

PLANNING COMMISSION MINUTES

APRIL 11, 2022

MEMBERS PRESENT

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

MEMBERS ABSENT

STAFF

Doug Plachcinski
Lisa Jones
Clarke Whitfield

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

ITEMS FOR PUBLIC HEARING

- a. *Special Use Permit Application PZ22-16, filed by Brad Skidmore and Bill Powell on behalf of RCCM Properties LLC, requests a Special Use Permit for a commercial recreation facility according to Article 3.M.C.4. of the Danville Zoning Ordinance at 4764 Riverside Drive (Parcel ID#78406). The applicant proposes a "skill game arcade". This item was remanded from the City Council.*

Mr. Garrison opened the Public Hearing.

Mr. Bill Powell appeared on behalf of this application, and stated, I live at 7 Country Club Drive, Danville, Virginia. I've had the pleasure of seeing everyone a couple of months ago and I thank you guys and ladies for the approval, it went to council. I've just heard a little bit here and was not aware of the exact situation that was going on. However, I had thought that at the time of the council meeting in our last conversation that it was a big issue with what we called multiplayer games that we had on our application, slang for those in the city are called fish tables. However, what I just wanted to say today is that once again, thank you for your consideration, but I also wanted to mention that if the multiplayer games were an issue with the permit, that we were willing to remove those games from our proposal. So, that was all I'd like to say today. Thank you.

Mr. Garrison closed the Public Hearing.

After much discussion Mr. Powell asked, if possible, to postpone a decision until the June 13th meeting.

Mr. Garrison stated yes, if you're asking us to postpone it, we will.

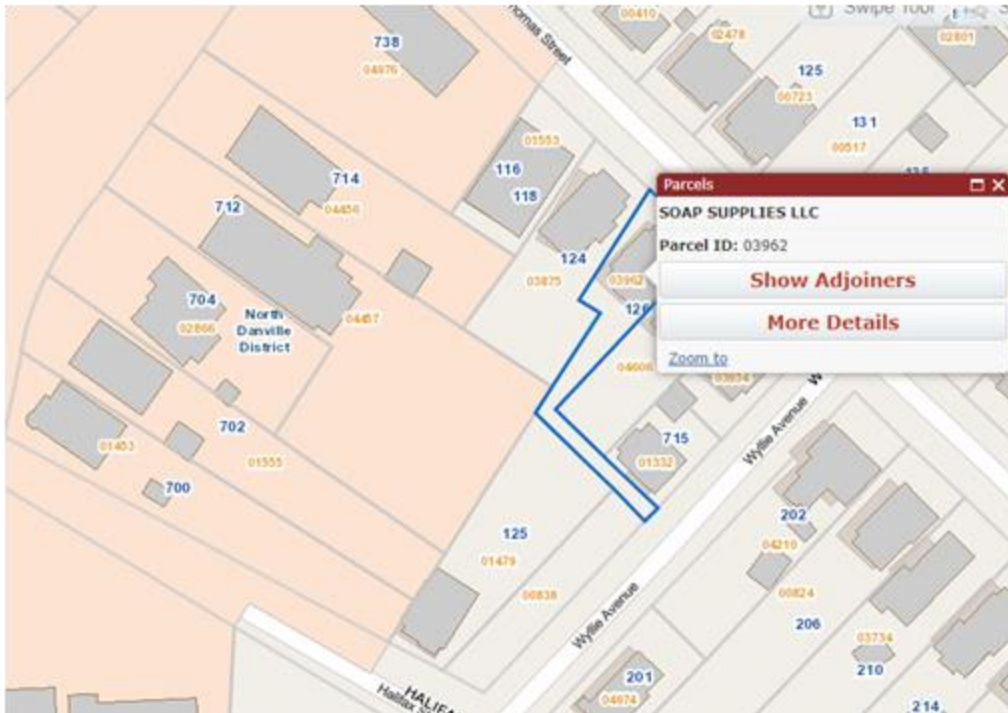
Mr. Powell stated yes.

Mr. Bolton made a motion to postpone this case until the June meeting. Mr. Petrick seconded the motion. The motion was approved by an 7-0 vote.

- b. *Special Use Permit Application PZ22-45, filed by SOAP SUPPLIES LLC, requests a Special Use Permit for a duplex according to Article 3.E.C.2. of the Danville Zoning Ordinance at (Parcel ID#03962). The applicant proposes converting the single-family dwelling into a duplex.*

Mr. Doug Plachcinski read this report.

The building is not in the North Danville Historic District as shown in the City's parcel viewer, although it is adjacent.



The sizes of the rooms in the building after renovations exceed minimum requirements under the statewide building code. The current property is valued at \$19,800. It is three (3) bedrooms and one (1) bath. The proposed floorplans show single bedrooms with an open floor plan living/dining / kitchen area. Each room in the building will have light and ingress/egress. A split entry vestibule with leave one front door with an increased energy efficiency design.

This property suffered a fire about a year ago. Prior to the fire, our systems show the property was in the housing choice voucher program. The owner is working through code enforcement violation notices, and they believe this renovation is the best way to reinvest in the property inside and out. The alternative is likely demolition because a three-bedroom, one bath configuration will not support the income stream necessary to finance repairs.

A home on the same side of the street, two properties to the northwest is a duplex.

Mr. Garrison opened the Public Hearing.

Mr. Yadin Israel, appeared on behalf of Soap Supplies, and stated, we just want to move towards the city's goal of providing affordable housing for the district. So, we want to thank you for your consideration.

Ms. Evans stated the applicant is soap supplies. So, do you plan on making soap there and selling it or are you going to have two different families living there?

Mr. Israel stated no, two different families, it's a single family. The object is to have two people, a family, you know, it's a one bedroom. So, we're not looking to have a mass amount of people in living inside the unit. The neighborhood needs a little improvement and I just want to help with the housing shortage.

Ms. Evans stated when you enter the front door, then what?

Mr. Israel stated inside there will be a common vestibule area and there will be a door on the left-hand side and on the right-hand side.

Ms. Evans stated each apartment?

Mr. Israel stated yes, ma'am.

Ms. Evans stated will there be a back door for each apartment going into the backyard?

Mr. Israel stated yes, ma'am and no soap created at times.

Mr. Bolton stated how much do you plan to rent each unit for, or do you know yet?

Mr. Israel stated estimates are about \$400 at this point. I can't really see going higher than \$450, but that is a reasonable estimate at this point.

Ms. Evans stated will you be able to manage the tenants from where you live in case there are any problems?

Mr. Israel stated yes, ma'am.

Mr. Garrison stated if the construction outside is as good as the fence, it's going to be well constructed. That is one beautiful fence that you put around that backyard.

Mr. Israel stated thank you very much.

Mr. Garrison closed the Public Hearing.

Mr. Petrick made a motion to recommend approval of Special Use Permit Application PZ 22-45 as submitted. Mr. Kahn seconded the motion. The motion was approved by a 7-0 vote.

- c. *Special Use Permit Application PZ22-50, filed by Yeon Hee Kim and Hae Choi Kim, requests a Special Use Permit for an accessory building or accessory use without a primary building being located on the parcel according to Article 3.E.C.23. of the Danville Zoning Ordinance at (Parcel IDs #25094 and #25091). The applicant built an outdoor seating area to serve their adjacent restaurant.*

Mr. Garrison opened the Public Hearing.

Mr. Frank Park, appeared on behalf of Mr. Kim, and stated, I'm here to speak. Just to give you a little bit background about the structure, this is not a building, it's just a deck. The size is less than 500 square feet and was built not too long ago. There is a Japanese Restaurant next to these two parcels and because of the COVID-19 pandemic, the restaurant was closed for two years. The drive-thru was open. Recently, they decided to, because of the pandemic cases subsiding, to open the seating area and because of the CDC guidelines, you know, indoor air quality and what not, you decide, to build a deck. Right next to the parking lot. It's less than 500 hundred square feet. There is no roof on top of this deck. The deck was stopped because of a violation, and I understand that this is an accessory use without having the primary building on the property and mister Kim owns two parcels and of course he owns the restaurant. He's willing to combine these two parcels with the restaurant using combination, and you have the restaurant as the primary building, and you have this deck being accessory structure to the primary building. I think he is willing to do that, to provide better and good customer service with fresh air. He built this for the customer, and I know there are a lot of city employees that go there and enjoy the food. He started this because of Covid-19, and we ask you to consider that a hardship and he is willing to once you approve the Special Use Permit, he wants to get the permit and get the proper inspection done and then go from there. Also, the structure is not in the major thoroughfare. I mean, it's in a hideaway to the residential road and there is an existing fence already there. So, it's hard to see the deck from the major highway, and he is even willing to put the landscaping to screen the deck as per the ordinance and whatever is necessary to beautify the property. Mr. Kim is a very model citizen and he's been cleaning the property. Somehow people have been dumping debris, tires, on that. So, he's been cleaning all that and trying to make the neighborhood clean and beautified. So, if you would consider that hardship and allow the Special Use Permit, he would be appreciative. Thank you so much.

Mr. Garrison closed the Public Hearing.

Mr. Bolton stated just to be sure, he mentioned that he would be willing to put the two lots in with the one and make it one whole. He doesn't need to do that or?

Mr. Plachcinski stated he will not need to do that under the Special Use Permit and the reason we didn't advise him or make a recommendation is that would create a split zoning and in Danville, all the property must be under one zoning. So, no and this way let's say something changed and they wanted to remove the deck. They wouldn't have to then re-split the property. So, it'd be completely copasetic.

Mr. Bolton stated he mentioned a buffer but that's not part of the recommendation either.

Mr. Plachcinski stated no, it's well done already.

Mr. Bolton stated yes, that's awesome. I've seen it and the food is good.

Ms. Evans made a motion to recommend approval of Special Use Permit Application PZ 22-50 as submitted. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.

4. *Rezoning Application PZ22-64, initiated by the Planning Director, requests to rezone parcel 239 Eastwood Drive (Parcel # 76494) from A-R Attached Residential to TO-C Transitional Office and Parcel #'s 76493, 76492, 76307, and 76306 from A-R Attached Residential to M-1 Manufacturing Industrial. The zoning changes make the existing and long-established uses legally conforming.*

Mr. Plachcinski stated I initiated the zoning ordinance because it came to our attention, the asphalt plant was zoned residential. I believe when the area was annexed into the city limits, we basically can't allow them to pull building permits to make improvements on the site the way that it is. So, even if they wanted to improve any of the buildings or do anything else there, it would be limited for that. So, our understanding is that the existing operations will all remain on the site and the office building that is constructed that's on a separate property would continue to be office uses only and it would just be the asphalt staging area in the back that would become industrial.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Ms. Evan made a motion to recommend approval of Special Use Permit Application PZ 22-64 as submitted. Mr. Kahn seconded the motion. The motion was approved by a 7-0 vote.

5. *Rezoning PZ22-63, Initiated by the Planning Director, reduces the required parking stall width to eight (8') feet, six (6') inches and depth to 18' for parking spaces inside buildings or on building roofs in Zoning Ordinance Article 8.D.5.*

Mr. Plachcinski stated as you remember we have revised our zoning ordinance a few months ago and one thing that we did not address was parking spaces inside things like parking decks and buildings are generally narrower, as the parking times are different. There's not as much change over and generally the spaces that will tolerate and be careful of can be more narrow and shorter for the same kinds of vehicles. It's almost psychological. These are standard sizes that a lot of communities use for indoor parking spaces. This comes up you know, there's a growth in indoor potential parking spaces at the White Mill, and other buildings downtown that are going to be redeveloped or built even out of the resort if they should build a parking deck out there. It helps make everything more efficient and just a better use of space.

Mr. Dodson stated what size are the spaces that we have downtown now in those places, you know off Bridge Street and Craighead Street?

Mr. Plachcinski stated I believe they're all at least 9 by 20.

Ms. Evans stated and this eight, six inches, and a depth of eighteen will this accommodate huge vehicles.

Mr. Plachcinski stated it'll accommodate just about everything. You just have to be, and most people are much more careful when they're parking in a building or deck parking because it's closed in already. It's kind of like people drive slower on the street when it's narrower. It's the same principle.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Ms. Evans made a motion to recommend approval of Rezoning Application PZ 22-63 as submitted. Mr. Kahn seconded the motion. The motion was approved by a 7-0 vote.

6. *Rezoning PZ22-65, Initiated by the Planning Director, removes existing Zoning Ordinance Section 2.C Administration and Enforcement with a new Section 2.C Violations and Enforcement including Purpose, Compliance Required, Violations, Persons Held responsible for Violating the Zoning Ordinance, Enforcement Procedure, and Remedies and Penalties subsections. Existing Zoning Ordinance Section 2.X Violations and Penalties is also deleted. These proposed changes clarify City Zoning Code enforcement, change violations from criminal to civil penalties, and allow the City to begin enforcement activities for short-term, recurring violations in ten (10) days.*

Mr. Plachcinski stated as you can note by the attachment of the existing ordinance, the language was pretty short and didn't really do a complete job of explaining the rights and responsibilities for both the city and the property owners. We feel this update prepared in conjunction with the city attorney's office is really to the point and puts everything concisely and explains the city's process pretty well. Also, a big thing we noticed that as we talked about issues like skill games, signs, temporary signs are always big, parking on streets for commercial vehicles, and those sorts of things. The way the city's zoning ordinance had been structured, we were required to provide at least thirty days to remedy a violation or appeal it. The state code allows us as long as we have done our ordinance for those kinds of violations, we can reduce the timeline to ten days, which gives us a little bit more urgency in our enforcement.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Mr. Petrick stated was this inspired by anything in particular?

Mr. Plachcinski stated I think it was inspired by me trying to figure out how to write citations and realizing that the ordinance didn't really explain it and then I figured if I struggled to figure out the process and exactly what I was supposed to do if I was a member of the public, they got a zoning letter. It would be helpful if I could go to something, and read it, and understand it. That is really the impetus.

Ms. Evans made a motion to recommend approval of Rezoning Application PZ 22-65 as submitted. Mr. Bolton seconded the motion. The motion was approved by a 7-0 vote.

7. *Rezoning PZ22-66, Initiated by the Planning Director, establishes standards for campgrounds in new Section 2.AA. Campgrounds, adds campgrounds as Uses Permitted by Special Permit in the SR-R Sandy River – Residential zoning district (Article 3.A.C.) and the T-R Threshold-Residential zoning district (Article 3.B.C.), and revises the campground definition in Article 15 to reference Virginia Code.*

Mr. Plachcinski stated although the zoning ordinance previously defined campgrounds and camping units there was no place in the zoning ordinance for them to go. There are some standards that we'd like to make sure that we have in our ordinance that provide a certain level of expectations of campground development. We are a city, we're not necessarily a very rustic place. With the coming resort we have had a lot of questions about things like campgrounds and mobile RV units needing somewhere they can go. So, based on input from both the city attorney's office and the Danville Pittsylvania County Health District we have prepared these recommendations for the zoning code.

They reference state code, so we won't have to change things if state code changes. We require the Special Use Permit. The minimum campground size will be thirty acres. It would be a substantial piece of property and it's in those zoning districts that are the most rural in the community. It requires that if you allow campers or camp units without sanitary facilities in them like tents or have yurts or something at those units that you also provide sanitary facilities with toilets, lavatories, and showers. We are recommending that all campgrounds and camping units must be set back forty feet from property lines, that there are adequate accessories for the campers to use like clubhouses, pools, picnic areas, fields, and playgrounds at a rate of two hundred square feet per camping unit. Also, in order to get to the campgrounds, the city engineer has to analyze the route that vehicles will take to make sure that they do not go down streets that they are going to have difficulty navigating. We are just citing the current street design, green book, or design vehicle guidebook for that analysis. Additionally, we updated the campground and camping unit definitions in article 15 to reference state code.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Mr. Bolton stated in your research, when you were looking at this, where might thirty acres in the city be?

Mr. Garrison stated there are a lot of places in the city where there are thirty acres.

Mr. Bolton stated like along the expressway and off of that?

Mr. Plachcinski stated Westover Hills, there's some spots on the expressway, 58, Halifax Road has some large properties out there. Really the thirty acres number came from, it's actually a lot less than the desires of like Jellystone, RV Parks, or KOA. They definitely can get much larger than thirty acres. We are trying to set a size that was fair and make sure that there's enough buffer around it and really be a nice camping experience.

Ms. Evans stated those who want to establish campgrounds need a Special Use Permit?

Mr. Plachcinski stated yes.

Mr. Garrison stated that thirty acres is a minimum, right?

Mr. Plachcinski stated right.

Mr. Garrison stated it has to be at least thirty acres?

Mr. Plachcinski stated right.

Mr. Bolton made a motion to recommend approval of Rezoning Application PZ 22-66 as submitted. Mr. Kahn seconded the motion. The motion was approved by a 7-0 vote.

IV. PLANNING DIRECTOR'S REPORT

Mr. Plachcinski went over the following below:

ORDINANCES

There are several recent that I would like the Planning Commission to schedule a work session on for Monday April 25, 2022. At this meeting, we will walk through the following ordinance changes:

- Adding minimum dwelling unit standards for single family dwelling units, single family dwelling units converted to two family dwelling units, and accessory dwelling units.
- Revising the "urban agriculture" and "agriculture" processes in the zoning ordinance to allow certain activities without a special use permit.
- Consolidating the Permitted Uses and Uses Permitted by Special Use Permit into a table that shrinks the 700+ lines of code in the zoning ordinance and makes the uses available in each district more straightforward and easier to reference.

COMPREHENSIVE PLAN UPDATE

- Staff submitted a \$1.4 million dollar grant application to the Virginia Community Flood Prevention fund for capacity building and resiliency planning. The proposal integrates the additional resources into the current comprehensive plan process. If awarded, the proposal will fund a staff position for three years, add dozens of public input opportunities to our outreach, and engage in many innovative programs that are transferrable to other Virginia Communities.

The motion to schedule a work session on April 25, 2022, at 3:00 pm was approved by unanimous vote.

V. APPROVE MINUTES FROM MARCH 7, 2022.

The MARCH 7, 2022, minutes were approved by unanimous vote.

VI. ADJOURNMENT

With no further business, the meeting adjourned at 3:48 p.m.

APPROVED
