

Council Letter

City of Danville, Virginia



CL - 858

NEW BUSINESS H.

City Council REGULAR MEETING

Meeting Date: October 5, 2023

Subject: Consideration of a Rezoning Application filed by Jeremiah Clark to Rezone 2520 West Main Street (Parcel 54430) from HR-C Highway Retail Commercial to OT-R Old Town Residential.

From: Renee Burton, Division Director of Planning

COUNCIL ACTION

1. Public Hearing
2. A Resolution Maintaining Parcel ID 54430 (2520 West Main Street) in the HR-C Highway Retail Commercial Zoning District.

SUMMARY

The subject property, 2520 West Main Street, is currently zoned HR-C, Highway Retail Commercial. It is a commercial building built in 1950 that was acquired by the applicant in June of this year with the intent of operating a short-term rental, principal use. The HR-C zoning classification does not allow residential uses, therefore, the applicant has requested to rezone from HR-C, Highway Retail Commercial to OT-R Old Town Residential.

The subject property is located within the West Main Street Commercial Corridor. There are limited residential areas along the corridor and no OT-R zoning adjacent. This may be deemed illegal spot zoning. Illegal spot zoning can be classified as a rezoning that is solely to serve the benefit of the property owner(s) and not the greater good of the community. However, if the rezoning request by the applicant at Two Winstead Drive is approved, the rezoning of 2520 West Main Street would be an extension of the OT-R zoning classification, not an isolated classification.

2520 West Main Street is located along the West Main Street Commercial corridor and a residential zoning classification at this location is incompatible with adjacent uses and the surrounding area.

Twenty-two (22) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. One (1) opposed response was received.

On September 11, 2023, the City Planning Commission voted 6 - 0 to recommend denial of Rezoning Request PZ23-00276 to rezone 2520 West Main Street (Parcel ID #54430) from HR-C, Highway Retail Commercial to OT-R, Old Town Residential.

RECOMMENDATION

It is recommended that City Council adopt a Resolution maintaining the HR-C Highway Retail Commercial zoning classification 2520 West Main Street.

Attachments

1. Resolution
 2. Application
 3. Planning Commission Recommendation
 4. 2520 W. Main Street - Aerials
 5. 2520 W. Main Street - Landuse
 6. 2520 W. Main Street - Owners
 7. Neighbor Responses - 2520 W Main rezoning
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