

PLANNING COMMISSION MINUTES

June 10, 2019

MEMBERS PRESENT

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

MEMBERS ABSENT

Mr. Jones

STAFF

Ken Gillie
Bryce Johnson
Clarke Whitfield
Lisa Jones

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

I. ITEMS FOR PUBLIC HEARING

- 1) *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, VA 1986, more specifically Article 2 entitled "General Regulations", various sub-articles and sections of Article 3 entitled "Zoning Districts", and Article 15 entitled "Definitions", Section B entitled "Definitions". The purpose is to allow for short-term rentals of an entire home within residential districts.*

Mr. Searce opened the Public Hearing.

Paul Liepe from the Old West End. Mr. Liepe stated I'm opposed to this proposal for three reasons. One, is possible density of short term rentals. I would like to see something added to the proposal that has some limitations. Second, I would like to see something in there that deals with the possibility of people renting these properties for the purpose of having a blowout party. Maybe Air B&B saying no parties and I suggest it might also be included in our ordinances. Thirdly, I'm concerned in spite of all the work that you have done on this that it only addresses part of the issue. My suggestion to you would be to consider the issues and table this for another meeting or until those issues can be addressed.

Mr. Wilson stated can you point out number two again I want to fully understand what you said?

Mr. Leipe stated with regard to parties many Air B&B's rental agreements say there are no parties allowed. What I'm concerned about is somebody could come in and rent a home, a single family dwelling for the only purpose of having a blowout party. I think that should be included in the ordinance.

Mr. Searce closed the Public Hearing.

Mr. Bolton made a motion to recommend approval for code amendment as attached. Mr. Petrick seconded the motion. The motion was approved by a 6-0 vote.

Mr. Bolton made a motion to recommend City Council to review the taxes and registration fees. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote.

- 2) *Special Use Permit application PLSUP 20190000161, filed by Barry Davis requesting a Special Use Permit for a short-term rental of an entire home in accordance with Article 3.E, Section C, Item 29 of the Code of the City of Danville, Virginia 1986 as amended at 500 Plum St., otherwise known as Grid 2710, Block 006, Parcels 000007 and 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to develop a house to rent on Airbnb.*

Mr. Searce opened the Public Hearing.

Present on behalf of this request was R.J. Lackey, here to represent the landowner. I'm just here to answer any questions that you may have.

Mr. Searce closed the Public Hearing.

Mr. Petrick a motion that we recommend approval of Special Use Permit PLSUP20190000161 as submitted by staff. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

- 3) *Rezoning application PLRZZ20190000196, filed by World Media Enterprises, requesting to rezone from OT-R Old Town Residential to TW-C Tobacco Warehouse District Parcel ID#s 22511 and 26632, otherwise known as Grid 2718, Block 019, Parcels 000012 and 000011 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for a downtown parking lot.*

Mr. Searce opened the Public Hearing.

Present on behalf of this request was Bennis Butler. Mr. Butler stated I represent World Media Enterprises which is the parent company of the Register and Bee. Also, with me today is Mr. Kevin Todd, who is the General Manager of the Register and Bee. The two subject parcels join the Register and Bee building on the East side and front Franklin Street. The present and growing need for parking in this area is obvious with the anticipated growth. Although TW-C Zoning permits curbside parking, curbside parking does not always satisfy customer needs nor will curbside parking satisfy demand looking forward. The area is currently on the rise with a wide variety of mixed-use businesses and residential including office, single family housing, multi-family homes, industrial, government, education, entertainment and churches. All of these are in a three block radius of the subject property. In summary, if improved the anticipated future use for parking meets a growing need. It is consistent with the City's future plans and it is complimentary to existing usages and I thank you for your consideration.

Mr. Petrick stated is this going to be free public parking is that what we are talking about?

Mr. Butler stated I'm particularly requesting lifting that restriction. We anticipated that it would be parking developed actually for the use of the facilities that presently exist now, mainly the Register and Bee building. Although it is within code as I just stated there are only twenty seven parking spaces with the Register and Bee building and that's with an occupancy of

25% in that building of 3600 square feet. So, you can easily see that where that building 100% occupied using the current code standard of one parking space per 300 square feet that there is a great need.

Mr. Searce closed the Public Hearing.

Mr. Garrison made a motion to recommend approval of Rezoning application PLRZ20190000196. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

- 4) *Request to amend Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, VA 1986, more specifically various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District" and Article 15 entitled "Definitions". The purpose is to allow a manufactured housing pilot project.*
- 5) *Rezoning application PLRZ20190000199, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential and TW-C Tobacco Warehouse Commercial to NT-R Neo-Traditional Residential District Parcel ID#s 24445, 22244, 22727, 23040, 21602, 21038, 22726, 20856, 26312, 20862, 21471, 25184, 22082, 20860, 21603, 20881, 22885, 23320, 23677, 23662, 23661, otherwise known as Grid 2713, Block 001, Parcels 000001 through 000004 and 000006 through 000012, Grid 2714, Block 001, Parcels 000001 and 000002, Grid 2714, Block 002, Parcels 000001 through 000003, Grid 2717, Block 010, Parcels 000005 through 000007, Grid 2717, Block 011, Parcels 000001 and 000003, and Grid 2718, Block 014, Parcel 000002. The applicant is proposing a planned residential development involving manufactured housing.*
- 6) *Special Use Permit application PLSUP20190000208, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for Manufactured Home Dwellings in accordance with Article 3.D, Section C, Item 18 of the Code of the City of Danville, Virginia 1986 as amended at Grid 2713, Block 001, Parcels 000001 through 000004 and 000006 through 000012, Grid 2714, Block 001, Parcels 000001 and 000002, Grid 2714, Block 002, Parcels 000001 through 000003, Grid 2717, Block 010, Parcels 000005 through 000007, Grid 2717, Block 011, Parcels 000001 and 000003, and Grid 2718, Block 014, Parcel 000002. The applicant is proposing a planned residential development involving manufactured housing.*

Mr. Searce opened the Public Hearing.

There was discussion among Planning Commission and Planning Staff about whether staff should investigate the matter and if a work session should be held prior to any vote on staff recommendation. Mr. Garrison recommended to postpone the matter and hold an open work session on August 5. Mr. Wilson seconded the motion. The motion was approved by a 6-0 vote.

- 7) *Rezoning application PLRZ20190000201, filed by Habitat for Humanity, requesting to rezone from N-C Neighborhood Commercial and S-R Suburban Residential to NT-R Neo-Traditional Residential District Parcel ID#s 59958 and 51032, otherwise known as Grid 2918, Block, 004, Parcels 000033 and 000018 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to develop housing.*

Mr. Scarce opened the Public Hearing.

Present on behalf of this request was Kimberly Baldrige, Executive Director for Habitat for Humanity and Christy Val affiliated Administrator. Ms. Baldrige stated obviously many folks in this room know what Habitat for Humanity is all about. Our vision of Habitat is a world where everyone has a decent place to live. So this development that we want to do just falls right along with the concept vision of Habitat not only here but worldwide as well. This affiliate has been established since 1991 and has had great success with building homes and neighborhoods. Not specifically of this nature but we have built homes in other neighborhoods and helped that neighborhood, specifically Danville Community College area as a way to increase home ownership and properties in that area. Home ownership gives people a pride of accomplishment and it gives them a sense of belonging to a neighborhood. The purpose of homes just knowing that you have something to deal with your home that you have actually put and sweated into the homes. These people partner with Habitat and we do not build these homes they are not given to people. They are actually hands on and they help us build their home. They pay a mortgage and it's a no interest mortgage. So, when St. Luke's came to Habitat approximately about 10 years ago, this project took forth and now the vision is here and we want to take this vision and continue forth and provide this housing for not only for the City of Danville but possibly some of Pittsylvania County residents as well because it sets right on that line of Danville and Pittsylvania County.

Mr. Scarce stated what kind of housing is it?

Ms. Baldrige stated this is stick built homes and they are approximately 1050 square feet homes and they will be built on crawl spaces.

Mr. Scarce stated are they duplexes?

Ms. Baldrige stated no they are single family. They are all single family detached.

Mr. Wilson stated I can say about this because the Church that I formally pastored built about 37 of these. These are good homes and typical size.

Mr. Petrick stated I noticed on the drawing here exceptional plan you got about 8 homes on the first phase?

Ms. Baldrige stated correct so obviously phase 2 will come in when we have the funding in place to build a road. We would have to build a road currently it is wooded so we want to start with first phase. Also, to make this an even better project St. Luke's not only donated the land but they have the money to build the first home. We are ready to get this projected started as soon as possible. This will affect about 30 families this year.

Mr. Bolton stated do the property owners finance or do you give it to them with a clear deed?

Ms. Baldrige stated no we actually hold the mortgages. We have a process with Virginia Housing Development that actually services the mortgage for us but we hold the mortgages.

Mr. Bolton stated do they have choice of rooms and sizes or are they all going to be the same?

Ms. Baldrige stated they will all be the same but the colors will be different.

Ms. Val stated typically no there will be some variation of cosmetic, siding and shutters would be the variations. Some design changes so there will be a little bit of a roof line here and there. So they will not be cookie cutter exactly. They will be similar but there will be some differences.

Mr. Garrison stated the first home will be built on the existing road.

Ms. Baldrige stated yes it will be front of Seminole and Springfield.

Mr. Garrison stated so phase 2 will require a new road?

Ms. Baldrige stated correct.

Mr. Scarce stated looking at the design there looks like a creek there and it looks like there really won't have any impact on Green Acres at all? It looks like it falls down to a creek and it will be on the other side of the creek?

Mr. Sherman England resides at 334 Sandy River Drive. Mr. England stated the property that you question falls away from Seminole Drive down to the creek. The creek can't be used for anything it's really a gulley that ends in the condominiums. The condominiums are on the other side of the street.

Mr. Scarce stated I'm looking at the map here and the cul de sac at the end of Swain Drive it will not have any access from Swain drive at all.

Mr. England stated we deeded that property to them several years ago so they could build the cul de sack.

Ms. Baldrige stated that is no connection between the road and this property.

Mr. Garrett Hairston resides at 407 Swain Drive. Mr. Hairston stated I just have a couple of questions. I just have a problem with opening up that cul de sac and my understanding that it's not going over the cul de sac?

Mr. Scarce stated no it will not. Looking at the site map this project will be assessed from the other side.

Mr. Hairston stated so at this point the cul de sac is not being opened?

Ms. Baldrige stated no.

Mr. Hairston stated so you are talking about going around the property of Swain drive on the edges.

Mr. England stated it's not going to affect Swain Drive at all.

Ms. Baldrige stated you can only access this property from Seminole you can't get access from Swain at all.

Mr. Searce stated that screen right there shows the cul de sac at the bottom right there is where the cul de sac is and it will not have any impact because you would have to go down to the bottom and cross the creek. All the access will be coming in from Seminole drive and eventually as it continues to develop phase 2 will be on Springfield road. It will be just like regular housing two or three streets over.

Mr. Wilson stated so you are the only one that is here does this new information change anything for you.

Mr. Hairston stated it does in a sense but my biggest concern is opening up that street that has been closed for so long.

Mr. Wilson so does that take away your concern?

Mr. Hairston stated sure.

Mr. Searce closed the Public Hearing.

Mr. Garrison made a motion to recommend approval of Rezoning application PLRZ20190000201. Mr. Petrick seconded the motion. The motion was approved by a 6-0 vote.

II. Minutes

The May 10 and June 3, 2019 minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 4:57 p.m.

APPROVED