I didn't know that the land had been sold. I am glad somebody finally took charge of the place down there because I had gotten tired of all of the things that go on down there. I finally talked to Brian Dunevant to get a streetlight put up down there I don't see any problem with what he's doing, beautified the place. I think it is a big help to Eastwood Drive.

Petrick closed the Public Hearing

Mr. Bolton made a motion to approve application PZ25-00563 with noted proffered conditions. Mr. Ranson seconded the motion. The motion was approved by a 6-0 vote.

Mr. Bolton stated I will say this is the perfect example of how an applicant and staff work together and come up with conditions and proffers that just work for everybody. This is so good, and it's great to get a construction company like this, headquarters in Danville.

2. Special Use Permit application PZ25-00613 filed by CCKW LLC to amend existing PUD PZ23-00388.

Mr. Petrick opened the Public Hearing.

Mr. Walden stated. I'm one of the members of CCKW. I think we have already agreed to put underground retention there when we had 10 townhome buildings and we really need 10 buildings, 20 units to justify the price of putting in that underground retention. It is affordable housing and we are going to sell the same as the townhouse, but it's just cut in half for the 2 units, it will be the same number of people living there and we really need the 10 building to justify putting in the underground retention.

Mr. Petrick stated. Did you realize this on your initial application for the 10 single story units?

Mr. Walden stated. When we applied there were 10 units, but you all recommended 6 buildings not 10.

Mr. Petrick stated. Haven't you already been approved for the 10 units single story units? I think we're talking about density issues. The footprint is smaller, but the density is increased

Ms. Burton stated. Yes, that is correct with 6 structure itself that is 12 individual units and of course still with 10 buildings which you were previously approved for that's 10 individual units. It does increase slightly but the request was for 10 buildings, 20 units.

Mr. Petrick stated. So, it increases, it doubles the density.

Mr. Walden stated. Fewer bedrooms and half size.

Mr. Petrick stated. You are saying there are not going to be as many bedrooms per unit.

Mr. Walden stated. They are 2-bedroom town homes, went from 30 bedrooms to 40 bedrooms.

Mr. Petrick stated. You see this as a make-or-break issue as far as development's concerned?

Mr. Shotwell stated. I am one of the owners of CCKW as well, we looked into it before we presented our request to the city and talked to the E&S department, and had our engineer talk to them. We have 20 units parking spaces down there and the reason we did not proceed with the townhouses on this particular parcel before, the underground retention cost us about \$150,000 which you can't bury that in 10 units and we've looked at different avenues, talking with Mike Huggins and engineers back and forth. There is no other way to do it down there because of that being where it slopes

down. If this city owns that building beside that correct and there is a little low spot there, and I get that the building would flood if we ever have a lot of rainwater coming off of our site, so the correct thing to do is the underground retention. If we do that, we need to cut the prices on these units to move them, because of what we are doing in other areas, cutting the prices makes them more affordable. It's 100% financing on them; we are making up the density there to cover that underground retention.

Mr. Bolton stated. Just for clarity you want 20, but they have recommended 12?

Mr. Shotwell stated. Correct. It was zoned for the first time for 10 single units that were 3 bedrooms a piece. We cut that down doing one over one cutting the bedroom sizes down which when you do that you are cutting your traffic down which we're going to have off-street parking anyway. Mike Huggins has already been contacted about this through our engineer. Parking is adequate for the 20 units off street.

Mr. Ranson stated. I have sat here and talked about affordable units. Monthly, almost so if I don't know how you define affordable units but if this is affordable housing, it would seem like it would behoove us to somehow come up with something so we could approve of this because we certainly need affordable housing.

Mr. Bolton stated. Any compromise offered instead of 20 to 12, maybe 15 or is there a number that would work, or it really is dependent on the 20.

Mr. Shotwell stated. It's 8 to 10 per floor, and it's basically if you have your parking and underground retention that's capturing all the storm water. That is what everybody complains about traffic and storm water. We are eating that expense to make sure that doesn't happen. I don't see any issue with it.

Ms. Wilson stated. I live at 529 Cabell Street and Franklin is the street behind me. I want to know how close up to me will those units come up?

Mr. Petrick closed the Public Hearing

Mr. Ranson stated. I would like to know more about the density, is this a matter of the city code.

Ms. Burton stated. Recommendation on the reduction for density is based on compatibility. Increasing the density, increasing the traffic, increases the need for off-street and on street or the demand for on-street parking and so those are concerns that we would have at this point.

Mr. Bolton stated. Would parking be okay as it is or would there be a solution to have more parking and go to this?

Ms. Burton stated. Off-street parking has been addressed that it is not an issue, it would be the visitors coming with the on-street parking and creating any kind of traffic pattern there that'd be an issue.

Mr. Jones stated. Clarifying how the building will be going to the next parcel as well. Does that change anything on staff?

Ms. Burton stated. It would have the same number of visitors. I think traffic for 20 units. So, the additional space, no. They would still meet the off-street parking requirements.

Mr. Walden stated. I am also partnered with these guys, but I don't know how many of you all ride by the current townhouses we have and there's what, 1 ½ spaces per unit so there's 12 spaces, eight units. They are fully occupied and every time I ride by there's 1 maybe 2 cars parked out front and

there's typically empty spot of 2 around back and what we're talking about doing behind it is essentially the footprint is 2 more buildings, not buildings but 2 units beside that. I have yet to see any traffic or parking issues.

Mr. Bolton stated. The affordable housing, I think, that's one great thing that is maybe to look at this differently. I see this more in the downtown area, so I think the extra density for this little bit is not bothering me.

Mr. Jones stated. Ms. Burton is the condition negotiable at all on staff's positioning or is it the restriction that's allowed by code?

Ms. Burton stated. That is just a staff recommendation. The Planning Commission can approve the application as submitted with the 10 buildings or anything in between.

Mr. Petrick stated. There are no conditions for this, either yay or nay?

Mr. Jones stated. For clarity Mr. Petrick said there are no conditions.

Ms. Burton stated. The application submitted is for 20 units, staff has made a recommendation to reduce that to 12 units. Planning Commission can approve it as submitted with the 20 units or any number below that as they so choose.

Mr. Bolton made a motion to approve application PZ25-00613. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

Mr. Bolton stated. I just think it's a great project. I think affordable housing, the extra expense they had to go to justify the reason. I think that was the reason.

3. Special Use Permit application PZ26-00085 filed by Danville Hotel Group, LLC for a waiver of maximum principal building height in accordance with Chapter 41.2.1 at Parcel 02176 (1080 Riverside Drive).

Mr. Petrick opened the Public Hearing.

Mr. Gatewood stated. I am the President of LE and D Professionals, 142 Deer Run Road. I'm here on behalf of my client Danville Hotel Group; they are requesting an amendment to a previously passed special use permit. The hotel in question is on the cusp of being constructed. The hotel as proposed has not changed. It was simply a height restriction, a misunderstanding of the zoning. Previously there was a request for it to be a 55' maximum building height request and when the building plans were reviewed by staff, the staff discovered there were parapets and towers and other features that exceeded that 55' building height. So, we are requesting an increase of that to 66 feet. Like I said, the hotel itself has not changed. Same number of rooms are being proposed, it's just where the building height was defined as.

Mr. Petrick stated. Just to be clear this started out as 50 feet as requirements from zoning. You asked for 52, we gave you 55 now we've got 65 ½. Is that right?

Mr. Gatewood stated. Correct, the building, like I said, has not changed itself. It was just an interpretation of where the building height is defined as.

Mr. Petrick stated. Talking about the highest point is the way staff looks at it.

Ms. Burton stated. That is correct.

Mr. Bolton stated. So are you adding more floors or rooms or are you talking about just you have the top level and then what's going up?

Mr. Gatewood stated. No more floors or rooms. The way we interpreted the zoning code was that the building height was to the flat roof level. Everything above includes parapets, towers, architectural features, things that are included in their brand. So, the actual structural height of it is below the 55-foot threshold.

Mr. Bolton stated. It would be significant enough and I appreciate Planning looking at it this way, I think. An existing building is already there if the building wasn't there it may have been looked at differently, but it is going to block some sites of that building. If its logo and things, a little skinny tower, yeah, I'd probably lean more in favor, but sorry.

Mr. Gatewood stated. It's the same hotel owner of the existing Hampton Inn is proposing this new hotel construction.

Mr. Ranson stated. That part with that sign that says Home2 is the offending appendage?

Mr. Gatewood stated. Yes.

Mr. Jones stated. Are you willing to change to accommodate the 55 feet condition?

Mr. Gatewood stated. In order to remove and go back down to the 55, we would likely end up decreasing the room count. Probably end up losing the 5th floor on top of the hotel. These items, the tower and the parapets and stuff are on brand with the Home2 and the Tru combination. When somebody pulls up to the hotel, the executives, this is what they are expecting to see.

Ms. Evans stated. So, they don't think it's going to deter from seeing Hampton Inn?

Mr. Gatewood stated. They do not.

Mr. Gatewood stated. I want to give some more clarification to it. When the Hampton Inn was constructed, that one also had a special use permit because it is also above 50-foot threshold in the zoning code when that ordinance was passed a maximum height limit was not set on that Hampton Inn. I don't know if that was by mistake. So, that's where we came in under an interpretation. We got the special use permit, and we thought the flat building line was the threshold, but I think staff saw it a little bit differently.

Mr. Petrick stated. Does staff interpret this as a dangerous precedent?

Ms. Burton stated. Our concern as noted in the staff report is one, of course the visual. It may block the site of the hotel behind it and of course as he's stating there 2 of the same owners. But also, the compatibility with the surrounding area. When we're looking at a property that is 65 feet in height against the main thoroughfare compared to the neighboring properties that are one story right around in that area. The hotel that is constructed that they own is set back. There is a difference there but right along the main thoroughfare, those properties are developed in a one-story manner. So, this will be a stark contrast to what exists.

Mr. Ranson stated. That is the entire southern façade of the building. The building will be oriented with long axis perpendicular to Riverside Drive.

Mr. Gatewood stated. That is correct.

Mr. Ranson stated. The area with the sign facing is immediately adjacent to Riverside Drive.

Mr. Gatewood stated. If you are looking at the graphic it's to the left, perpendicular to Riverside Drive.

Mr. Bolton stated. Fifteen feet, you're going from 55 to 66.

Mr. Gatewood stated. So, roughly 11 feet.

Ms. Evans stated. But only in certain places?

Mr. Gatewood stated. Yes, most of the building is a flat roof consistent across the hotel, they are architectural features that protrude above that.

Mr. Jones stated. The height of the building is not above 55 feet. What's the height of the rest of the building.

Mr. Gatewood stated. The tallest part of the building is the tower itself is 65 and some change. The flat roof is 54 and 5 inches somewhere in that range.

Mr. Petrick stated. They have been approved for 55.

Ms. Evans stated. This is almost 66 feet, is it just one piece of parapet or is it several 66?

Mr. Gatewood stated. That is the tallest tower portion.

Mr. Petrick stated. Are those stairwell towers or elevator towers?

Mr. Gatewood stated. That's correct. At this stage I will give you a little bit of a history. We have been working on this project for the last 2 years and they're getting ready to start construction. I would hate to lose an entire level of rooms and would have to remove that from the building.

Ms. Evans stated. What is the next highest tower?

Mr. Gatewood stated. There are various elevations.

Mr. Petrick closed the Public Hearing

Ms. Evans stated. What is Danville maximum height?

Ms. Burton stated. 50 feet in this area. The same as it was with the previous special use permit. That has not changed.

Mr. Bolton made a motion to approve application PZ26-00085 as submitted. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

Mr. Bolton stated. I don't think the 11 feet. I think the real fact is that they're the same owners. That was my concern, and I appreciate that. But once I realized that it changed it for me.

Mr. Petrick stated. Yes, this is the highest point.

4. *Special Use Permit application PZ26-00096 filed by Christian Simmons to allow indoor commercial recreation in accordance with Chapter 41.3.A at Parcel 24279 (601 Craghead Street).*

Mr. Petrick opened the Public Hearing.

Mr. Simmons stated. My wife and I are opening Grind Bike and Skate which is primarily a bicycle and skateboard retail store. The skate park is going to be walled off and then a separate room from the retail bit. Also, it will be completely enclosed indoors. It won't only be a great addition to downtown Danville and a unique addition but also unique to Pittsylvania County entirely. Local skaters and bike riders like me have to travel multiple hours or even pass the state border. I will also bring folks from out of town to Danville as well. At the heart of it is a place that I will ride but it will be a comfortable, welcoming environment.

Mr. Petrick stated. Is this a skateboard and roller skate or what?

Mr. Simmons stated. Skateboards, bicycles, roller skates and roller blades, scooters.

Mr. Petrick stated. Interesting, all going to be contained, what 2,800 square feet?

Mr. Simmons stated. Yes.

Ms. Evans stated. What is the track made out of?

Mr. Simmons stated. It will be wood with a concrete floor.

Ms. Evans stated. What is the flooring in that building now?

Mr. Simmons stated. Concrete. It's about a foot thick concrete floor. That will be the floor where the ramps themselves are made of wood.

Mr. Bolton stated. Will you be hosting indoor hockey events or is it not large enough?

Mr. Simmons stated. I don't think it is big or wide enough.

Mr. Ranson stated. I have been in that building; there are a lot of columns in there, aren't there?

Mr. Simmons stated. There are, so that make designing the park a little bit interesting for us, but we can find our ways around them and work with them.

Mr. Petrick stated. Your business is occupying just the main floor?

Mr. Simmons stated. Yes, It is 2 floors and so the retail bit takes up the majority of the main floor, and the back room is going to be the skate park and as of now, the second is unoccupied.

Mr. Petrick stated. Did you purchase that building?

Mr. Simmons stated. No, we are leasing it.

Ms. Evans stated. Should you have it the other way around where it's 5,000 square feet for the indoor skate park and 2,800 for the retail?

Mr. Simmons stated. The heart of the Grind is to be a bicycle and skateboard store. To be honest once we found the building, that really opened up the opportunity to host a skate park in it. But originally, it was actually just going to be a retail store.

Ms. Evans stated. New original skateboards from the 60's. Will that work?

Mr. Petrick stated. This is certainly unique to the area. Is there anything nearby or what's the closest place.

Mr. Simmons stated. Specifically, indoors, Greensboro is the closest.

Mr. Bolton stated. So, you are fine with the conditions?

Mr. Simmons stated. Yes.

Mr. Cook stated. I think it'd be a great idea to keep everything rolling with the indoor skate park.

Mr. Smith stated. Having an indoor skating park is a great idea. People from other cities will travel to Danville, which will help the downtown area and all the business. The proposition for the skate park to close at 7 pm. It seems a little early.

Mr. Petrick stated. As far as the hours are concerned, is this a joint agreement with staff and the applicant?

Mr. Simmons stated. The hours were to match the hours of the retail store, specifically during weekdays, just to run off as a default, we're still in the early stages of building everything which would be 10-7. Being owned and operated by my wife and myself, we can only work so many hours in the day. Given the opportunity Friday and Saturday to stay open a little later, I do know that the River District has a hard curfew for noise ordinance at 10:00 pm. If there is an opportunity, then we would love to pursue it.

Mr. Jones stated. My skateboard is broken. How big is the skateboard park in Greensboro?

Mr. Simmons stated. About 2 ½ times the size of what we have right now.

Ms. Lynn stated. I am in favor of this business. I think they have a really great business plan. They have a lot of great ideas, and I think it would enhance our community.

Mr. Petrick stated. Didn't your mother ever tell you that nothing good happens after 7pm.?

Mr. Aklinski stated. I'm piggybacking off longer business hours. I don't think skateboarding in a building would be a problem.

Mr. Petrick closed the Public Hearing

Ms. Evans stated. Is there plenty of parking?

Ms. Burton stated. There is parking in Newton's Landing and also in Acres Warehouse as well as on-street parking.

Mr. Petrick stated. Parking is not an issue.

Ms. Burton stated. Staff are not opposed to extending those hours till 10 pm, if the applicant is agreeable to that?

Mr. Bolton stated. We could even make it up to 10 pm, which gives him flexibility on weekdays to close sooner.

Mr. Ranson made a motion to approve application PZ26-00096 with extended hours till 10pm. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

5. *Special Use Permit application PZ26-00152 filed by William James to allow adult daycare in accordance with Chapter 41.3.A at Parcel 03429 (401 North Main Street).*

Mr. Petrick opened the Public Hearing.

Mr. James stated. I am an RN here in Danville, also the owner of River District Home Care. This will be like a sister business to what I already have. Our staff and aides were going to the home to help patients with activities daily living. The Adult Day Care Center will be on 401 North Main Street. I did research into over 25% of the population who is over 65 and another 8% over 18, with disability is another 18%. I feel this facility is a great addition to Danville area.

Mr. Petrick stated. This is adult daycare and I believe we talked about having a maximum occupancy of 75 individuals, is that correct?

Mr. James stated. Yes.

Mr. Petrick stated. You own this building?

Mr. James stated. Yes.

Mr. Ranson stated. Do you have licensure requirements or state requirements?

Mr. James stated. Yes, licensed by the state of Virginia.

Ms. Evans stated. Where would parking be?

Mr. James stated. Parking would be at the rear of the building. A loop around behind the building and the back space of the property will be the paved parking.

Mr. Petrick stated. We stated we needed 4 additional spaces, one space for every 4 occupants.

Ms. Burton stated. For each employee plus 4.

Mr. Petrick stated. How many employees do you anticipate?

Mr. James stated. I would say roughly 8 to 10.

Mr. Petrick stated. So, we are looking at 12-15 spaces you will need.

Mr. Jones stated. How many individuals will you have during the day?

Mr. James stated. I would say like 60 individuals and then the rest will be staff.

Mr. Jones stated. Transportation is not provided?

Mr. James stated. I will have to partner with a transportation company in the city.

Ms. Fitzgerald stated. I am the operations manager for River District owned by Mr. James. River District Home Care Agency, we provide personal care services for individuals who are in need of non-emergency medical assistance in their home for daily life. We help with daily basic activities to help individuals stay in their home. So, they are less likely to have to go into a facility such as a nursing home, rehab, so they won't be uprooted. Statistics show on our continuous basis people live longer in their homes when they are surrounded by their own personal things and interact with and are not closed off from the world. We offer the opportunity for those with mental, emotional, and physical delays to come out and enjoy the activities for socialization.

Mr. Petrick stated This business requires state licensing and the entire business would be overseen by the state?

Ms. Fitzgerald stated. These services are paid for by Medicaid as well as individual insurance. We have a lot of people coming in and out of our city that may not be able to travel because they might have someone, they don't have supervision for, but if they make special accommodations with us, we can probably provide that for them.

Ms. Edmund & Ms. Petty stated. How would it affect our property? We have no opposition to this at all, but we have questions. How would this facility? Is it already up or are you all going to build? We understand it is 300 feet from a vacant lot we have on Henry Street. So, we were going to talk to them about that.

Ms. Edmund stated. I am a registered nurse, and my sister is a teacher, we could be some assistance at the facility. We have a business proposition they can buy and possibly help with overflow parking.

Mr. Petrick closed the Public Hearing

Ms. Evans made a motion to approve application PZ26-00152. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

III. MINUTES

January 12, 2026, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 3:21 p.m.

APPROVED