

**MEMBERS PRESENT**

**Mr. Searce  
Mr. Laramore  
Mr. Dodson  
Mr. Wilson  
Mr. Bolton  
Mrs. Evans  
Mr. Jones**

**MEMBERS ABSENT**

**STAFF**

**Shanta Hairston  
Ken Gillie  
Renee Burton  
Scott Holtry  
Clarke Whitfield**

The meeting was called to order by Chairman Searce at 3:00 p.m.

**I. ITEMS FOR PUBLIC HEARING**

- 1. Rezoning Application PLRZ20140000292, filed by Kirpal Singh requesting to amend the Year 2020 Land Use Map from OPT, Office Professional Transitional to CS, Community Service and to rezone from TO-C, Transitional Office Commercial to N-C, Neighborhood Commercial, 1009 Main Street, otherwise known as Grid 1720, Block 012, Parcel 000010 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone the property to operate a convenience store at this location.*
- 2. Special Use Permit Application PLSUP20140000293, filed by Kirpal Singh requesting a Special Use Permit to operate a convenience store with gasoline sales in accordance with Article 3.J; Section C, Item 3 of the Code of the City of Danville, Virginia, 1986, as amended, at 1009 Main Street, otherwise known as Grid 1720, Block 012, Parcel 000010 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone the property to operate a convenience store with gasoline sales at this location.*

Mrs. Burton read the staff report. 22 notices were sent to surrounding property owners within 300 feet of the subject property. Nine responses were received. Eight responses were opposed; one response was not opposed.

Chairman Searce opened the Public Hearing.

Present in in favor of the request was Vic Phillips.

Mr. Phillips stated good evening everyone. My name is Vic Phillips and I represent Abercrombie Oil Company and Kirpal Singh. This afternoon in reference to a Special Use Permit request for our Main and Holbrook Exxon property located at 1009 Main Street. This is my second time appearing before the Zoning Board on the Singh property. The first time being back in 1969 while being employed with Exxon Company USA, I had applied for a Special Use Permit at the time after we had purchased the old Clark electric building which joined the existing Main and Holbrook Esso at that time. We were then required to design an all new building that would be compatible to the Sutherlin Mansion and pleasing to the City of Danville. That request was approved and resolved in what stands on that corner

Donnie Griffith and I am President of the Wednesday Club. The Wednesday Club members is located on Main Street directly across the street from the current store service station location. The Wednesday Club building and has been in its current location for over 100 years. The building was built in 1870. Anyone familiar with our organization knows about our many contributions to the City. We feel that a convenient store would be a terrible mistake for this area because of the recent public and private investments to revitalize it as a safe, attractive and welcoming place for locals and visitors and houses there switching from dilapidated dwellings to family individuals who buy the homes with an appreciation for investment in historic preservation and architecture. The residents in this area have worked very hard and continue to work to keep their property in a good state of repair and also being good and responsible citizens. We believe a convenient store in this area would lower property values because of the reasons listed above and we urge this Commission to turn down this zoning request.

Mr. Scarce stated thank you. Anyone else? You all may come up.

Present in opposition to the request was Mrs. Susan Stilwell.

Mrs. Stilwell stated my name is Susan Stilwell and I live lived in the Old West End Historic District for 20 years on West Main Street. I have sold almost every single house along Millionaires Road, at least once and probably half of the houses on Holbrook Avenue to property owners who have invested a great deal of money in their homes, in their neighborhoods which are now much safer, much more restored; huge tax space for the City of Danville. These people have the Midtown Market, which they can walk to. They don't need a convenient store. It's been a gas station; let it continue to be a gas station. If they want to have vending for coffee, soda vending, etcetera like that, I don't think that's a problem. But I would like to ask any of you, would you like to live next door to a convenient store. Do you understand the loitering, the traffic, and the trash that will be created from this operation? It does not fit next door to the Sutherlin Mansion or next door to the people who live there with their children and families, and I am going to ask you to please vote against this. Thank you.

Mr. Scarce stated thank you. Anyone else?

Present in opposition to the request was Tyrone General.

Mr. Zimmer stated my name is Tyrone General, I own 114 and 160 Holbrook Avenue. I live directly behind the service station. My bedroom window would be right there. I hope you all vote against it.

Present in opposition of the request was Mrs. Fran Baughman.

Mrs. Baughman stated hi my name is Fran Baughman, I live at 1012 Main Street directly across the street from the proposed gas station. These hours of operation from 6 a.m. to 11 p.m. would directly impact my lifestyle and my ability to enjoy my home. This gas station opening from 6 a.m. to 11 p.m. would be directly underneath my bedroom window. How am I going to sleep? How are my grandchildren going to sleep when they come and stay overnight at my house? I also would suggest that the zoning in this area is all TO-C or OT-R. This proposed zoning change is not keeping up with the elements of the community. As you can see, this is a cover page from the Danville Historic overlay, this change is in the

station is not a problem but a Quickie-Mart that serves food is going to syphon in the same crowds that we see in the neighborhoods and give it a certain presence. I have nothing to say against the potential owners, or the other stores; I am on Main Street, a historical neighborhood. For the sake of estimating, let's say we have 100 people currently opposed to this and counting. They say they have 360 signatures. I would like to ask questions. I didn't see an opportunity to ask questions for Mr. Singh. But I would like to know who are these people, have we looked at these signatures, and there are other questions I would like to ask. Basically it would be an extreme downer I think for the downtown neighborhood, Main Street, and the millions of dollars that was put into these neighborhoods. The City and federal money is important to these neighborhoods to make them more uplifting and not to have a ghetto mart on Main Street right next to these historic landmarks. If investors are coming into town and they are driving down Main Street to go downtown where the City has invested all this money thanks to tax payers, they don't want to see a ghetto mart with people loitering around, drinking, begging, booming in and out with their boom cars - it's not an appealing site. I am sure if I had more time to think about it, I would have more to say. Thank you.

Mr. Scarce stated thank you. Is anyone else wishing to speak in opposition?

Mr. Tyrone General stated I just want to say one more thing. He asked the question where did the signatures come from. When you go in the store, the cashier is in the store asking would you like to sign this paper to open up a Quickie-Mart on Main Street. That's where the signatures come from and that's for anybody who came in the store. I know because I went down there and they asked me. I said, "No I don't want the store there."

Mrs. Fran Baughman stated after I got to my seat, I was a little nervous last time, I forgot to mention I know Mr. Singh has collected a number of petitions and he mentioned people who work in the area had signed his petitions. Last weekend after I got the letter from you all in the mail, I actually did my own petition and I walked a one block radius down Holbrook Street and one block down Main Street either way and one block on Holbrook. I got a petition from the people who actually live in the area who own these homes, live in these homes and I have 42 unique signatures from the property owners in the area. Everyone that I talked to in a one block radius was opposed to the idea. I did not have a single person tell me that they would not sign the petition. I have a copy here if you all would like to have it.

Mr. Scarce asked anyone else wishing to speak?

Mr. Micah Robinson stated I am sorry I forgot to mention that I have a page full of signatures as well. I didn't know to bring them in to add to hers, it's another page full. But again if they have enough money to invest in this kind of facility, it's plenty of places in Danville that they could do it.

Present in opposition to the request was Mr. David Corp.

Mr. Corp stated my name is David Corp and I live at 161 Holbrook Avenue. After I was approached by I believe it is Mrs. Bauman, to sign her petition which I promptly did. A small group of residents on Holbrook Avenue got together and worked with her to draft a statement concerning our opposition to this change in Code and the ability to put in a convenient store. We went around to all the people on that petition, presented them with our draft statement, stamped envelope and asked them to consider our statement, add their

Public Hearing.

Mr. Bolton said I do want to add that I have here a letter from the Historic Preservation of Virginia and Susan Wilson and Steven Wilson in opposition and we have this thick I think 34 pages all in opposition too. So I'd open it up to Commissioners and see if you have any questions, comments or discussions.

Mr. Bolton stated staff you mentioned in your background analysis that it is not necessary to change the zoning from the TO-C to the Conditional Neighborhood and Commercial for the gas station to remain, but for my clarification he would need a Special Use Permit for both zoning classifications.

Mr. Gillie stated to convert to the convenience store he does need to change the zoning and get a Special Use Permit. The facility has operated as a legal nonconforming gas station for approximately 60 years is what we can figure. Mr. Phillips said it's definitely been since at least 1969, possibly earlier according to our records. So the gas station still is legal nonconforming and can continue to operate, but to change and add the additional use of the convenience store that's where the rezoning has to occur and the Special Use is necessary.

Mr. Bolton asked so on the TO-C you couldn't even get a Special Use Permit to do the convenience?

Mr. Gillie stated no you could not get a Special Use Permit in a TO-C.

Mr. Bolton asked so in essence, denying the zoning change gets rid of all of it and we don't even go to the Special Use Permit is that true?

Mr. Gillie stated you would still take a vote on it because again you are an advisory body to City Council. City Council still has the final say so, so they would be looking to you to make a recommendation on both matters.

Mr. Bolton asked I guess where I'm going is if we do change the zoning so we can get to the Special Use, if I were in the neighborhood would I rather have the TO-C or the conditional neighborhood commercial? Which is an easier, softer zoning for that neighborhood?

Mr. Gillie stated the TO-C is a less intensive district. The conditional NC would permit the convenience store - I don't know what you've heard, but staff has heard substantial opposition to the convenience store. That's the only reason to change the zoning. Maintaining of the TO-C allows it to have certain limited commercial uses such as offices and I can give you a whole list if you'd like. In our opinion it doesn't need changing. The building has functioned for a long time as a TO-C. We haven't even seen that they've tried any of the other uses allowed in a TO-C district it's just that they've asked for this one use which is clearly not permitted and that's why they've asked to change it. That's why staff didn't make a recommendation to change it because we're not sure that it's actually wrong. We haven't seen the building sit for a number of years vacant. It's only been vacant for a short period of time.

Mr. Bolton asked and he can continue gas sales without changing the zoning?

Section C, Item 16 of the Code of the City of Danville, Virginia, east side of Stewart Street; Parcel ID #s 20422, 25542, 25073, otherwise known as Grid 1719, Block 005, Parcels 000014 - 000018, respectively of the City of Danville, Virginia, Zoning District

8. Rezoning Application PLRZ20140000302, filed by Keith Walden on behalf of CWC Holdings, requesting to rezone from OT-R, Old Town Residential to A-R, Attached Residential, vacant parcels on the east side of Stewart Street; Parcel ID #s 25089, 25090, 25086, 20418, 25087, 20424, 25088, 24359, 21117, 24358, 24649, 22513, 22103 & 22104 otherwise known as Grid 1719, Block 004, Parcels 000011 - 000024, respectively of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone the above-mentioned properties to A-R, Attached Residential in preparation for consolidation and construction of attached and single family dwellings.
9. Special Use Permit Application PLSUP20140000303, filed by Keith Walden on behalf of CWC Holdings, requesting a Special Use Permit to allow for detached single family dwellings in accordance with Article 3.F; Section C, Item 16 of the Code of the City of Danville, Virginia, 1986, as amended, on the east side of Stewart Street; Parcel ID #s 25089, 25090, 25086, 20418, 25087, 20424, 25088, 24359, 21117, 24358, 24649, 22513, 22103 & 22104 otherwise known as Grid 1719, Block 004, Parcels 000011 - 000024, respectively of the City of Danville, Virginia, Zoning District Map.
10. Special Use Permit Application PLSUP20140000304, filed by Keith Walden on behalf of CWC Holdings, requesting a Special Use Permit to allow for a waiver to the minimum district size in accordance with Article 3.G; Section C, Item 22 of the Code of the City of Danville, Virginia, 1986, as amended on the east side of Stewart Street; Parcel ID #s 25089, 25090, 25086, 20418, 25087, 20424, 25088, 24359, 21117, 24358, 24649, 22513, 22103 & 22104 otherwise known as Grid 1719, Block 004, Parcels 000011 - 000024, respectively of the City of Danville, Virginia, Zoning District Map. The district size proposed is approximately 3.9 acres where 5 is required.

Mr. Holtry read the staff report. 76 notices were sent to surrounding property owners within 300 feet of the subject property. 34 responses were received. 18 responses were opposed; 16 responses were not opposed.

Chairman Searce opened the Public Hearing.

Mr. Gus Dyer was present to speak in favor of the requests.

Mr. Dyer stated members of Planning Commission, my name is Gus Dyer. I am very excited to be here with Mr. Walden who is the applicant. We've worked together here to sort of conceptualize what Mr. Walden would like to do on his property on Stewart Street. So I am going to pass out some literature and I am going to let you all ask questions instead of give a big speech. The reason I am here today is Mr. Walden has asked for my assistance in conceptualizing this plan for the property he owns on Stewart Street. Right now I am currently working on a project called Oak Park located at 481 Riverside Drive. I would assume and hope that most of you are familiar with that. I started the project in 2008 and I have been very successful with the part that I've been working on.

Mr. Wilson stated excuse me, this is going to be on television for everyone to watch and none of this is being recorded if you're not near a microphone.

green space question, there is enough space in front of

Mr. Dyer stated yes sir.

Mr. Wilson asked so the green space is like small front yard?

Mr. Dyer stated right. And you know with heavy landscaping, the devil is in the details. If you are willing to spend the money and do what is right then it is going to be a very effective project.

Mr. Wilson stated one of the things that we have to deal with here as I often say, we are kind of just citizens like everyone else and we are here to sort of manage some of these decisions. A lot of times we don't have those actual details. We are kind of making guesses on hope and faith of what you say.

Mr. Dyer stated that is why I am here because I have spent the last six years proving a point. I was here before, not you all folks in particular, but I had a project when I was trying to get the project I am building right now. I had people coming in living in 40 year old house trailers saying I was getting ready to come in and devalue their property. So I have made it a point to ensure that what I do is of high quality and something that I can be proud of and something that the City of Danville can be proud of. And so, just to let you know I hope that for the last six years, I have been building up enough credibility that you will appreciate that.

Mr. Wilson asked you are basically the design person for this? You are overseeing this?

Mr. Dyer stated I am helping Mr. Walden. I am overseeing the project for Mr. Walden.

Mr. Jones asked so from my understanding there will not be an exit out from Watson Street?

Mr. Dyer stated no sir it will be a one-way street so there will be no thru traffic.

Mr. Jones asked and that is just two lanes right?

Mr. Dyer stated yes sir. I know what you are getting at because we are also had some folks comment and question about the flow of traffic. Traffic on a project this size is not an issue. I have got the same situation at my project Oak Park. I don't even have public street, that is just a public driveway. Right now I have got 24 units and there is never an issue. I live out in Fox Hollow Farms if you know where that is out at Westover Drive, we have over 80 houses in our neighborhood. We have one street in and out and it is a 20 foot wide street. I happen to live in the first house going into Fox Hollow and I can tell you it is not a traffic issue. That is just a false issue. I mean you have to have hundreds of units to be where a single street would not be able to accommodate that.

Mrs. Evans stated but your Fox Hollow residence isn't next door to a funeral home conducting services.

housing units in the City of Danville; and just at a building 200 new houses in Danville per year and we are not doing two things. One of them is that the mom and pops, the home builders in the City of Danville, they can't get to the bank and say I want to build a house on spec and see what kind of response you get. The other factor is that the larger builders will not come to Danville and build housing because our property value is so low. Why are they going to come to Danville and build a house when they are only going to make \$120 a square foot when they can go to Lynchburg or Roanoke and make \$150-\$160? So there is a demand for new housing in Danville; there is a lot of demand for new housing. I can tell you that. Like I said I have sold a lot of houses over the last six years. But there are constraints. Fortunately Mr. Walden is here and Mr. Walden does not face those constraints. He has the desire to build something here and he has the financial resources to do that so I would encourage you all to encourage him to do that.

Mrs. Evans stated I can tell you Mr. Dyer my concern is that you are only presented us with this. I am a very visual person so I like renderings of where the green space is going to be and where the landscaping is going to be. We have had that before.

Mr. Dyer stated like I said I would hope based on what I have done over the last six years that you will just have to take my word for it because Mr. Walden is not going to go out and spend tens of thousands of dollars to bring you renderings if it falls flat. He needs to see that this project is going to move forward before he is willing to spend that kind of money.

Mr. Scarce stated but he will have to abide by the code for green space and all that.

Mr. Dyer stated the City is set forward on what green space is allowed and we will fulfill that obligation. If you look at this map here, you will see these dotted lines, that is actually the area so there is actually going to be a lot of green space. There is a lot more green space in this project than currently exists anywhere in that neighborhood. Like I said this project is very much in keeping with the character of the neighborhood. There are some single family duplexes and apartments as you have seen all up and down Virginia Avenue, Marshall Terrace, and Montague. This is a good project and it is a good location for this project.

Mr. Scarce asked any other questions about the project? Okay, thank you.

Mr. Dyer stated that will include my comments on all eight applications. I am not going to do all of these.

Mr. Scarce stated that is an overview for all of these. The only reason we have got different ones is because of the different type of units. Anyone else asking to speak for it?

Also present in favor of the request was Mr. Keith Walden.

Mr. Walden stated hello my name is Keith Walden, a few points I would like to bring up are this property would be an HOA which would be a maintained property. Everything on it would continue to look good. On the apartments it will have locked doors with codes to get in, which will be only accessible by the people that live there. It is going to be a nice property and I hope you support us in this venture.

Mr. Scarce stated ok thank you. Anyone else wishing to speak on it?

Mr. Walden and Mrs. Vaughan were present in opposition to the request.

My name is Melanie Vaughan. My husband Kevin and I purchased our home with the expectation that the Future Land Use Map, which calls for urban, single family residential. We understand the preexisting conditions existing in multifamily and the limited low intensity Townes Funeral Home. The proposed development is not in conformity at all with the Future Land Use Map. Page 40 of that document states and I quote, "Residential and fill similar to density and scale of surrounding neighborhood"; therefore, the best use of this property is single family, for sale units that are consistent with adjacent homes in the Historic District priced at \$250,000-\$400,000. There is a 72% variance from the required land areas. The quality of life would be greatly affected- increased traffic, noise, activity in the neighborhood. Although this fellow presented a beautiful picture which we have not seen, how can the Planning Commission consider this proposal without a letter of stipulation in writing with the details? This covers the type of structure (one or two stories); landscaping; storm water management; traffic safety concerns on West Main and Stewart Street such as trucks, school buses, and site distance; proposed amenities features such as stone brick siting; elevations of buildings; construction hours; life safety concerns of the cul-de-sac; the infrastructure support such as roads, curbs, sidewalks, sewers, water; building by building use; no rental or limited 10%; square footage of units; We would've expected Mr. Walden to follow up on Planning Commission's suggestions in April 2013 that he meet with the affected homeowners on what he was proposing and what would be best for the area prior to today's meeting. Mr. Walden told me that he needed the Zoning to determine the details. Quite frankly, I believe you need the details to even consider the Zoning. Thank you very much.

Mrs. Sherry Garrett was present in opposition of the request.

Mrs. Garrett stated good afternoon, my name is Sherry Garrett. I live at 217 Montague Street and I've been there 21 years. I'm a Registered Nurse and I have three small children. When the project was first discussed, we were told that these would be exclusive townhouses. Mr. Walden then presented a plan that would be a high rise apartment complex. Residents were told at that Planning Commission meeting that he would meet with them and discuss their concerns. To my knowledge that has not happened. He told my husband and I that he planned to proceed with the townhouse project and some offices for professionals including physicians. Now we learn that the plan is to build these multifamily units. The second point I have is while I understand some provisions have been made to widen the street, it is currently too narrow for a project this size. There are no curbs, gutters or sidewalks on Stewart Street. Most residents on Montague Street including myself have a horrible problem with runoff from Stewart Street and basement flooding every time it rains. Our basement floods whenever it is heavy downpour. Clearing the trees and adding a cluster of multifamily units would only make matters worse. My third point is dozens of children live and play on Montague Street. We already have a problem with drivers speeding down the steep hill and have had several near tragedies. Turning the lower end of Stewart Street into a cul-de-sac will dump more traffic onto our street since there will be no direct route to North Carolina and Route 86 if Stewart Street is no longer a through street. This allows Spot Zoning and is not in keeping of the residential nature of the neighborhood. Many of us including myself have invested our lives and life savings into these homes. Several years ago we received a letter suggesting that Montague and the Old West End be added to the Historic District. Such a development would never be allowed in the Historic District, nor should it be allowed here. This is a residential neighborhood, not a commercial

already have plenty of that. I know that was an issue on  
nt building but it was already an apartment building to  
o there's four apartment right there in one building that's  
to not add value to our property. It's a building but it's  
family residential home. It is not benefitting me as a  
homeowner. A homeowner is looking for someone to come in and build a single family  
residential home and invest their time there and take care of it. Also, they brought up the  
issue of elderly people wanting to live in the apartments. I have elderly people that live on  
my street and they take care of their little single family homes. We already have  
communities for that if we're looking for some sort of elderly type community. There needs  
to be a different place for that and it's not necessarily in our neighborhood. I'd also like to  
bring up the issue of prior residents on Stewart Street. They were talking about the amount  
of homes that were on that street. Even though I moved away, I've lived in Danville all my  
life and I've lived at 214 Marshall Terrace for three years before I left so I'm very familiar  
with the area, the traffic, the people in the community, the Historical District. I even work in  
downtown. The prior residents, the homes that were on Stewart Street were single family  
homes. Currently there are three four unit apartment buildings and I believe that Mr. Walden  
owns one of them and one of them will be probably torn down very soon. So at the other  
end that is planning on being blocked off, there are still two four bedroom apartment units  
and two homes that also need to be considered. So going and putting 24 units of apartment  
buildings where there used to be single family residents is not helping our neighborhood  
financially, it's just not. I think that's it. Thank you for your time.

Mr. Dyer stated one of the main issues seems to be the drainage and the swamp that's back  
there. I hope that all of the Planning Commission members are familiar with all of the new  
storm water management regulations that came into effect on July 1<sup>st</sup>. That will be a big  
issue but those issues will be taken into consideration. I would imagine at this point, the  
apartments would actually improve the conditions of the neighborhood greatly. They're not  
going to allow us to run storm water into other people's yards. I also want to point out that  
Mrs. Stilwell's one of the people that denied my project ten years ago.

Mrs. Stilwell stated well I'd like to respond to that. There is a storm water problem, but I want  
to know who's going to pay for it.

Mr. Scarce stated I'm going to ask some questions in a minute.

Mr. Dennis Beard was present in opposition to the request.

Mr. Beard stated my name is Dennis Beard I own the property at 201 Stewart Street. I grew  
up on Stewart Street my whole life. I was there when the top of Stewart Street was cut off,  
when there was no Stewart Street there which some of you may not know. At the bottom of  
Stewart Street behind where Professional Pharmacy used to be they had that street cut off  
so there was only one way in and one way out. They opened that up because the few  
families that lived there needed to get through. So the only thing I'm saying is cutting off the  
top end from lower Stewart Street is not going to be a good thing.

Mrs. Vaughan stated I just wanted to make the comment, we know this area is going to be  
developed and we certainly want Keith to develop it, it just has to be right for the  
neighborhood. So please consider everything that everyone has said and just make the  
right decision please. Thank you.

to a question.

ng.

Mr. Scarce stated to Mr. Dyer and Mr. Walden I've got some questions too if you want to come back up. I was going to ask what type of consideration, I know you've got the cul-de-sac and obviously there's some people thinking it would be better to go all the way through for traffic reasons. What was the reason for that if you'd elaborate a little on that?

Mr. Dyer stated if I had the option of living on a through street or a cul-de-sac I'd much rather live on a cul-de-sac because you don't have through traffic. My project, Oak Park, is a dead end street and my people feel much more secure there. You don't have people just driving through your neighborhood. So I think for the quality of the project, the cul-de-sac is definitely the benefit.

Mr. Scarce stated ok and what about the infrastructure as far as the curb and gutter and drainage?

Mr. Dyer stated that's in the negotiating stage right now. The City has a budget to put in curb and gutter every year. I don't know if you're familiar but I believe it's North Davis Drive that's up there near the new Dollar General Market off of Piney Forest Road, they're supposed to get new curb and gutter like maybe three or four years ago so the City reprioritized and started working downtown and now they are getting curb and gutter. Probably what we would request would be for the City to reprioritize some of their curb and gutter budget so they could put curb and gutter down this road. We're looking at sidewalks and we're also looking at permeable sidewalks because what happens is- I was talking about the storm water management rules- basically for every non-permeable area that you have, you have to calculate where what water's going to go. So we're looking at doing a permeable maybe brick pavers that are laid in sand type sidewalk in this area. There's some interesting things going on as far as storm water management and creating landscaped areas you know cattails and things like that to help absorb the water so you don't have these issues.

Mr. Scarce stated I mean I just think for the record too, I think it needs to be understood what you just said. There are new storm water guidelines that have been put into place and they're very stringent. We've looked at them I believe at some of the meetings and they make it really difficult to develop property in some cases, so I believe that should be covered and taken care of properly. The other thing was the traffic flow.

Mr. Dyer stated it's really hard to convince people that they're wrong when they're very vindictive about things. I'm going to tell you four new units down this street is not going to create a traffic jam. It's just not an issue. There's no chance whatsoever that there would be a turn lane put on West Main Street. That's just ridiculous.

Mr. Scarce asked the single family homes, they'd be for sale units right?

Mr. Dyer stated all of the units will be for sale except for the apartments. You can build single family houses and rent them. There's no constraint on that. The issue about why the apartments are on the side of the street and the houses are on the other, the reason for that

delivered a letter to each neighbor with my card that said individually. That was last week. That's my failure to do everybody understands the cul-de-sac, you can go on and improving to where we want to be and the good thing about Stewart Street is there can be a stopping point. If you go to the end of Stewart Street then we're going to take a right and go into the lower end of Montague Street which needs to be revitalized then we come out at the end of Stewart Street and take a left to go up Stokes Street too, a lot of those neighborhoods have blight houses in them and we've torn down approximately 30 houses that were there. We're trying to do a good thing for the City of Danville and increase the property values around that neighborhood. We're trying to do a good thing. It's something the City has hired consultants and they've come back to the City saying this is what you need so that's what we're trying to do. I apologize for not having a meeting with everybody, but I've already spent a bunch of money buying the land and tearing houses down. I'm not going to spend a bunch of money on blighted Section 8 type housing down there. I know you're going to take my word for it, but when we get all the drawings and the City approves it's going to be landscaped, HOA is going to be taken care of. Everything is going to be taken care of. I grew up on Montague Street. My mother lives there, my grandmother lives there. I own two houses on that street other than those two. Montague Street is turning into a rental street. There's a lot of nice houses on Montague, but there's a lot of them that the landlords didn't take care of. We're trying to take care of the neighborhood and maybe that'll make some of these other people do the same. We're trying to do a good thing.

Mr. Wilson stated the way this project is kind of laid out to us because we're voting on really different sections of it, it seems to me just basically I hear less concern about the houses along Central Boulevard and even the duplex ones. The apartment seems to be the point of biggest concern.

Mr. Walden stated just from talking to the people around here at Le George, Le George is a nice apartment, it's a place where people can go to retire with high ceilings, nice rooms and all those things. So it's not just an elderly apartment complex, but it's not for college students. It's upper end type rental.

Mr. Dyer stated if I can interject I'm going to tell you right now that is the most important part of this project. That is what there is the most demand for. The rest of it is just sort of filling in the spaces. The apartments are actually what there is the highest demand for. I don't understand why when you go to other places like Lynchburg and Roanoke there are hundreds of these apartments and in Danville I can't think of 11 and that's Le George. Whatever the stigmatism here in Danville for apartment living I don't know what it is, but I can tell you right now that we need to change that because there are people right now chomping at the bit to get this developed.

Mr. Scarce asked what is the time frame, if this passes on through, to start putting this together?

Mr. Dyer stated well let me also say that it is a little bit of my fault that Mr. Walden did not get to meet with the neighbors because I've been kind of kicking him down the road. When I get involved in something, I like to proceed at rapid pace so maybe this could have waited to next Planning Commission meeting and we would've been in Council in January.

and turn lane I guess going toward downtown, as solutions could be a right lane turn there. I think one of have to take the apartments down, is that true? I mean address that.

Mr. Gillie stated it's one of those solutions that could potentially be done; it doesn't say it has to be done. Actually the City Engineer and I have talked about it, but the numbers of vehicles traveling on West Main have went down since the study has been done. If anything the traffic is less than what was done here. If you notice, the level of service doesn't fail any of those requirements so the necessity for a turn lane would be discussed later on. If we would need to put a turn lane in, then additional right of way would have to be acquired somehow; but the study doesn't really say that it is necessary and has to be done. It's a solution if it's a problem. It's one of those things like build it and see what issues you have from there. The level of service on the ramp is the only problem and that's a function across from this development, not even because of this development; and that's not something we can have him pay for as improvements across the street.

Mrs. Evans asked going back to the Old West End area, where does that end?

Mr. Gillie stated it covers the lots on the front of West Main Street but it doesn't extend down the side streets and it goes to Mount Vernon where the street turns off.

Mrs. Evans asked but no side streets?

Mr. Gillie stated no side streets. Not on this portion of West Main.

Mr. Wilson asked can you speak on the five acres down to three acres, what was the reasoning behind that being okay by you all?

Mr. Gillie stated we put that in the Code originally in 2004 for cases like this. The five acres was for undeveloped tracks that we had especially on the periphery of the City. So when someone would ask to rezone something, we're trying to get a minimal size. At this pace this is an urban redevelopment, finding five acres in that area would be very difficult. You'd basically have to take all that street and some of the other streets and buy all that. So that's why it was written in the Code in 2004 to allow for a waiver size if someone came in for a Special Use Permit and that's what he's doing now. He's acquired a certain number of lots and he's come in. We also allow for a certain waiver of lot sizes because with some of the commercial districts- like you think Piney Forest Road where some of the old houses are still remaining, the few that are left- somebody has like two or three houses and you put those together and comes to you as part of their process and asks for that waiver on the lot size because we want the houses to be taken out and developed commercially but you may not be able to buy enough land between existing commercial developments. So it's a way to address urban infill.

Mr. Wilson asked and you guys don't think that this is an overbill for that space?

Mr. Gillie stated we don't. there used to be approximately 23-25 houses on Stewart Street. The plan now would call for 42 units so it's about a 30% increase. The number of single family is less than what was there before; the number of multifamily would increase. The Le George project, which is what they're designing it on, has very little traffic impact. It's a more

are the nuts and bolts folks and you guys are the big  
thing I'm going to say about this. This goes back to my  
/ things and that is we were handed these today up here  
for the first time. This is the first time we've saw any visuals about what we were going to  
actually be thinking about here. We also found out and it's been admitted by you guys that  
there actually hasn't been any interactions with the community which is something that's  
really going to be important. So I don't know. It just puts us in a very awkward position  
sometimes when we make decisions.

Mr. Gillie stated you have the option of tabling. If you have concerns and want to look at  
them further. Again anything that's turned in today we accept as part of the record, but we're  
making our recommendations based on the information we have. If you've got new  
information and want time to look at it, you have that time as well. I think that's one of the  
recommendations we have in our staff report.

Mr. Scarce stated and also all we deal with is the zoning for the right to have this attached  
housing and multifamily housing in the area. We will see another map when it comes back  
to us of another layout of that. We could ask them to embellish a little bit more on that map,  
but all we're talking about now is the zoning use.

**Mr. Bolton made a motion to recommend approval of Rezoning Application  
PLRZ20140000297 as submitted. Mr. Jones seconded the motion. The motion was  
approved by a 6-1 vote.**

**Mr. Bolton made a motion to recommend approval of Special Use Permit Application  
PLSUP20140000298 as submitted. Mr. Laramore seconded the motion. The motion  
was approved by a 6-1 vote.**

**Mr. Jones made a motion to recommend approval of Rezoning Application  
PLRZ20140000299 as submitted. Mr. Laramore seconded the motion. The motion  
was approved by a 6-1 vote.**

**Mr. Bolton made a motion to recommend approval of Special Use Permit Application  
PLSUP20140000300 as submitted. Mr. Jones seconded the motion. The motion was  
approved by a 6-1 vote.**

**Mr. Bolton made a motion to recommend approval of Special Use Permit Application  
PLSUP20140000301 as submitted. Mr. Jones seconded the motion. The motion was  
approved by a 6-1 vote.**

**Mr. Jones made a motion to recommend approval of Rezoning Application  
PLRZ20140000302 as submitted. Mr. Dodson seconded the motion. The motion was  
approved by a 6-1 vote.**

**Mr. Jones made a motion to recommend approval of Special Use Permit Application  
PLSUP20140000303 as submitted. Mr. Bolton seconded the motion. The motion was  
approved by a 6-1 vote.**