



City Planning Commission

POST OFFICE BOX 3300

DANVILLE, VIRGINIA

(434) 799-5261

SEPTEMBER 8, 2015

3:00 P.M.

CITY COUNCIL CHAMBERS

AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ITEMS FOR PUBLIC HEARING
 1. *Special Use Permit Application PLSUP20150000223, filed by Lea-Pierce Realty, requesting a Special Use Permit to waive the minimum lot size in accordance with Article 3.M; Section C, Item 21 of the Code of the City of Danville, Virginia, 1986, as amended at 2016 West Main Street, otherwise known as Grid 0610, Block 003 Parcel 000025 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to subdivide and create a lot of 8,030 square feet where 13,500 square feet is required.*
 2. *Special Use Permit Application PLSUP20150000238, filed by Ross Fickenscher, requesting a Special Use Permit to have residential dwellings as an ancillary use with non-residential uses on the first floor in accordance with Article 3.L; Section C, Item 9 of the Code of the City of Danville, Virginia, 1986, as amended at 600 Craghead St, otherwise known as Grid 2714, Block 010 Parcel 000001 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to create residential dwellings as an ancillary use with non-residential uses on the first floor at this location.*
 3. *Special Use Permit Application PLSUP20150000239, filed by Ross Fickenscher, requesting a Special Use Permit to waive the maximum density in accordance with Article 3.L; Section C, Item 13 of the Code of the City of Danville, Virginia, 1986, as amended at 600 Craghead St, otherwise known as Grid 2714, Block 010 Parcel 000001 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to create 56 residential dwellings where 14 dwellings would be the maximum density at this location.*
- IV. APPROVAL OF MINUTES FROM AUGUST 10, 2015
- V. OTHER BUSINESS
- VI. ADJOURNMENT



PLANNING REPORT

P.O. Box 3300

Danville, VA 24543

(434) 799-5261

City Planning Commission
Meeting of September 8, 2015

Subject:

Special Use Permit Application PLSUP20150000223, filed by Lea-Pierce Realty, requesting a Special Use Permit to waive the minimum lot size in accordance with Article 3.M; Section C, Item 21 of the Code of the City of Danville, Virginia, 1986, as amended at 2016 West Main Street, otherwise known as Grid 0610, Block 003 Parcel 000025 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to subdivide and create a lot of 8,030 square feet where 13,500 square feet is required.

Background:

The subject property, 2016 West Main Street is approximately 0.73 acres and is zoned HR-C, Highway Retail Commercial. The applicant, Lea-Pierce Realty, is proposing to subdivide and create a lot of 8,030 square feet where 13,500 square feet is required.

The subject property currently contains, from west to east, a vacant structure, Danville Pride Car Wash and an ATM under construction. The applicant would like to subdivide so that the ATM is located on a separate parcel.

Eighteen (18) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on September 8, 2015.

Staff Analysis and Recommendation:

Staff recommends approval of Special Use Permit Application PLSUP20150000223, filed by Lea-Pierce Realty, to subdivide and create a lot of 8,030 square feet where 13,500 square feet is required. The original lot is shaped like a half-moon making development on the eastern and western corners challenging. However, after subdivision, construction of the ATM and associated drive on the eastern lot would meet all required setbacks.

City Planning Commission Alternatives:

1. Recommend approval of Special Use Permit Application PLSUP20150000223 subject to conditions by the Planning Commission.
2. Recommend approval of Special Use Permit Application PLSUP20150000223 as submitted.
3. Recommend denial of Special Use Permit Application PLSUP20150000223 as submitted.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2012 Aerial)
Year 2020 Land Use Map
Proposed plat

EXPLANATION OF REQUEST:

I. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information.

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

Please provide a brief description of the proposed development.

Parcel #3 as shown on plat of subdivision performed by LE & D Professionals, P.C., dated July 22, 2015.

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

I NAME: LEA-PIERCE REALTY TELEPHONE: 434-484-1545
MAILING ADDRESS: 40 LEA 3, LLC BOX 238 DANVILLE, VA 24013
SIGNATURE: Harry Lea MGR DIA. DATE: 1/20/15
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: harryglea@comcast.net

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: _____ TELEPHONE: _____
MAILING ADDRESS: _____
EMAIL ADDRESS: _____
SIGNATURE: _____ DATE: _____

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:
Application is hereby made for the Special Use Permit as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

APPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING
USE: _____

CASE NUMBER: _____

EXISTING ZONING: _____

PROPOSED ZONING: _____

TAX MAP NUMBER: _____

RECEIVED BY: RB# 1069

DATE FILED: _____

PLANNING COMMISSION DATE: _____

CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT
(PLEASE TYPE OR PRINT)

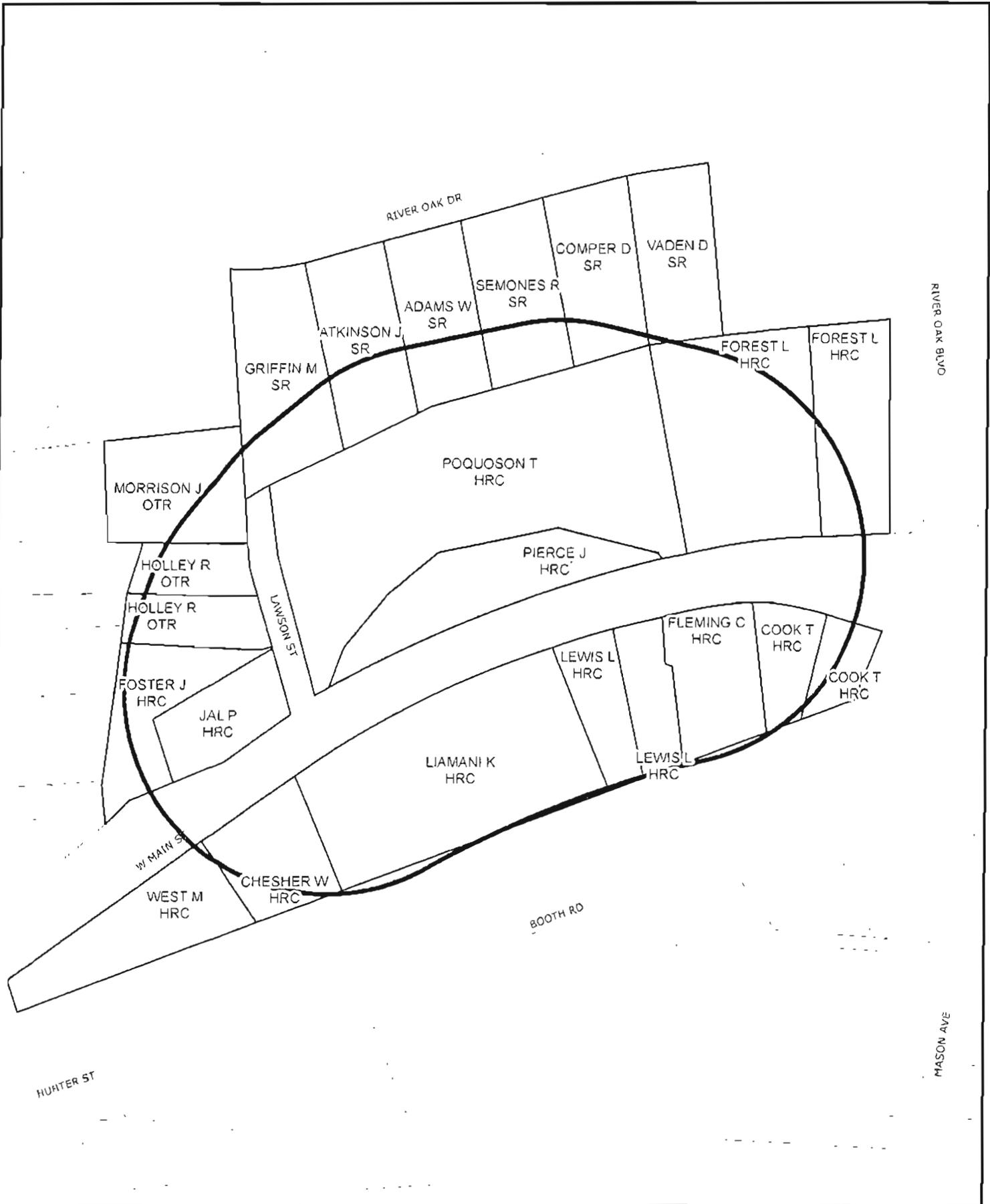
Exact legal description of property (Attach if insufficient space).

Gross Area/Net Area: 8,030.474 Sq. Ft. Property Address: 1920 1/2 West Main St.

Property Location: N S E W Side of: West Main St.

Between: River Oak Boulevard and Lawson Street

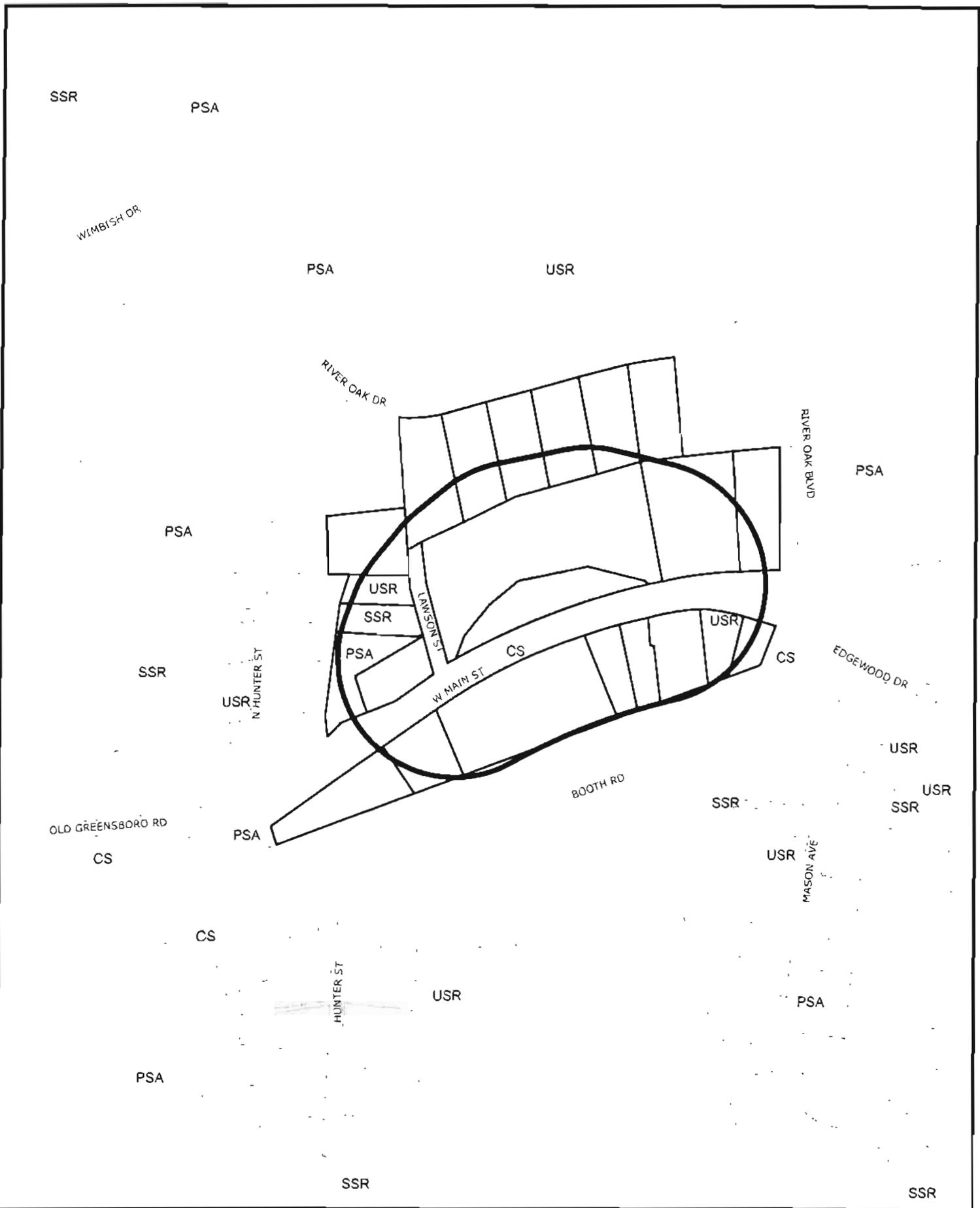
Proffered Conditions (if any, please attach): _____



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
 Planning Division
 8/20/2015

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YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
 Planning Division
 8/20/2015

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2012 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/20/2015

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SPECIAL USE PERMIT REQUEST
DATA SHEET

DATE:	September 8, 2015
LOCATION OF PROPERTY:	2106 W Main Street
PRESENT ZONE:	HR-C, Highway Retail Commercial
PROPOSED ZONE:	HR-C, Highway Retail Commercial
LAND USE PLAN DESIGNATION:	Community Service
ACTION REQUESTED:	The applicant is requesting a Special Use Permit to subdivide and create a lot of 8,030 square feet where 13,500 square feet is required
PRESENT USE OF PROPERTY:	ATM for American National Bank
PROPOSED USE OF PROPERTY:	same
PROPERTY OWNER (S):	Lea-Pierce Realty
NAME OF APPLICANT (S):	Same
PROPERTY BORDERED BY:	Commercial development to the north, south and west and commercial and institutional development to the west
ACREAGE/SQUARE FOOTAGE:	8,030 square feet
CHARACTER OF VICINITY:	Commercial
INGRESS AND EGRESS:	West Main Street
TRAFFIC VOLUME:	Medium to High
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of September 8, 2015



PLANNING REPORT

P.O. Box 3300

Danville, VA 24543

(434) 799-5261

City Planning Commission
Meeting of September 8, 2015

Subject:

Special Use Permit Application PLSUP20150000238, filed by Ross Fickenscher, requesting a Special Use Permit to have residential dwellings as an ancillary use with non-residential uses on the first floor in accordance with Article 3.L; Section C, Item 9 of the Code of the City of Danville, Virginia, 1986, as amended at 600 Craghead St, otherwise known as Grid 2714, Block 010 Parcel 000001 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to create residential dwellings as an ancillary use with non-residential uses on the first floor at this location.

Special Use Permit Application PLSUP20150000239, filed by Ross Fickenscher, requesting a Special Use Permit to waive the maximum density in accordance with Article 3.L; Section C, Item 13 of the Code of the City of Danville, Virginia, 1986, as amended at 600 Craghead St, otherwise known as Grid 2714, Block 010 Parcel 000001 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to create 56 residential dwellings where 14 dwellings would be the maximum density at this location.

Background:

The subject property, at 600 Craghead Street is zoned TW-C, Tobacco Warehouse Commercial. The applicant, Ross Fickenscher, is proposing to construct 56 residential dwellings with a non-residential use on the first floor.

The subject property is currently vacant and according to Article 3.L; Section E, Item 4a, the maximum residential density is 24 dwelling units per net acre for mixed-use structures containing residential dwellings with commercial uses on the first floor. 600 Craghead Street has a net acre area of approximately .62 acres, which would only allow 14 dwelling units. A preliminary building drawing has been submitted showing 56 one

and two bedroom units on the 2nd and 3rd floors. The needed off-street parking for this project will need to be addressed through remote off site space construction or acquisition.

Six (6) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on September 8, 2015.

Staff Analysis and Recommendation:

Staff believes that the 56 residential dwellings are in keeping with the surrounding characteristics of the Tobacco Warehouse District and with the downtown redevelopment plan. Staff also believes that the increase in density is similar to that of current residential development in the area such as the Pemberton, Continental, and the Lynn Street Lofts. Staff recommends approval of Special Use Permit Applications PLSUP20150000238 and PLSUP20150000239, filed by Ross Fickenscher, to waive density requirements and construct residential dwellings as an ancillary use with non-residential uses on the first floor at 600 Craghead Street with the following condition:

- The maximum dwelling units allowed is 56.

City Planning Commission Alternatives:

1. Recommend approval of Special Use Permit Application PLSUP20150000238 with conditions per staff.
 2. Recommend approval of Special Use Permit Application PLSUP20150000238 subject to conditions by the Planning Commission.
 3. Recommend approval of Special Use Permit Application PLSUP20150000238 as submitted.
 4. Recommend denial of Special Use Permit Application PLSUP20150000238 as submitted.
-
1. Recommend approval of Special Use Permit Application PLSUP20150000239 with conditions per staff.
 2. Recommend approval of Special Use Permit Application PLSUP20150000239 subject to conditions by the Planning Commission.
 3. Recommend approval of Special Use Permit Application PLSUP20150000239 as submitted.
 4. Recommend denial of Special Use Permit Application PLSUP20150000239 as submitted.

Attachments:

Application

Property Ownership/Zoning Map

Data Sheet

Existing Land Use Map (2012 Aerial)

Year 2020 Land Use Map

Proposed plat

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the Special Use Permit as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

APPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING USE: _____

CASE NUMBER: _____ EXISTING ZONING: _____
PROPOSED ZONING: _____ TAX MAP NUMBER: _____
RECEIVED BY: _____ DATE FILED: _____
PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT
(PLEASE TYPE OR PRINT)

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

City Of Danville Tax Parcel #23294

Gross Area/Net Area: 26,988 SF Property Address: 600 Craghead Street

Property Location: N S E W Side of: Craghead Street

Between: Colquhoun Street and Deboe Street

Proffered Conditions (if any, please attach): N/A

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

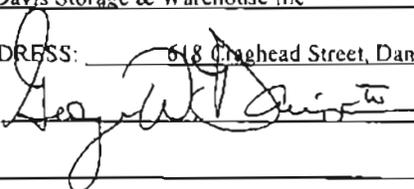
Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

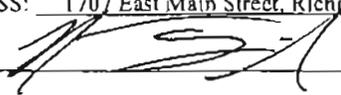
Construct, using state and federal historic tax credits, 56 market rate apartment units and 1 commercial space. The commercial space will make up approximately 25,000 square feet. SUP application requests mixed-use occupancy and relief from density and parking requirements

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

1. NAME: Davis Storage & Warehouse Inc TELEPHONE: 434.489.8558
MAILING ADDRESS: 618 Craghead Street, Danville, VA 24541
SIGNATURE:  DATE: 07/29/15
2. NAME: _____ TELEPHONE: _____
MAILING ADDRESS: _____
SIGNATURE: _____ DATE: _____

APPLICANT (PLEASE TYPE OR PRINT)

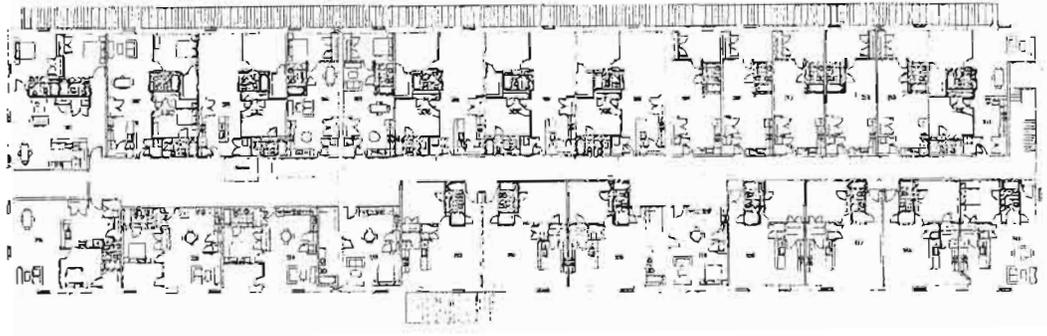
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Ross Fickenscher TELEPHONE: 804.925-0109
MAILING ADDRESS: 1707 East Main Street, Richmond, Virginia 23223
SIGNATURE:  DATE: 07/29/15

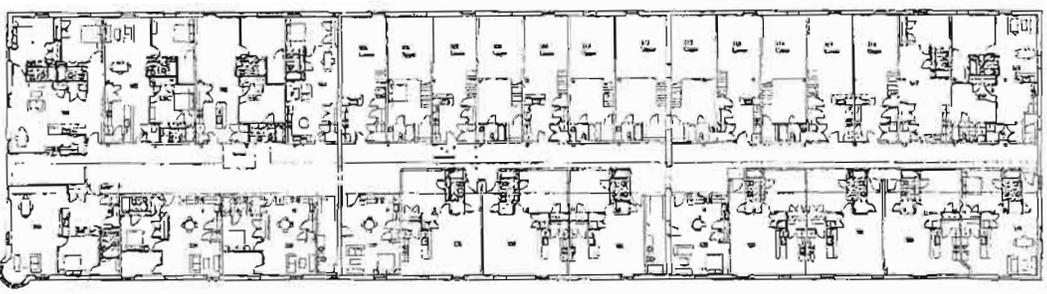
① FIRST FLOOR ANNOTATION PLAN
Scale: 1/8" = 1'-0"



② SECOND FLOOR ANNOTATION PLAN
Scale: 1/8" = 1'-0"



③ THIRD FLOOR ANNOTATION PLAN
Scale: 1/8" = 1'-0"



A-111

PROPOSED SCHEMATIC FLOOR PLANS

PROJECT NO.	111
DATE	NOV 2011
SCALE	1/8" = 1'-0"
DESIGNED BY	ARCHITECT
CHECKED BY	ARCHITECT
DATE	NOV 2011
SCALE	1/8" = 1'-0"

ARTHUR RIGGS REAL ESTATE GROUP, LLC.
600 CRAGHEAD STREET
 600 CRAGHEAD STREET
 DANVILLE, VIRGINIA 24541
 SCHEMATIC DESIGN

PRELIMINARY DOCUMENT
 NOT FOR CONSTRUCTION

SOLEX
 ARCHITECTURE
 SOLEX ARCHITECTURE, LLC
 500 CRAGHEAD STREET
 SUITE 100
 DANVILLE, VIRGINIA 24541
 434.753.1100
 434.753.1101
 434.753.1102

Parcel ID: 23294
 Address: 600 CRAGHEAD ST
 Owner: DAVIS STORAGE & WAREHOUSE INC
 618 CRAGHEAD ST
 DANVILLE, VA 24541
 Mail-To: DAVIS STORAGE & WAREHOUSE INC
 618 CRAGHEAD ST
 DANVILLE, VA 24541



Value Information	
Land / Use:	\$27,000
Improvement:	\$242,500
Total:	\$269,500.00

Building Information	
Year Built:	0
Total Rooms:	0
Bedrooms:	0
Full Bathrooms:	0
Half Bathrooms:	0
Finished Square Feet:	74,646

Additional Information			
State Code:	4431 Storage Warehouse	Approx Acres:	0.62
Land Use:	Commercial	Legal Description:	86.5 FT CRAGHEAD ST THRU TO LYNN ST
Tax Map:	2714-010-000001.000	Zone:	TWC Tobacco Warehouse Comm
Notes:	DAVIS STORAGE - WAREHOUSE #4 (Map 94-3-1)		

Building

Building Information - 1			
Property Class:	Commercial	Finished Square Feet:	74,646
Style:	No Data	Basement Square Feet:	0
Year Built:	0	Total Rooms:	0
Condition:	No Data	<i>* Bathrooms are not included in total room count</i>	
Story Height:	No Data		
Bedrooms:	0		
Dining Rooms:	0		
Family Rooms:	0		
Living Rooms:	0		
Full Bath:	0		
Half Bath:	0		
Features:		Size:	
Sprinklers		100 %	
No HVAC		100 %	
Freight Power #		1 Unit	
Brick, Solid		100 %	

Improvements

There are no improvements.

Land

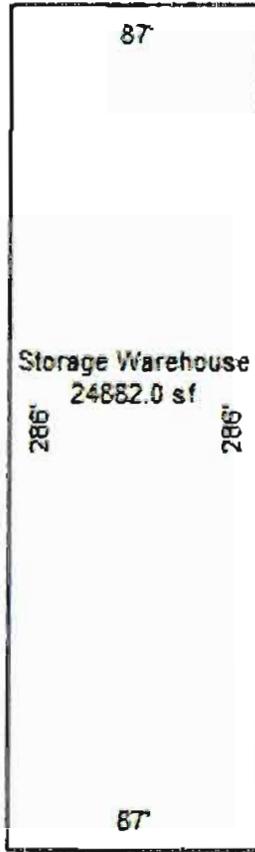
Land Code:	CSF100 Per Sq Ft 1	Rate:	\$1
Acres:	0.62	Adj. Rate:	\$1
Sq. Ft.:	26,988	Base Value:	\$26,990
Front:	0	Adj. Amount:	\$10
Effective Front:	0	Value:	\$27,000
Depth:	0		

Transfers

Deed	Page	Sale Price	Sale Date	Previous Owner	Owner
D 532	88	\$0	4/1/1974	<i>No Data</i>	<i>No Data</i>

Assessments

Year	Land	Use	Improvements	Total
2014	\$27,000	\$0	\$242,500	\$269,500
2013	\$27,000	\$0	\$250,100	\$277,100
2012	\$27,000	\$0	\$234,400	\$261,400
2011	\$27,000	\$0	\$222,700	\$249,700
2010	\$27,000	\$0	\$222,700	\$249,700
2009	\$27,000	\$0	\$246,400	\$273,400
2008	\$27,000	\$0	\$246,400	\$273,400
2007	\$27,000	\$0	\$111,500	\$138,500
2006	\$27,000	\$0	\$111,500	\$138,500
2005	\$27,000	\$0	\$68,300	\$95,300
2004	\$27,000	\$0	\$68,300	\$95,300
2003	\$27,000	\$0	\$63,600	\$90,600
2002	\$27,000	\$0	\$63,600	\$90,600
2001	\$27,000	\$0	\$14,000	\$41,000
2000	\$27,000	\$0	\$14,000	\$41,000

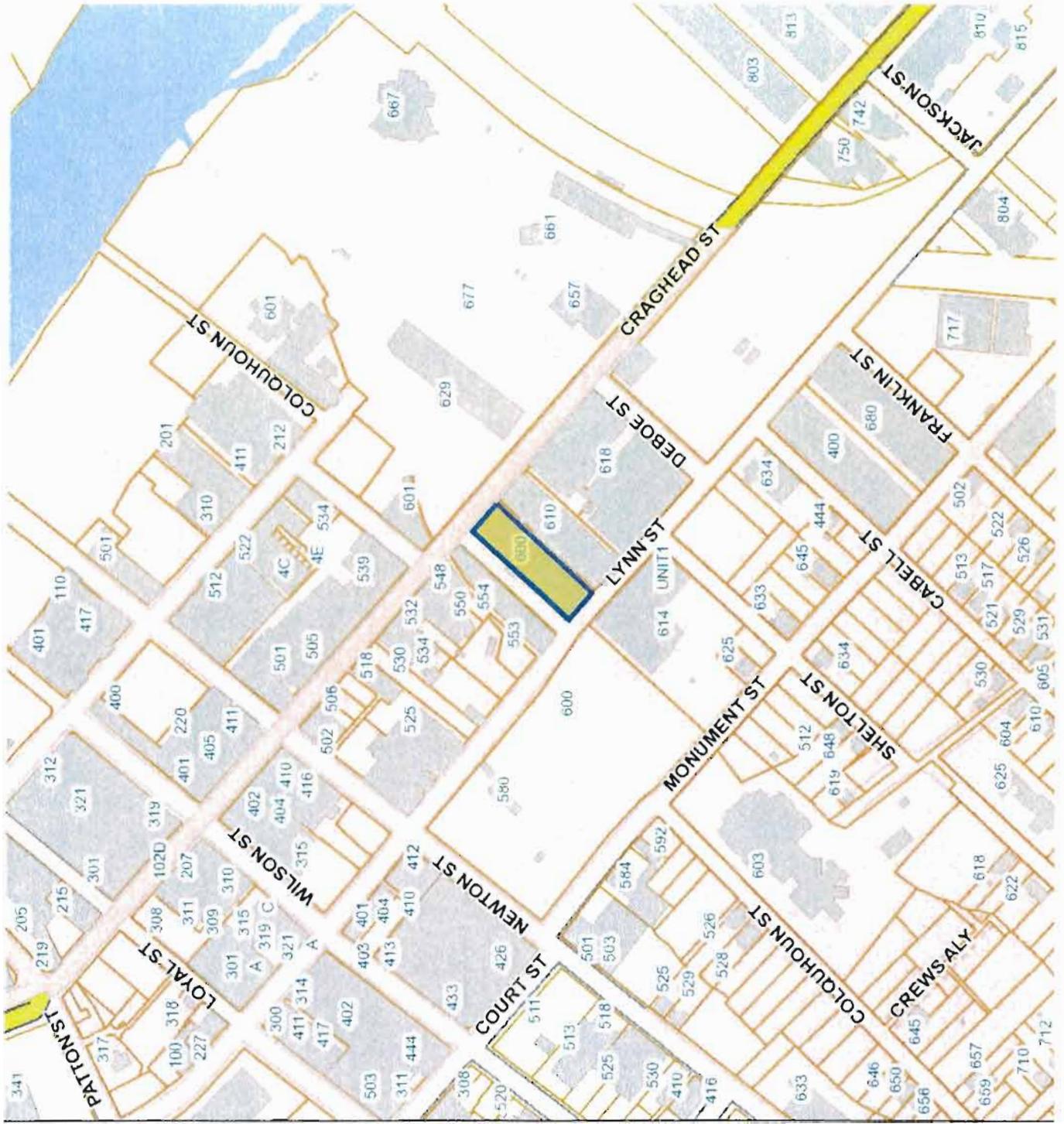


Sketch by Apex Medina™

Parcel ID: 23294

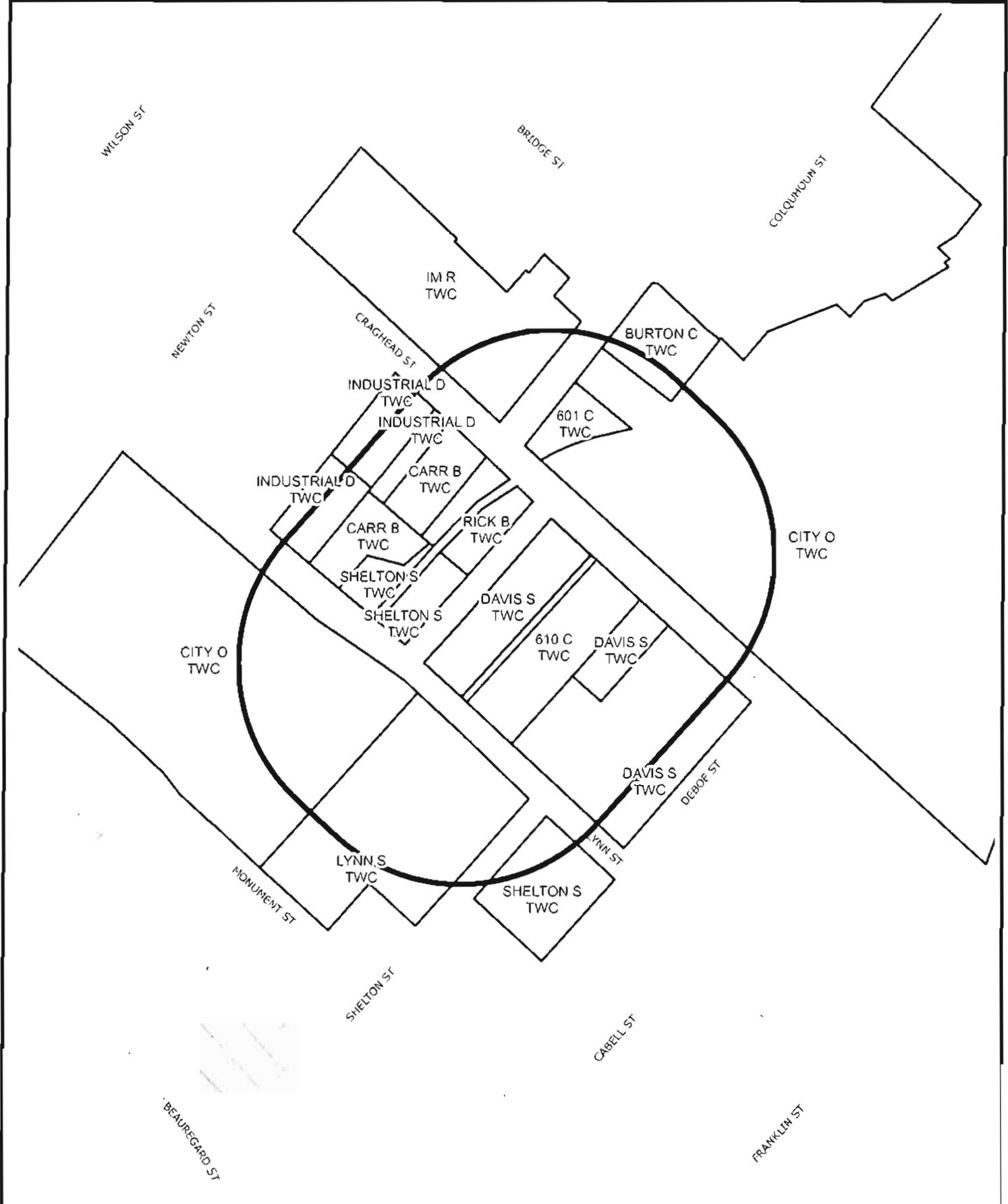


-  Buildings
-  Parcels
-  Historic_Districts
-  Downtown
-  Holbrook Ross
-  North Danville
-  Old West End
-  Tobacco Warehouse
-  Street Names
-  House Numbers



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Date: 6/3/2015



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
 Planning Division
 8/20/2015

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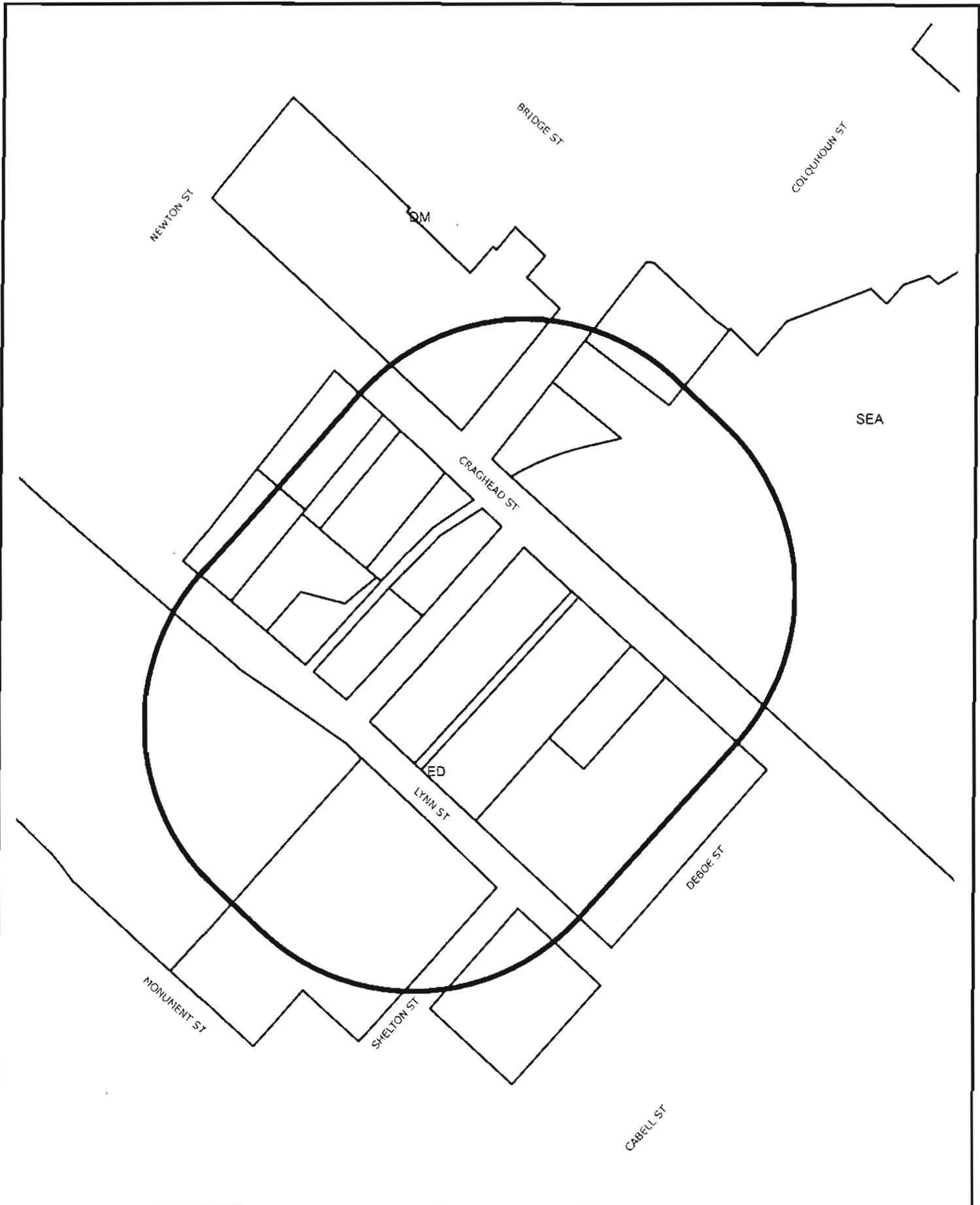


2012 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/20/2015

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YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
 Planning Division
 8/20/2015

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SPECIAL USE PERMIT REQUEST
DATA SHEET

DATE: September 8, 2015

LOCATION OF PROPERTY: 600 Craghead Street

PRESENT ZONE: TW-C, Tobacco Warehouse Commercial

LAND USE PLAN DESIGNATION: ED, Economic Development

ACTION REQUESTED: The applicant is proposing to create 56 residential dwellings where 14 dwellings would be the maximum density as an ancillary use with non-residential uses on the first floor.

PRESENT USE OF PROPERTY: Vacant building

PROPERTY OWNER (S): Davis Storage & Warehouse Inc.

NAME OF APPLICANT (S): Ross Fickenscher

PROPERTY BORDERED BY: Community market to the north, commercial/warehouse to the east and west, and residential apartments to the south.

ACREAGE/SQUARE FOOTAGE: .62 acres

CHARACTER OF VICINITY: Warehouse/residential/commercial

INGRESS AND EGRESS: Craghead Street and

TRAFFIC VOLUME: Moderate

NEIGHBORHOOD REACTION: To be reported at the Planning Commission meeting of September 8, 2015.

**PLANNING COMMISSION MINUTES
AUGUST 10, 2015**

MEMBERS PRESENT

**Mr. Wilson
Mr. Dodson
Mr. Garrison
Mr. Bolton
Mr. Jones
Mr. Scarce**

MEMBERS ABSENT

Mrs. Evans

STAFF

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

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

I. ITEMS FOR PUBLIC HEARING

1. *Rezoning Application PLRZ20150000201, filed by Danville Redevelopment Housing Authority requesting to amend the Year 2020 Land Use Plan from CS Community Service to DM Downtown Mixed Use and to rezone from OT-R, Old Town Residential to CB-C, Central Business Commercial, at 400 Jefferson Street and 806 Pine Street, otherwise known as Grid 2713, Block 028, Parcel 000001 and Grid 2713, Block 028, Parcel 000004, respectively of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone to allow for redevelopment.*
2. *Rezoning Application PLRZ20150000202, filed by Danville Redevelopment Housing Authority requesting to rezone from "Conditional" CB-C, Central Business Commercial to CB-C, Central Business Commercial, at Parcel IDs #22972, #22969, #22966, #22971, #22970, #22968 and #24730, collectively known as 254 Jefferson Avenue and 406 Jefferson Street, otherwise known as Grid 2713, Block 028, Parcel 0000013, Grid 2713, Block 028, Parcel 0000014, Grid 2713, Block 028, Parcel 0000016, Grid 2713, Block 028, Parcel 000005, Grid 2713, Block 028, Parcel 000006, Grid 2713, Block 028, Parcel 0000015 and Grid 2713, Block 028, Parcel 000003 respectively of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to rezone to remove conditions to allow for redevelopment.*

Mr. Holtry read the staff report. 38 notices were sent to surrounding property owners within 300 feet of the subject property. Six responses were not opposed; zero responses were opposed.

Mr. Scarce opened the Public Hearing.

Present to get information on the request was Mrs. Mary Barnes.

Mrs. Barnes stated I'm Mary Massey Barnes. I own three properties on Jefferson Street. I am here today to see what exactly is being planned for that area. It's right across the street from 413 Jefferson Street. I'm just very interested in what the City is planning for this area.

Mr. Gillie provided Mrs. Barnes with a Planning Commission packet from the meeting.

Mr. Gillie stated part of it was zoned central business and the other part wasn't. They're looking at just making one consistent zoning. For Mrs. Barnes, you can look at your packet

for what they'd like to do. At this point they don't have that finalized, it's just a conceptual drawing from Hill Studio.

Mr. Scarce closed the Public Hearing.

Mr. Wilson asked what's the feasibility of this actually coming to fruition?

Mr. Gillie stated like with any other plan, you have to get willing tenants and money behind it. We've had a lot of success in other projects downtown. They're starting to work their way down from the Bridge/Craghead Street further up. So we feel that this area is primed for future commercial development. At this point we don't have a tenant or funding behind it, but we're just trying to get everything in place to allow it.

Mr. Wilson asked are these facilities privately owned or are they owned by the City?

Mr. Gillie stated right now the property is owned by Danville Redevelopment and Housing Authority. They would likely sale the property off to a developer. That's what they've been doing in the past. They've acquired property then we've had some condos and other things, DRHA has purchased the property and set it up for development then turned it over to other entities.

Mr. Wilson made a motion for approval of Rezoning Application PLRZ20150000201 as submitted. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

Mr. Wilson made a motion for Rezoning Application PLRZ20150000202 approval as submitted. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote.

3. *Special Use Permit Application PLSUP20150000210, filed by Grace and Main Fellowship, requesting a Special Use Permit to allow for Urban Agriculture in accordance with Article 3.E; Section C, Item 28 of the Code of the City of Danville, Virginia, 1986, as amended on Parcel ID #'s 03655, 03657, 03659, & 03660, otherwise known as Grid 2707, Block 003 Parcels 00005 & 00006 and Grid 2707, Block 004, Parcels 00003 & 00002 respectively of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to operate an Urban Agriculture operation on these parcels.*

Mr. Holtry read the staff report. 30 notices were sent to surrounding property owners within 300 feet of the subject property. Seven responses were not opposed; four responses were opposed.

Mr. Scarce opened the Public Hearing.

Present on behalf of the request was Mr. Joshua Hearn with Grace and Main Fellowship.

Mr. Hearn stated good afternoon, my name is Joshua Hearn. I'm a minister with Grace and Main. The properties themselves were donated to Grace and Main in late 2014 because of our work in food and in food insecurity. Grace and Main is almost six years old and we've been having over 50 meals per year in various places including church fellowship halls, our homes and public spaces as well. Some of our own food will obviously be a benefit but also to provide a space in the neighborhood where we can provide additional skill honing and human development. We think this is a good idea. I brought some of the plans we had drawn out. We have about half of the property ready right now and the other

half has a lot of rocks and things. We're using a lot of compost planting. I would love to answer any questions you have, although I can't guarantee that I can answer them.

Mr. Jones stated we have one comment from a citizen who is opposed based on the idea that it might not be kept up. Can you tell us what are your plans for this?

Mr. Hearn stated I can certainly say Grace and Main does all of its commitments and we are heavily invested in the area. A lot of our leaders live in this neighborhood. This is an ongoing commitment and so far we have not missed any of our commitments.

Mr. Bolton stated I have two questions for staff. The condition where the maximum amount of chickens allowed is three chickens. How will you define chickens? Can he have three hens or three hens and a rooster?

Mr. Gillie stated we're not defining so if you feel it's necessary to limit it to three hens then change it from three chickens to three hens.

Mr. Hearn stated we have no desire to have roosters. We give them to a farm in Keeling, Virginia to do with as they please.

Mr. Bolton asked can we say where we mean chickens put hens now or can we do that later?

Mr. Gillie stated if on this particular case you think it should be hens, then make it for this recommendation for approval. If he's in agreement with it then there shouldn't be an issue.

Mr. Hearn stated I have no problem with that.

Mr. Bolton stated my second question is how concerned do we need to be with recorded protective covenants – I don't think it pertains to this case – but say the developer in the 1960's put in a protective covenant, one being live poultry and such. Does it have to have recommendation approval to override the protective covenant or is that something we need to be aware of?

Mr. Gillie stated the City itself cannot enforce any private covenants. We can only enforce what is in the books under the City code. So the private covenants that say you can't do X and Y, we don't have any authority over that; only the members of the subdivision itself would have that. So I would give him permission to put in whatever was allowed under the code. Now the neighbors and owners of the subdivision could file their own civil litigation against them, but that's not something we could enforce at all.

Mr. Scarce closed the Public Hearing.

Mr. Wilson stated I need a little clarification. Are we three hens or are we just three chickens?

Mr. Bolton asked could we ask the same question on the next case?

Mr. Whitfield stated you could take it on a case by case basis. I was under the impression that's what you all would like to substitute for chicken is three hens. The definition of chickens for this particular case is three hens as opposed to chickens.

Mr. Bolton made a motion to approve the request with staff recommendations to change use "hens" in place of "chickens". Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

4. *Zoning Code Amendment Request PLCA20150000209, to amend Article 13, entitled "Board of Zoning Appeals: Variances, Special Exceptions and Appeals", to amend various sections to comply with changes in 2015 to the Code of Virginia.*

Mr. Gille asked if it's acceptable to the Commission can I dispense with reading this word for word because we have four pages? In a nutshell what we're doing is the Commonwealth of Virginia adopted House Bill 1849 which changes the criteria for granting a variance. Since we are a subdivision of the State, we are required to match the State code. We can't adopt any regulations that would be more restrictive than what's allowed in State code. With our regulations being adopted it would be more restrictive than State code, so we're just amending our code to read exactly what the State code is. We're also changing our definition of variance and replacing it with the definition of variance as spelled out in State code which was under House Bill 1849.

Mr. Scarce opened the Public Hearing.

Mr. Scarce closed the Public Hearing.

Mr. Wilson made a motion to approve the request as submitted. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote.

5. *Review and adoption of the City of Danville Year 2030 Comprehensive Plan. This plan is an update to the Year 2020 Comprehensive Land Use Plan and establishes goals and plans for future land use decision by the City.*

Mr. Gillie read the staff report.

Mr. Scarce opened the Public Hearing.

Mr. Scarce closed the Public Hearing.

Mr. Bolton made a motion to approve the request per staff. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

II. MINUTES

Mr. Garrison made a motion to approve the July 13, 2015 minutes. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

III. OTHER BUSINESS

Mr. Gillie informed the Commission that the next meeting would be on Tuesday September 8, 2015 due to the Labor Day holiday.

Mr. Gillie informed the Commission that this would be Ms. Hairston's last meeting. He also informed the Commission that Mr. Holtry's last meeting would be in September.

Mr. Gillie discussed a possible Work Session for October to discuss the downtown parking deck for City employees. Mr. Wilson asked to hold that Work Session with the September meeting. Mr. Gillie informed him that this may be possible and he would check into it.

With no further business, the meeting adjourned at 3:27 p.m.

APPROVED