

PLANNING COMMISSION MINUTES
April 7, 2014

MEMBERS PRESENT

Mr. Searce
Mr. Laramore
Mr. Griffith
Mr. Jones
Mr. Wilson

MEMBERS ABSENT

Mr. Bolton
Mrs. Evans

STAFF

Christy Taylor
Ken Gillie
Renee Burton
Clarke Whitfield

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

ITEMS FOR PUBLIC HEARING

1. *Special Use Permit Application PLSUP2014000067, filed by Tracy Gray on behalf of Virginia Health Partners, LLC requesting a Special Use Permit to operate a child care center in accordance with Article 3.M; Section C, Item 6 of the Code of the City of Danville, Virginia, 1986, as amended, at 149 Deer Run Road, otherwise known as Grid 1815, Block 004, Parcel 0000014 of the City of Danville, Virginia, Zoning District Map. The applicant is requesting to operate a child care center that offers mental health support center.*

Mrs. Burton read the staff report. Thirteen notices were sent to surrounding property owners within 300 feet of the subject property. Four responses were not opposed. Two responses were opposed.

Open the Public Hearing.

Present on behalf of the request was Mr. Sherrod McCormick and Ms. Tracy Gray.

Mr. McCormick stated we are not actually going to have a childcare center. It is just going to be a program for children ages 3 to 18. It will be a therapeutic day program to allow them to work on basic skill building. It is not a center where we will provide breakfast, lunch, and dinner.

Mr. Jones asked when they reach age 18, are they aged out of this program?

Mr. McCormick responded once they reach age 18, they have to go a different program. They would go to an adult day program. We are not offering adult programs.

Mr. Jones asked so it is possible to have 5 year olds and 17 year olds?

Mr. McCormick responded of course but not at the same time. They will be in different time frames.

Mr. Jones asked it is based on when they get out of school? Will the school bus drop them off?

Ms. Gray responded no we will provide transportation. It is therapeutic sessions, so the children will be grouped according to their ages and their mental health needs.

Mr. Griffith stated one of the concerns was traffic. There won't be a stream of cars coming and going. You are going to provide transportation.

Ms. Gray stated yes.

Mr. Laramore asked how many at any one time or how many during the day will you have?

Ms. Gray responded we are limited to 50, not to say that we would have 50. They have to meet the minimum criteria by state, so once they have been assessed we would know how many. The ratio to staff would be 4 to 1.

Mr. Jones asked you don't have any problems with the hours of limitation?

Ms. Gray responded no.

Mr. Jones asked on average how long would a child stay at your building, especially if you are not providing meals?

Ms. Gray responded we won't provide the meals but we will do outings where they will be fed, but anywhere from 4 to 5 hours a day. We may not provide the meal, but we will make sure that the children have a snack.

Mr. Wilson stated when you say providing meals, you mean preparing meals. Are there limitations related to that?

Mr. Gillie responded they would have to meet the Building Code for anything they did inside. As long as they are not selling to the public, then nothing is out of the ordinary.

Present to speak on the request was Mr. Robert Taylor. I am operator of a business across the street at 145 Deer Run Road. I have some concerns and they were addressed to some degree. One of my concerns is the special use permit says school and now we are hearing that it is a daycare type facility. Based on what the decision is here, does that mean we are going to have caution lights in that area? Are we going to have special times in which there will be restrictions in that area? At a 4 to 1 ratio of children between ages 5 and 18, what type of outdoor activities are going to be held or are they going to be restricted to inside?

Ms. Gray responded the complete session will be addressed inside. We plan to go to various parks for activities outside.

Mr. Taylor stated if you have a young child there for 4 or 5 hours you can't just keep them cooped up. If you go by that building, there is no outdoor facility. I have service trucks, delivery vans, and semi-trailers coming to my building throughout the day and what I don't want to happen are children having outdoor activities with vehicles moving back and forth.

Mr. Scarce stated from my understanding everything is contained inside.

Mr. Taylor stated the facility is large enough to handle the traffic moving in and out dropping kids off. My concern is what happens when they get there. If they are allowed to be outside, what facilities are going to be put in place to make sure that they are not out in the road. What is the location going to be zoned as?

Mr. Gillie responded it is a daycare center. The school was a typo on our part on the data sheet. It should have said daycare center. We transferred that over from a previous case and we missed that line. No flashing lights or anything else like that.

Mr. Taylor asked is this restricted to just that one suite, 149? It is a large facility. If someone else came in and said they wanted to open a childcare facility, they would have to come in and get another special use?

Mr. Gillie responded yes.

Mr. Wilson stated by voting yes to this, would they be able to put an outdoor play facility without coming back?

Mr. Gillie responded yes.

Mr. Wilson asked if it was an idea that got developed, would there be limitations on that?

Mr. Gillie responded the only limitations we are putting on there are no more than 50 persons and the hours of operation. An outdoor play facility is not a condition that we are putting on it. It would be permitted. If Planning Commission deems that it shouldn't be permitted then you could add that condition to it as a special use. You can add any conditions that you deem necessary.

Mr. Taylor stated if you go to the building, it is on the end closest to the road. There is a lot behind it. It is not very wide that you may be able to fence in, but behind that lot is a drop off and just up from that is the road. My concern is that there is no fence, nothing containing it, and the next thing you know you've got children out in the road.

Mr. Jones asked are you saying if we decide to add something concerning a play area outside, we should include a fenced in area? Do we have to put down the size of the fence and how far from the road it should be?

Mr. Scarce responded they are not asking for that.

Mr. Gillie stated they are not asking for it, but if it is a concern based on neighboring concerns, Planning Commission could put that if an outdoor play area is added that a fence must be installed X number of feet tall and X number of feet from the road. From staff's perspective, we didn't put that on there because our usual is hours of operation and X number of people. The exterior of the property, people may go outside and walk around. Employees may go outside and walk around. We didn't want to restrict it to have no one outside. If it is a concern and it will balance it out, Planning Commission can put it on there.

Mr. Wilson asked do you imagine the possibility of needing outdoor facilities ever in the future?

Ms. Gray responded no sir, I don't foresee it. As many parks as the City affords us, and with transportation, we can take the children to play where it is safe.

Mr. Searce stated there really isn't enough room there for it.

Mr. Gillie stated there is limited space available, but there is space available.

Mr. McCormick stated I would like to keep it open.

Close the Public Hearing.

Mr. Wilson made a motion to recommend approval of PLSUP2014000067 with conditions per staff. Mr. Jones seconded the motion. The motion was approved by a 5-0 vote.

MINUTES

Mr. Wilson made a motion to approve the March 10, 2014 minutes. Mr. Griffith seconded the motion. The motion was approved by a 5-0 vote.

OTHER BUSINESS

Mr. Gillie asked would you like us to look at changing our definition? We had a definition for adult day support services. While this case we just heard meets our definition of childcare, it probably is not the most clear. We can create a definition for day support services for a child if Planning Commission thinks it is necessary.

Mr. Griffith stated my concern with this particular case is that it is not really childcare. These are mentally and emotionally disturbed individuals, which is a whole different ballgame from childcare.

Mr. Gillie stated based on our definition of childcare it fits, but it is one of those things we never thought about.

Mr. Griffith stated the definition needs to be tweaked because this isn't providing childcare. This is providing anger management services.

Mr. Searce stated it's more of counseling.

Mr. Griffith stated counseling and rehabilitation. This is what my son does for a living.

Mr. Gillie asked would we need a motion?

Mr. Whitfield responded no, I think by consensus they can direct staff to do it.

Mr. Gillie asked if it is your consensus then we can do it.

Mr. Griffith responded I would like to see at least another definition.

Mr. Jones asked is there a certain certification that the people working here must have?

Mr. Gillie responded not that we are aware of.

Mr. Griffith asked don't they have to be certified by the state?

Mr. Gillie responded the facility has to be certified by the state. Your question was do the people that work there have to be.

Mr. Jones stated yes the 1 to 4 ratio.

Mr. Gillie stated personnel, I am not aware of it. Now if the state has certain criteria for the people inside the facility that is above and beyond what we get involved with at the planning level. We had some technical difficulties with the modifications to the comprehensive plan. We had to buy a new computer program. I will let you know when we reschedule that meeting.

Mr. Griffith asked do we have cases for next month?

Mr. Gillie responded yes.

With no further business, the meeting adjourned at 3:20 p.m.

APPROVED