City Planning Commission

POST OFFICE BOX 3300 DANVILLE, VIRGINIA (434) 799-5260

JANUARY 11, 2016
3:00 P.M.
CITY COUNCIL CHAMBERS
AGENDA

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. ELECTION OF OFFICERS

IV. ITEMS FOR PUBLIC HEARING

1. *Rezoning Application PLRZ20150000366, filed by Piedmont Place I, LLC requesting to rezone from OT-R, Old Town Residential to HR-C, Highway Retail Commercial District, parcel IDs #57218, #57217, #57216, #57215, #50320, #57214, and #57228, otherwise known as Grid 0716, Block 012, Parcels 000011 through 000017, respectively, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for consolidation and future development.*

2. *Rezoning Application PLRZ20150000367, filed by the Industrial Development Authority requesting to rezone from I-M, Industrial Manufacturing District to TO-C, Transitional Office Commercial District, .5996 acres of parcel ID # 60538, otherwise known as Grid 0608, Block 004, Parcel 000022 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for consolidation with adjacent parcel ID # 60539.*

3. *Special Use Permit Application PLSUP20150000368, filed by KFG Properties, LLC requesting a Special Use Permit for the operation of a convenience and deli store without gasoline sales in accordance with Article 3K, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 541 N Main Street, otherwise known as Grid 2710, Block 028, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a convenience store without gasoline sales at this location.*

4. *Rezoning Application PL[illegible] mmunity Hope Foundation, requesting to amend the Year 2030 La[illegible] cial to High Density Residential and to rezone from TO-C, Trans[illegible] Family Residential District, 1540 Halifax Road, otherwise known a[illegible] of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for conversion of a vacant school building and construct an additional building for use as apartment units.*

WITHDRAWN

V. APPROVAL OF MINUTES FROM DECEMBER 7, 2015

VI. OTHER BUSINESS

VII. ADJOURNMENT

Department of Community DEVELOPMENT
City of Danville, Virginia

PLANNING REPORT

P.O. Box 3300 Danville, VA 24543 (434) 799-5261

City Planning Commission
Meeting of January 11, 2016

Subject:

Rezoning Application PLRZ20150000366, filed by Piedmont Place I, LLC requesting to rezone from OT-R, Old Town Residential to HR-C, Highway Retail Commercial, parcel IDs #57218, #57217, #57216, #57215, #50320, #57214, and #57228, otherwise known as Grid 0716, Block 012, Parcels 000011 through 000017, respectively, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for future development.

Background:

A request has been filed by Piedmont Place I, LLC requesting to rezone from OT-R, Old Town Residential to HR-C, Highway Retail Commercial, parcel IDs #57218, #57217, #57216, #57215, #50320, #57214, and #57228, otherwise known as Grid 0716, Block 012, Parcels 000011 through 000017, respectively, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for future development.

The subject properties consist of seven individual parcels on the corner of Westover Drive and Jerry Drive which have a gross acreage of 1.38 acres. The subject properties previously belonged to the Wentz Estate and were sold to Piedmont Place I, LLC in December 2015. Four (4) of the subject properties have had their primary structures demolished and the three (3) houses that remain are vacant and in poor condition.

The subject properties lie within a mixed use area near Piedmont Drive with bordering properties zoned both residential and commercial. The corner block abuts a parcel on the corner of Piedmont Drive and Piedmont Place that was been recently rezoned for development at the request of Piedmont Place I, LLC. The rezoning of the subject properties by Piedmont Place I, LLC is requested so that they may be commercially developed.

Twenty (20) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A complete report will be presented at the Planning Commission meeting of January 11, 2016.

Staff Analysis and Recommendation:

Staff recommends approval of Rezoning Application PLRZ20150000366, filed by Piedmont Place I, LLC requesting to rezone from OT-R, Old Town Residential to HR-C, Highway Retail Commercial, parcel IDs #57218, #57217, #57216, #57215, #50320, #57214, and #57228, otherwise known as Grid 0716, Block 012, Parcels 000011 through 000017, respectively, of the City of Danville, Virginia Zoning District Map.

Staff recognizes that the properties abut residential use along Jerry Drive. While this may be burdensome, the Zoning Code establishes certain protections for residential property owners abutting commercially zoned establishments. Article 3.M, Section H, Item 8 mandates that where a lot is contiguous to property located in a residential district, all buildings shall have a minimum setback of 30 ft. from common property lines. Additionally, a landscaped buffer strip shall be provided in accord with the transitional buffer yard requirements for commercial/residential properties, with landscape materials and placement subject to site plan approval.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLRZ20150000366 as submitted.
2. Recommend approval of Rezoning Application PLRZ20150000366 with conditions per Planning Commission.
3. Recommend denial of Rezoning Application PLRZ20150000366.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2012 Aerial)

CITY OF DANVILLE

REZONING APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

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

Gross Area/Net Area: +1.38 Acres Property Address: Westover Drive

Property Location: N S E W Side of: Westover Drive

Between: Jerry Drive and Piedmont Place

Proffered Conditions (if any, please attach): none

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

1. NAME: Piedmont Place I, LLC TELEPHONE: 1-434-791-8200

MAILING ADDRESS: 223 Riverview Drive, Danville, VA 24541

SIGNATURE: Howard J Burnette DATE: Dec. 7, 2015

Howard J. Burnette, Co/Chair-CEO

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: sdavis@tdanielgroup.com or hburnette@tdanielgroup.com

APPLICANT (PLEASE TYPE OR PRINT):
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Piedmont Place I, LLC TELEPHONE: 1-434-791-8200

MAILING ADDRESS: 223 Riverview Drive ,Danville, VA 24541

EMAIL ADDRESS: sdavis@tdanielgroup.com or hburnette@tdanielgroup.com

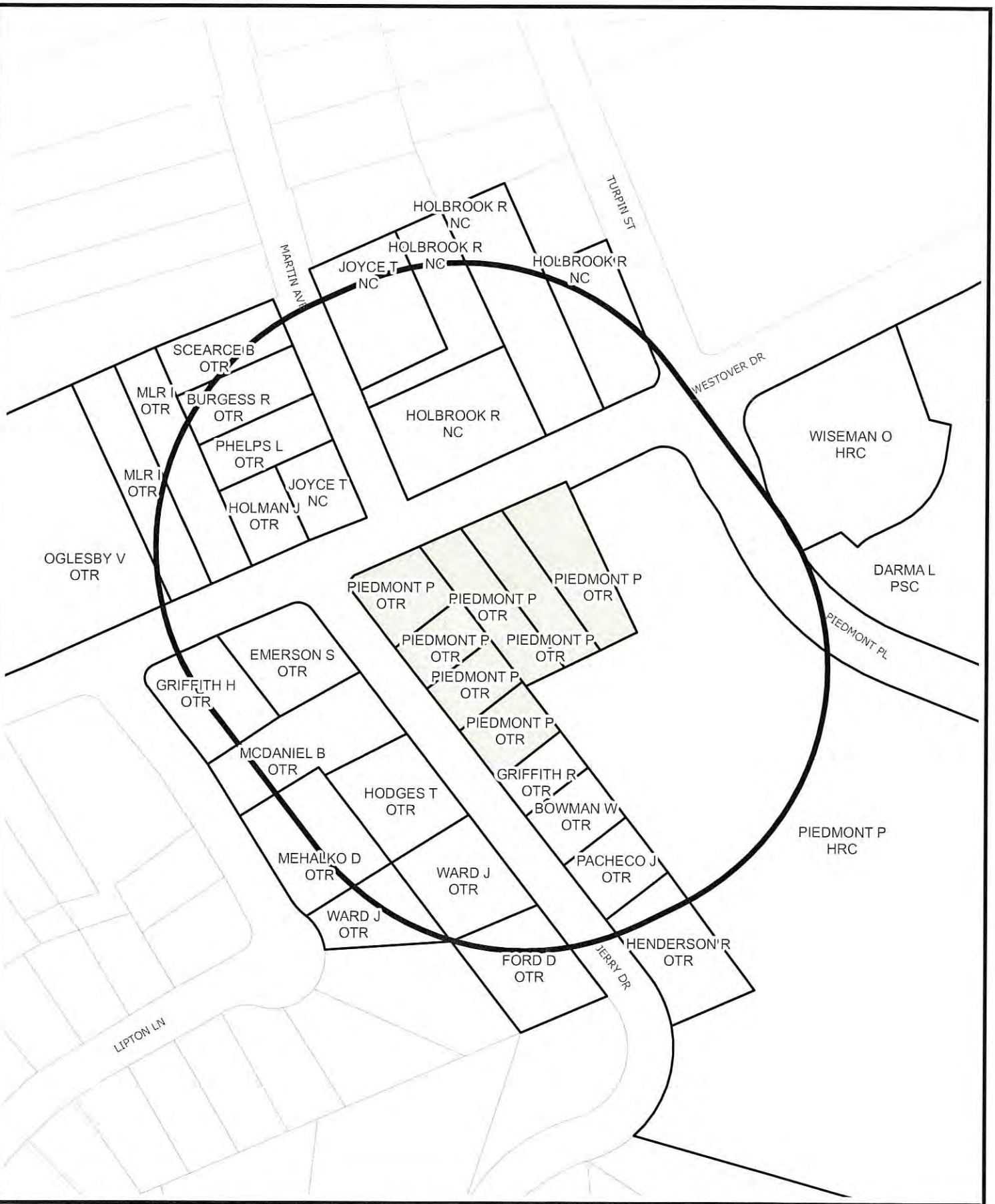
SIGNATURE: Howard J Burnette DATE: Dec. 7, 2015

Howard J. Burnette
Co-Chair/CEO

Request to rezone from OT-R to HR-C

Parcel #s

50320
57228
57218
57217
57216
57215
57214



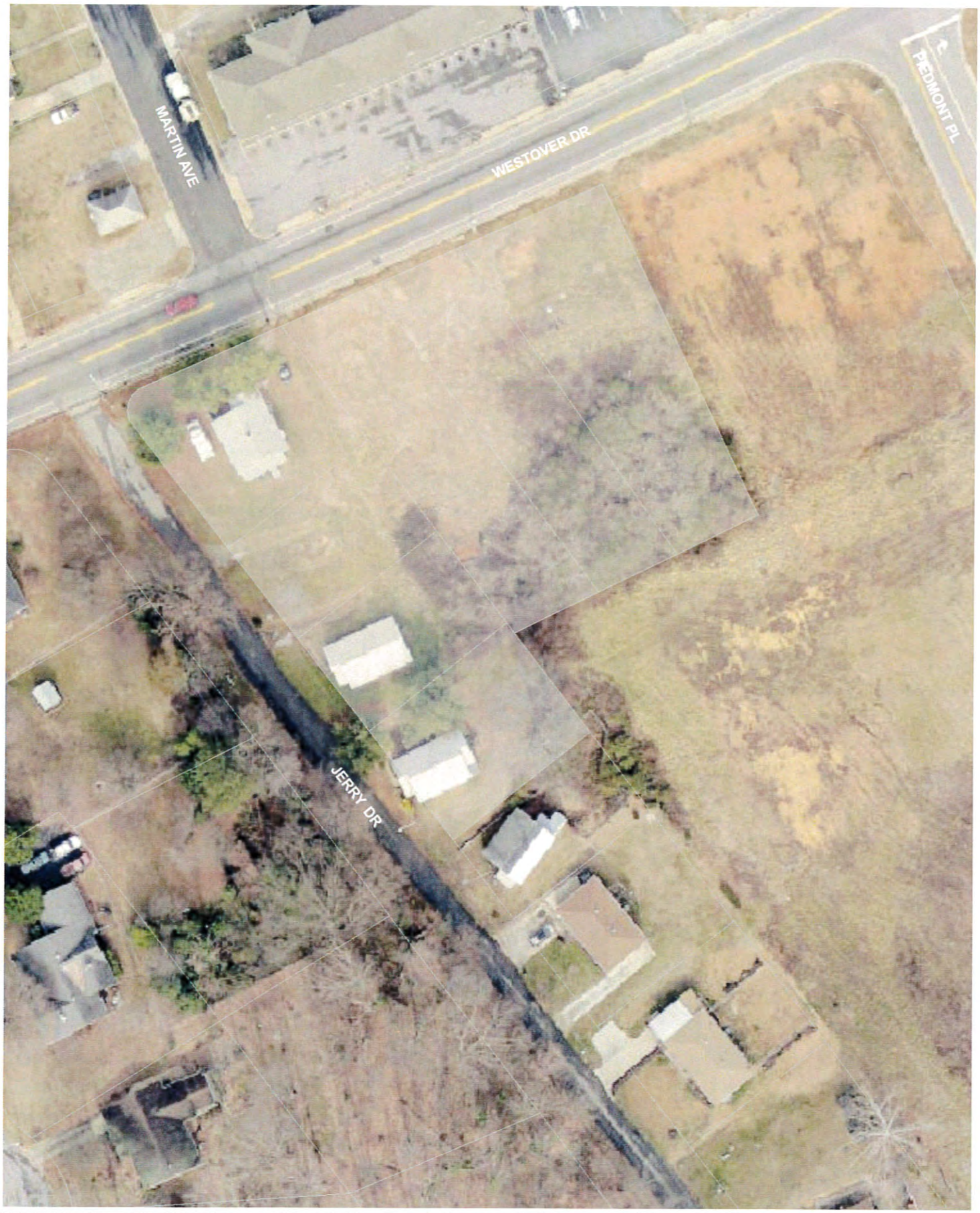
SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
12/18/2015

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.

REZONING REQUEST
DATA SHEET

DATE:	January 11, 2016
LOCATION OF PROPERTY:	Corner block at the intersection of Westover Drive and Jerry Drive
PRESENT ZONE:	OT-R, Old Town Residential
PROPOSED ZONE:	HR-C, Highway Retail Commercial
ACTION REQUESTED:	Request to rezone 7 properties from Old Town Residential to Highway Retail Commercial.
PRESENT USE OF PROPERTY:	Single Family Home/Vacant land
PROPOSED USE OF PROPERTY:	Commercial Redevelopment
PROPERTY OWNER (S):	Piedmont Place I, LLC
NAME OF APPLICANT (S):	Same
PROPERTY BORDERED BY:	Commercial and residential to the north, south, east and west
ACREAGE/SQUARE FOOTAGE:	1.38 acres
CHARACTER OF VICINITY:	Mixed use: Commercial and residential
INGRESS AND EGRESS:	Westover Dr. and Jerry Drive
TRAFFIC VOLUME:	High
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of January 11, 2016



2012 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/18/2015

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.

Department of Community DEVELOPMENT
City of Danville, Virginia

PLANNING REPORT

P.O. Box 3300 Danville, VA 24543 (434) 799-5261

City Planning Commission
Meeting of January 11, 2016

Subject:

Rezoning Application PLRZ20150000367, filed by the Industrial Development Authority requesting to rezone from I-M, Industrial Manufacturing District to TO-C, Transitional Office District, .5996 acres of parcel ID # 60538, otherwise known as Grid 0608, Block 004, Parcel 000022 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for consolidation with adjacent parcel ID # 60539.

Background:

A request has been filed by the Industrial Development Authority requesting to rezone from I-M, Industrial Manufacturing District to TO-C, Transitional Office Commercial, .5996 acres of parcel ID # 60538, otherwise known as Grid 0608, Block 004, Parcel 000022 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for consolidation with adjacent parcel ID # 60539.

In August 2015, the subject property was rezoned from TO-C, Transitional Office Commercial to I-M, Industrial Manufacturing District and a Special Use Permit was issued for the construction and operation of a cellular tower. Subsequently, ownership of the subject property was transferred from the Industrial Development Authority of Danville to Blue Ridge Towers INC on November 13, 2015 and construction began on a one hundred fifty (150) foot monopole cellular tower in December of 2015.

The Industrial Development Authority originally intended that parcel ID # 60538 be subdivided so that the portion to be transferred to Blue Ridge Towers and be rezoned to serve as the cellular tower site would not include the .5996 subject acres. The subject .5996 acres was not initially intended to be rezoned as I-M, Industrial Manufacturing in August 2015. However, due to time restrictions for the tower's construction, the whole of parcel ID # 60538 was transferred to Blue Ridge Towers, rezoned, and the construction started before the subject parcel could be subdivided.

Since the subject parcel was rezoned in August of 2015, it has been surveyed for the future subdivision and consolidation. However, the subject parcel cannot be subdivided and consolidated with the adjacent parcel until it is rezoned in accordance with Article

3.Q, Section F, Item 1 of the Zoning Code, stating that the minimum lot size for a parcel zoned I-M, Industrial Manufacturing District, is five (5) acres. The Industrial Development Authority wishes to have the .5996 acres rezoned to its original zoning district, TO-C, Transitional Office Commercial so that it can stand alone and eventually by consolidated with adjacent parcel ID # 60539 which is also owned by the Industrial Development Authority.

Ten (10) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A complete report will be presented at the Planning Commission meeting of January 11, 2016.

Staff Analysis and Recommendation:

Staff recommends approval of Rezoning Application PLRZ20150000367, filed by the Industrial Development Authority of Danville requesting to rezone from I-M, Industrial Manufacturing to TO-C, Transitional Office Commercial on parcel ID# 60538, otherwise known as Grid 0608, Block 004, Parcel 000022 of the City of Danville Virginia, Zoning District Map.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLRZ20150000367 as submitted.
2. Recommend approval of Rezoning Application PLRZ20150000367 with conditions per Planning Commission.
3. Recommend denial of Rezoning Application PLRZ20150000367.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2012 Aerial)

CITY OF DANVILLE

REZONING APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER: _____ EXISTING ZONING: _____

PROPOSED ZONING: TO-C TAX MAP NUMBER: _____

RECEIVED BY: _____ DATE FILED: _____

PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

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

Gross Area/Net Area: _____ Property Address: _____

Property Location: N S E W Side of: _____

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

1. NAME: T. Neal Morris TELEPHONE: 434-822-0444

MAILING ADDRESS: P.O. Box 3300 Danville, VA 24543

SIGNATURE: T. Neal Morris DATE: 11-25-15

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: TNealMorris@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: _____

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

Please provide ten (10) sets, blue or black line copies, of a final 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:

_____

_____

2. ALTERATION OF ZONING BOUNDARIES:

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

rezone 0.5996 acres of Parcel ID# 60538 from I-M to TO-C to allow consolidation with ID# 60539

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

_____

_____

Plat of Lot Line Revision for

Blue Ridge Towers, Inc.
&
Industrial Development Authority of Danville, Virginia

Revising Tract 5B and 5C of "Map No.5 of Schoolfield Division"

Showing property situated at the intersection of Bishop Road and Oak Ridge Avenue lying in the City of Danville, VA.

City of Danville Tax Map 0608-004-000022-001 (Parcel 60538) being all of the same property INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE, VIRGINIA acquired from NORHURST PROPERTIES DANVILLE, LLC by deed dated 6 October 2014 of record in Instrument 140003755.

City of Danville Tax Map 0608-004-000022.002 (Parcel 60539) being all of the same property INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE, VIRGINIA acquired from NORHURST PROPERTIES DANVILLE, LLC by deed dated 20 December 2012.

Also see for further reference Instrument 120003570, Plat Instrument 12-4253, Plat Instrument 12-2996 and Plat Book 22 pg. 222. All of the aforementioned documents are recorded in the Office of the Clerk of the Circuit Court of Danville City, Virginia.

August 5, 2015

30' 0 30' 60'

Scale 1" = 30'

NAD83 Grid North
VA South Zone
City of Danville
Ground Control Network

N

Prepared By
Fork Mountain Surveying and Mapping Inc.
PO Box 163
951 Fork Mountain Road SW
Meadows of Dan, Virginia 24120
Office 276 - 952 - 6110
Fax 276 - 952 - 6111
E Mail fmsc@norvaloundry.com

CURVE	BEARING	HORIZ DIST	RADIUS	ARC
C1	S50°55'54"E	25.56'	16.94'	28.96'
C2	S5°24'17"E	169.84'	1467.36'	169.93'
C3	S10°18'32"E	81.25'	1467.36'	81.26'

COMMONWEALTH OF VIRGINIA
JOHN D. LEWIS
Lic. No. 1325
9/2/2015
LAND SURVEYOR

OWNERS CONSENT AND DEDICATION:

Know all men by these presents, that the platting or dedication of the following described land (subdivision / revision of land as shown on this plat, containing 17.3335 acres, more or less, and designated as Tract 5B and 5C of "Map No. 5 of Schoolfield Division" Subdivision situated in Danville, Virginia, of record in Instrument 140003755) is with free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any; that all streets on said plat are hereby dedicated to public use, and that all lots within the subdivision are not subject to certain restrictions, reservations, stipulations and covenants.

INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE, VIRGINIA

State of Virginia

I, DeShanta Hairston, a Notary Public of and for the State of Virginia do hereby state that T. Neal Morris did appear before me this 8th day of September, 2015 and acknowledged the foregoing document by executing the same.

DeShanta Hairston
Notary Public

My commission expires February 28, 2018

DESHANTA LENAE HAIRSTON
NOTARY PUBLIC
REGISTRATION # 7411454
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
February 28, 2018

All Iron Rods Set are ⅝" Rebar w/ Red Cap Inscribed "FORK MT SURVEY"

VICINITY MAP 036°34'15"N 079°25'55"W **SCALE: 1" = 1000'**

Industrial Development Authority of Danville, Virginia
City Tax Map 0608-004-000022.002 Revised
Parcel ID 60539
Zoned TO-C
15.000 acres before revision
plus 0.5966 Acre deducted from TM 0608-004-00002.001

15.5966 Acres Total by computation only

NOTE:
Underground utilities shown hereon are as marked by Verizon and City of Danville personnel responding to Miss Utility Ticket No. A518200910

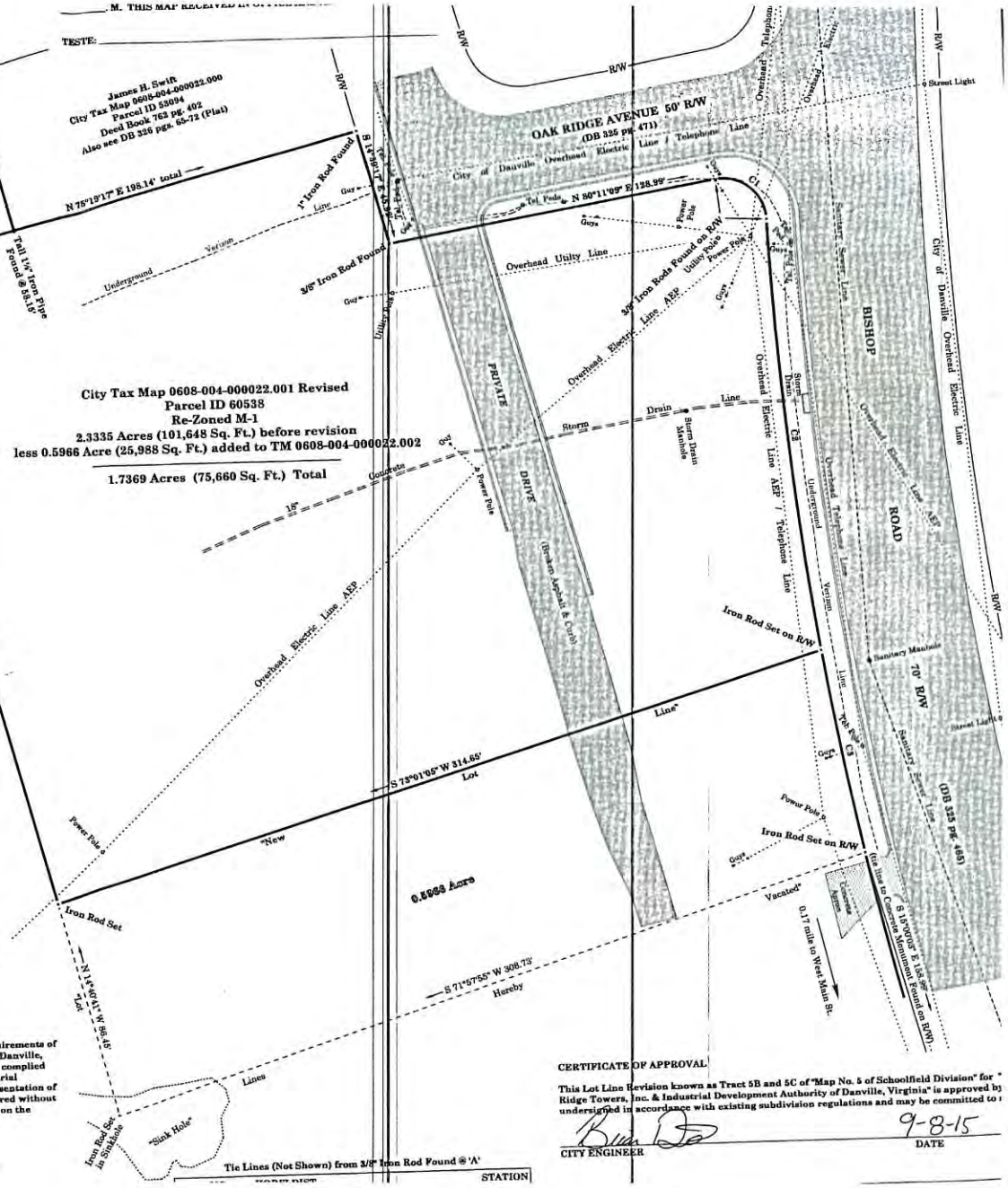
FLOOD NOTE:

Subject property falls within Zone X (areas outside 0.2% annual chance) as determined by F.E.M.A. This opinion is based upon an examination of Community Panel 51143C 0633 E, effective September 29, 2010 and has not been field verified.

SURVEYORS CERTIFICATION:

I hereby certify that to the best of my knowledge and belief, all of the requirements of the Planning Commission and City Council, and ordinances of the City of Danville, Virginia, regarding the platting of subdivisions within the City have been complied with. This "Plat of Lot Line Revision for Blue Ridge Towers, Inc. & Industrial Development Authority of Danville, Virginia" is a true and accurate representation of the land as recently surveyed under my direction. This survey was prepared without the benefit of a current title report and may not reflect all encumbrances on the property.

Given under my hand this 2ND day of September 2015

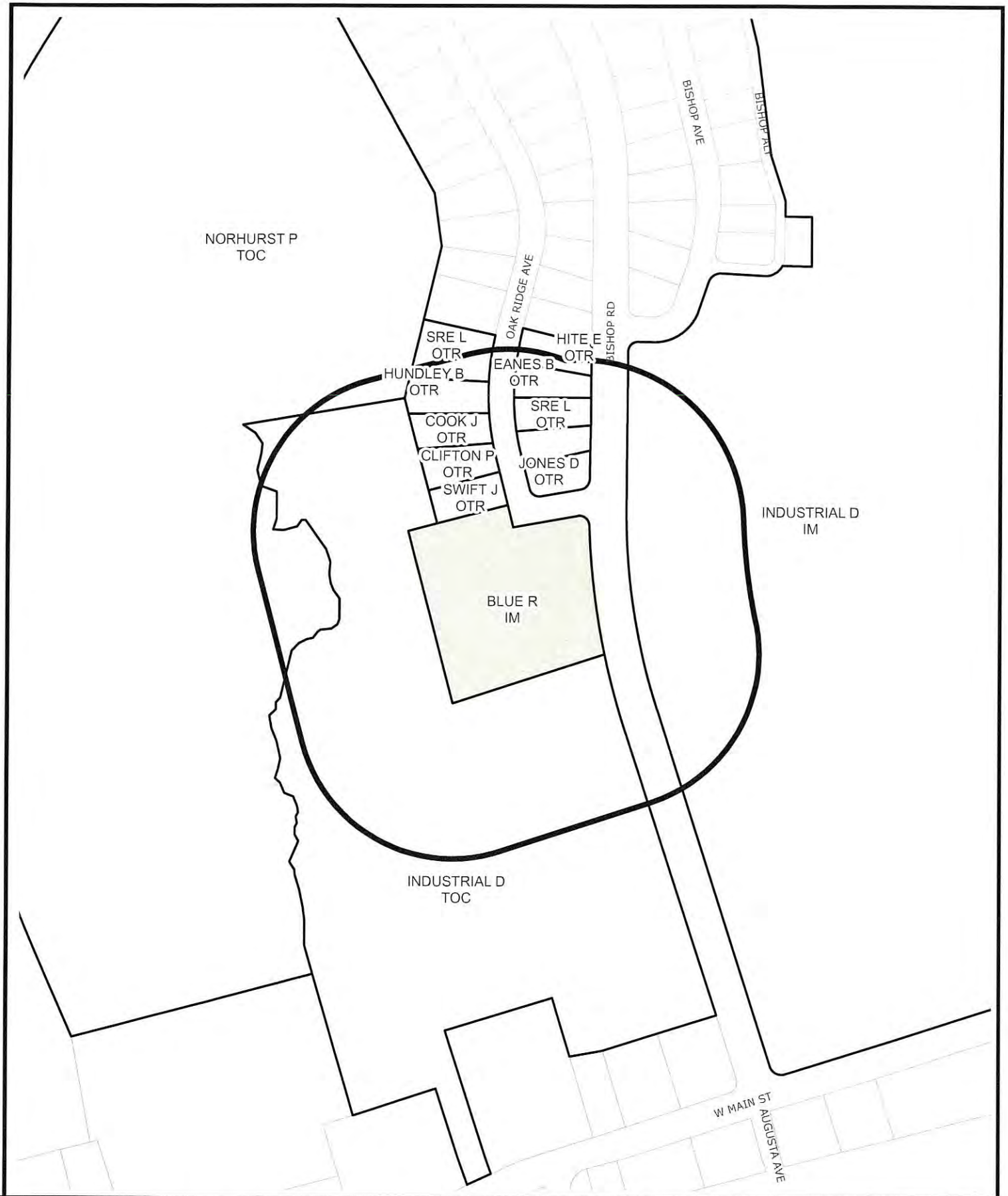


CERTIFICATE OF APPROVAL

This Lot Line Revision known as Tract 5B and 5C of "Map No. 5 of Schoolfield Division" for "Blue Ridge Towers, Inc. & Industrial Development Authority of Danville, Virginia" is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

CITY ENGINEER

9-8-15
DATE



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
12/17/2015

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REZONING REQUEST
DATA SHEET

DATE:	January 11, 2016
LOCATION OF PROPERTY:	165 Bishop Road
PRESENT ZONE:	I-M, Industrial Manufacturing District
PROPOSED ZONE:	TO-C, Transitional Office Commercial
ACTION REQUESTED:	Request to rezone .5996 acres of 165 Bishop Rd. to allow for consolidation with adjacent parcel.
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Same
PROPERTY OWNER (S):	Industrial Development Authority of Danville, VA
NAME OF APPLICANT (S):	Same
PROPERTY BORDERED BY:	Commercial, industrial and residential to the north, south, east and west
ACREAGE/SQUARE FOOTAGE:	.5996 acres
CHARACTER OF VICINITY:	Mixed use: Commercial, industrial, and residential
INGRESS AND EGRESS:	Bishop Road
TRAFFIC VOLUME:	Medium
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of January 11, 2016

2012 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/17/2015

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.

Department of Community DEVELOPMENT
City of Danville, Virginia

PLANNING REPORT

P.O. Box 3300 Danville, VA 24543 (434) 799-5261

City Planning Commission
Meeting of January 11, 2016

Subject:

Special Use Permit Application PLSUP20150000368, filed by KFG Properties, LLC requesting a Special Use Permit for the operation of a convenience and deli store without gasoline sales in accordance with Article 3K, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 541 N Main Street, otherwise known as Grid 2710, Block 028, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing the operation of a convenience store without gasoline sales at this location.

Background:

A request has been filed by KFG properties, LLC requesting a Special Use Permit for the operation of a convenience and deli store without gasoline sales in accordance with Article 3K, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 541 N Main Street, otherwise known as Grid 2710, Block 028, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a convenience store without gasoline sales at this location.

This .15 acre property on the corner of N Main Street and Church Street was acquired by KFG Properties, LLC in 2013 and is zoned CB-C, Central Business Commercial. Operating as a tire repair business for many years; this structure is a contributing structure to the North Danville Historic District and was constructed ca.1930.

Presently, KFG Properties, LLC would like to adapt the 1,842 sq. ft. building into a convenience store. A four (4) foot by sixteen (16) foot addition onto the left side of the structure is planned in order for the building to better function as a convenience store. A plan review has been conducted on the plans for the proposed addition. At present, the plans are still under review, awaiting further information regarding various building code concerns.

Twenty-nine (29) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A complete report will be presented at the Planning Commission meeting of January 11, 2016.

Staff Analysis and Recommendation:

Staff recommends approval of Special Use Permit Application PLSUP20150000368, filed by KFG Properties LLC, to allow for the operation of a convenience store without gasoline sales in accordance with Article 3K, Section C, Item 6 of the Code of the City of Danville, Virginia, 1986, as amended at 541 N Main Street. Staff recommends approval with the condition that the hours of operation remain limited to a maximum of 6:00 a.m. to 10:00 p.m. in accordance with the hours of operation of neighboring commercial facilities.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLSUP20150000368 as submitted.
2. Recommend approval of Rezoning Application PLSUP20150000368 with conditions per staff.
3. Recommend approval of Rezoning Application PLSUP20150000368 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLSUP20150000368.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2012 Aerial)

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:

attached MAP.

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

1. NAME: KFG Properties LLC TELEPHONE: 434 441-7013

MAILING ADDRESS: 440 KNOTTINGHAM Way, Danville - VA

SIGNATURE: ✓ DATE:

SIGNATURE: DATE:

EMAIL ADDRESS: MFG 1958 @ YAHOO . COM

APPLICANT (PLEASE TYPE OR PRINT):
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: KHAN ABDUL TELEPHONE: 434-441-7013

MAILING ADDRESS: 440 KNOTTINGHAM Way, Danville, VA 24540

EMAIL ADDRESS: MFG 1958 @ YAHOO . Com

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

APPPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING USE: Convenience & Deli Store without Gasoline Sale.

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).

Gross Area/Net Area:_____ Property Address: 541 North Main

Property Location: N S E W Side of:_____

Between: _____ and North Main Danville

Proffered Conditions (if any, please attach): _____

_____

Earl B. Reynolds, Jr.
Director of
Community Development

Kenneth C. Gillie, Jr.
Division Director of Planning

Jerry D. Rigney
Division Director of Inspections

John L. Moody, J.D.
Division Director of Social Services

Department of
Community
DEVELOPMENT
City of Danville, Virginia

427 Patton Street
P. O. Box 3300
Danville, Virginia 24543
Phone: (434) 799-5260
TTY: (434) 793-8142
Fax: (434) 797-3919
www.danville-va.gov

November 10, 2015

KFG PROPERTIES LLC
440 KNOTTINGHAM WAY
DANVILLE, VA 24540

Re: Construct a 4 ft by 16 ft addition onto rear of existing building and make interior alteration to existing space for new Convenience Store.
541 N MAIN ST, DANVILLE, VA 24540

Dear KFG PROPERTIES LLC:

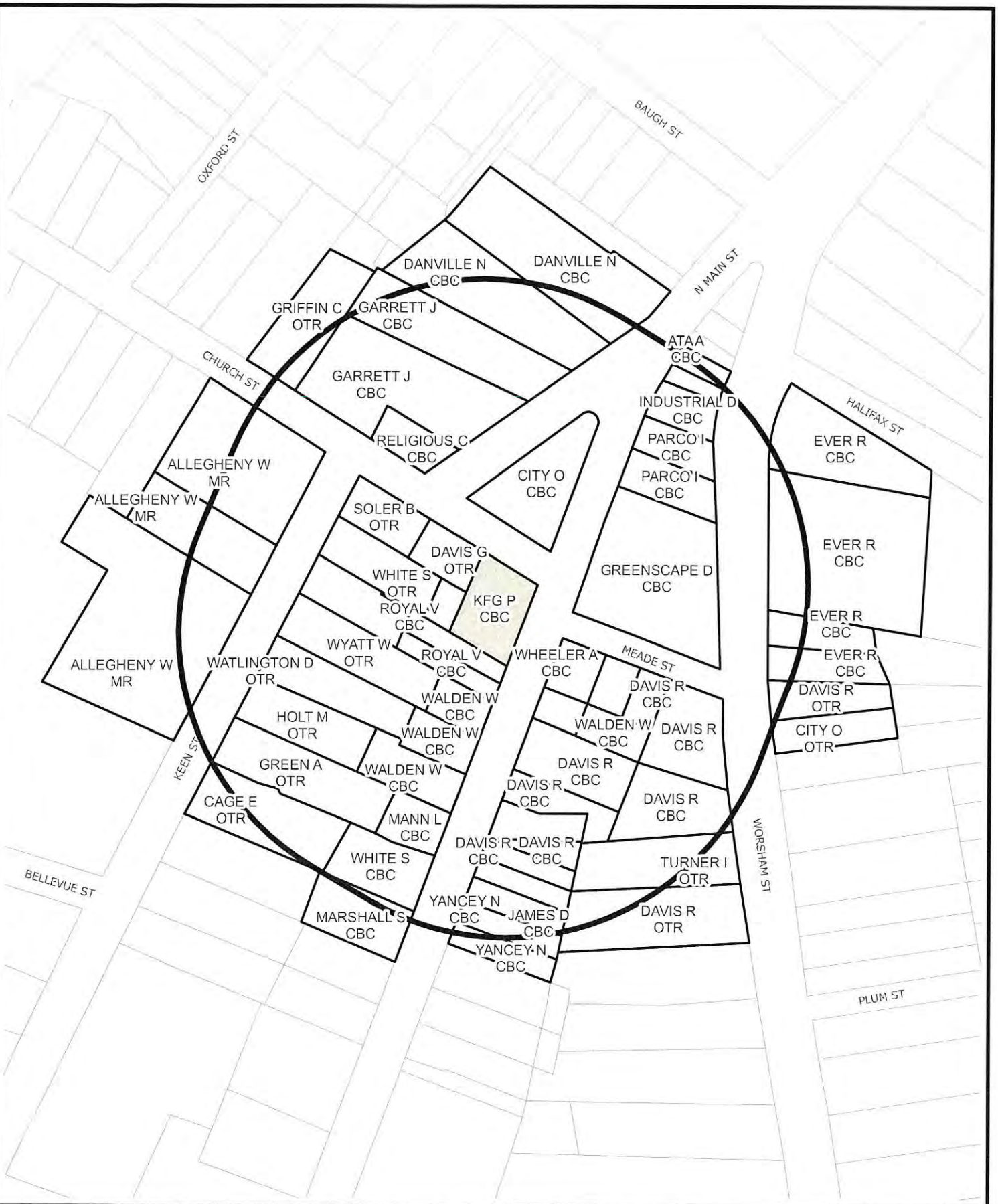
Following are the comments regarding the City of Danville plan review for the above referenced project. We have noted several concerns and/or non-conforming items regarding the work to be performed. These items must be addressed through revised drawings and /or addendum submitted to my office in order for us to approve plans for the above referenced project.

Building Code Review **Reviewer:** David Cockran **Outcome:** Failed/Violations Found

1	Building Code Corrections	Provide information on door sizes. Provide handicap access at main entrance. Provide complete layout of handicap bathroom showing fixture and grabbar location. Provide information on handicap parking space. Provide information on beam sizes for new wall openings. Provide a sectional cut through new exterior wall showing footings, wall construction, beam and rafter sizes and insulation R values. Provide a minimum of 3 ft. between counter and any wall obstruction.

Planning and Zoning Review **Reviewer:** Renee Burton **Outcome:** Failed/Violations Found

1	Planning and Zoning Corrections	Special Use Permit required for the operation of convenience store.



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
12/17/2015

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SPECIAL USE PERMIT REQUEST
DATA SHEET

DATE:	January 11, 2016
LOCATION OF PROPERTY:	541 N Main Street
PRESENT ZONE:	CB-C, Central Business Commercial
PROPOSED ZONE:	Same
ACTION REQUESTED:	Special Use Permit request to operate a convenience store without gasoline sales.
PRESENT USE OF PROPERTY:	Repair service establishment
PROPOSED USE OF PROPERTY:	Convenience store without gasoline sales
PROPERTY OWNER (S):	KFG Properties LLC
NAME OF APPLICANT (S):	Abdul Kahn of KFG Properties LLC
PROPERTY BORDERED BY:	Commercial and residential to the north, south, east and west
ACREAGE/SQUARE FOOTAGE:	.15 acres
CHARACTER OF VICINITY:	Mixed use: Commercial and residential
INGRESS AND EGRESS:	N Main Street and Church Street
TRAFFIC VOLUME:	Medium
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of January 11, 2016

2012 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/17/2015

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PLANNING COMMISSION MINUTES
DECEMBER 7, 2015

MEMBERS PRESENT	MEMBERS ABSENT	STAFF
Mr. Wilson	**Mrs. Evans**	**Tracie Lancaster**
Mr. Dodson		**Ken Gillie**
Mr. Bolton		**Anna Levi**
Mr. Scearce		**Alan Spencer**
Mr. Jones		
Mr. Garrison		

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

I. ITEMS FOR PUBLIC HEARING

1. *Rezoning Application PLRZ20150000335, filed by DRHA requesting to rezone from OT-R, Old Town Residential to CB-C, Central Business Commercial, parcel ID # 24032, otherwise known as Grid 2713, Block 028, Parcel 000002, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for expanded redevelopment opportunities.*

Ms. Levi read the staff report. 25 notices were sent to surrounding property owners within 300 feet of the subject property. Three responses were not opposed.

Mr. Scearce opened the Public Hearing.

Present on behalf of the DHRA is Mr. Earl Reynolds the Director of Community Development.

Mr. Reynolds stated as you all know we work jointly with the Housing Authority on these projects. So if there are any questions I will be pleased to try to answer them. Otherwise, we would appreciate your support.

Mr. Scearce closed the Public Hearing.

Mr. Wilson made a motion for approval of *PLRZ20150000335* as submitted. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

2. *Rezoning Application PLRZ20150000336, filed by DRHA requesting to rezone from CBCC, "Conditional" Central Business Commercial to CB-C, Central Business Commercial, parcel ID # 22417, otherwise known as Grid 2713, Block 027, Parcel 000007, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for expanded redevelopment opportunities.*

Ms. Levi read the staff report. Twenty-five notices were sent to surrounding property owners within 300 feet of the subject property. Four responses were not opposed; one response was opposed.

Mr. Scearce opened the Public Hearing.

Mr. Scearce closed the Public Hearing.

Mr. Garrison made a motion for approval of *PLRZ20150000336* as submitted. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

3. *Special Use Permit Application PLSUP20150000337, filed by BW of Danville LLC, requesting a Special Use Permit for a waiver for increase in building height in accordance with Article 3M, Section C, Item 20 of the Code of the City of Danville, Virginia 1986, as amended at parcel ID # 04434, otherwise known as Grid 1708, Block 009, Parcel 000060 of the City of Danville, Virginia Zoning District Map. The applicant is proposing construction at 56' where 50' is the maximum allowed.*

Ms. Levi read the staff report. Twenty-nine notices were sent to surrounding property owners within 300 feet of the subject property. Six responses were not opposed.

Present of behalf of this request is Mark Johnson from LED Professionals representing BW of Danville.

Mr. Johnson stated this is the same hotel group that I brought before you last month. They wanted to be on Riverside originally and as we were pursing the other property this property came available. It's the same hotel brand that we looked at last month. If you have any questions I will be glad to answer them.

Mr. Dodson stated will this take place of the one you were going to build on Piedmont Drive?

Mr. Johnson stated yes. I understand that the owners of the Piedmont Place have been contacted by another interested party.

Mr. Wilson stated so there is a hotel sitting there now?

Mr. Johnson stated no sir.

Mr. Wilson stated not there I know but a similar hotel is sitting nearby right?

Mr. Johnson stated there are several hotels in this Riverside Drive area. This is the Big Sale warehouse site. So there are hotels on the other side of Audubon such as the Hampton and the Marriott.

Mr. Scearce stated my understanding is that they will build a new Hampton Inn in that site and then they will rebrand the other Hampton with a new name.

Mr. Johnson stated yes it will change names or something.

Mr. Wilson stated I didn't know how specific we could ask questions.

Mr. Johnson stated they will demolition the old tobacco warehouse to build this hotel.

Mr. Scearce closed the Public Hearing.

Mr. Bolton made a motion to Approve PLRZUP20150000337 as submitted. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote.

II. MINUTES

Mr. Dodson made a motion to approve the November 9, 2015 minutes. The motion was approved by a unanimous vote.

III. OTHER BUSINESS

Mr. Gillie stated we do have cases for next month so we will have a meeting in January. That will be our annual election of offices so that is the meeting you do not want to miss or you will be assigned something you may or may not want. Starting with the items that come to Planning Commission next month they will go to the City Council meeting the first meeting of the month. So starting with the items that will actually go to the February City Council meeting they will go to the first meeting in February, March, April and so forth.

Mr. Scearce stated our new schedule reflects that?

Mr. Gillie stated Anna revised the schedule and emailed it out to everyone. I wanted to make sure you all have a hard copy of it, if you don't and you need us to print out a copy and get it to you we will. It won't affect your meeting dates just the days that items go to City Council. That way if a citizen asks you can tell them what the schedule of events are for items going to City Council in the future. So if you didn't get the email or you need us to print you one just let us know.

With no further business, the meeting adjourned at 3:15 p.m.

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APPROVED