

PLANNING COMMISSION MINUTES
November 7, 2016

MEMBERS PRESENT

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

MEMBERS ABSENT

Mr. Jones

STAFF

Ken Gillie
Anna Levi
Alan Spencer
Tracie Lancaster

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

I. ITEMS FOR PUBLIC HEARING

1. *Rezoning application PLRZ20160000271, filed by Fred Shanks on behalf of DARMA, LLC, requesting to rezone from S-R, Suburban Residential District to HR-C, Highway Retail Commercial, 156 Spring Ave, otherwise known as Grid 0710, Block 009, Parcel 000002 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone the parcel so that it may be consolidated with 4750 Riverside Drive.*

Ms. Levi read the staff report. 6 notices were sent to surrounding property owners within 300 feet of the subject property. One response was not opposed.

Mr. Searce opened the Public Hearing.

Present on behalf of this request was Fred Shanks. Mr. Shanks stated I am here with Danny Knight from Quality Construction. We don't have anything we need to add to the report that you got from staff. But we would be glad to answer any questions and we would appreciate a favorable recommendation.

Mr. Wilson stated what is the long term plan?

Mr. Shanks stated after consolidation there is not specific business in mind but we would develop consist with highway retail development.

Mr. Wilson stated and the house on it?

Mr. Shanks stated the house on it has been torn down.

Mr. Wilson stated okay do they own that property?

Mr. Shanks stated yes, they own the custom conversions lot and the lot that we are talking about.

Mr. Searce closed the Public Hearing.

Mrs. Evans stated the houses behind this piece of property where the house has been demolished they are suburban residential?

Mr. Gillie stated yes.

Mrs. Evans stated they will remain as such? No concerns have been expressed?

Mr. Gillie stated no.

Mr. Wilson made a motion to approve PLRZ20160000271 as submitted. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote.

2. *Special Use Permit application PLSUP20160000272, filed by NPNS Inc., requesting a Special Use Permit for ancillary vehicle service repair and short term vehicle storage in accordance with Article 3:M, Section C, Item 18 of the Code of the City of Danville, Virginia 1986, as amended at 1525 South Boston Rd and a portion of Parcel ID #76418, otherwise known as Grid 3716, Block 001, Parcel 000003 and Grid 3720, Block 001, Parcel 000002, respectfully, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a towing business with ancillary vehicle repairs and temporary vehicle storage.*

Ms. Levi read the staff report. 4 notices were sent to surrounding property owners within 300 feet of the subject property. One response was not opposed.

Present on behalf of this request was the applicant, Nick Sapounakes. Mr. Sapounakes stated I am here to answer any questions if you have any.

Mr. Wilson stated there is a lot of attention in the report toward vehicle storage and placement. Are you agreeable to the conditions that have been laid out here?

Mr. Sapounakes I would like to ask Ken a question if I could. They mentioned a wooden fence?

Mr. Gillie stated yeah a wooden fence I'm sorry. We took the conditions from your previous facility and transferred them over. He had proposed doing a chain linked fence with slats inside the fence. Staff is not opposed to that. The trees that we are proposing to plant on the outside and do an adequate job after the slats are in place. His existing place on Carolyn Court abutted Central Blvd and when we did those conditions we proposed a wooden fence. The trees actually took care of that and we didn't need the wooden fence at the time. So I am not opposed to going with a chain linked fence with slats in it.

Mr. Scarce stated that will certainly last longer too.

Mr. Gillie stated yeah and again I'm sorry when we took the old conditions I forgot about that part.

Mr. Sapounakes stated Mr. Wilson I will be glad to answer your question.

Mr. Wilson stated so a chain linked fence with the slats is more of a likely hood then what we have here a wooden fence?

Mr. Sapounakes stated yes sir.

Mr. Wilson stated you're okay with the Cypress trees growing there?

Mr. Sapounakes stated yes sir.

Mr. Wilson stated what part of that property do you see you placing the vehicles? Is it right up close to the road?

Mr. Sapounakes stated looking at the position of the building it would be to the right and the fence would enclose the whole storage facility.

Mr. Wilson stated is the storage facility closer to the building that is sitting there now or up closer to South Boston Road?

Mr. Sapounakes stated it would be to the eastern side of the property.

Mr. Gillie stated if you will notice you're drawing there is a small squared in area that he is proposing to keep the cars. If you look at the drawing up on the screen you will see the small darkened area that is the addition part of the Woodall property that he is looking to use.

Mr. Wilson stated so in that little squared area to the right of the building is what you're talking about?

Mr. Gillie stated yeah the squared area to the right of the building and then the additional rectangular piece of property to the east. It goes onto two properties and that is why there is the separate parcel. So it will expand and cover the entire area to the east of the building and then that little sliver that is on the highlighted portion.

Mr. Wilson stated so not really a lot of activity up close to the road?

Mr. Gillie stated no not up close the 58 or anything else.

Mr. Wilson stated on the approval of this the expansion to the road would be allowed though or would they have to come back for that?

Mr. Gillie stated we feel like he would have to come back because we have adjacent to the eastern property line and we have the map actually designating the area. If we want to limit it to 200 or 300 hundred feet we could. How much of the Woodall property are you proposing to use?

Mr. Sapounakes stated it's like 40 feet that already has grass on it.

Mr. Gillie stated if we want to put a limit of 100 feet on the Woodall property that will give you a little bit of wiggle room.

Mr. Sapounakes stated Yes sir.

Mr. Gillie stated staff is not opposed to putting a limitation on an additional hundred feet we can measure the distance of it and list that out. That would prohibit it from coming out to 58 if that is a concern.

Mr. Wilson stated well with this particular business that is not a concern of mine. I just wanted to kind of place all of this activity on the map. It's a rather large area there. It still looks like it's more to the back of the property.

Mr. Sapounakes stated it is.

Mr. Wilson stated I don't have any more questions.

Mrs. Evans stated I have a question. It says you can't store vehicles more than thirty days. Currently where you are do you move vehicles after thirty days?

Mr. Sapounakes stated oh yes. I store vehicles inoperable vehicles for the City, Public Works, and stolen vehicles for the Police Department. I have all of the towing contracts for the City vehicles but most of the time they go down to the City garage or they go down to a repair facility out of town or where ever they need to go we take them. The inoperable vehicles are gone within thirty days.

Mr. Garrison stated this is essentially the same business plan that you have now that is right in the middle of the City is that correct?

Mr. Sapounakes stated that is correct the property that I am at now was sold out from under me.

Mr. Garrison stated but that is right in the middle of the City with two major streets at each side of you.

Mr. Sapounakes stated the last time I came before the Planning Commission was 1994 on the piece of property that I am on now. He was real stringent in what he required. The woman that was here before you came was Mrs. Parks. The only difference in this and the current parcel is at the current facility she wanted red tips planted and I planted them and they all died. So we had to take them up and put Leyland Cypress and they grew pretty quick.

Mr. Gillie stated you will notice that we put in there Leyland Cypress or additional shrub we were just notified that Leyland Cypress maybe having an issue in this area. We were told about a different plant called Arborvitae I believe is what it is. So we have the wording in there for another type just to let you know that might not be true Leyland Cypress that go inside there because of the problem that they have been having. We will work with them on finding a plant that will survive. The red tips died rather quickly last time we don't want that to happen again.

Mr. Bolton stated it doesn't sound like it needs to be done but if you did need to monitor it for the thirty days who does that? How would you even know if the vehicles were there thirty days?

Mr. Gillie stated we have once or twice monitored it in the past when we received a complaint. We found that the vehicles were turning over. The Police Department does one through their towing regulations. Also, Public Works does it because they put mechanics liens and others things on the property. So there are a couple of different ways to monitor it. I myself years and years ago got a complaint and Nick and I went out and walked the site

and checked all of the vehicles. I haven't had a complaint in twenty years now. I have probably has two complaints in twenty years on his operation and those were when it first started. So I'm not concerned.

Mr. Sapounakes stated Public Works does have to come out and approve this lot as a storage facility because we have City vehicles and all on the property. So he has to okay the facility with all the stipulations and requirements.

Mr. Garrison stated if I remember correctly in 1994 at the lot he is on now there was a lot of opposition to that particular piece of property in that location. Am I correct?

Mr. Gillie stated you are correct.

Mr. Garrison stated and there is no opposition to this piece of property?

Mr. Gillie stated correct.

Mr. Searce closed the Public Hearing.

Mr. Bolton made a motion to approve *PLSUP20160000272*, with conditions per staff and the option of a chain link fence with slats or wooden fence. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

Mr. Bolton stated or do you want to give him an option of chain link with slats or a wooden fence?

Mr. Gillie stated the chain link is acceptable to us he preferred chain link with slats we are okay with that. So you can change that. Did you want to say anything for the distance?

Mr. Wilson stated that was a concern of mine but it is not anymore with a long history of working in the Community and being in an area where there was concern and he was a good neighbor. I just don't see it as an issue.

Mr. Bolton stated and I would make that a choice if he wanted to do wooden or the chain link fence with slats.

II. MINUTES

The October 10, 2016 minutes were approved by a unanimous vote.

III. OTHER BUSINESS

Mr. Gillie stated the item that came before you last month that was supposed to go to City Council was held over by the applicant so I don't have a report on that. We do have cases for next month so please plan on attending.

With no further business, the meeting adjourned at 3:19 p.m.

APPROVED