

PLANNING COMMISSION MINUTES

NOVEMBER 8, 2021

MEMBERS PRESENT

Mr. Khan
Mr. Garrison
Mr. Bolton
Mr. Petrick
Mr. Dodson
Ms. Evans

MEMBERS ABSENT

Mr. Craft

STAFF

Doug Plachcinski
Lisa Jones
Clarke Whitfield

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

Mr. Garrison stated if Planning Commissioners have no objection, I would like to add one item to the agenda today and that is the item to look at definitions for yards. It is something that I think that we need to take a look at and if there aren't any objections to adding that to the agenda?

The Commissioners agreed to add to the agenda.

ITEMS FOR PUBLIC HEARING

Special Use Permit Application PLSUP 2021-328, filed by Tynita Strickland-Cain, requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 420 Van Buren Street, Parcel ID# 04089. The applicant requests a Special Use Permit for a family day care home.

Mr. Garrison opened the Public Hearing.

Ms. Tynita Strickland-Cain stated my goal is to provide families in need of childcare for kids ages six weeks to five years old. I would like to also provide respite care for emergency situations like if DHS has the child, I'm not sure if it is called DHS down here but foster families when they need emergency family care here, that's my goal: to provide adequate childcare services. I want my families to feel like they're leaving their child at home. So, that's why I am requesting this permit.

Mr. Garrison stated are there any questions from any of the commissioners?

Mr. Dodson stated what hours do you think you would operate?

Ms. Strickland-Cain stated my goal was to operate from six to six. Also, like I said if it's an emergency situation, I would like to provide for families if they work overnight, so it depends on the need for care, if allowed. So, if I have a family who works overnight shift, if allowed, I'll provide the care for overnight shift. If I have a family whose child is being taken into custody for emergency situations, then they need emergency respite care. I am planning on working on providing this type of care, also.

Ms. Evans stated do you plan on those respite care cases being in addition to the up to twelve that you're requesting or inclusive in the twelve?

Ms. Strickland-Cain stated the twelve hours?

Ms. Evans stated no, the twelve non-related children.

Ms. Strickland-Cain stated I don't plan on having twelve kids in a home at one time. It is a bit overwhelming. I've been working with children for like twenty-two years. So, I know the ratio with children for my capacity depends on the age limit is four to one. I would never have more than twelve kids at a time in a care of my own because it is not smart or safe to have that many children in one capacity. Especially working with different age levels because if you're working with infants you are only allowed to have four to one for infants. If you are working with toddlers, it is five to one. Whatever group of children that you're working with the ratio drops. Now I'm just giving a ratio from Philadelphia because I'm from Philadelphia. So, in Philadelphia that's our ratio but Virginia after looking into the process of like the different ratio types when I went to training last year, it's pretty much the same. So, if I have, two toddlers and one infant, I'm going to feel allowed to have one to four children because the ratio drops according to the youngest age in your group. I would never have more than twelve kids. I can't care for twelve kids at one time. It's not safe. You can't keep your eyes on twelve kids at one time.

Ms. Evans stated so, it's just you, not any employees?

Ms. Strickland-Cain stated no.

Mr. Garrison closed the Public Hearing.

Mr. Bolton stated just one, we don't set time. She mentioned six to six but then, if she had an overnight, that's okay or is that?

Mr. Plachcinski stated It would be alright.

Mr. Bolton stated I thought so. Thank you.

Mr. Bolton made a motion for recommendation of approval for Special Use Permit PLSUP 2021-328 as submitted. Ms. Evans seconded the motion. The motion was approved by a 6-0 vote.

Mr. Garrison stated of the other item that I ask that we look at and add to the agenda, is in the last several months, the BZA has had several cases that came before them dealing with people that owned corner lots, and in the code, the code states that if you live on the corner, then you have two front yards. These people have been coming to request something that anyone else in the city living on a street, not on a corner lot, could have done simply by getting whatever permits they needed and going about their business and having it installed. In these cases, these people are having to pay \$205.00 for BZA.

Mr. Plachcinski stated I think so.

Mr. Garrison stated they're having to pay an additional \$200.00 just to get approval from BZA and I can tell you that the BZA has passed all of them, almost without any discussion. And I think that's a little unfair to treat people that have a corner lot differently in the use of

the yard that's on the side of their house. So, I bring that to you for discussion and or a recommendation that we ask Mr. Plachcinski to look into the definition and see if we can change it.

Ms. Evans stated I thought that part of the issue was they were putting a piece of equipment in their side yard. It is not necessarily front yard. Like air conditioners are supposed to be in the backyard but if they're extenuating circumstances, you can put them in the side yard.

Mr. Plachcinski stated right, we changed the ordinance to allow it in the side yard as long as it is screened. The way the ordinance reads still, if you're on that corner lot, then you don't really have a side yard. I mean, there is a side yard but in the most recent cases, that's been completely unfeasible to put it on that side of the house.

Ms. Evans stated then, that is odd to me that because it's on the corner lot that it's a front yard and not a side yard, when it's clearly not the front of the house.

Mr. Petrick stated you agree that this needs to be changed, you think?

Mr. Plachcinski stated I think so and Mr. Garrison brings up the application cost, but I think it's not even so much that as it is the time and stress of going in front of a public body and having a public hearing for something that is relatively straightforward. We will need to look at what other implications may be in the ordinance for making the change. Are there any other hidden rules or easter eggs that may you know, have to do with the definition of a front yard versus street side yard, which is how I've seen other communities handle that in the ordinance. So certainly, there are some techniques to accomplish what Chairman Garrison proposes, but we'll need to take a look at the whole ordinance and make sure we don't set off a ripple effect of or if we do, we accommodate multiple changes.

Mr. Petrick stated does this have any effect on people storing recreational vehicles or anything like that?

Mr. Plachcinski stated that would be something we want to look at clearly.

Mr. Bolton made a motion for recommendation to staff that they go in and look into this for us. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

IV. PLANNING DIRECTOR'S REPORT

Mr. Plachcinski said I was gong to bring up the front yard discussion under this section of the program, but you stole my thunder from me. So, I appreciate you and you're always welcome to. We've started our discussions about the comprehensive plan. So, after we are done here, we'll adjourn across the hall and have a brief introduction for about 45 minutes with our team that is in town having initial conversations. You know, they'll explain a little bit more about our timeline. Next month we do have at least two applications in that will be for a couple of different things. One of which will be particularly interesting, is there's the Old Baptist Church on West Main that a developer has an option on to convert to a family dwelling. It will be one more, but I can't remember right off the top of my head. We will have a discussion about this ordinance change and I think that'll be a full enough agenda for December because starting in January, we've got a lot of work in front of us as we proceed with comprehensive plan and still conducting our business week to week.

VII. APPROVE MINUTES FROM OCTOBER 12, 2021

The October 12, 2021 minutes were approved by unanimous vote.

VIII. ADJOURNMENT

With no further business, the meeting adjourned at 3:14 p.m.

APPROVED _____