

PLANNING COMMISSION MINUTES

February 10, 2020

MEMBERS PRESENT

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

MEMBERS ABSENT

Mr. Craft

STAFF

Lisa Jones
Ken Gillie
Clarke Whitfield

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

ITEMS FOR PUBLIC HEARING

1. *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. Garrison opened the Public Hearing.

Ms. Stephanie Mendez stated last month we postponed it because Planning Commission was going to come up with a definition for the games.

Mr. Garrison stated and that has not been done.

Ms. Mendez stated we would like to postpone this again.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to postpone this special use permit PLSUP20190000386. Ms. Evans seconded the motion. The motion was approved by a 5-1 vote.

2. *Special Use Permit Application PLSUP20190000449, filed by Fullerton Engineering Consultants requesting a Special Use Permit to allow a communication tower in accordance with Article 2, Section 6a of the Code of the City of Danville, Virginia, 1986, as amended on parcel ID# 73020, otherwise known as Grid 1811, Block 005, Parcel 000012 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to construct a 150' monopole tower for cellular communications.*

Mr. Garrison opened the Public Hearing.

Mr. Tony Phillips stated I am with Fullerton Engineering Consultants. I'm here on behalf of AT&T/Tillman for this cell tower. I can answer any questions that you may have. Basically to provide another option for AT&T to have a place to put their equipment. They are currently on a location close to there, and they are running out of gas across the country from high rents and situations where the tower owners are basically trying to be the only land owners. AT& T has found out that we will put up a tower and charge them half the rent and not charge them to come on and off.

Mr. Dodson stated so the cost will be half of what they are paying now?

Mr. Phillips stated the rent yes, over a thirty year lease they can save a lot of money.

Ms. Evans are you aware of the opposition from SBA?

Mr. Phillips stated yes they follow me everywhere.

Mr. Bolton stated we have approved a number of these, but we have never had any opposition from someone stating health issues? I noticed in some of the comments that we have at least one or two have mentioned health issues.

Mr. Phillips stated the Federal Government has basically said that you can't deny for health reasons, and there is a Government guide, and you would have to be in a hot air balloon in front of it, for it to do any damage. Your cell phone actually does more damage to you than that cell tower level.

Ms. Evans stated is this an instance where if we build it they will come?

Mr. Phillips stated we are in contract with AT&T and we have an agreement. (Please see attached letter from Mr. Phillips).

Mr. Edward Donohue stated I wrote you two letters trying to address some of the things that Mr. Phillips brought to your attention. Back in January SBA was opposed to the application because it had looked at the structural integrity of the existing tower. (Please see attached letter from Mr. Donohue).

Mr. Garrison closed the Public Hearing.

Mr. Petrick made a motion to approve this special use permit PLSUP20190000449. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

3. *Rezoning Application PLRZ2020000024, filed by the Danville Redevelopment and Housing Authority, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, Parcel ID#s 76125, 76124, 76123, 76122, 76121, 76140, 76141, 76142, 76143, 76144 & 76145 on Seeland Road and the future Haraway Lane, otherwise known as Grid 2606, Block 014, Parcel ID's 000013, 000014, 000015, 000016, 000017, 000018, 000019, 000020, 000021, 000022 & 000023 of the City of Danville, Zoning District Map. The applicant is proposing to build multi-family dwellings on the property.*

Mr. Garrison opened the Public Hearing.

Mr. Gary Wasson, Director of Danville Redevelopment Housing Authority spoke on behalf of this request. Mr. Wasson stated I'm just here to talk about the project a little bit. This is a project that has been in the works for a number of years to get everything together to make it a possibility. What we have is a total of forty-eight units going in that area. It will not be necessary to be designated as senior housing. If you have any questions I would be happy to answer them.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to approve this Rezoning Application PLRZ2020000024. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

4. *Rezoning Application PLRZ2020000026, filed by Bibleway Church of Danville Trustees & Bibleway Cathedral Trustees, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, 151 Grant Street, 218, 220, & 224 Garfield Street, otherwise known as Grid 2605, Block 004, Parcel ID#s 000012, 00003, 00004 & 00005 of the City of Danville, Zoning District Map. The applicant is proposing to build 18 multi-family dwelling units on the site when combined.*

Mr. Garrison open the Public Hearing.

Mr. Gary Wasson, Director of Danville Redevelopment Housing Authority spoke on behalf of this request. Mr. Wasson stated this will consist of eighteen homes and if you have any questions I would be glad to answer.

Mr. Larry Campbell, Pastor representing Bibleway Church of Danville Trustees. Pastor Campbell stated to Mr. Chairman Garrison and to the Staff we appreciate your service. We do understand the time that you put in serving the Community. It has been a long dream of our founder and board members to serve this Community in reference to Housing. For the sixty five years we have given a lot to the Community and this is one project that has been special to us that we will be able to serve our Senior Citizens. We pray that you will endorse the variance so we can move forward and build senior living within our Community. Do you have any questions?

Mr. Wilson stated is this primarily senior living?

Pastor Campbell stated we are also considering Veterans.

Mr. Petrick stated I'm just trying to understand, is Bibleway conveying these lots to Redevelopment?

Pastor Campbell stated it is a collaborative and we are working together.

Mr. Garrison stated but you will still own the lots?

Pastor Campbell stated yes.

Mr. Garrison closed the Public Hearing.

Mr. Dodson made a motion to approve this Rezoning Application PLRZ2020000026. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

5. *Special Use Permit Application PLSUP202000004, filed by Shazad Tahseen on behalf of AANT 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 2980 W. Main St., otherwise known as Grid 0617, Block 007, Parcel 0000015 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Garrison opened the Public Hearing.
Mr. Garrison closed the Public Hearing.

Mr. Gillie stated staff received no notifications back and Staff's recommend this to be continued till March's meeting.

Mr. Wilson made a motion to continued Special Use Permit PLSUP2020000004 to March's Meeting. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

6. *Special Use Permit Application PLSUP20200000011, filed by Ted Lacks on behalf of Weitz and Lacks Investments, LLC, requesting a Special Use Permit to allow for a duplex in accordance with Article 3.E: Section C., Item 2 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 120 Hurt St., otherwise known as Grid 2805, Block 021, Parcel 000001 of the City of Danville Virginia Zoning District Map. The applicant is requesting to use the structure as a two unit dwelling.*

Mr. Garrison opened the Public Hearing.

Mrs. Ted Lacks spoke on behalf of Ted Lacks. Mrs. Lacks stated I don't have anything to add to what you just read. I'm just hear if you have any questions.

Mrs. Evans stated was the house originally built as a single family residence?

Mrs. Lacks stated I do not have that information. We obtained the house about a year and half ago under a foreclosure status.

Mr. Bolton stated it says that it was a duplex in the past.

Mrs. Lacks stated I'm assuming that it was in the past. If you look at the front of the house it has two separate doors going into it and it has the walls right in the middle of the two properties.

Mr. Bolton stated it is very similar to the one next door. I believe it is being used as a duplex.

Mrs. Lacks stated my fault for not knowing my neighbors.

Mr. Bolton stated are they renting the duplex next door to you?

Mrs. Lacks stated I just don't know.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to approve Special Use Permit PLSUP2020000011 subject to conditions listed by Staff. Mr. Petrick seconded the motion. The motion was approved by a 6-0 vote.

III. OTHER BUSINESS

Mr. Bolton requested that Planning Staff come up with guidelines and definitions with Casinos.

IV. Minutes

The January 13, 2019 minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 3:59 p.m.

APPROVED