

# PLANNING COMMISSION MINUTES

November 12, 2019

## MEMBERS PRESENT

Mr. Wilson  
Mr. Dodson  
Mr. Garrison  
Mr. Jones  
Mr. Bolton  
Mr. Searce  
Mr. Petrick

## MEMBERS ABSENT

## STAFF

Lisa Jones  
Ken Gillie  
Clarke Whitfield

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

### **I. ITEM FOR PUBLIC HEARING**

1. *Special Use Permit application PLSUP20190000294, filed by Jagjit Singh on behalf of Suhasons Inc., requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 395 Mt. Cross Rd., otherwise known as Grid 1709, Block 004, Parcel 000002 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Mr. Jagjit Singh spoke on behalf of Suhasons Inc. Mr. Singh Stated I don't agree with just one machine and I think that the number of machines allowed should be up to the occupancy. I think just one machine doesn't make sense. I have been running my business for fifteen years and I know how busy we are and I think that decision should be left up to the owner.

Mr. Searce closed the Public Hearing.

Mr. Garrison stated I have thought long and hard about this for a month and half and I would like to read my thoughts if that is okay with you.

Today we have 17 cases dealing with the special use permits for indoor recreation, some for the third time, some for the second time and two for the first time. In our September meeting I felt that we did not have all the information we needed to make a decision due to safety concerns since there was no Certificate of Occupancy and there were parking concerns. However, there were only two neighboring property owners that opposed due to parking. One other was concerned with parking on and blocking a city street. There are legal remedies for these concerns.

In our October meeting a determination had been made that the facilities should be classified as B-Business Group and that there should be one additional parking space per machine. I have no problem with either of these two determinations. The City Fire Department and the Inspections Division of Community Development have the authority under the City Code to make such a determination. This determination provided the

Planning Commission with information to add conditions to the request. The code also has in the 54 parking items including an item that states that staff can require additional parking spaces if they feel additional spaces are needed. I have no problem with this requirement as it is part of the code.

The code allows each of the cases before us today to request a special use permit for indoor recreation. By definition each has four walls and a roof, therefore indoor is correct. By definition playing the games is not work, therefore recreation. The Planning Commission has on many occasions recommended approval with conditions to City Council, including a similar case for indoor games in December 2018. In this case the applicant had started work on a commercial recreational establishment (limited to indoor uses) and a restaurant. The applicant stopped work and applied for a special use permit. The conditions attached by staff and approved by the Planning Commission included the following:

1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only events, private system testing, game burn in and tabletop play testing/evaluations, and any other event held on site.
3. The buildings occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces – which is 27 based on the building occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.
5. There shall be no consumption or sale of alcohol on site, the condition being originally and voluntarily offered by the applicant.

This special use permit was approved by City Council on January 3, 2019 by Ordinance No 2019-01.01. It took several months for the applicant to complete the above conditions and open the facility. He was not required to spend this money until City Council approved the special use permit.

My problem today is that in most of the cases before us there will be an expense to the applicant to upgrade the building to Business Group classification and/or add additional parking. As a commissioner I cannot vote to recommend denial of the request due to the applicant's refusal to spend money without knowing that the special use permit will be approved. Approval or disapproval is the sole right of the City Council. They are the only body that can dictate conditions to the applicants.

Due to my personal concerns and my interpretation of the code I will vote to recommend approval with conditions on the cases before us today and against any recommendation for denial.

Mr. Jones stated staff I'm having trouble with parking here if he owns a business and all those parking spaces if he wants to put drivers there that are using those machines and not let me in to get my milk or whatever that is his call. Is there a problem here if we let him have four machines?

Mr. Gillie stated from staff's perspective yes because he will have eleven people in there and that next person that comes there to get their milk will not know that the facility is full and what do they do they pull in and there is no place to go and that can create issues. We have exceeded the ability for that small space to handle the amount of persons who want to

use that and that is something that we need to look in Planning and Zoning. That is why we have the code that says you need x number of spaces just for the convenience store. He is operating the convenience store with the number of spaces that he has to have. He only has two bonus spaces above and beyond that one will be necessary for the employee and that leaves him one space above and beyond what the minimum code requirements are just for the store itself. He is no longer just a store. Now he is a store in a commercial recreation establishment and that is why we feel that the additional parking is necessary to meet the needs of both. To get ahead of ourselves that is why the next case we do recommend more machines because there is additional parking at the next facility. This place does not have enough parking to begin with, it's right on the limit of what is required just for the store load. We believe that adding those additional machines is not a benefit to anyone and is actually detriment to the citizens in general.

Mr. Bolton stated we can't pick and choose anyway can we? Which facility do we let the parking slide and deny the others? If it's the code aren't we somewhat limited?

Mr. Gillie stated you are limited to what the code says for the facility for the convenience store. If it's a restaurant only then it's a different parking requirement.

Mr. Wilson stated so we go through all of this are we working out on different guideline rules than City Council is?

Mr. Garrison stated the code says what it says. We have so many of these cases that parking is an issue but they have no place to create additional parking.

Mr. Scarce stated then it limits them to what they can do.

Mr. Garrison stated that limits them to being a convenience store and convenience stores are not going to survive long term in this economy. What we are saying here is that we would rather have empty buildings than to find some way to change the code.

Mr. Gillie stated I would disagree because an empty building now is something else in the future that works.

Mr. Garrison stated neither of us can see the future if we could then we would not be sitting here.

Mr. Gillie stated that is correct.

Mr. Garrison stated I can see the future of more availabilities in the City of Danville, Virginia. If something is not done about the parking and I know that is something that we may or may not look at depending on how we vote today but it concerns me.

Mr. Scarce stated all we can do is address what is before us right now.

Mr. Garrison stated I don't know that in this particular case there is room to add more parking but if there is why are we telling this gentleman that he has to spend the money to build additional parking spaces when we don't know what City Council is going to do as far as approve or disapprove this special use permit because that is their priority and that is their way of doing things. They have the final approval. They shouldn't have to spend the money and then go to City Council. We can't tell them if they spend the money then we will

approve the special use permit because we don't have that authority and that is why I think we should send everything forward with recommendations with conditions that they have to meet these requirements in order to get the special use permit and City Council can decide what to do with it. That is my personal feeling.

Mr. Scarce stated some are pretty cut and dry on what needs what.

**Mr. Petrick made a motion to approve this special use permit PLSUP20190000294 with subject to conditions by staff. Mr. Bolton seconded the motion. The motion was approved by a 6-1 vote.**

2. *Special Use Permit application PLSUP20190000295, filed by Jagjit Singh on behalf of Kaur & Sons LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 103 Franklin Tpke, otherwise known as Grid 2806, Block 009, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scarce opened the Public Hearing.

Mr. Jagit Singh spoke on the owner's behalf. Mr. Singh stated we will be happy with five machines.

Mr. Scarce closed the Public Hearing.

**Mr. Bolton made a motion to approve this special use permit PLSUP20190000295 with subject to conditions by staff. Mr. Jones seconded the motion. The motion was approved by a 6-1 vote.**

3. *Special Use Permit application PLSUP20190000320, filed by Abdul Wahid Khan on behalf of Catbird Properties LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.J, Section C, Item 2 of the Code of City of Danville, Virginia 1986, as amended at 1225 Franklin Tpke, otherwise known as Grid 1916, Block 003, Parcel 000005 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Wilson opened the Public Hearing.

Fielding Douthat, Attorney, stated I am with Woods-Rogers in Richmond and I represent Items 4, 5 and 12. This is the third time that I have made this trip down from Richmond. This store is requesting four machines. I respectfully request this be recommended to pass on to City Council.

Mr. Scarce stated do you know why he has not reached back out to the City to have it re-inspected for Class B.

Mr. Douthat stated I don't know and I would tell you that a lot of these things are very expensive to go and redo your store.

Mr. Scarce stated just to have them come out and look at it?

Mr. Douthat stated I do not know.

Mr. Gillie stated we have given them two months to have that inspection done and to modify that certificate of occupancy to see if anything is required and it has not been done.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000320 as submitted. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

4. *Special Use Permit application PLSUP20190000319, filed by Inam Qazi on behalf of UHA Inc, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1354 Westover Dr, otherwise known as Grid 0710, Block 001, Parcel 000006 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scarce opened the Public Hearing.

Mr. Fielding Douthat spoke on behalf of Inam Qazi. Mr. Douthat stated the same discussion as before. What we are asking for is a recommendation and you can send it up with more conditions.

Mr. James Gillespie stated one of the things that I think that we need to know is how many machines will be allowed. There seems to be no limit that is being proposed at this point. Parking for the number of machines I think needs to be established and we have to consider that the greatest portion of that entire area surrounding the facility is residential and has been residential for all the years that I have been in Danville. One of my major concerns particularly is as close as I am to the facility is a buffer. I really believe that there needs to be a buffer in place, perhaps a fence that is high enough to limit the noise and the activity in the parking lot and in the facility. That is one of my major concerns and it needs to be established before we move forward with this.

Keith Fields stated I'm also a resident there and just to sum things up and I think that my neighbor said it well. Since our last meeting since we are considering health, safety and welfare of this community. This is obviously a mix between Old Town Residential where we are it is a very unique blend. I think we are very unique in our situation and our proximately with this. Since we met last I believe that we have collected thirty-seven signatures and those were submitted with pictures that show traffic problems.

Mr. Wilson stated you heard Mr. Gillie read the guidelines do you feel like they addressed some of the concerns that you have like hours of operation and number of machines.

Mr. Fields stated it's hard for me to make a determination with that because I sell real estate myself and I have to follow codes. When you look at this and the potential and I don't think what we are considering right now can really be estimated with the fact what is really going to happen.

Mr. Scarce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000319 as submitted. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

5. *Special Use Permit application PLSUP20190000290, filed by Hewa Jayawardena on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 4800 Riverside Dr., otherwise known as Grid 0709, Block 002, Parcel 000019 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Mr. Hewa Jayawardena spoke on behalf of Jerry Davis in favor of this application.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000290. Mr. Petrick seconded the motion. The motion was denied by a 4-3 vote.**

6. *Special Use Permit application PLSUP20190000297, filed by Satjeet Kaur on behalf of River Penny Saver LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3:K, Section C, Item 5 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 642 Worsham St., otherwise known as Grid 2710, Block 016, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**(Please see attached letter from Mr. Bob Vaughan asking to be tabled.)**

**Mr. Garrison made a motion to table this until we have the information needed for this special use permit PLSUP20190000299. Mr. Bolton seconded the motion. The motion was approved by a 7-0 vote.**

7. *Special Use Permit application PLSUP20190000299, filed by Shahid Javid on behalf of MKM Partners, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 1501 W Main St. otherwise known as Grid 0611, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

**Mr. Dodson made a motion to deny special use permit PLSUP20190000299. Mr. Jones seconded the motion. The motion was denied by a 6-0 vote.**

8. *Special Use Permit application PLSUP20190000309, filed by Samir Patel on behalf of Dutta Inc of Virginia, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2100 W Main St, otherwise known as Grid 0610, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000309. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

*9. Special Use Permit application PLSUP20190000311, filed by Danny Graves on behalf of Larry Soyars, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd Suite B, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Mr. Danny Graves spoke on behalf of Larry Soyars. Mr. Graves stated I have done all the necessary requirements to move forward with this special use permit.

Mr. Gillie stated the consolidation plat, our attorney looked it over and it is still showing as two properties. We have listed as two and our records show it and even the deed provided by your property owner shows it as two. It is not consolidated.

Mr. Graves stated I was under the impression that it was consolidated.

Mr. Gillie stated no sir. If you want to hold this and get the owner to work on this consolidation that is fine.

Mr. Searce closed the Public Hearing.

**Mr. Petrick made a motion to table this until we have the information needed for this special use permit PLSUP20190000311. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.**

*10. Special Use Permit application PLSUP20190000312, filed by Chase Reeves on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2846 Riverside Dr, otherwise known as Grid 1710, Block 006, Parcel 000001 of the City of Danville, Mr. Garrison made a motion to table this till we have the information needed for this special use permit PLSUP20190000295. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote. Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Mr. Chase Reeves, stated I'm here representing this special use application. Like he stated, once the inspectors came out on October 8 is when I finally received what needed to be done to the location in order to receive the special use permit. We are in the process of doing all of that. I just paid a contractor twenty seven thousand dollars this week to resolve

the plumbing and bathroom requirements. We are still in the process of meeting standard codes for this. I was just in hopes today to get approved and move forward.

Mr. Searce stated so you would like to postpone today until you get your work done?

Mr. Reeves stated yes, if that is what needs to be done.

Mr. Searce closed the Public Hearing.

**Mr. Wilson made a motion to table this until we have the information needed for this special use permit PLSUP20190000312. Mr. Garrison seconded the motion. The motion was approved by a 7-0 vote.**

11. *Special Use Permit application PLSUP20190000317, filed by Abdul Nasir on behalf of HRNA LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1371 Piney Forest Rd, otherwise known as Grid 1920, Block 013, Parcel 000092 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Mr. Fielding Douthat spoke on behalf of Abdul Nasir. Mr. Douthat stated he has asked for four machines and he has his certificate of occupancy. There is sufficient parking spaces to mark the parking lot but since they are not striped except for those listed. You cannot determine the calculation, but there is sufficient space here. That is what it says and that is staff's recommendation or staff's analysis says it just hasn't been marked yet. It has a handicapped space. This is a common case for a recommendation for approval.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000317. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

12. *Special Use Permit application PLSUP20190000330, filed by Uwash Patel on behalf of Larry Soyers, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Uwash Patel spoke on behalf on Larry Soyers. Ms. Patel stated we have done everything but the only issue that we have right now is with the property. Mr. Larry Soyers has it listed as one property and zoning says it is two deeds. I would like to postpone if it is possible.

Mr. Searce closed the Public Hearing.

**Mr. Garrison made a motion to table this until we have the information needed for this special use permit PLSUP20190000330. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.**

13. Special Use Permit application PLSUP20190000303, filed by Mohammad Nawaz Khan on behalf of Elegance Investment LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 730 Piney Forest Rd, otherwise known as Grid 1815, Parcel 003, Parcel 000006 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Searce opened the Public Hearing.

Mr. Mohammad Nawaz Khan spoke on behalf of Elegance Investment LLC. Mr. Khan stated I am the owner and I have fifteen parking spaces. I showed the inspector the parking spaces when he was inspecting the property.

Mr. Gillie stated you said that you received the certificate of occupancy. When did you receive this because I don't have a copy of it?

Mr. Khan stated it was issued late last week.

Mr. Searce stated you need to get with the inspection department and have them come out and inspect your property. That way if you do have extra parking it would be striped.

Mr. Gillie stated he does have a certificate of occupancy it was issued on the 16<sup>th</sup>.

Mr. Searce closed the Public Hearing.

**Mr. Jones made a motion to approve with stipulation provided by staff check parking situation at site for this special use permit PLSUP20190000303 with subject to conditions by staff. Mr. Bolton seconded the motion. The motion was approved by a 6-1 vote.**

14. Special Use Permit application PLSUP20190000302, filed by Mubashar Choudhrey on behalf of Carlton H Cox, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 545 Memorial Dr, otherwise known as Grid 1712, Block 007 Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

**Mr. Petrick made a motion to table this until we have the information needed for this special use permit PLSUP20190000302. Mr. Wilson seconded the motion. The motion was approved by a 7-0 vote.**

15. Special Use Permit application PLSUP20190000362, filed by Ghulam Hassan, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.J, Section C, Item 2 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 3401 Westover Drive, otherwise known as Grid 9818, Block 005, Parcel 0000023 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000317. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

*16. Special Use Permit application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Ms. Michelle Adkins stated I would like to read a letter on behalf of Justin Williams. (Please see attached letter.)

Ms. Sandra Gannon spoke on her behalf. (Please see attached letter.)

Mr. Searce closed the Public Hearing.

**Mr. Garrison made a motion to table this until we have the information needed for this special use permit PLSUP20190000386. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.**

*17. Special Use Permit application PLSUP20190000387, filed by TSS Riverside, LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 3585 Riverside Drive, otherwise known as Grid 1713, Block 002, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Searce opened the Public Hearing.

Dan Mackamore spoke on behalf of TSS Riverside, LLC. Mr. Mackamore stated we are very comfortable with the recommendations.

Mr. Searce closed the Public Hearing.

**Mr. Garrison made a motion to approve this special use permit PLSUP20190000387 with subject to conditions by staff and new hours of operation. Mr. Petrick seconded the motion. The motion was approved by a 6-1 vote.**

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18. *Request to amend Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, VA 1986, more specifically various sections and subsections of Article 3.I entitled "TO-C, Transitional Office District", Article 3.J entitled "N-C Neighborhood Commercial District, Article 3.K entitled "CB-C, Central Business District", and Article 3.L entitled "TW-C, Tobacco Warehouse District" to allow for waivers of maximum sign area by Special Use Permit; to amend Article 10, entitled "Sign Regulations", Section M entitled "Permitted signs in the N-C and TO-C Commercial Districts". Section N, entitled "Permitted signs in the CB-C, Central Business District", and Section O, entitled "Permitted signs in the TW-C Tobacco Warehouse Commercial District" to allow for the maximum size of signs permitted by Special Use Permit to match the limitations set forth in Section P, "Entitled Permitted signs in the Highway Retail, HR-C and Planned Shopping Center, PS-C, Commercial Districts".*

Mr. Scarce opened the Public Hearing.

Mr. Tom Powers with Powers Signs. Mr. Powers stated this is for Averett benefit specifically what we are asking for.

Mr. Gillie stated this is for a special circumstance this is Averett's North Campus and this would allow a larger sign.

Mr. Scarce closed the Public Hearing.

**Mr. Bolton made a motion to approve this request to amend chapter 41, entitled "Zoning Ordinance as submitted. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.**

*19. Special Use Permit application PLSUP20190000388, filed by Powers Signs Inc, on behalf of Averett University, requesting a Special Use Permit for a waiver to maximum sign area in accordance with Article 3.I, Section C, Item 25 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 707 Mt. Cross Road, otherwise known as Grid 0708, Block 003, Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to erect a sign larger than permitted under Article 10, Section M.*

Mr. Scarce opened the Public Hearing.

Mr. Tom Powers spoke on behalf of Powers Signs Inc. Mr. Powers stated do you have any questions?

Mr. Jones stated where would this sign be located?

Mr. Powers stated on the north side of the entrance off Mt. Cross Road. I measured like 650 feet through the woods to the nearest residential. Everything across the road is highway retail.

Mr. Jones stated will there be lights on this?

Mr. Powers stated yes sir. It is going to be a message center.

Mr. Garrison stated and that would be one of those signs that change information.

Mr. Powers stated yes.

Mr. Searce closed the Public Hearing.

**Mr. Wilson made a motion to approve this special use permit PLSUP20190000388 with subject to conditions by staff. Mr. Garrison seconded the motion. The motion was approved by a 7-0 vote.**

*20. Request to amend Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, VA 1986, more specifically various sections and subsections of Article 15, entitled "Definitions", subsection B. entitled "Definitions" and Article 8 entitled "Parking and Loading Requirements", subsection E entitled "Minimum Required Parking Spaces" to address definitions and parking concerns with commercial recreation.*

**Per Discussion all were in favor to schedule a work session in the next couple of months to discuss this request.**

**II. MINUTES**

**The October 7, 2019 minutes were approved by unanimous vote.**

**III. OTHER BUSINESS**

**With no further business, the meeting adjourned at 6:42 p.m.**

**APPROVED** \_\_\_\_\_