



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

June 8, 2026

2:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. OLD BUSINESS

IV. NEW BUSINESS

1. Code Amendment request PZ26-00331 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 9 "Glossary".
2. Special Use Permit application PZ26-00297 filed by Tory Fitzgerald to allow Adult Daycare in accordance with Chapter 41.3.A at Parcel 23145 (633 Newton Street).
3. Special Use Permit application PZ26-00319 filed by Piedmont Broadcasting Corporation to allow a wireless communication facility in accordance with Chapter 41.3.A at Parcel 24135 (710 Grove Street).
4. Special Use Permit application PZ26-00325 filed by Tony White to allow Adult Daycare in accordance with Chapter 41.3.A at Parcel 59888 (206 Bell Drive).

V. PLANNING DIRECTOR'S REPORT

VI. APPROVAL OF MINUTES

1. Minutes from May 11, 2026 Meeting

VII. ADJOURNMENT

STAFF REPORT

DATE: June 8, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Code Amendment request PZ26-00331 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 9 "Glossary".

SUMMARY

The proposed amendment is intended to ensure consistency with § 15.2-2291 of the Code of Virginia, and to provide greater clarity in the interpretation and administration of residential and care-related land uses. Section 15.2-2291 of the Code of Virginia states that certain residential facilities housing eight (8) or fewer individuals is the functional equivalent of a single-family dwelling. Furthermore, localities are prohibited from imposing greater restrictions on such facilities than those applied to residences occupied by related persons. The amendment also aims to distinguish between small-scale residential living arrangements protected under state law and larger or service-based residential uses that may be subject to separate zoning regulations. Additionally, updates to Adult Day Care and Adult Day Support Services definitions are proposed to align with state licensing frameworks and clarify their classification as nonresidential uses.

Staff recommends the following amendments to Article 9, "Glossary", of Chapter 41, entitled "CODE Danville the Unified Development Code of Danville, Virginia" of the City of Danville, 1986 as amended. Language proposed to be stricken is shown in strike-through. Language proposed to be added is in italics.

Adult day care.

1. A nonresidential facility licensed by the Virginia Department of Social Services, *the State Board of Health, or the Department of Behavioral Health and Developmental Services* that provides supplementary care and protection during only a part of the day to four (4) or more aged, infirm or disabled adults who reside elsewhere, except the following.

~~A. A facility or portion of a facility licensed by the State Board of Health or the Department of Behavioral Health and Developmental Services; and~~

B. The home or residence of an individual who cares for only persons related to him by blood or marriage. Included in this definition are any two (2) or more places, establishments or institutions owned, operated or controlled by a single entity and

providing such supplementary care and protection to a combined total of four (4) or more aged, infirm or disabled adults.

~~m. Adult day support services.~~

~~1. A facility licensed by the Department of Behavioral Health and Development Services that houses a structured program of activity and training services for adults with intellectual or developmental disability, provided to groups or individuals in nonresidential communitybased setting~~

Supportive housing.

~~1. A structure other than a single-family dwelling where more than four (4) unrelated persons reside under supervision for special care, treatment, training or similar purposes on a temporary or permanent basis. Also includes a residential facility, licensed by the Virginia Department of Behavioral Health and Developmental Services, in which no more than eight (8) mentally ill intellectually disable or developmentally disabled persons reside, with one or more resident or non-resident staff persons, (mental illness and developmental disability shall not include current illegal use or addiction to a controlled substance as defined in the statute 54.1-3401 of the Code of Virginia, as amended).~~

1. A residential use not required by § 15.2 2291 of the Code of Virginia to be treated as a household that provides a shared living environment with supervision, care, treatment, training, or similar services, with one or more resident or nonresident staff persons, including:

a. A dwelling unit in which four (4) or more unrelated persons reside under supervision for special care, treatment, training, or similar purposes, whether on a temporary or permanent basis; or

b. A residential facility licensed by the Virginia Department of Behavioral Health and Developmental Services (DBHDS) or other applicable state agency, in which more than eight (8) individuals with mental illness, intellectual disability, or developmental disability reside.

2. This definition shall not include hospitals, inpatient treatment facilities, or detoxification facilities providing primary medical or clinical treatment services.

3. For the purposes of this definition, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in § 54.1 3401 of the Code of Virginia, as amended.

4. Supportive housing shall comply with the applicable use standards of this ordinance, including occupancy and staffing requirements.

RECOMMENDATION

Planning Staff recommends that the City Planning Commission recommend that City Council amend Chapter 41 entitled "CODE Danville The Unified Development Code of Danville, Virginia" of the City of Danville, 2025, as amended. Specifically, amend Article 9 "Glossary" to update "Household", "Supportive housing" and "Adult day care" and remove "Adult day support services".

ATTACHMENTS

None

STAFF REPORT

DATE: June 8, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ26-00297 filed by Tory Fitzgerald to allow Adult Daycare in accordance with Chapter 41.3.A at Parcel 23145 (633 Newton Street).

SUMMARY

The applicant is requesting approval of a special use permit to allow the establishment of an adult day care facility at 633 Newton Street. The subject property is zoned CB, Community Business Zone. An adult day care facility is permitted within the Community Business Zone with approval of a special use permit.

The proposed facility would utilize an existing, currently vacant structure, previously used as Southside Ice Express (2016) and Harmony House (2001). Harmony House was a similar use by Danville/Pittsylvania Community Services, which moved to 515 Rison Street. The proposed facility will provide structured care and social activities for adults and seniors and will operate Monday through Friday, with no evening or overnight hours.

Based on the Virginia Uniform Statewide Building Code, day care facilities are allowed one occupant per 35 square feet. The approximately 1,800-square-foot space is adequate to accommodate the proposed occupancy of 20 participants. Off-street parking will be required at a rate of one (1) space per staff member per shift, plus four (4) additional spaces. With the proposed number of employees at six (6), the minimum required number of spaces will be ten (10). The proposed use is expected to generate minimal traffic, primarily during morning drop-off and afternoon pick-up hours, and noise impacts are anticipated to be low, as activities are conducted indoors.

Forty notices were mailed to property owners within 300 feet of the subject property. One (1) opposed response was received.

ALIGNMENT WITH COMPREHENSIVE PLAN

The proposed use is compatible with the Comprehensive Plan, the surrounding commercial context, and the established operational characteristics of the corridor. Specifically, support for this project aligns with the following PLANDanville goals:

- Ch. 2 - Land Use: To better connect Danville residents to amenities and encourage growth in existing developed areas
- Ch 3 - Transportation: To create a multimodal transportation network that supports freedom of mobility

- Ch. 6 - Economy: To support small businesses and entrepreneurs; and to invest in commercial districts
- Ch. 7 - Environment: To support low impact development through the use of existing buildings/structures

RECOMMENDATION

Planning staff recommends approval of PZ26-00297 to allow an adult daycare facility at Parcel 23145 (633 Newton Street).

ATTACHMENTS

1. Application
2. Aerials Map
3. Owners Zoning Map



CITY OF DANVILLE

Community Development Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 8. Section N.3. Approval Procedure.

1. A Special Use Permit application 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 or development is to be located.
2. A Special Use Permit application shall be submitted as a .pdf copy to the Division Director of Planning/ Zoning Administrator and shall be accompanied by the filing fee as established by City Council.
3. If the request for Special Use Permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.

The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of \$400.00

PLANNING DIVISION PROVIDED INFORMATION

Application #:	<u>PZ26-00297</u>	PC Meeting Date:	<u>06/08/2026</u>
Date Received:	<u>04/24/2026</u>	Received By:	<u>SEJ</u>
Parcel ID:	<u>20034</u>	Address:	<u>633 Newton St.</u>
Existing Zoning:	<u>CB</u>	Future Land Use:	

APPLICANT PROVIDED INFORMATION

Applicant: Tory FITZGERALD

Applicant's Address: 633 NEWTON ST DANVILLE, VA 24541

Applicant's Phone Number: [REDACTED]

Applicant's Email: [REDACTED]

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:

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: 633 NEWTON ST, DANVILLE, VA 24541

Describe Proposed Request: OPERATE AN ADULT DAY PROGRAM FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES. PROVIDE ACTIVITIES AND OPPORTUNITIES TO GO OUT IN THE COMMUNITY.


Applicant's Signature

4/23/26
Date

Commonwealth of Virginia
City of Danville

The foregoing instrument was acknowledged before me this 23 day of April, 2026
by Tony Fitzgerald


Notary Public Stefanie E Jackson

Registration No.: 8102312 Expires: 04/30/2028

Stefanie E Jackson
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 8102312
My Commission Expires 04/30/28
427 Patton St. | Danville, Virginia 24541 | 434.799.5260 | DanvilleVA.gov

Betsy Seamster Clay
Owner's Signature
(if not applicant)

Apr. 23, 2026
Date

DANVILLE, VA

Commonwealth of Virginia
City of Danville

The foregoing instrument was acknowledged before me this 23 day of April, 20 26

by Betsy Seamster Clay

Nancy Carter
Notary Public

Registration No.: 199123

Expires: 10-31-28





2025 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
5/6/2026



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: June 8, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ26-00319 filed by Piedmont Broadcasting Corporation to allow a wireless communication facility in accordance with Chapter 41.3.A at Parcel 24135 (710 Grove Street).

SUMMARY

The applicant, Piedmont Broadcasting Corporation, is requesting a Special Use Permit to allow a wireless communications facility at 710 Grove Street, which is zoned CB, Community Business. The proposed 100-foot self-supporting radio broadcast tower allows for the relocation of the existing FM low-power transmitter and FM broadcast antenna from its current location at 653 Parker Road. The applicant states that relocation will allow for improved coverage as well as extended service into areas outside the City of Danville.

The applicant states that the tower's design and placement will minimize impacts on surrounding properties and, in the event of collapse, the tower is designed to collapse into itself rather than falling, limiting the chance of danger to the adjacent parcel or any of the surrounding right-of-ways. With approximate setbacks of 180 feet from Grove Street, 135 feet from North Ridge Street, and 120 feet from Monroe Street, the tower would not pose a threat of reaching the right-of-ways at its 100-ft proposed height.

Forty-five notices were mailed to property owners within 300 feet of the subject property. Nine (9) responses have been received, all were unopposed (Nexus Realty and Piedmont Broadcasting Corporation).

ALIGNMENT WITH COMPREHENSIVE PLAN

The proposed use is compatible with the Comprehensive Plan, the surrounding commercial context, and the established operational characteristics of the corridor. Specifically, support for this project aligns with the following PLANDanville goals:

- Ch. 2 - Land Use: To better connect Danville residents to amenities and encourage growth in existing developed areas
- Ch. 4 - Infrastructure: Create a plan for better communications both every day and during emergencies...
- Ch. 6 - Economy: To support small businesses and entrepreneurs; and to invest in commercial districts
- Ch 8. - Culture: Create paths for all community members to celebrate their unique

community identities using the arts and programming.

RECOMMENDATION

Planning Division staff recommend that the Planning Commission recommend approval of PZ26-00319 to allow a wireless communication facility at Parcel 24135 (710 Grove Street).

ATTACHMENTS

1. 710 Grove St Application
2. Aerials Map
3. Owners Zoning Map



CITY OF DANVILLE

Community Development Division of Planning and Zoning

SPECIAL USE PERMIT APPLICATION

Article 8. Section N.3. Approval Procedure.

1. A Special Use Permit application 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 or development is to be located.
2. A Special Use Permit application shall be submitted as a .pdf copy to the Division Director of Planning/ Zoning Administrator and shall be accompanied by the filing fee as established by City Council.
3. If the request for Special Use Permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.

The application shall be submitted to the Director of Planning/Zoning Administrator and shall be accompanied by the filing fee of \$400.00

PLANNING DIVISION PROVIDED INFORMATION

Application #:	<u>PZ06-00319</u>	PC Meeting Date:	<u>June 8</u>
Date Received:	<u>May 5</u>	Received By:	<u>Williams</u>
Parcel ID:	<u>24135</u>	Address:	<u>710 Grove St</u>
Existing Zoning:	<u>CB</u>	Future Land Use:	_____

APPLICANT PROVIDED INFORMATION

Applicant: Piedmont Broadcasting Corporation

Applicant's Address: 710 Grove Street, Danville, VA 24541

Applicant's Phone Number: [REDACTED]

Applicant's Email: [REDACTED]

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:

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: 710 Grove Street, Danville, VA 24541

Describe Proposed Request: Piedmont Broadcasting Corporation requests approval to construct a 100' self-supporting radio tower at our Grove Street broadcast facility. The tower would enable us to relocate our WBTV FM translator and translator antennas from Parker Road to provide improved signal coverage throughout Danville.

Sherri C. Duarte
Applicant's Signature

5/5/2026
Date

Commonwealth of Virginia
City of Danville

The foregoing instrument was acknowledged before me this 5th day of May, 2026
by Sherri C. Duarte

Kenneth Warwick
Notary Public

Registration No.: 00363007 Expires: 02-28-2029

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: _____

Special Use Permit Attachments Information

05/05/26

Applicant

Piedmont Broadcasting Corporation
710 Grove Street, Danville, VA 24541

Application Purpose

The applicant is requesting approval to construct a self-supporting 100' broadcast tower at its broadcast facility on Grove Street (Parcel 24135).

Information Requested in the Application

1. A preliminary site plan in accordance with the Site Plan Regulations.

A site plan is included as Exhibit A. The site plan shows the distance from the proposed tower to nearest adjacent streets.

2. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.

The tower's sole purpose will be to allow relocation of the WBTM FM low-power transmitter and associated FM broadcast antenna from the current location at 653 Parker Road (the WBTM transmitter site). Engineering studies have indicated that the new tower location will allow WBTM's FM translator to achieve significantly improved coverage throughout Danville proper, as well expanding the coverage area beyond city limits in certain areas.

3. A written statement of proposed project compatibility with the following:

a. The Comprehensive Plan.

The construction of the proposed tower and relocation of the WBTM FM translator aligns with the Comprehensive Plan goal to promote economic development. As a primary provider of advertising services in Danville, our ability to provide a clear radio signal throughout the Danville area is crucial to those businesses that advertise with us and, therefore, is impactful to the local economy.

Moreover, in furtherance of public safety, the improvement of the WBTM FM translator coverage area will enhance our ability to relay adverse and threatening weather conditions to the public.

b. The applicable zoning district.

Piedmont Broadcasting's Grove Street is zoned as Community Business (CB). Table 3.A-2 in the Zoning Code accommodates the proposed tower under Wireless Communications Facilities, if a Special Use Permit is approved, as defined on page

300 of the Zoning Code.

c. The surrounding properties.

Being situated nearly in the middle of the Piedmont Broadcasting's parcel, no direct impact on surrounding properties has been identified.

Visual Impact

Visually, the proposed tower would have a minimal impact on surrounding properties. At 100', the tower would be only about a third the height of most cell towers.

Potential Tower Collapse

The proposed tower would be situated such that its base would be located 180' from Grove Street, 135' from North Ridge Street, and 120' from Monroe Street (distances are approximate). Property to the southwest side of the tower is owned by Piedmont Broadcasting. In the unlikely event of a tower collapse, the tower design is such that the tower would collapse into itself, rather than falling the full length of the tower's height with no danger to adjoining streets. Even if the tower were to remain intact, it would not extend into the closest street.

d. Current and future neighborhood conditions.

No impact on the neighborhood has been identified and no anticipated changes to the neighborhood should be impacted by the presence of the proposed tower.

e. Pedestrian and vehicular traffic patterns, on-site and off-site.

The presence of the proposed tower will have no effect on on-site or offsite vehicular traffic.

f. Adequate public facilities.

Not applicable, as the proposed tower would not be visited, accessed, or utilized by members of the public.

Piedmont Broadcasting Proposed FM Translator Tower at 710 Grove Street

EXHIBIT A



180' to Grove Street

100' Radio Tower

135' to N. Ridge Street

120' to Monroe Street



2026 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
5/6/2026



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STAFF REPORT

DATE: June 8, 2026
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ26-00325 filed by Tony White to allow Adult Daycare in accordance with Chapter 41.3.A at Parcel 59888 (206 Bell Drive).

SUMMARY

The applicant is requesting approval of a special use permit to allow the establishment of an adult day care facility at 206 Bell Drive. The subject property is zoned UR, Urban Residential Zone. An adult day care facility is permitted within the Urban Residential Zone with approval of a special use permit.

The proposed facility would utilize an existing, currently vacant structure, previously used as place of worship. The proposed facility will provide structured care and social activities for adults and seniors and will operate Monday through Friday from 10 A.M. to 5 P.M., with no evening or overnight hours.

Based on the Virginia Uniform Statewide Building Code, day care facilities are allowed one occupant per 35 square feet. The approximately 2,200-square-foot space is adequate to accommodate the proposed occupancy of 20 participants. Off-street parking will be required at a rate of one (1) space per staff member per shift, plus four (4) additional spaces. The proposed use is expected to generate minimal traffic, primarily during morning drop-off and afternoon pick-up hours, and noise impacts are anticipated to be low, as activities are conducted indoors.

Forty-five notices were mailed to property owners within 300 feet of the subject property. At this time, no responses have been received.

ALIGNMENT WITH COMPREHENSIVE PLAN

The proposed use is compatible with the Comprehensive Plan, the surrounding commercial context, and the established operational characteristics of the corridor. Specifically, support for this project aligns with the following PLANDanville goals:

- Ch. 2 - Land Use: To better connect Danville residents to amenities and encourage growth in existing developed areas
- Ch 3 - Transportation: To create a multimodal transportation network that supports freedom of mobility
- Ch. 6 - Economy: To support small businesses and entrepreneurs; and to invest in commercial districts

- Ch. 7 - Environment: To support low impact development through the use of existing buildings/structures

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of PZ26-00325 to allow an adult daycare facility at Parcel 59888 (206 Bell Drive).

ATTACHMENTS

1. Application
2. 206 Bell Dr Aerials Map
3. 206 Bell Dr Owners Zoning Map

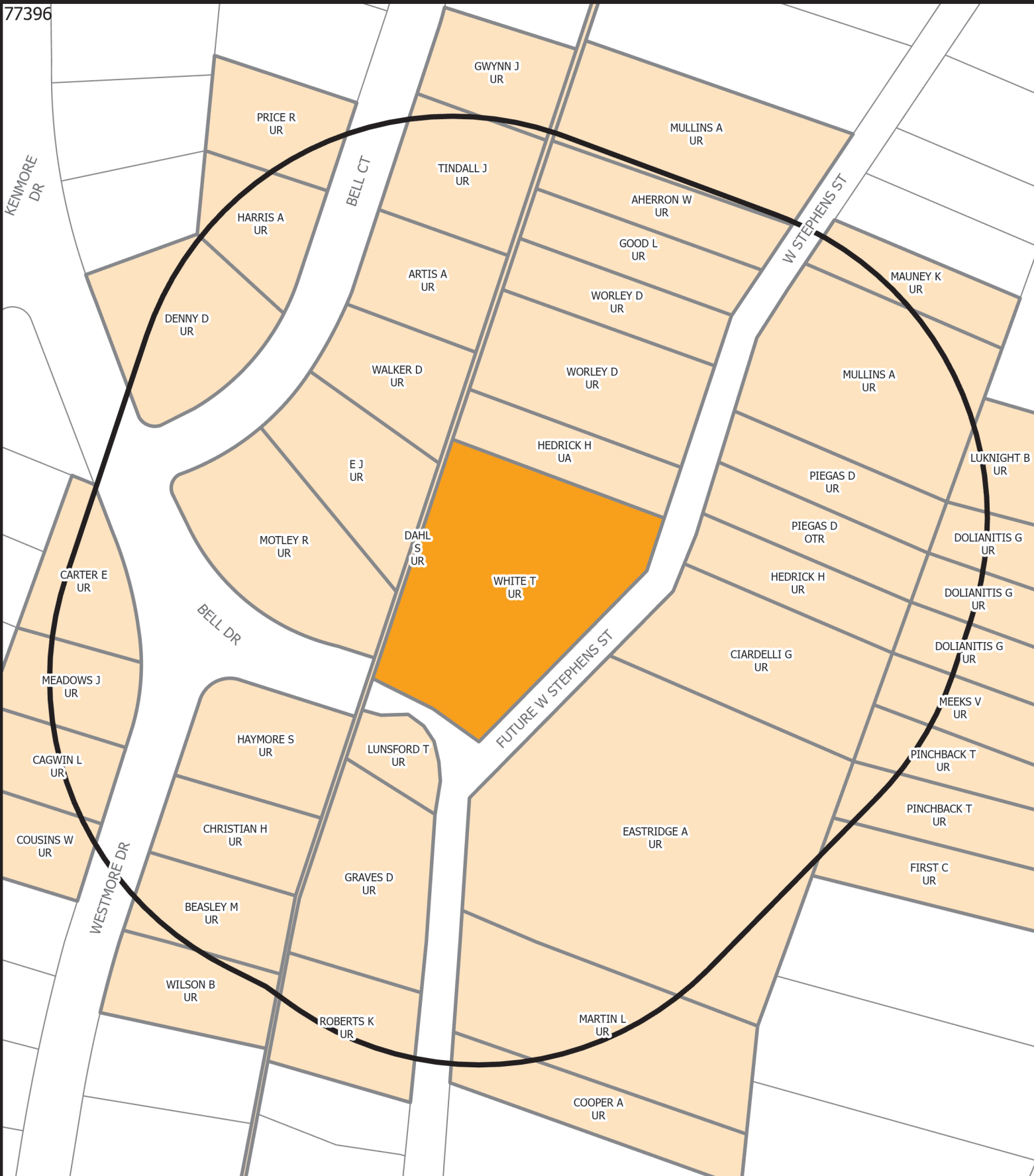


2026 AERIAL IMAGERY OF SUBJECT PROPERTY

Prepared by:
Planning Division
5/26/2026



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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
5/26/2026



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PLANNING COMMISSION MINUTES

MAY 11, 2026

MEMBERS PRESENT

Mr. Petrick
Mr. Bolton
Mr. Ranson
Ms. Evans
Mr. Khan
Mr. Townes

MEMBERS ABSENT

Mr. Jones

STAFF

Renee Burton
Cynthia Lester
Clarke Whitfield
Shanika Williams
Stefanie Jackson

III. ITEMS NOT FOR PUBLIC HEARING:

1. The approval of major subdivision Parcel 78585 on Vandola Road. The final major subdivision plat and acceptance of the right-of-way for Vandola Crescent lane.

Mr. Bolton made motion to approve the Major Subdivision Parcel 78585 on Vandola Road, with condition that a Subdivision Improvement Bond be posted prior to recording the Final Subdivision Plat. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

IV. OLD BUSINESS

1. Special Use Permit PZ26-00194 filed by Da Ville Management LLC to allow indoor commercial recreation at Parcel 22399 (401 South Ridge Street).

Mr. Petrick opened the Public Hearing.

Ms. Kent stated. I am here as the authorized representative on behalf of Kafé DaVille Bar and Grille located at 401 South Ridge Street in Danville. I would like to thank the Commission for allowing us the opportunity to appear again today and for your continued time, patience, and consideration throughout this process. As you know, this application previously received a 4-1 recommendation for the approval from the Commission. Since this time, we have continued attempting to better understand the procedural concerns associated with the remand from the City Council. We have approached today's hearing in good faith with the intention of remaining cooperative, respectful and complying with the city's process. Kafé DaVille is intended to operate as a full-service restaurant front focused on dining, community engagement and family gatherings, funeral repass and structured indoor events that contribute positively to the River District and surrounding communities. We understand and respect that nearby residents may have also the importance of balancing business growth with neighborhood compatibility. Our intention is not to create disruption but operate responsibly while contributing positivity to the area through food service. We are willing to comply with reasonable operational conditions recommended by the commission and the opportunity to continue moving this process forward.

Ms. Evans stated. Have you all continued to have events since the March 9 Planning Commission meeting?

Ms. Kent stated. No.

Ms. Evans stated. Have police ever been to any of the events?

Ms. Kent stated. What do you mean?

Ms. Evans stated. The parties that have been held?

Ms. Kent stated. We do not have parties.

Ms. Evans stated. They have been advertised.

Ms. Kent stated. But they are not parties.

Ms. Evans stated. DJ's and after-hours events?

Ms. Kent stated. We don't have after-hours events, playing music is not an event.

Ms. Evans stated. It is an indoor recreation.

Ms. Kent stated. So, you are saying I can't provide music while people are dining at the restaurant?

Ms. Evans stated. I'm not sure about a band that you have to charge for.

Ms. Kent stated. I have never had a band at my establishment. DJ, but not a band.

Ms. Evans stated. Have you had any DJs since March 9?

Ms. Kent stated. No.

Ms. Evans stated. You haven't charged admission since March 9?

Ms. Kent stated. I have never charged admission. The prior flyer you are referring to was re-worded, but we have never charged for admission. We charge for food services, but not admission or events.

Ms. Evans stated. \$100 best costume, dance tickets \$25 that was not a charge?

Ms. Kent stated. No, that was a social media mishap that our event person put out the flyer, and we went back and corrected that.

Ms. Evans stated. Have you had any more indoor recreation since February?

Ms. Kent stated. No.

Mr. Khan stated. What about the violation that staff spoke about?

Ms. Kent stated. We did receive letters about the events and posting, but we didn't know it was a violation.

Mr. Petrick stated. Did you receive letters of violation?

Ms. Kent stated. Yes.

Mr. Khan stated. Were all the violations remedied?

Ms. Kent stated. Yes.

Mr. Petrick stated. Would staff like to distinction between restaurant service and special use?

Ms. Burton stated. The difference is you may have music if you are in an eating establishment. The difference is for an indoor commercial recreation you must be charging, so either you are charging at the door to come into that establishment, you are charging for rental of the space or you are charging for use of the equipment that is within the space, billiards, arcade things of that nature or even renting the entire space those all constitute indoor commercial recreation.

Ms. Evans stated. A funeral repass constitutes indoor recreation?

Ms. Burton stated. If it is being charged as such, if I am renting the facility specifically for that repass for family or community then yes.

Mr. Khan stated. Can staff say authentically that all those multiple violations have been remedied?

Ms. Burton stated. They were publicly advertised and the events were in the past, so they are not happening right now. They are not active violations because they are not happening right now. We believe they did occur in the past and those are the ones we have documented in the staff report.

Mr. Khan stated. So, you think they are remedied?

Ms. Burton stated. We have not seen any advertisements in a while.

Mr. Petrick stated. When violation letters were sent out did you have any comment from the owner concerning those letters?

Ms. Burton stated. Yes, we did speak with the letters being issued after the fact.

Ms. Evans stated. At the October 24 violation they responded to those?

Ms. Burton stated. Yes, on a number of occasions with the letter that was sent out

Mr. Ranson stated. Is there a remedy that would allow them to charge for events?

Ms. Burton stated. Yes, a special use permit is what they are here for today. If they were to receive a special use permit, then they could continue the operation.

Mr. Ranson stated. That is what I thought. If we approve the special use permit moving forward, they are ok?

Ms. Burton stated. If they receive a special use permit from City Council, and they decide they are going to have events within the parameters or conditions set by City Council then yes. Then there are no additional violations.

Mr. Ranson stated. So, we voted to grant them a special use permit, then the City Council, what did they do, sent it back to us?

Ms. Burton stated. That is correct.

Mr. Ranson stated. Why?

Ms. Burton stated. There was no reason given during that vote. There was simply a motion to remand, a second and a vote in agreement for that remand.

Mr. Ranson stated. It would be nice to know what they were thinking.

Mr. Khan stated. I would think so too.

Mr. Bolton stated. Mr. Ranson mentions penalties and violations. Are there fines that need to be satisfied or do they just go away?

Ms. Burton stated. They have not received any fines for the violations.

Mr. Bolton stated. Could there have been?

Ms. Burton stated. Yes.

Mr. Townes stated. If City Council sent it back and we don't know why they did, how do we know the reason they sent it back is compliant? If we send it back and haven't solved that issue, then we are going back and forth.

Ms. Burton stated. I do not have an answer.

Mr. Petrick stated. I am not sure why it wasn't revealed, why City Council sent it back. When it is remanded, it is a request for an additional review and that is what we are doing.

Ms. Burton stated. That is correct.

Mr. Ranson stated. I know at the last meeting there was a woman that stated the problems that went on at the address. Has there been any more of the problem? People standing around the parking lot after hours, police being called?

Ms. Burton stated. I am not aware of any, I believe there was at least one event where the police department was called to 401 South Ridge Street, since this ownership. There may be someone in the audience that knows that lives close.

Mr. Bolton stated. When a business closes down, does that mean the whole property has to be vacated, including the parking lot? Does the 10PM curfew not address people lingering in the parking lot?

Ms. Burton stated. That would be a condition that Planning Commission could address that. The way it is set now with the last condition stated the hours of operation were until 10 PM, meaning the restaurant itself would need to be closed at 10 PM, not the premises. Clearing the premises would be up to the property owner or business manager.

Mr. Johnson stated. There were a few things that happened at the hearing where the vote was 4-1 and sent to City Council and we are back here.

Mr. Petrick stated. City Council has final say on this.

Mr. Johnson stated. I am aware of that sir. We were told by the city attorney Mr. Whitfield that we had to speak to Planning and Zoning to find out what the issues were whether we were in compliance or needed to get in compliance. Ms. Burton department has been very helpful from the beginning. The June 2, I don't know where that came from there was no advertisement, but I have all the emails here that we were in compliance.

Mr. Petrick stated. You made the statement; you don't know where the advertisement came from?

Mr. Johnson stated. That advertisement for that particular day in June, we weren't licensed. The license wasn't obtained from the city of Danville until the 29th of August 2025. We are trying to figure out even after the hearing in City Council why it was remanded and what do we need to do. We received an email prior to going

to the City Council stating we had to pay \$3,800 coming from Ms. Burton, but we found out the data was fake. When we left City Council, we found out it was a financial issue we needed to pay the meals taxes.

The October 31st about the DJ and costume, it never happened.

Mr. Petrick stated. Is staff aware that nothing happened? Did you have knowledge of the meals tax that was owed?

Ms. Burton stated. We did not take in the meal tax collection, but we were told that the tax was not up to date, meals tax are paid 1 month after the fact and I am not sure where they are now in their status.

Mr. Johnson stated. Property tax and meal tax are paid up. I have all the emails, and we found out because we're applying for the ABC license I was told by the office, I needed to sign the application, I needed to sign it as the property owner not the business owner. No one seems to have any information correct. We're just trying to stay in compliance, every email and letter we responded back, and asked what we needed to do. We were told that you could not charge at the door and we would have dinners where you have music entertainment. It is no different from my colleagues. On a daily basis we play Bluetooth there, that's it. We have been dealing with this for over 60 days and we are back here. We have been contacting Ms. Burton off and on, and I thank you. You've been very trustworthy and straightforward. She doesn't have an idea of why we are here. We just want to cook food, we don't want any trouble.

Ms. Asher stated. I live in the building directly across the street from Kafé DaVille building. I am here to oppose this matter. I submitted information via email.



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I found a lot of this information online and as you all know, just because you find something online doesn't mean that it is true. So, all of these felony counts I personally found within the Martinsville Circuit Court. I also want to address the difference between their hours of operating as a regular restaurant and what is a special event. I do have documented proof that they were open past 10 PM it went to midnight with music that I could hear within my residence.

Ms. Evans stated. When was this?

Ms. Asher stated. It was March 27, 2026. I am a working professional and a former business owner, and I am 100 percent proponent of free enterprise. We want nothing more than the city of Danville to thrive. It is my hope that within the people who we grant this amazing freedom to operate a business that it is done with good people who have good intentions and who have a history of doing good things in the community, and it is very worrisome for that operation to be held by somebody who has a record such as this.

Mr. Johnson stated. Alleged.

Mr. Bell stated. I'm here to say the experience has been great, food great, and the ambiance also great.

Ms. Jeffery stated. I have had businesses myself, and whatever happened in Martinsville, if it happened, has nothing to do with Danville and people deserve a second chance if it did happen. They have good food and we love going there. I think it is bad to not give him his license.

Ms. Miles stated. I have frequented the restaurant with a very pleasant atmosphere. I agree with the other person that spoke about second chances, and I don't think this should be held against him.

Mr. Petrick closed the Public Hearing.

Mr. Ranson stated. This doesn't have anything to do with his ability to have a restaurant, correct?

Ms. Burton stated. He can have a restaurant. The restaurant can continue without a special use permit.

Mr. Ranson stated. He cannot charge for these events if we don't approve of it, he can go on with his restaurant?

Ms. Burton stated. If the special use permit is denied it would not prohibit the restaurant operations at this location. If the special use permit was approved, then they would be able to hold events, and they could charge for entry or for access. The restaurant could still operate without the special use permit.

Mr. Ranson stated. This doesn't have anything to do with their application for an ABC license, does it?

Ms. Burton stated. No, an ABC license may be granted specifically for restaurant operation.

Mr. Bolton stated. I saw a good business plan; well-spoken, we approved it last meeting and we are still looking at it favorably. All this that was brought about felony charges is disturbing, could that potentially be a reason it was sent back to us?

Ms. Burton stated. I have not received any information about why it was remanded.

Mr. Khan stated. I am just as baffled that City Council would send it back to us without detailing what we are supposed to look at after we granted them, ok. I'm Lost.

Mr. Petrick stated. There was nothing to review specifically obvious asking for a further review of the application.

Mr. Khan stated. Review of the application was ok, and it went to City Council, and they denied it without any reason, and they should let us know.

Mr. Townes stated. I agree with Mr. Khan, there are no details and we need to know.

Mr. Bolton stated. From a legal standpoint today bringing up that many felony counts.

Mr. Johnson stated. Alleged charges.

Mr. Whitfield stated. I think this is getting well beyond whether this property should receive a special use permit or not.

Mr. Ranson made a motion to deny application PZ26-00194. Ms. Evans seconded the motion. The motion failed and forwarded to City Council without recommendation by a 3-3 vote.

V. NEW BUSINESS

1. 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 5 "Signs".

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve PZ26-00221. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

2. Code Amendment Request PZ26-00290 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 9 "Glossary" to address forthcoming state code changes.

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve application PZ26-00290. Mr. Ranson seconded the motion. The motion was approved by a 6-0 vote.

3. Code Amendment Request PZ26-00291 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 3 Section B Item 24 to amend "Dwelling, manufactured home" and Article 3.A Table 3.A-2 "Comprehensive Use Permissions Table" to amend "Dwelling, manufactured home" and "Dwelling, single-unit detached".

Mr. Petrick opened the Public Hearing

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve application PZ26-00291. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

4. Code Amendment Request PZ26-00292 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 residential parking

Mr. Petrick opened the Public Hearing

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve application PZ265-00292. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

5. Code Amendment Request PZ26-00301 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 3 Section B Item 5, "Agricultural use".

Mr. Petrick opened the Public Hearing

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve application PZ265-00301. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

The April 13, 2026, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 3:03 p.m.

s/ _____

APPROVED