

PLANNING COMMISSION MINUTES

January 8, 2018

MEMBERS PRESENT

Mr. Wilson
Mr. Dodson
Mr. Garrison
Mr. Bolton
Mr. Petrick
Mr. Searce
Mr. Jones

MEMBERS ABSENT

STAFF

Lisa Jones
Ken Gillie
Ryan Dodson
Clarke Whitfield

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

The meeting was turned over to Mr. Whitfield for the election of officers.

I. ELECTION OF OFFICERS

Mr. Whitfield called for nominations for Chairman.

Mr. Jones nominated Mr. Searce as Chairman. The nomination was approved by a 7-0 vote.

Mr. Whitfield called for nominations for Vice Chairman.

Mr. Jones nominated Mr. Wilson as Vice Chairman. The nomination was approved by a 7-0 vote.

Mr. Whitfield called for nominations for Secretary.

Mr. Jones nominated Mr. Bolton for Secretary. The nomination was approved by a 7-0 vote.

II. ITEMS FOR PUBLIC HEARING

- 1. Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location.
Ms. Levi read the staff report.*

Ms. Hairston stated I reside at 145 Wendell Scott Drive and I oppose the petition. My choice to oppose the petition really is because I live there in that residential area and it is such a busy place and it really is. I did know that the Womack's owned the property across from my home and that was my concern. I really thought it was just too much traffic already that we needed that type of business in that area. Wendell Scott Drive both sides from Arnett to 3rd Avenue and from Arnett to Piney Forest it's really like a cross over for a lot of business and a lot of traffic. So we have problems getting in and getting out of our yard. Even at the end of our road between 3rd Avenue and Arnett when you try to merge into the street its really busy because Arnett itself is busy and when the cars are coming down over that hill you just don't have that vision to see. My concern is safety first of all and secondly I just wanted to know about my property taxes. I had some questions about a week or so ago and they said it wouldn't effect that but still I just wanted to say and let everyone know even Mrs. Reynolds that I'm not being ugly about it or mean about. I live there with my family and it is a residential area with small group of single homes. This is a single dwelling homes there and the traffic is just too busy now and then with that some people say that it wouldn't matter because it's already zoned for that. What is going to happen is that she has the right to put the cars right across the street from my home and on her property. I understand that this is about business but seem that there could be another selection as to where to place the business I think so. I pray that I said it properly and in the right tone of voice because I'm not a hostile person. I'm just concerned about my wellbeing and my family.

Ms. White stated I am here on behalf of my mother Rosa Banks. We are located up a little bit further from Wendell Scott garage and I'm speaking on behalf of my mother and my sister. I was very much concerned where the car lot would be. I didn't think the lot on Arnett Blvd. would be big enough to accommodate a car lot. I didn't know there was a limit for whatever but anyway I'm very concerned about the traffic on our street which is very heavy. We can't get out of our driveways people come and they won't give you the courtesy and our concerns really the traffic. Is this going to create that kind of problem in our neighborhood which we already have? Mrs. Hairston quoted our concern to be also is increase in taxes on our property.

Ms. Reynolds stated I understand my neighbors concern. I have the same concern located at 498 Arnett. We have tried to get a stop light at this intersection for over 30 years. My property which is 498 Arnett was built in 1982 and at that time we were zoned Neighborhood Commercial. Since then all of the properties across the street from me that's touching on this residential area has been zoned Highway Commercial. Both of Donald Hardison's buildings as well as the lot up closer to my neighbors is already Highway Commercial. It was given that title back when my sister bought the property. My property is already Neighborhood Commercial and to do a car lot I am following regulations that are set by the motor vehicle dealer board. They say you have to have 10 parking spaces and I had no intentions of having 10 cars there but that is their regulations. The size of my building I have to have 20 parking spaces if 10 of them are going to be dedicated to a car lot. So Mr. Gillie and I looked at where else do I have property and I explained to him that within 66 feet we measured there is room for employee parking on the space that is on Wendell Scott Drive which is already Highway Commercial. So I'm just asking to get through this thirty years of mine being zoned for limited used by saying yes I can accommodate both things a car lot on my property on 498 Arnett Blvd. If there is any employee parking it can be across at the Wendell Scott address. I'm the only person in that office. Rhonda has retired so she doesn't have any use and I want to make use of my building.

Mr. Searce stated so you're looking to just clarify the building on the corner lot and the two vacant lots and you are going to use those for employee parking.

Ms. Reynolds stated yes.

Mr. Searce stated the car lot will be where?

Ms. Reynolds stated 498 Arnett.

Mr. Bolton stated where is the property located?

Mr. Gillie stated yes Womack R that is correct, that is the lot.

Ms. Walker stated I reside at 122 Wendell Scott Drive and I live with my mother she is 102 years old and thank God and bless her. She don't need no other noise and traffic on this street. We have enough already coming off Third Avenue and Arnett Blvd. I don't see no way do we need a car lot down there. We need some peace on this earth while we are here and we don't need any more disturbance or traffic. I wish that we could do something else better.

Ms. Hairston stated as I heard every one speak I'm concerned for safety and different reasons. I have a question and don't know if I have a right to ask. I want to ask Ms. Reynolds is there possibly if there is a vacant building where it has twice as much space as she desires right down the street. Is it possible would she consider perhaps purchasing that? It's right on Arnett Blvd. I do know that she owns what she owns but I do know at the same time I see that property there and it is a good location and it is accessible. That is what I wanted to ask.

Mr. Wilson stated I'm having a little difficulty visualizing the usage of this proposal. I see the corner lot there and apparently across the street there is a property that is going to be used for something. None of that is actually laid out very well in this proposal. There are no pictures that would give us of what we are actually approving. Like sitting right here now I am really not actually sure I've heard Hardison, Womack name and I'm not sure where those parking lots are actually going to go. So that lack of clarity not knowing the impact here make me reluctant to support this at this time. Till we kind of see something more to clarify this. Always concern when we have this number of neighbors step forward and say they are concern about things especially about traffic. Not opposed to it this idea and I certainly think Ms. Reynolds has made a good case given the zoning around it. I think for me if we make a decision yes at this point it would be impacting a lot of neighbors around. I'm a little concern if we can take this a little bit further into detail it would help the clarity. I do have a question for Ms. Reynolds have you had any kind of meeting with your neighbors to possibly work out some of these concerns that would be simple for all parties involved?

Ms. Reynolds stated since I have made the application and the letters went out now that is fault on our part but both of these two houses represented on that short stretch of Wendell Scott up to 3rd Avenue. My neighbors, their oppositions, I only heard about it today. I could have talked to them and make them understand what we are trying to do. Now on this property on Arnett Blvd. We are not destructing anything that if we had people coming in for tax season and they are parked to stay all day. I'm not obstructing or creating any more traffic than it is already at this intersection.

Mr. Scearce stated if it's going to be a car lot how many cars are you planning on having?

Ms. Reynolds stated its going to be a car lot but the state laws say you have to have spaces for ten cars but you don't even have to have one car.

Mr. Scearce stated what is the purpose of having a car lot?

Ms. Reynolds stated my son has worked the post office in Nor Dan Shopping Center for 10 years and he has since closed that location. He has gone to work for Brockway and we were talking about him coming in to help me with my business and developing something else and that location to make use of our building as he comes to join me in my tax practice. So we wanted a couple of different things and Rhonda and her Nationwide Office traffic was there too but she has retired so I'm the only person in the building. I understand their frustration but I have it too. There are more cars that come up and turn around in my lot and go right back out. Hopefully if I have some cars they will stop doing that for fear of hitting them. Even wrecker trucks come through turn around on my lot and go back out. Across the street there is a heating and air condition place now that gentleman has tractor trailers coming in and I have had to ask them in the heat of the summer not to pull up on my lot to back into their narrow driveway because his big wheels are tearing up my pavement. So I do understand their frustration but this won't add anymore to the problems that Wendell Scott and Arnett that it always been. We have asked for a stop light there back in the 80's and the 90's the City has studied it a number of times but they have done nothing about it including last year. But having 3 cars on a lot and having someone come in and see if they wanted to buy a car will not change the traffic on Arnett Blvd. or Wendell Scott Drive. Right now my address is Arnett but you cannot enter my lot from Arnett and that is because of the traffic. So we have dealt with this problem for all of these years.

Mr. Petrick stated so what you are saying if we do put cars here they will have to go on to Wendell Scott Drive to get into your business.

Ms. Reynolds stated yes everybody has to do it. They have to come down Arnett Blvd. and turn onto Wendell Scott Drive to turn into our lot. We do not have an entrance from Arnett.

Mr. Scearce stated there is no entrance from that side.

Mr. Petrick stated do you intend to improve that vacant lot? Are you going to pave?

Ms. Reynolds stated yes we have to for my understanding for me to do this. I have to widen the driveway for commercial 30 feet and I have to pave. I'm meeting all the rules.

Mr. Bolton stated if she doesn't plan to sell cars on this other lot right?

Mr. Gillie stated the department of motor vehicles require the cars to be sold on a lot where the actually building office is located.

Mr. Bolton stated not to sell cars lot is strictly for employee parking?

Mr. Gillie stated that is correct.

Ms. Reynolds stated I went to the class last month to be a dealer and my intentions are only cars being sold at 498 Arnett Blvd. The rules for the motor vehicles dealer board say as long

as both properties are commercial I can put cars anywhere. I'm only adding that property up there so that I can meet the rules. 498 Arnett is where I intend the cars to be. I don't intend to have ten cars but the property that my neighbors are concerned about is already highway commercial.

Mr. Scarce stated so you are going to improve it.

Ms. Reynolds stated I'm going to improve it for parking spaces only.

Mr. Bolton stated I'm leaning towards tabling this for a month in hopes that you can get together with some of these people and better explain and understand both sides and possibly coming up a change of heart on either side here.

Ms. Reynolds stated I'm not sure that I will be able to do that. We have all talked and my neighbors have talked and their concern for the traffic is a concern for the entire neighborhood. The lot that is next to them is already Highway Commercial. I'm not putting a car lot up where next where they are. I'm only trying to get my lot that currently exist rezone. Something that was built in 1982 and all around me has been Highway Commercial except mine has never been rezone.

Mr. Scarce closed the public hearing.

Mr. Jones made a motion to table this for a month. Mr. Petrick seconded the motion. The motion was approved by a 4-3 vote.

2. *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 10: entitled "Signs", Section N entitled "Permitted signs in the CB-C Central Business Commercial District" and Section O entitled "Permitted Signs in the TW-C, Tobacco Warehouse Commercial District" to address the number and size of signs permitted per building.*

Mr. Gillie stated what we proposed to do is matching the central Business and the Tobacco Warehouse sign regulations. We had limitations on the numbers of signs that could go in the district. What we are now just saying wall signs should be permitted on each establishment based on the allowable square footage. It used to say a single sign or one sign per wall. Now we really don't have to limit those we are just going to say this is your square footage allowed.

Mr. Scarce stated so you can have one, two, three and four signs as long as it meets guidelines.

Mr. Gillie stated as long as it meets the square footage requirements.

Mr. Scarce stated and you are doing this basically with the multi-tenant buildings.

Mr. Gillie stated yes. We are having more multi-tenant buildings. This is similar to what we have at other areas of the Highway Retail and other areas. We give you the square footage. This came about from gentleman on Main Street. We have also had issues with Tobacco Warehouse District where we have tenants on the first floor and other tenants on the upper portion of the building. We feel this is more equitable to everybody. You have a straight

square footage and it is up to the owner on how much they provide to each individual tenant. The city just says here is your number you make it work.

Mr. Searce stated Mr. Garrison and Mr. Wilson do you have any questions or concerns?

Mr. Garrison stated I didn't sense that there was any problem with the River District Committee.

Mr. Searce opened and closed the public hearing.

Mr. Garrison made a motion to amending the amendment code and Mr. Wilson 2nd the motion.

The motion was approved by a 7-0 vote.

III. MINUTES

The October 9, 2017 minutes were approved by unanimous vote.

IV. OTHER BUSINESS

With no further business, the meeting adjourned at 4:00 p.m.

APPROVED