



City Planning Commission

POST OFFICE BOX 3300

DANVILLE, VIRGINIA

(434) 799-5260

JUNE 13, 2016

3:00 P.M.

CITY COUNCIL CHAMBERS

AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ITEMS FOR PUBLIC HEARING
 1. *Rezoning application PLRZ20160000147, filed by J-Ray Investments LLC requesting to rezone from T-R, Threshold Residential to S-R, Suburban Residential a portion of Parcel ID #78533, otherwise known as Grid 9709, Block 002, Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for consolidation with adjacent Parcel ID #71121.*
 2. *Special Use Permit application PLSUP20160000150, filed by Jefferson Smith, requesting a Special Use Permit to operate a pet clinic in accordance with Article 3.M; Section C, Item 11 of the Code of the City of Danville, Virginia 1986, as amended at Parcel ID #60550, otherwise known as Grid 1706, Block 002, Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to develop the parcel into a veterinary hospital with a pet boarding and grooming facility.*
 3. *Rezoning application PLRZ20160000149, filed by George Lovelace requesting to rezone from N-C, Neighborhood Retail Commercial to HR-C, Highway Retail Commercial, 1910 N. Main Street, otherwise known as Grid 2814, Block 002, Parcel 000029 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate an automobile retail establishment on the site.*
 4. *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 15: entitled "Definitions", to amend the definition of Duplex; and to amend various sections of Article 10 regarding signage.*
- IV. APPROVAL OF MINUTES FROM MAY 9, 2016
- V. OTHER BUSINESS
- VI. ADJOURNMENT



PLANNING REPORT

P.O. Box 3300

Danville, VA 24543

(434) 799-5261

City Planning Commission
Meeting of June 13, 2016

Subject:

Rezoning application PLRZ20160000147, filed by J-Ray Investments LLC requesting to rezone from T-R, Threshold Residential to S-R, Suburban Residential a portion of Parcel ID #78533, otherwise known as Grid 9709, Block 002, Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for consolidation with adjacent Parcel ID #71121.

Background:

A request has been filed by J-Ray Investments LLC to rezone a portion of Parcel ID #78533 from T-R, Threshold Residential to S-R, Suburban Residential. The applicant is proposing to rezone .166 acres of the subject property so that it can be consolidated with 78 Vandola Rd, which is owned by the applicant.

Parcel ID #78533 is owned by Abundant Life World Outreach Ministries. The subject parcel is 31.31 acres lot, of which .166 acres is to be rezoned. The portion to be rezoned is an approximately twenty (20) ft. strip that borders the northern and eastern sides of 78 Vandola Rd.

Presently, the patio attached to the primary structure at 78 Vandola Rd crosses the existing property line. The detached garage in the rear of 78 Vandola Rd also crosses the existing property line. 78 Vandola Rd is currently a legal nonconforming lot because it does not meet the side and rear yard setbacks required for properties in the S-R, Suburban Residential zoning district. The rezoning and consolidation will bring the property into compliance with the Zoning Code for east side and rear yard setbacks.

Fourteen (14) 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 June 13, 2016.

Staff Analysis and Recommendation:

Staff recommends approval of PLRZ20160000147 filed by J-Ray Investments LLC requesting to rezone from T-R, Threshold Residential to S-R, Suburban Residential a .166 acre portion of Parcel ID #78533, otherwise known as Grid 9709, Block 002, Parcel 000004 of the City of Danville, Virginia Zoning District Map.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLRZ20160000147 as submitted.
2. Recommend approval of Rezoning Application PLRZ20160000147 with conditions per Planning Commission.
3. Recommend denial of Rezoning Application PLRZ20160000147.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2015 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: SR
PROPOSED ZONING: SR TAX MAP NUMBER: _____
RECEIVED BY: [Signature] DATE FILED: 5/16/16
PLANNING COMMISSION DATE: 6/13 CITY COUNCIL DATE: 7/5/16
3212

INFORMATION TO BE PROVIDED BY THE APPLICANT

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

Gross Area/Net Area: 7,605 sq. ft. Property Address: 78 VANDOLA ROAD
Property Location: N S E W Side of: South et Vandola Rd.
Between: _____ and _____
Proffered Conditions (if any, please attach): _____

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

J-Ray Investments LLC
1. NAME: Johnny Haymore TELEPHONE: 434-250-9853
MAILING ADDRESS: 2720 Franklin Turnpike, Danville, Va. 24540
SIGNATURE: Jay B. Agnew DATE: 5-13-16
SIGNATURE: Kenneth [Signature] (Trustee) DATE: 5-19-16
EMAIL ADDRESS: haymore @ gamewood . 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: Jame 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:

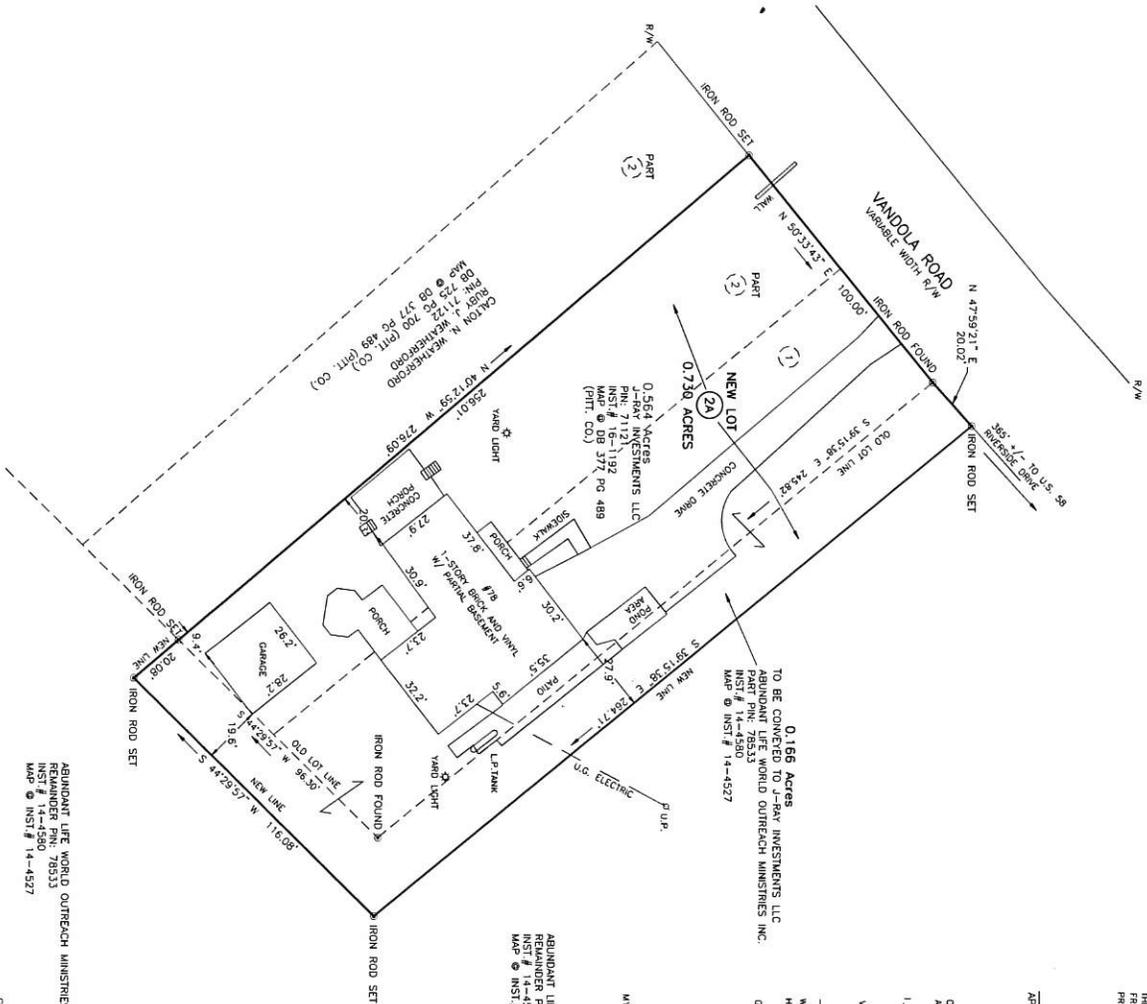
Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

Portion of concrete driveway ~~and~~ near shop building corner is located on property rezoning is requested. - Rezone portion from threshold to suburban residential



ABUNDANT LIFE WORLD OUTREACH MINISTRIES INC.
 REMAINDER PIN: 78533
 MAP # INST # 14-4527

CITY APPROVAL:
 I CERTIFY THAT THIS PLATTING AND SUBDIVISION ARE IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE, AND HEREBY APPROVED IN ACCORDANCE WITH THE PLAT. THIS PLAT IS HEREBY APPROVED FOR RECORDATION. THIS PLAT IS HEREBY APPROVED FOR RECORDATION.

CITY ENGINEER _____ DATE _____
 ZONING ADMINISTRATION _____ DATE _____

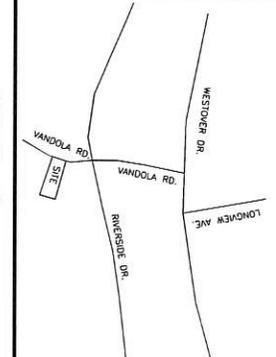
OWNER'S CERTIFICATE
 I HEREBY CERTIFY THAT THE INFORMATION OF THE LAND DESCRIBED BY THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

APPROVING AUTHORITY FOR A.L.W.O. MINISTRIES INC.
 COMMONWEALTH OF VIRGINIA
 AT LARSDALE VA.
 A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE HEREBY CERTIFY THAT _____
 WHOSE NAME(S) ARE SIGNED TO THIS PLAT DATED: MAY 12, 2016,
 HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE COMMONWEALTH OF VIRGINIA.
 GIVEN UNDER MY HAND THIS _____ DAY OF _____, 20____
 NOTARY PUBLIC _____
 MY COMMISSION EXPIRES: _____

ABUNDANT LIFE WORLD OUTREACH MINISTRIES INC.
 REMAINDER PIN: 78533
 MAP # INST # 14-4527

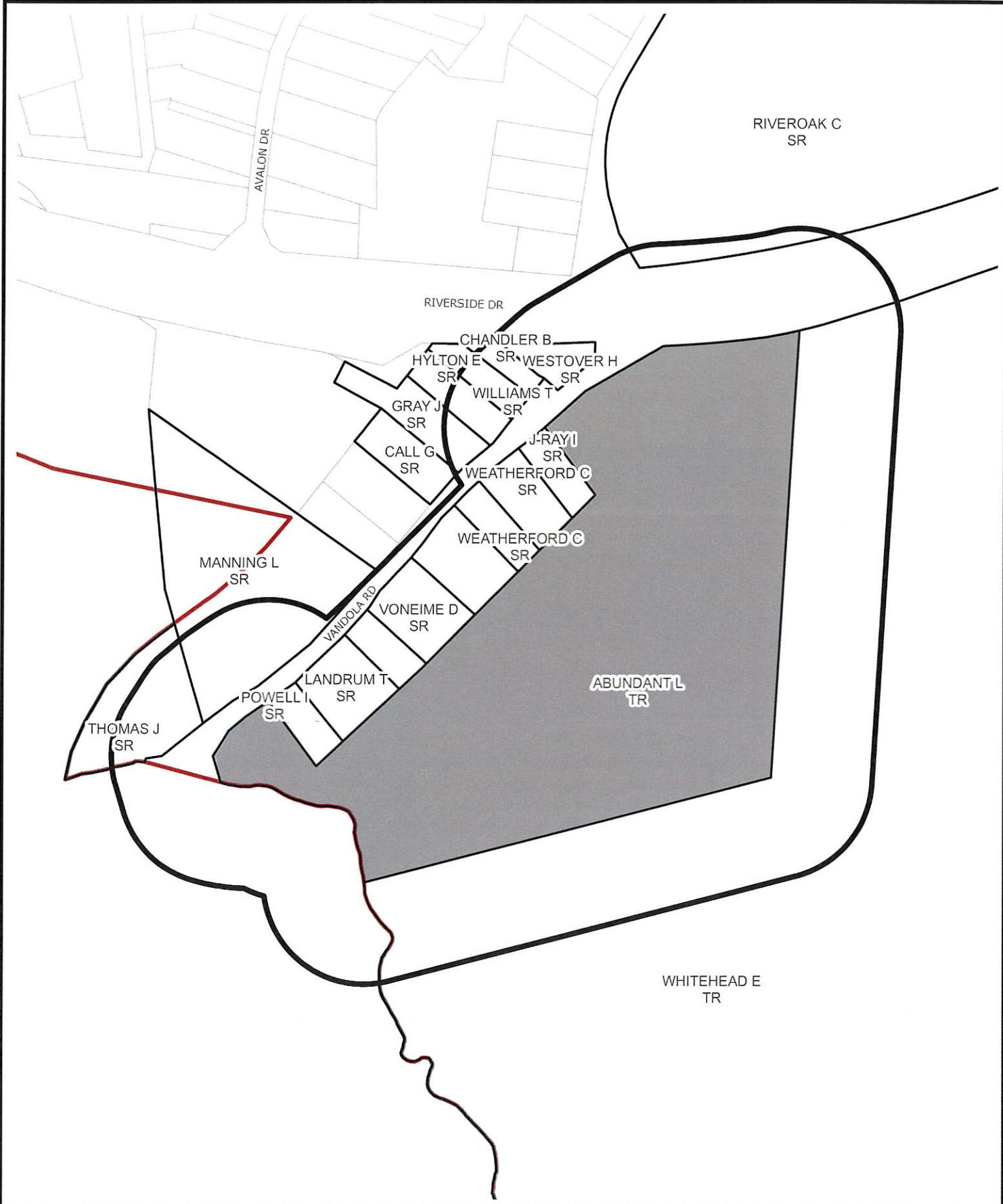
LAND SURVEYOR
 PATRICK T. CRANE
 Lic. No. 2476
 COMMONWEALTH OF VIRGINIA

THIS BOUNDARY SURVEY IS BASED ON A CURRENT FIELD SURVEY. THIS PROPERTY IS NOT LOCATED WITHIN A F.E.M.A. DEFINED SPECIAL FLOOD HAZARD AREA AS OF 11/03/2010. SET COMMUNITY DATE: 05/14/2009/2010. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY REPRESENT STRUCTURES, ARE PROHIBITED WITHIN. THE BOUNDARY SURVEY IS BASED ON A STEEL CASING TYPE PROPERTY MARKER. THE INSTALLATION OF A STEEL CASING TYPE PROPERTY MARKER IS THE RESPONSIBILITY OF THE SURVEYOR. ALL PARCELS OF LAND OR EASEMENTS REPRESENTED ON THIS PLAT ARE THE PROPERTY OF THE SURVEYOR. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION AND PHYSICAL INSPECTION.



DANVILLE, VIRGINIA
 78 VANDOLA ROAD
 PLAT OF SURVEY SHOWING
 NEW LOT 2A
 FOR:
 J-RAY INVESTMENTS LLC
 DATE: MAY 12, 2016
 SCALE: 1" = 30'
 FILE: 16029

CRANE SURVEYING PLLC
 113 TABBOTT DRIVE
 DANVILLE, VA. 24540 (434)836-5598 (434)836-4183(F)



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
 Planning Division
 5/26/2016

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:	May 26, 2016
LOCATION OF PROPERTY:	Parcel ID #78533
PRESENT ZONE:	T-R, Threshold Residential
PROPOSED ZONE:	S-R, Suburban Residential
ACTION REQUESTED:	Request to rezone .166 acres of Parcel ID #78533 from T-R to S-R so it can be consolidated with the property at 78 Vandola Rd.
PRESENT USE OF PROPERTY:	The strip of Parcel ID #78533 in question is vacant but for a portion of the patio and accessory building at 78 Vandola Rd that crosses the existing property line.
PROPOSED USE OF PROPERTY:	To be consolidated with 78 Vandola Rd.
PROPERTY OWNER (S):	Abundant Life World Outreach Ministries
NAME OF APPLICANT (S):	J-Ray Investments LLC
PROPERTY BORDERED BY:	Residential to the North, South, East, and West
ACREAGE/SQUARE FOOTAGE:	.166 acres of a 31.31 acre parcel
CHARACTER OF VICINITY:	Predominantly residential
INGRESS AND EGRESS:	Vandola Rd.
TRAFFIC VOLUME:	Moderate
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of June 13, 2016



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/26/2016

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PLANNING REPORT

P.O. Box 3300

Danville, VA 24543

(434) 799-5261

City Planning Commission

Meeting of June 13, 2016

Subject:

Special Use Permit application PLSUP20160000150, filed by Jefferson Smith, requesting a Special Use Permit to operate a pet clinic in accordance with Article 3.M; Section C, Item 11 of the Code of the City of Danville, Virginia 1986, as amended at Parcel ID #60550, otherwise known as Grid 1706, Block 002, Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to develop the parcel into a veterinary hospital with a pet boarding and grooming facility.

Background:

A request has been filed by Dr. Jefferson Smith for a Special Use Permit to operate a pet clinic on Parcel ID #60550. The applicant is proposing to build a pet clinic with veterinary services, pet boarding, and grooming facilities.

The subject property is 1.89 acres and is zoned HR-C, Highway Retail Commercial. A preliminary site plan shows a new 5,000 square foot building with space for up to three future expansions and an outdoor animal play area with a six (6) ft. privacy fence. The preliminary site plan also shows two (2) parking areas and a third future parking area. One (1) retention pond is to be installed and a second retention pond may potentially be installed as well. The applicant has submitted photos of craftsman style buildings that represent the desired look for the proposed pet clinic.

Thirty-two (32) 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 June 13, 2016.

Staff Analysis and Recommendation:

Special use permits are authorized under the terms of the Zoning Code to provide for certain uses which cannot be well adjusted to their environment in particular locations in Danville with full protection offered to surrounding properties by only the application of the underlying zoning district regulations. Further, special permit uses are those uses which, if not specially regulated, can have an undue impact on or be incompatible with

other uses of land within or adjacent to a given zoning district. Upon the granting of a special use permit by the City Council, these uses may be allowed to be located or expanded within given designated zoning districts under the standards, controls, limitations, performance criteria, restrictions and other regulations of this article.

Staff has received substantial neighborhood response to this request. Some opposed some in favor. While staff is supportive of Special Use Permit Application PLSUP20160000150, filed by Jefferson Smith requesting to operate a pet clinic with veterinary services, pet boarding, and grooming in accordance with Article 3.M; Section C, Item 11 of the Code of the City of Danville, Virginia 1986 as amended at Parcel ID #60550, staff is cognizant of the neighborhood concerns.

Staff would recommend that this item be tabled to allow for the applicant and neighboring property owners one additional opportunity to address concerns with the project.

If Planning Commission is inclined to approve this request at this time, staff would recommend that the following conditions be added to address potentially adverse effects on the surrounding neighborhood:

1. The hours to allow pets outside shall be limited to no more than 7:00 a.m. to 8:00 p.m. daily.
2. The maximum number of dogs permitted outside shall be no more than 30 at a given time.
3. The site be developed with a landscape buffer of 10' around the perimeter meeting the requirements of Article 16 as a minimum, with any additional buffer yards still meeting the density of trees per the 10' minimum.
4. Animal waste shall be removed from the exterior of the facility daily.

City Planning Commission Alternatives:

1. Recommend approval of Special Use Permit Application PLSUP20160000150 as submitted.
2. Recommend approval of Special Use Permit Application PLSUP20160000150 with conditions per Staff.
3. Recommend approval of Special Use Permit Application PLSUP20160000150 with conditions per Planning Commission.
4. Recommend tabling this request.
5. Recommend denial of Special Use Permit Application PLSUP20160000150.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2015 Aerial)

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: Pet Clinic

CASE NUMBER: PLSUP20160600150

EXISTING ZONING: _____

PROPOSED ZONING: _____

TAX MAP NUMBER: _____

RECEIVED BY: Alh

DATE FILED: 5/16/16

PLANNING COMMISSION DATE: 6/13

CITY COUNCIL DATE: 7/5

#1254

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

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

Gross Area/Net Area: 1.89 acres Property Address: _____

Property Location: N S E W Side of: Piney Forest

Between: Cottanwood Ln and Apollo Ave

Proffered Conditions (if any, please attach): _____

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:

VETERINARY HOSPITAL, PET BOARDING + GROOMING FACILITY.
ATTACHED PHOTOS SHOW A SIMILAR PROJECT ~~AND~~ (BLUE BUILDING)
AS WELL AS CRAFTSMAN STYLE RESIDENTIAL LOOK WE WISH
TO ACHIEVE

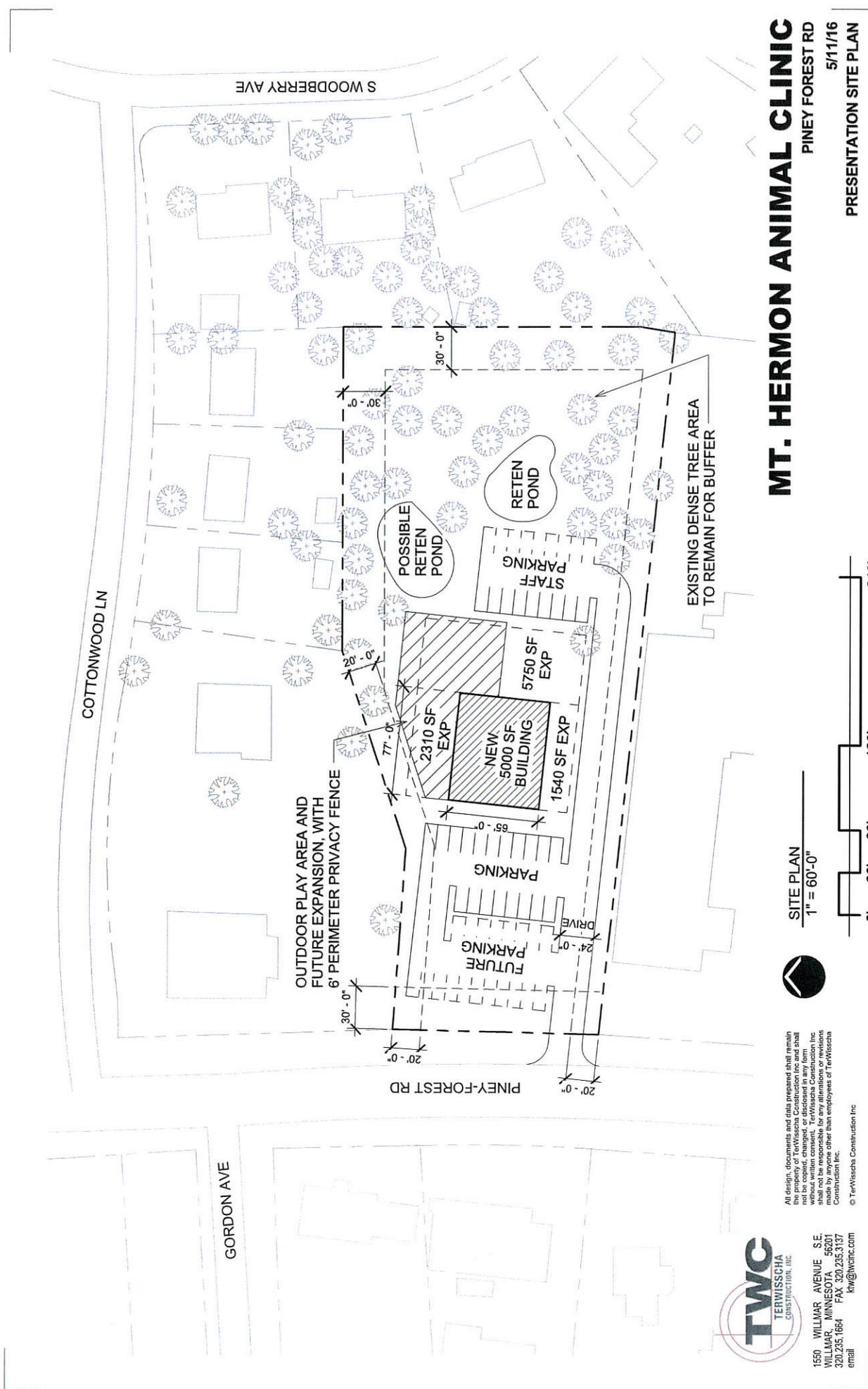
PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

1. NAME: F THOMAS GORGAN III TELEPHONE: _____
MAILING ADDRESS: 142 NEWBURY WAY DANVILLE, VA 24541
SIGNATURE: [Signature] DATE: 5-16-16
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

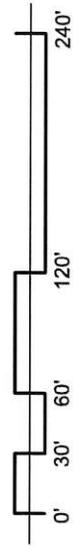
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: JEFFERSON L. SMITH TELEPHONE: (434) 836-2499 (w)
(434) 251-8686 (cell)
MAILING ADDRESS: 3620 FRANKLIN TURNPIKE DANVILLE, VA 24540
EMAIL ADDRESS: jeffvetsmith@gmail.com
SIGNATURE: [Signature] DATE: 5/16/16



MT. HERMON ANIMAL CLINIC
 PINEY FOREST RD
 5/11/16
 PRESENTATION SITE PLAN

SITE PLAN
 1" = 60'-0"

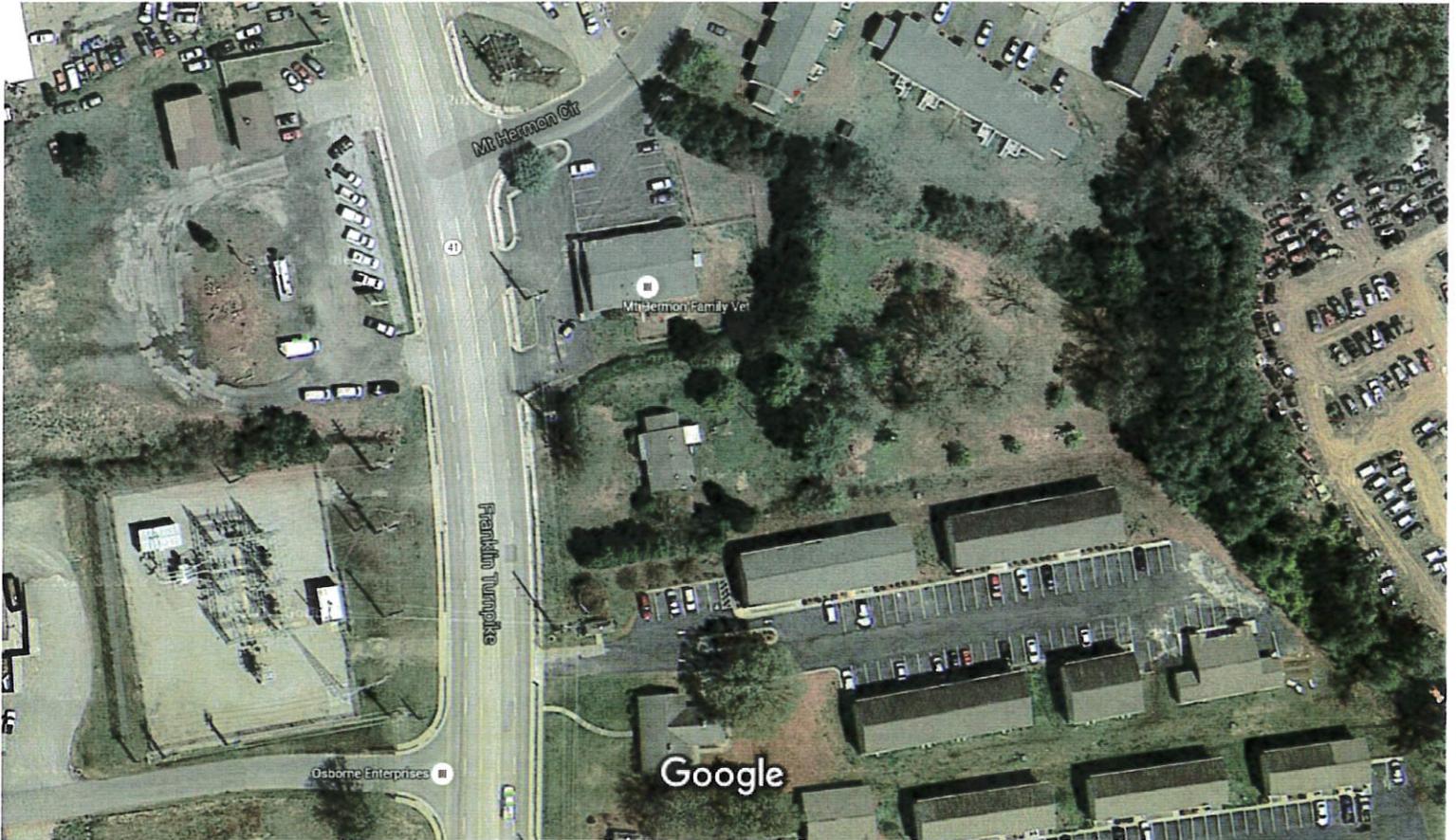


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1550 WILLMAR AVENUE S.E.
 WILLMAR, MINNESOTA 56201
 320.235.1664 FAX 320.235.1377
 email kiw@twcinc.com

Google Maps



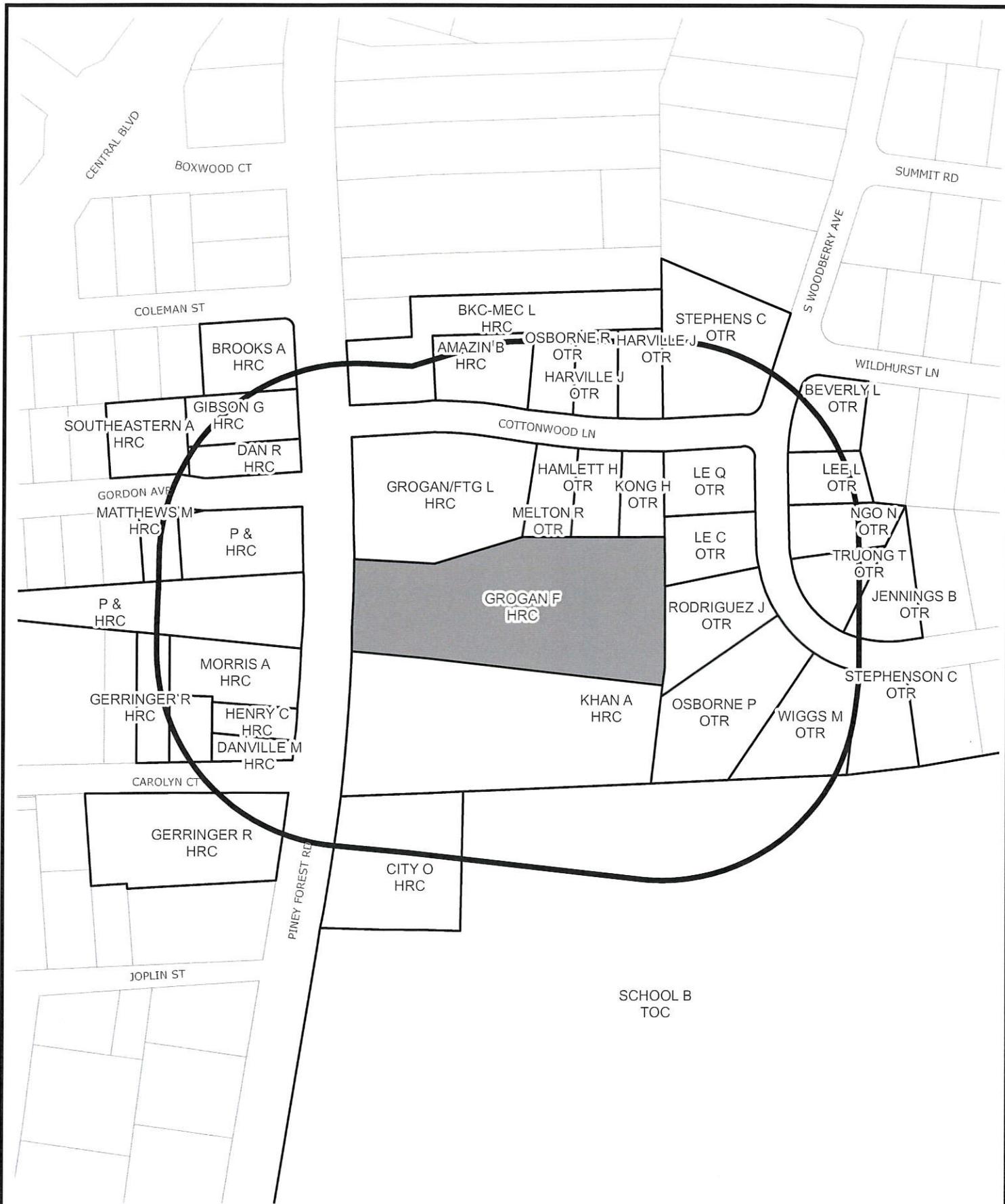
Imagery ©2016 Commonwealth of Virginia, DigitalGlobe, Map data ©2016 Google 50 ft

Google Maps









SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
 Planning Division
 5/16/2016

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SPECIAL USE PERMIT REQUEST
DATA SHEET

DATE:	May 26, 2016
LOCATION OF PROPERTY:	Parcel ID #60550
PRESENT ZONE:	HR-C, Highway Retail Commercial
PROPOSED ZONE:	Same
ACTION REQUESTED:	Request for Special Use Permit to allow for a veterinary hospital, with pet boarding and grooming.
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Pet Clinic
PROPERTY OWNER (S):	Thomas Grogan III
NAME OF APPLICANT (S):	Jefferson Smith
PROPERTY BORDERED BY:	Commercial and residential to the North, South, East, and West
ACREAGE/SQUARE FOOTAGE:	1.89 acres
CHARACTER OF VICINITY:	Mixed residential and commercial
INGRESS AND EGRESS:	Piney Forest Rd
TRAFFIC VOLUME:	High
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of June 13, 2016



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/16/2016

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PLANNING REPORT

P.O. Box 3300

Danville, VA 24543

(434) 799-5261

City Planning Commission

Meeting of June 13, 2016

Subject:

Rezoning application PLRZ20160000149, filed by George Lovelace requesting to rezone from N-C, Neighborhood Retail Commercial to HR-C, Highway Retail Commercial, 1910 N. Main Street, otherwise known as Grid 2814, Block 002, Parcel 000029 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate an automobile retail establishment on the site.

Background:

A request has been filed by George Lovelace to rezone 1910 N. Main Street from N-C, Neighborhood Retail Commercial to HR-C, Highway Retail Commercial. The applicant is proposing to rezone the property for the operation of an automobile retail establishment.

The .40 acre subject parcel is currently improved with a vacant building. In the past it was the location of Roy's Soul Food Restaurant and Lounge, Designs in Glass, and a video production business. Presently, it is proposed to be the location of an automobile retail establishment with ingress and egress from N. Main Street and Fuller Street.

The subject parcel is bordered on all sides by properties zoned OT-R, Old Town Residential. There is commercial property to the north that is zoned TO-C, Transitional Office Commercial and NC-Neighborhood Commercial. The nearest property in the vicinity that is zoned "Conditional" HR-C, Highway Retail Commercial lies approximately .3 miles north of the subject property on N. Main St.

Thirty-six (36) 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 June 13, 2016.

Staff Analysis and Recommendation:

Staff believes that the rezoning of the subject parcel to HR-C, Highway Retail Commercial is illegal spot zoning as there are no other properties zoned HRC, Highway

Retail Commercial in the vicinity. The area is predominantly residential with N-C, Neighborhood Retail Commercial uses and TO-C, Transitional Office Commercial to the north. Staff believes that N-C, Neighborhood Retail Commercial is an appropriate zoning designation for the subject property and will allow for a variety of uses that will serve the neighborhood well. Staff has concerns with a number of uses permitted by right and by Special Use Permit that an HR-C designation would have detrimental effects on the surrounding neighborhood. Staff has not received a proffered list to address the removal of any of these uses.

Staff has presented Mr. Lovelace with many other properties throughout the City that are already appropriately zoned for use as a used car lot. Staff believes that they can continue to work with Mr. Lovelace to find a property that is appropriately zoned.

Staff recommends denial of Rezoning Application PLRZ20160000149, filed by George Lovelace requesting to rezone from N-C, Neighborhood Retail Commercial to HR-C, Highway Retail Commercial, 1910 N Main Street, otherwise known as Grid 2814, Block 002, Parcel 000029 of the City of Danville, Virginia Zoning District Map.

If Planning Commission would be in favor of a limited HR-C Zoning for this property, staff would recommend tabling the request to allow the applicant to proffer a list of uses that could address some concerns regarding uses that would be incompatible with the surrounding residential districts assuming the applicant is willing to proffer such a list.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLRZ20160000149 as submitted.
2. Recommend approval of Rezoning Application PLRZ20160000149 with conditions per Planning Commission.
3. Recommend denial of Rezoning Application PLRZ20160000149.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2015 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: PLRZ 20160000149 EXISTING ZONING: NC
PROPOSED ZONING: HRC TAX MAP NUMBER: _____
RECEIVED BY: Alh DATE FILED: 5/16/16
PLANNING COMMISSION DATE: 6/13/16 CITY COUNCIL DATE: 7/5/16

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: Danville, 1910 N. main St.

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

1: NAME: PATRICE STILL TELEPHONE: 407-889-4485

MAILING ADDRESS: 1943 BLUFF OAK ST APOPKA, FL 32712

SIGNATURE: Chris Deenlap - Agent for DATE: 4/30/16
Patrice Still

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: George Lovelace TELEPHONE: 434-429-3226

MAILING ADDRESS: 379 updike Pl. Danville Va 24541

EMAIL ADDRESS: _____

SIGNATURE: George Lovelace DATE: 4-30-16

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:

Rezone to HRC car lot

2. ALTERATION OF ZONING BOUNDARIES:

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

I THE UDERSIGNE DO NOT OBJECT TO THE REZONING OF
1910 NORTH MAIN ST. TO ALLOW THE SALE OF CARS.

NAME,ADRESS RANDY TARR 114 Motley Ave

NAME,ADRESS Crystal L Swink 114 Motley Ave

NAME,ADRESS ANNIE G Appold ^{Motley Ave} 116

NAME,ADRESS F. Yeatts 236 Motley Ave

NAME,ADRESS MATTIE Hutchings 236 Motley Ave

NAME,ADRESS DAVID PATTERSON 233 MOTLEY Ave.

NAME,ADRESS John Davis 227 Motley Ave

NAME,ADRESS Rhonda Walter 181 Powell AVE

NAME,ADRESS Anthony Poole 183 Powell

NAME,ADRESS Angela Jennings 128 Powell

NAME,ADRESS Susan Collins 171 Powell Ave.

NAME,ADRESS Matthew Petrot 172 Powell Ave

NAME,ADRESS Jessie K. Ketch 122 Clement Ave.

NAME,ADRESS Penelope Myers 139 Powell Ave Danville

I THE UDERSIGNE DO NOT OBJECT TO THE REZONING OF
1910 NORTH MAIN ST. TO ALLOW THE SALE OF CARS.

NAME,ADRESS Sally Jones 221 North Ave.

NAME,ADRESS Michael McBrink 204 North Ave.

NAME,ADRESS BILAN Catwold 196 North Ave.

NAME,ADRESS Luis D. Brock 201 North Ave

NAME,ADRESS Rosario Mooradian 197 North Ave

NAME,ADRESS Dyan L Womack 193 North Ave

NAME,ADRESS Antonio Cruz Hernandez 181 North Avenue

NAME,ADRESS Theresa Davis 173 North Ave

NAME,ADRESS Wayne Age 169 North Ave.

NAME,ADRESS Gloria Tarpley 165 North Ave.

NAME,ADRESS Destinee Foster 158 North Ave

NAME,ADRESS Renel Foster 115B Pleasant View Ave

NAME,ADRESS Kimberly Jones 148 North Ave

NAME,ADRESS Mark Johnson 139 North Ave

Maurice Jones 130 North Ave

I THE UDERSIGNE DO NOT OBJECT TO THE REZONING OF
1910 NORTH MAIN ST. TO ALLOW THE SALE OF CARS.

- NAME,ADRESS William & Patricia Roberts 2007 William St. Danville 429-9321
- NAME,ADRESS Dorothy Lee Danvers North Main St
- NAME,ADRESS Justin Scott North Main St
- NAME,ADRESS ~~Richard~~ Hills North Main St
- NAME,ADRESS Leonard Butler 132 Fuller St
- NAME,ADRESS James E. Lee 218 N Raleigh Ct north main
- NAME,ADRESS Jeffery Orr 237 W. Raleigh Ct
- NAME,ADRESS Tomecia Hanson 239 W. Raleigh Ct
- NAME,ADRESS Nancy Murphy
- NAME,ADRESS Arden Lee 114 Greenwich Ave
- NAME,ADRESS Herrick Thomas 126 Greenwich Ave
- NAME,ADRESS Duffy Jones 126 Greenwich Ave
- NAME,ADRESS Clifton L. Ham 139 Greenwich Ave.
- NAME,ADRESS Dan R. Davis 143 Greenwich

I THE UDERSIGNE DO NOT OBJECT TO THE REZONING OF
1910 NORTH MAIN ST. TO ALLOW THE SALE OF CARS.

NAME,ADRESS Deborah Adkins (Deborah Adkins)

NAME,ADRESS Edward Hunt #153 Greenwich

NAME,ADRESS Robin Hunt #153 Greenwich

NAME,ADRESS Joni A. Ingraham 159 Greenwich

NAME,ADRESS Tamika Fitzgerald 163 Greenwich

NAME,ADRESS Marcia Gwynn 163 Greenwich

NAME,ADRESS Ros Talli 163 Greenwich

NAME,ADRESS Cristy Wilson 112 Greenwich

NAME,ADRESS F. LAWRENCE McFALL, Jr 610 GREENWICH CIR.

NAME,ADRESS Francis W. [unclear] 701 Sem. rd + [unclear]

NAME,ADRESS Samantha Crompton 509 Greenwich Circle

NAME,ADRESS Jammy D. Cunn 509 Greenwich Circle

NAME,ADRESS Wayne Kirby

NAME,ADRESS Henrietta Stone

I THE UDERSIGNE DO NOT OBJECT TO THE REZONING OF
1910 NORTH MAIN ST. TO ALLOW THE SALE OF CARS.

NAME,ADRESS Tatiana Pounds 139 Powell ave

NAME,ADRESS TIA Bowman 221 KINZEL AVE.

NAME,ADRESS Raymond Harris 1912 Carter

NAME,ADRESS Rachel Brown 1912 Carter

NAME,ADRESS Ray Brewer Carter ST 1915

NAME,ADRESS Kent W. Sanderson P. Powell ST

NAME,ADRESS Michele Wesley 124 Clement Ave

NAME,ADRESS Elder George + Sis Betty Keene 118 Clement Ave.

NAME,ADRESS Danny Thompson 119 Fuller St 24540

NAME,ADRESS Makea Barton 40 Garland St. Danville VA 24541

NAME,ADRESS Stephanie Copp (123 Fuller St 24540).

NAME,ADRESS Elmer Turner 129 Fuller St. 24540

NAME,ADRESS Ruby Stratton 231 So Raleigh Ct

NAME,ADRESS James E. Cobb

I THE UDERSIGNE DO NOT OBJECT TO THE REZONING OF
1910 NORTH MAIN ST. TO ALLOW THE SALE OF CARS.

NAME,ADRESS Tony Gordon 448 Greenwich ave

NAME,ADRESS Rosheeta Brock greenwich

NAME,ADRESS Susan Ferguson 174 Greenwich Ave.

NAME,ADRESS Edna C. Ferguson - ^{174 Greenwich Ave.} Danville, Va 24540

NAME,ADRESS Jamika Echols ^{200 Greenwich Cir} Danville, VA 24540

NAME,ADRESS John Kenned 285 Greenwich Ct,

NAME,ADRESS Bonnie Crowder 219 Greenwich Cr. Danville, Va

NAME,ADRESS Bonnie Lawrence 219 Greenwich Cir. 24541

NAME,ADRESS Carl Crowder 219 Greenwich Cr. Danville Va. 24541

NAME,ADRESS Jerrita Patterson 216 Greenwod Ave Danville ²⁴⁵⁴⁰

NAME,ADRESS Mandell 157 Superior Danville, Va 24540

NAME,ADRESS _____

NAME,ADRESS _____

NAME,ADRESS _____

I THE UDERSIGNE DO NOT OBJECT TO THE REZONING OF
1910 NORTH MAIN ST. TO ALLOW THE SALE OF CARS.

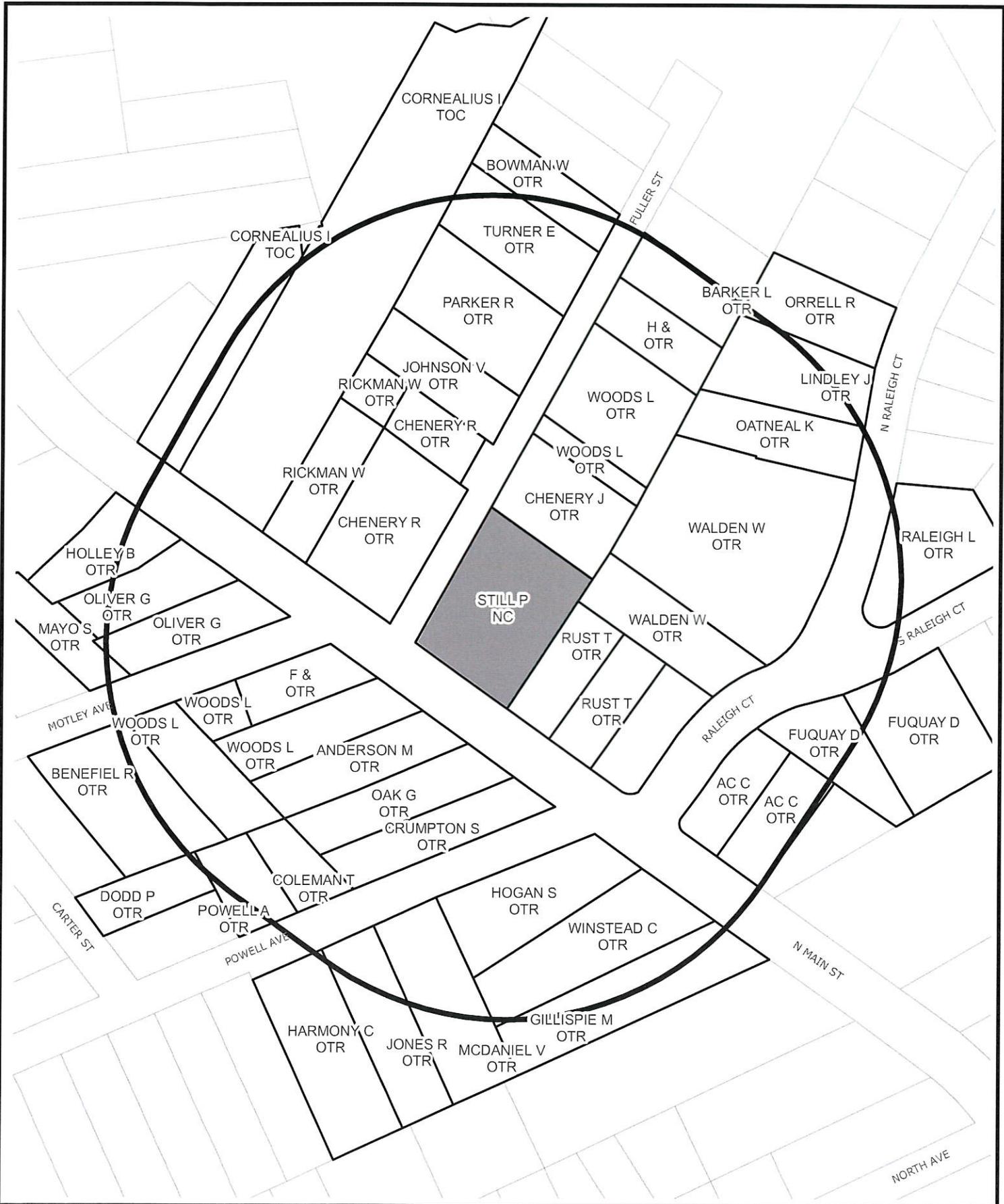
NAME,ADRESS Elaine Hunt 119 north Ave

NAME,ADRESS Deborah A. Quinn 2017 N. Main St Apt 2

NAME,ADRESS Wanda Cefk 2017 N. Main St Apt 1

NAME,ADRESS Cynthia Morton 2017 N Main St Apt 5

NAME,ADRESS _____



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

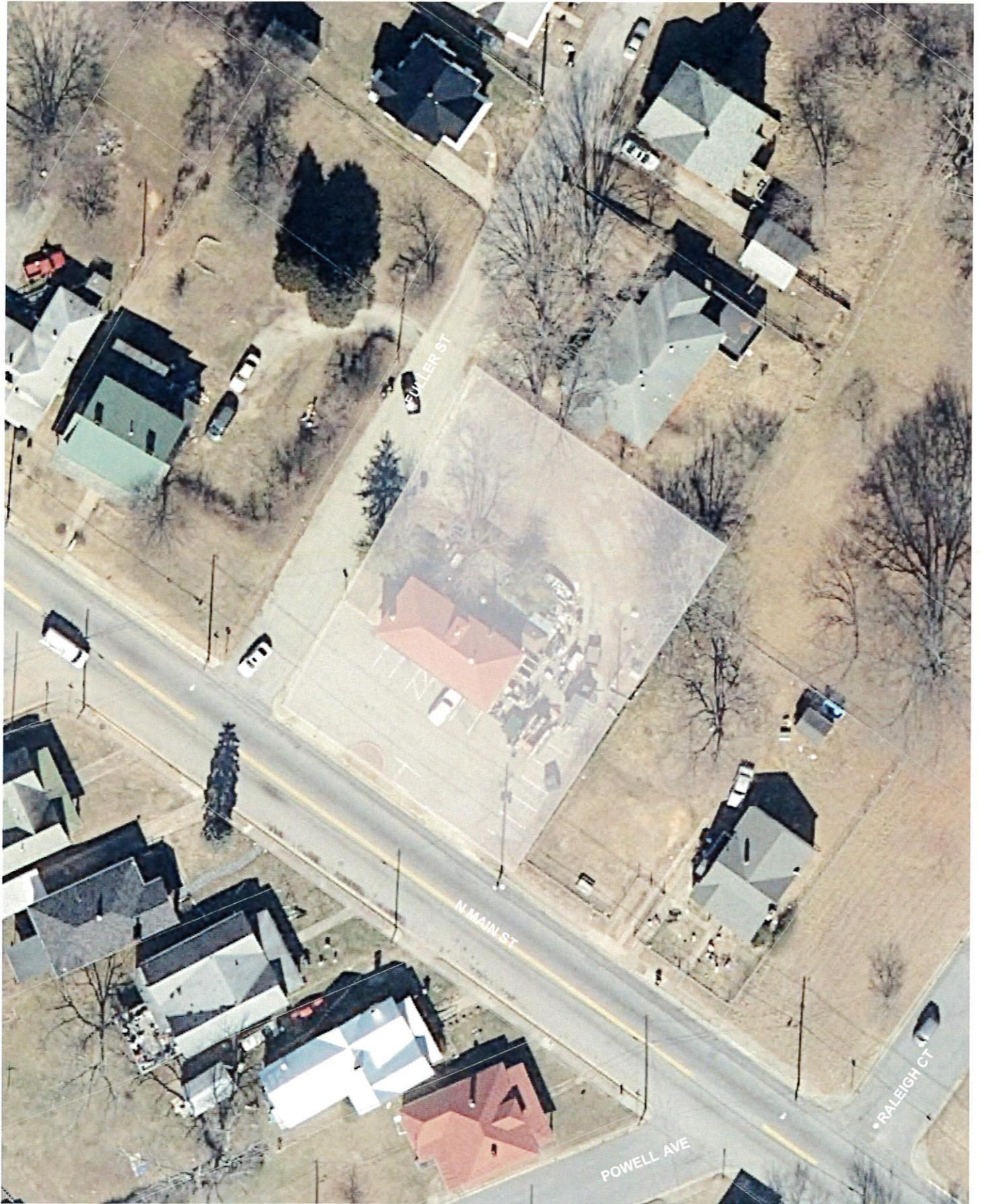


Prepared by:
 Planning Division
 5/26/2016

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:	May 26, 2016
LOCATION OF PROPERTY:	1910 N Main Street
PRESENT ZONE:	NC, Neighborhood Retail Commercial
PROPOSED ZONE:	HR-C, Highway Retail Commercial
ACTION REQUESTED:	Request to rezone to HR-C for use as an automobile retail establishment
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Automobile retail establishment
PROPERTY OWNER (S):	Patrice Still
NAME OF APPLICANT (S):	George Lovelace
PROPERTY BORDERED BY:	Residential to the North, South, East, and West
ACREAGE/SQUARE FOOTAGE:	.40 acres
CHARACTER OF VICINITY:	Predominantly residential
INGRESS AND EGRESS:	N Main Street and Fuller Street
TRAFFIC VOLUME:	Moderate
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of June 13, 2016



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/26/2016

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PLANNING REPORT

P.O. Box 3300

Danville, VA 24543

(434) 799-5261

City Planning Commission

Meeting of June 13, 2016

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 15: entitled "Definitions", to amend the definition of Duplex; and to amend various sections of Article 10 regarding signage.

Background:

The City of Danville adopted the current zoning regulations in 2004. These regulations are amended from time to time to address changes in laws on both the state and national level as well as for new ideas or concepts presented to the City.

The recent decision by the Supreme Court of the United States in *Reed et. al v. Town of Gilbert Arizona et. al.* necessitates that the sign ordinance be reevaluated regarding size limitations for religious and political signs that may limit free speech. Under the current zoning regulations, churches must obtain sign permits to install signage and their signage must comply with the same size regulations that commercial signs must comply with depending on their zoning district.

Political signs are currently considered exempt and may be erected or constructed without a permit. Political signs are limited to a maximum of eight (8) square feet for residential districts and thirty-two (32) square feet in commercial and industrial districts. They must be removed fourteen (14) days after the election.

Additionally, staff requests to amend Article 15 entitled "Definitions", to amend the definition of Duplex and to amend various sections of Article 10 where there is a discrepancy between the written code and the signage tables.

Staff Analysis and Recommendation:

Staff has been notified that the definition of duplex in the code is ambiguous due to the need for the units to be on individually platted lots. The current definition is

Duplex. A two-family attached residential use in which the dwelling units are located on individual platted lots, and which share a common wall (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

Staff has received a request to change the definition to make it similar to the Dwelling, single family attached.

Duplex. A group of two (2) single family dwelling units which are generally joined to one another by a common party wall, a common floor/ceiling and/or connecting permanent structures such as breezeways, carports, garages or screening fences or walls, whether or not such a group is located on a single parcel of ground or on adjoining individual lots. Each unit on a lot shall have its own outside entrance(s); architectural facades or treatment of materials shall be varied from one unit to another.

Staff believes that this is a better definition and supports the removal of the current Definition under Article 15 and it be replaced as listed above.

Due to recent events, various sections of the sign ordinance have come to light as being in need of attention. Staff believes the proposed amendments would be best fleshed out in a work session or even in a supplemental review of the sign code by outside consultants. Staff would recommend that Planning Commission help provide staff direction on which way this code section should be addressed.

City Planning Commission Alternatives:

1. Recommend approval of the Code amendment for change of the definition of a Duplex as submitted by Planning Staff and tabling the code change for signage to a further date.
2. Recommend approval of the Code amendments with modification per Planning Commission.
3. Recommend tabling both Code amendments for more study.
4. Recommend no changes be made to the Code.

Mr. Ken Gillie
Director of Planning
City of Danville
Danville, Virginia

April 25, 2016

Dear Ken:

After reviewing the definition of the word "Duplex" in the City of Danville Zoning Code, I feel that it is overly restrictive and does not truly represent the common usage and understanding of the word. The vernacular meaning is simply a structure that contains two, and only two dwelling units. I am afraid that this situation will lead to confusion in the public's mind, and may have, in fact, already done so.

Perhaps a more suitable meaning for the word "Duplex" would be that of the already defined "Dwelling, single family attached", with the exception of where that definition allows for "two (2) or more single family dwelling units". When used to define "Duplex", it should specify "two (2) single family dwelling units".

I think that we all understand that, even after 12 years, that the zoning code is "a work in progress". This is probably a good place to do a little fine tuning.

Sincerely,



Gus Dyer

PLANNING COMMISSION MINUTES

May 09, 2016

MEMBERS PRESENT

Mr. Wilson
Mr. Dodson
Mr. Searce
Mr. Jones
Mr. Garrison
Mrs. Evans

MEMBERS ABSENT

Mr. Bolton

STAFF

Tracie Lancaster
Ken Gillie
Anna Levi
Clarke Whitfield

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

I. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit application PLSUP20160000116, filed by River District Lofts, LLC, requesting a Special Use Permit to have Multi-family dwellings as a principal use in accordance with Article 3.K; Section C, Item 10 of the Code of the City of Danville, Virginia 1986, as amended at 549 High St, otherwise known as Grid 2709, Block 016, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to redevelop the building into 23 loft style apartments.*

Ms. Levi read the staff report. 16 notices were sent to surrounding property owners within 300 feet of the subject property. Three responses were not opposed.

Mr. Searce opened the Public Hearing.

Present on behalf of this request was Ms. Corrie Teague, Economic Development. The developer was not able to make it today but I will be happy to answer any questions you may have.

Mrs. Evans it says it's not going to be commercial development on the first floor. What is going to be on the first floor?

Ms. Teague stated the entire building will be residential.

Mr. Jones asked how many levels will there be?

Ms. Teague stated I believe there will be four.

Mr. Jones stated with an elevator?

Ms. Teague stated yes there should be an elevator inside.

Mr. Gillie stated an elevator is required.

Mr. Scearce closed the Public Hearing.

Mr. Garrison made a motion to approve PLSUP20160000116 with conditions per staff. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

2. *Rezoning application PLRZ20160000121, filed by Gus Dyer requesting to rezone from OT-R, Old Town Residential to A-R, Attached Residential Parcel IDs #50393 and #50394, otherwise known as Grid 0715, Block 011, Parcels 000006, and 000005, respectively, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for consolidation and development into a duplex.*

Ms. Levi read the staff report. 24 notices were sent to surrounding property owners within 300 feet of the subject property. Five responses were not opposed. Two were opposed.

Mr. Scearce opened the Public Hearing.

Present on behalf of this request is Gus Dyer, the applicant. Basically this is the same thing we discussed last month as far as the duplex. In your package you have a site plan, a front elevation and a floor plan. One thing that I would like to point is that the main reason I am requesting a duplex as opposed to two single family houses which could go on this lot; Is that by doing the duplex that allows for egress to the rear of the lot. Which would then give you egress to the larger parcel on Fairview Avenue. These are actually two lots so you could actually build two housing units on each one. Once we build the duplex on these two lots that's all that would be allowed to go on these two lots. We can't come back later and put more units on these two lots without subdividing them.

Mr. Wilson stated how many actual buildings do you see being built on this lot?

Mr. Dyer stated one on these two lots. The two lots that are subject today for the rezoning. I'm not asking for anything on the triangular lot.

Mr. Wilson stated I understand that but on this one extended lot just one building on two lots?

Mr. Dyer stated code under AR allows for a duplex but only a duplex. The irony is that I could do both I could do two fourplexes and have a total of 8 units. But by doing a duplex only one duplex is allowed on these two lots. These are actually two lots whether they are combined by use, they are ultimately subdivided anyway. So I could do one house here and one house here, only that would not allow me the room for the driveway to get to the rear of the lot.

Mr. Wilson stated once you build the one duplex will you have a road running all the way back?

Mr. Dyer stated that is to be determined.

Mr. Wilson stated depending on the use of the other property?

Mr. Dyer stated right. Code actually requires that if I access the triangular piece through either of these two lots that it has to be zoned the same. I can't leave this OTR and have the driveway that goes down into Attached Residential.

Mrs. Evans stated is this a significant reduction from the apartments you were talking about. How many units were you proposing?

Mr. Dyer stated that has been withdrawn.

Mrs. Evans stated I know I'm just asking.

Mr. Dyer stated well it was a 16 unit complex.

Mrs. Evans stated you are okay with reducing it to this.

Mr. Dyer stated well its gives me the opportunity to develop that property at a later date. I'm just not in the position right now; I know you all don't think it is a significant investment. But I talk to someone and they told me they spent \$40,000 on site plans. I'm just not in a position right now where I can do that project.

Mr. Scarce stated this will only be one building?

Mr. Dyer stated right.

Mr. Jones stated I have a question for staff is that condition that the Planning Commission states or is that in the application just the one duplex?

Mr. Gillie stated it's in the code. So on a rezoning you can't put conditions on it. Only the applicant can proffer them. Since it is already in the code and were not requesting anything of the applicant. This is just a straight rezoning.

Mr. Scarce closed the Public Hearing.

Mr. Dodson made a motion to approve PLRZ20160000121 as submitted by Planning Staff. Mrs. Evans seconded the motion. The motion was approved by a 6-0 vote.

3. *Special Use Permit application PLSUP20160000117, filed by Brian Lee requesting a Special Use Permit for the operation of agriculture in accordance with Article 3.B; Section C, Item 1 of the Code of the City of Danville, Virginia 1986, as amended at Parcel ID #75506, otherwise known as Grid 1618, Block 003, Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to run a non-commercial agriculture operation on the site.*

Ms. Levi read the staff report. 10 notices were sent to surrounding property owners within 300 feet of the subject property. Three responses were not opposed.

Mr. Scarce opened the Public Hearing.

Present on behalf of this request was the applicant, Brian Lee.

Mr. Lee stated my intent is to have a piece of land that I can live on that and limit how much money I spend in the grocery store. As far as the conditions I don't have any real problem with them. I would ask that we try to amend the condition of no roosters shall be kept on the property. I don't have a problem with no roosters but the adult male roosters are the ones that make the noise. The young six or eight months old they are not roosters until they get to the breeding age. I don't have any intention of having any that are noise makers. I don't want to be woken up by that. I would like to be able to have chickens for the eggs. Also, I would like to have chickens for the meat. But as far as the conditions other than that I don't have a problem.

Mr. Scearce stated let me ask you this, what are your thoughts on that? Can we put a age limit on roosters?

Mr. Lee stated well generally speaking you kill them off at six or eight months they don't become a rooster until a year or a little more. Roosters are generally considered as adult male chickens.

Mr. Scearce stated so you are not going to have adult chickens?

Mr. Lee stated I don't want the noise; I don't want to be woken up by that noise. Well they are called chicks is what they are. You know it's like if you to the grocery store and you buy chicken it's a male chicken. It's a young chicken. I don't have any intention of having any adult chickens.

Mr. Wilson stated there must be a reason why we have no roosters are to be kept on properties is that in our code? What's the reasoning behind that? Can we loosen this?

Ms. Levi stated the reason that we said no roosters was mainly for the noise to surrounding property owners. That was our main concern the code doesn't say anything about roosters or chickens just that they there numbers should be limited to five for every three acres. So it doesn't say anything about the noise that was a concern of ours because this is a was added to the code recently we haven't really done anything like this. So this is the first case and kind of a test.

Mr. Wilson stated well is there a way that we could put something in our decision that goes to City Council that if there were difficulty with the noise like from neighbors and they complain that he would then have to remove the rooster?

Mr. Gillie stated that's just a enforcement nightmare.

Mr. Lee stated I don't have a problem with accepting the conditions as stated. I was just hoping that maybe I could get concession on the chickens if I can if I can't, I can't.

Mr. Scearce stated well so what you are waiting to raise is male chickens not roosters.

Mr. Lee stated I want both chickens and hens for the eggs.

Mr. Scearce stated well you are not calling what you are raising roosters.

Mr. Lee stated correct because when you buy chicks whether it be egg laying chickens or for meat, egg laying hens are not good meat. You buy them when they are about three

days old and normally you butcher them off when they are four to six months. They are not good eating once they become mature, once they become breeding age. So you butcher them off long before they get to that age. My purpose is to have it for food not for a petting zoo.

Mr. Wilson stated once we make a decision it really sets a precedent for others that might want to come and do this.

Mr. Scarce stated I think if we distinguish that he is not having mature males which would be called roosters, he is just saying he is going to have male chicks and they would be consumed and used before they get to the adult age. I guess technically you wouldn't have a rooster then would you?

Mr. Lee stated no but there is a gray area there.

Mr. Scarce stated either we can just scratch it and allow him to have roosters. It is a pretty rural property even though it is in the City.

Mr. Gillie stated chickens don't have birth certificates so from an enforcement standpoint I will never be able to tell whether it's a rooster or not. That's why I said it's an enforcement nightmare. As she said this is new to us as well you know I'm an urban planner and Ms. Levi is fresh out of grad school trying to give me some new ideas. We are working on this; this is kind of her case. We just put it as a condition because of the noise while it's rural there they're properties around it. There is a house across the street, an apartment complex and others that are really within site on that photo. The sound is going to travel in that area so we were just concerned with the noise and what they would do with the surrounding property owners.

Mr. Lee stated well the property across the street Mrs. Rose she wants a farm back there anyway.

Mr. Gillie stated well okay if you want to allow roosters and we don't get any complaints then we will know next time. We were just hedging on the side of caution.

Mr. Scarce stated I guess it's up to your pleasure whatever you have that you want to address. If you want to scratch that you can if you want keep it you can.

Mr. Wilson stated well I mean for me since he said that he is acceptable to these conditions and this is the recommendation from these folks, that actually think about it. I'm just kind of leaning to go with the recommendation.

Mr. Whitfield stated it sounds like he said he is fine because they are not going to be making the noise even the male chickens because he would have slaughtered them and eaten them or put them in the freezer before they get to that point.

Mr. Scarce stated okay that's fine if you can work with this.

Mr. Lee stated like I said the rooster thing is not going to be a deal breaker for me. I just wanted to get clarification on what is or isn't. Technically they are not a rooster until they are an adult.

Mrs. Evans stated you are okay with no more than six grazing animals?

Mr. Lee stated yeah because if I have three cows and two horses, they will be pets. I can't eat that much meat in a year anyway. In others words I can't eat more than three cows in a year anyway. I don't have a problem with it.

Mr. Jones stated have you been doing this all your life?

Mr. Lee stated I was raised on a farm from about age 2 until 14. Then my dad got transferred.

Mr. Jones stated so you had to feed the chickens and all those things?

Mr. Lee stated and the cow. As I have gotten old with different things that I have done I have traveled all over. I worked dude ranches out West. I lived in Alaska for six months working on a homestead so I have experience. I drive a truck and I don't have the desire to drive until I'm 70. So when I am about 49 or 50 years old I would like to come off the road and find a local company to drive for and live in my peaceful little life. As far as the animals go if I were to close on June 13 which is the plan it would be two to three years before I would have any animals; because I'm only here six to eight days a month because of my job. With me trying to do this on my own it will take me two or three years to get the fencing put up so I'm still two or three years from having animals. But I wanted to get the permit I didn't want to buy the land and then worry about coming here.

Mr. Garrison stated that's very wise.

Mr. Scarce closed the Public Hearing.

Mr. Wilson made a motion to approve PLSUP20160000117 with conditions per staff. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote.

4. *Rezoning application PLRZ20160000111, filed by Danville Redevelopment Housing Authority (DRHA), requesting to rezone from OT-R, Old Town Residential to TW-C, Tobacco Warehouse Commercial, 502 Franklin Street, otherwise known as Grid 2718, Block 014, Parcel 000003 of the City of Danville, Virginia Zoning Map. The applicant is proposing to rezone to allow the operation of an office for DRHA's homeownership program.*

Ms. Levi read the staff report. 16 notices were sent to surrounding property owners within 300 feet of the subject property. Six responses were not opposed.

Mr. Scarce opened the Public Hearing.

Present on behalf of this request was Mr. Gary Wasson and Kim Walker from Danville Redevelopment and Housing.

Mr. Wasson stated the Housing Authority has home ownership programs for quite a few years as part of our Hope VI grant efforts. But the last few years we have partnered with the City on other areas for home ownership. It's our plan to kind of expand the program to include more of the City. Actually anyone could come in and use the facility to get home ownership counseling and other kind of services related to home ownership. Mrs. Walker

can give you details about what she will be doing there. If there are any questions about that she can answer them.

Mr. Scarce closed the Public Hearing.

Mrs. Evans stated we have a comment from someone that says this appears to be spot zoning could you address that?

Mr. Gillie stated the area across the street is zoned for it already. Spot zoning is giving one property special privileges that aren't available to others or not in the immediate area. We got the area they are just adjusted from one side to the other. We don't consider it spot zoning.

Mr. Scarce stated you have it on three sides where it's the same.

Mrs. Evans made a motion to approve PLRZ20160000111. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

II. ITEMS NOT FOR PUBLIC HEARING

- 1. Acceptance of 10,991 sq. ft of right-of-way for creation of a cul-de-sac for Idlewood Terrace.*

Mr. Wilson made a motion to approve the acceptance of the plat. Mr. Jones seconded the motion. The motion was approved by a 6-0 vote.

- 2. Acceptance of 2,292 sq. ft. of right-of-way along Riverside Drive.*

Mr. Wilson made a motion to approval of the acceptance of the right a way along Riverside Dr. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote.

III. MINUTES

The April 11, 2016 minutes were approved by a unanimous vote.

IV. OTHER BUSINESS

Mr. Gillie stated City Council approved all the items that you had from last month that carried over. Staff is requesting that you make a motion to authorize staff to amend some definitions in the Zoning Code and to look at modifying our sign code based on a recent Supreme Court decision. We think we need to go and possibly change a few things in our sign code. So if I could get you to authorize staff advertising to change some definitions. I have worked with Mr. Dyer in the last few weeks since the Planning Commission meeting regarding some definitions in the Zoning code that based on his project we think we should

clean up. So I have got some proposals on something's that I think will make it easier on all of us in the future.

Mr. Scarce stated do we need to say do it or do we need to vote?

Mr. Whitfield stated just a motion to authorize the advertisement.

Mrs. Evans made a motion authorize the advertising. Mr. Jones seconded the motion. The motion was approved by unanimous vote.

Mr. Gillie stated also the American Planning Association of Virginia chapter is having it's conference in June at Wintergreen. I have some money budgeted if anyone is interested in possibly attending that. If so let me know Anna is going to go to it to represent the City. But if anyone else is interesting in going and learning more things about planning just contact me afterwards. There are cases for next month.

Mr. Scarce stated where are we at on who is going to be looking into the parking changes?

Mr. Gillie stated we are still working on that. Actually, this is sort of tying into that. The case that came before you today regarding he apartment complex they have to go to the Board of Zoning Appeals and ask for a variance to our requirements. We want to see some things at the Board of Zoning Appeals and then come back; so all of these are sort of tying together.

With no further business, the meeting adjourned at 3:35 p.m.

APPROVED