

# Council Letter

## City of Danville, Virginia



CL - 724

NEW BUSINESS H.

### City Council REGULAR MEETING

**Meeting Date:** August 1, 2023

**Subject:** Consideration of a Special Use Permit for a Planned Unit Development on Stewart and Aiken Streets.

**From:** Renee Burton, Division Director of Planning

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### COUNCIL ACTION

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ23-00202, filed by Southern Virginia Legal, PLLC, on Behalf of CWC Holdings, LLC, Stewart Street Holdings, LLC, Big Time Rentals, LLC and Elizabeth and Keith Walden Requesting a Special Use Permit for a Planned Unit Development on Stewart and Aiken Streets in Accordance with Article 17., Entitled "Planned Unit Developments" of Chapter 41, Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia to Include Parcel ID #S 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561, 22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331, 24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418, 25086, 25090, and 25089.

### SUMMARY

In April 2022, City Council approved a Planned Unit Development (PUD) for the development of Stewart Street as applied for by CWC and Elizabeth and Keith Walden. The PUD was approved with the following conditions:

1. The permitted uses at the development are residential;
2. 35% of the buildings' exterior will be masonry;
3. The buildings will not have vinyl siding on exterior vertical fascia;
4. The development will have sidewalk connectivity to West Main Street;
5. The developer will complete a Traffic Impact Analysis in consultation with the City and implement the recommendations;
6. The development will not exceed 25 dwelling units per acre;
7. The development must meet all ingress and egress requirements of the building and fire codes;
8. The development includes amenities for residents including a clubhouse and swimming pool;
9. The development will maintain landscape buffers compliant with Article 16 of the zoning ordinance; and

10. That the developer executes and records a development agreement with the City that acknowledges these conditions.

Since April 2022, the applicant(s) have acquired additional parcels that will allow for the expansion of the project. The expansion will include thirty-three (33) additional units, sixty-two (62) additional parking spaces and access from both West Main and Watson Street. Watson Street access is for residents and Emergency Services only. The developable area has increased from 6.59 acres to 9.0 acres. The applicant is requesting to amend the existing PUD to include additional parcels. Staff does not recommend an amendment to the conditions for this additional acreage. However, a new development agreement will be required to reflect the proposed changes.

One hundred sixty seven (167) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Sixty-eight (68) unopposed responses were received. Five (5) opposed responses were received.

On July 10, 2023, the City Planning Commission voted 5 - 0 to recommend approval of Special Use Permit request PZ23-00202 for a Planned Unit Development on Stewart and Aiken Streets in accordance with Article 17 of the Danville Zoning Ordinance to include Parcel IDs 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561, 22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331, 24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418, 25086, 25090, and 25089 with the following conditions:

1. The permitted uses at the development are residential;
2. 35% of the buildings' exterior will be masonry;
3. The buildings will not have vinyl siding on exterior vertical fascia;
4. The development will have sidewalk connectivity to West Main Street;
5. The developer will complete a Traffic Impact Analysis in consultation with the City and implement the recommendations;
6. The development will not exceed 25 dwelling units per acre;
7. The development must meet all ingress and egress requirements of the building and fire codes;
8. The development includes amenities for residents including a clubhouse and swimming pool;
9. The development will maintain landscape buffers compliant with Article 16 of the zoning ordinance; and
10. That the developer executes and records a development agreement with the City that acknowledges these conditions.

## **RECOMMENDATION**

It is recommended that City Council adopt an Ordinance granting a Special Use Permit for Planned Unit Development on Stewart and Aiken Streets in accordance with Article 17 to include Parcel ID#s 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561, 22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331, 24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418, 25086, 25090, and 25089 with the following conditions:

1. The permitted uses at the development are residential;
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9. The development will maintain landscape buffers compliant with Article 16 of the zoning ordinance;

- ordinance; and
10. That the developer executes and records a development agreement with the City that acknowledges these conditions.

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### **Attachments**

1. Ordinance
  2. Application
  3. Supporting documents
  4. Stewart\_AERIALS
  5. Stewart\_LANDUSE
  6. Stewart\_OWNERS
  7. Planning Commission Recommendation
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