

Council Letter

City of Danville, Virginia



CL - 859

NEW BUSINESS I.

City Council REGULAR MEETING

Meeting Date: October 5, 2023

Subject: Consideration of a Special Use Permit Application filed by Jeremiah Clark, Requesting a Special Use Permit at 2520 West Main Street (Parcel 54430) to Allow Short Term Rental, as Principal Use.

From: Renee Burton, Division Director of Planning

COUNCIL ACTION

1. Public Hearing
2. A Resolution Denying Special Use Permit Application PZ23- 00275, filed by Jeremiah Clark, Requesting a Special Use Permit to Operate a Short-Term Rental as Principal Use in Accordance with Article 3.E, Section C., Item 29. of the Danville Zoning Ordinance at 2520 West Main Street (Parcel ID #54430).

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 applicant has also requested a Special Use Permit to operate a Short-Term rental in accordance with Article 3.E. Section C Item 29.

The last use of record at 2520 West Main Street was the commercial operation of a tattoo parlor. There is no record of residential use. The applicant must remodel and update the structure to receive a Certificate of Occupancy for residential use. Permits have not been issued to complete this work, because of the commercial zoning classification.

2520 West Main Street has a grass/gravel drive that passes from West Main Street to Winstead Drive. This area could be utilized for parking if enlarged and improved.

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

On September 11, 2023, the City Planning Commission voted 6 - 0 to recommend denial of Special Use Permit Request PZ23-00275 to operate a Short Term Rental as a principal use at 2520 West Main Street (Parcel ID #54430).

RECOMMENDATION

If City Council chooses to deny Rezoning Request PZ23-00276, Special Use Permit Request PZ23-

00275 may not be considered for approval. Denial of PZ23-00276 would maintain the HR-C, Highway Retail Commercial zoning classification at 2520 West Main Street. A Special Use Permit for the operation of a Short-Term Rental as a principal is not allowed within a HR-C zoning classification.

Attachments

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