

**PLANNING COMMISSION MINUTES  
APRIL 12, 2010**

**MEMBERS PRESENT**

Mrs. Evans  
Mr. Griffith  
Mr. Laramore  
Mr. Scarce

**MEMBERS ABSENT**

Mrs. Pritchett  
Mr. Jennings  
Mr. Jones

**STAFF**

Clarke Whitfield  
Ken Gillie  
Christy Taylor

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

**I. ITEMS FOR PUBLIC HEARING**

- 1. Special Use Permit Application SUP 10-004, filed by Betty Henderson, requesting a Special Use Permit to allow for a school in accordance with Article 3.K: Section C, Item 15 of Chapter 41 of the Code of the City of Danville, Virginia, 1986 as amended at 609 Keen Street, otherwise known as Grid 2710, Block 026, Parcel 00001 of the City of Danville, Virginia, Zoning District Map. The applicant is requesting to operate a school (beauty school) at this location.**

Mr. Gillie read the Staff Report. Fifty-two (52) notices were mailed to surrounding property owners within three hundred (300) feet of the subject property. Eighteen (18) respondents were unopposed to the request; zero (0) were opposed to the request.

Open the Public Hearing.

Present on behalf of the request was Betty Henderson. Ms. Henderson stated that she would be the owner/operator of Betty's Beauty Barber and Nail Academy at 609 Keen Street.

Mrs. Evans asked are you in agreement with limiting the number of students to fifty (50)?

Ms. Henderson responded yes.

Mrs. Evans asked are the hours of operation suitable?

Ms. Henderson responded yes.

Mr. Griffith asked are you going to occupy the whole building?

Ms. Henderson responded no. Ms. Henderson stated that she would only occupy the top level.

Close the Public Hearing.

Mrs. Evans asked what was the purpose of limiting to four (4) class rooms?

Mr. Gillie responded that it was based on the square footage of the available space. Limiting to four (4) class rooms gives additional room for a waiting area since this will be a school as well as a functioning beauty salon.

Mr. Scearce made a motion to recommend approval of Special Use Permit Application SUP 10-004, with conditions per Staff. Mr. Laramore seconded the motion. The motion was approved by a 4-0 vote.

- 2. Special Use Permit Application SUP 10-005, filed by Bernard Barbour, requesting a Special Use Permit to operate a commercial indoor recreation establishment in accordance with Article 3.K: Section C, Item 5 of Chapter 41 of the Code of the City of Danville, Virginia, 1986 as amended at 401 South Ridge Street, otherwise known as Grid 2713, Block 021, Parcel 00008 of the City of Danville, Virginia, Zoning District Map. The applicant is requesting to operate a facility for teens with video games and dancing.**

Mr. Gillie read the Staff Report. Twenty-nine (29) notices were mailed to surrounding property owners within three hundred (300) feet of the subject property. Three (3) respondents were unopposed to the request; Seven (7) were opposed to the request.

Open the Public Hearing.

Present on behalf of the request was Bernard Barbour. Mr. Barbour stated that he wanted to open a teen spot just for teens ages thirteen (13) to seventeen (17). I do not in any way want to have a conflict with City curfew. I just want to open something for them because right now they have nowhere to go.

Mr. Griffith asked do you have any problems with the conditions that Staff has added?

Mr. Barbour responded only with the sixty (60) teens and the nineteen (19) people that will be working. I would not need nineteen (19) people. I set it up to have six (6) to seven (7) security guards, including two (2) off-duty police officers.

Mr. Laramore stated that nineteen (19) was the maximum.

Mr. Griffith asked how many people do you think you will need?

Mr. Barbour responded that he wanted to talk to the Police Department to see if they had off-duty police officers that wanted to work for added safety. Mr. Barbour stated I picked that particular place because it is closer to the Police Department and the hospital and if parents want to chaperone they can do that too.

Mr. Griffith stated that the reason he was asking was because the report states that the maximum occupancy for that building is seventy-nine (79) people.

Mr. Barbour responded that when it was Eli's the occupancy was ninety-four (94).

Mr. Gillie stated that the Certificate of Occupancy issued for that building, limits it to seventy-nine (79).

Mr. Griffith asked given the maximum occupancy, could you have a few less staff?

Mr. Barbour stated he would not need more than ten (10) people to work including police officers.

Mr. Laramore asked would staff have a problem with keeping the numbers correct and changing the percentage of adults to youth?

Mr. Gillie responded that the recommendation was based on a three (3) to one (1) ratio. It is Planning Commission's option to change it. We figured based on other places that operate somewhere around fourteen (14) or fifteen (15). That gave additional security without exceeding the occupancy of seventy-nine (79). We were trying to keep the number of teens in the sixty (60) range to keep the staff to teen ratio.

Mr. Scarce asked would Staff have a problem with setting it to maximum number of people seventy-nine (79) including patrons and staff?

Mr. Gillie responded then you could have one (1) staff and seventy-eight (78) teens. Mr. Gillie stated that he sat down with the Police Chief and asked about some of the other teen clubs that we have had and what some of the issues were in previous cases. One of the issues was the number of teens to staff. Mr. Gillie stated that Staff tried to come up with a number we felt would be acceptable.

Mr. Scarce asked what if we changed it to sixty-nine (69) and ten (10)?

Mr. Gillie responded the ratio is a little off from what we are super comfortable with but that is up to Planning Commission at this point.

Mr. Laramore asked what kind of work do you do now?

Mr. Barbour responded I work at Nestle and DJ on the weekends.

Mr. Laramore asked have you had any experience with teenage kids?

Mr. Barbour responded yes. I have been a DJ for the past twenty-five (25) years which has involved teens, adults, and weddings. Mr. Barbour stated that when he was growing up, teens always had a place to go and there is no where now.

Mr. Laramore stated I think it is noble what you want to do because there are certainly needs like this. I guess everyone's concern is the safety of it.

Mr. Barbour stated I completely understand that. I want parents to feel that it is a safe place.

Mr. Griffith asked are steps being taken in your overall plan so that there will not be any people hanging around outside so that surrounding businesses will not be disturbed.

Mr. Barbour responded there will be no loitering period.

Mr. Griffith stated out of the notices received that were opposed, they were neighbors in the immediate area and their concerns were about traffic and noise.

Mr. Barbour stated with the security and Police that would not be a problem.

Mr. Scarce asked Staff what are the checks systems if things got out of hand or is there anything the City could do depending on the nature of the incident?

Mr. Gillie responded it falls to the nature of the incident. There is a condition that a safety and security plan be put in place with the Danville Police Department prior to opening. So that the Police know what the order would be if there is an issue and so Mr. Barbour would know what steps to follow if things got out of hand. Mr. Gillie stated that the Police Chief has agreed to meet

with Mr. Barbour to go over what he feels would be a good plan to address Mr. Barbour's security concerns as well as the City's concerns.

Close the Public Hearing.

**Mr. Scearce made a motion to recommend approval of Special Use Permit Application SUP 10-005, with conditions per Staff and changing condition three (3) to sixty-nine (69) patrons and ten (10) staff members. Mrs. Evans seconded the motion. The motion was approved by a 3-1 vote.**

## **II. MINUTES**

**Mr. Laramore made a motion to approve the minutes from the March 8, 2010 meeting. Mrs. Evans seconded the motion. The minutes were approved by a 4-0 vote.**

## **III. OTHER BUSINESS**

Mr. Gillie stated that the two (2) Planning Commission cases that went to City Council last month were approved. There are cases for next month.

Mr. Gillie stated there is a Census on-line tracker that is tracking the number of forms being turned back in. I would like to congratulate the citizens. Currently, we are ahead of the both the State and National average. Please continue to turn in the Census forms.

Mr. Gillie stated as of Friday we had a soft opening of a dedicated webpage for the Comprehensive Plan. The website is [danville2030.org](http://danville2030.org) or you can get to it through the City's website. It is a list of about fifteen (15) to twenty (20) questions to get citizen input. You are not required to answer every questions, only the ones you feel are necessary.

With no further business, the meeting adjourned at 3:27 p.m.

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APPROVED