

PLANNING COMMISSION MINUTES
November 12, 2012

MEMBERS PRESENT

Mr. Wilson
Mr. Griffith
Mr. Jones
Mr. Searce
Mrs. Evans
Mr. Jennings
Mr. Laramore

MEMBERS ABSENT

STAFF

Renee Blair
Ken Gillie
Christy Taylor
Alan Spencer

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, Virginia, 1986 as amended, more specifically to add Article 3.V entitled "RD-O River District Overlay" to establish boundaries and design guidelines for the River District.*

The Guidelines shall include the following:

- 1.1 *Purpose*
- 1.2. *The River District Design Commission*
- 1.3. *Historic Properties within the District*
- 1.4. *Non-Historic Properties within the District*
- 1.5. *The Secretary of the Interior's Standards for Rehabilitation*
- 1.6. *Procedure for Obtaining a Certificate of Appropriateness*
- 1.7. *Routine Maintenance*
- 2.0 Design Principles for Successful Downtowns*
- 2.1 *Urban Design Principles*
- 2.2 *New and Infill Building Design Principles*
- 2.3 *Pedestrian Priority*
- 3.0 Guidelines for Historic Buildings in the River District*
- 3.1. *Introduction*
- 3.2. *General Guidelines*
- 3.3. *Criteria for Restoration/Renovation vs. Demolition*
- 3.4. *Commercial Buildings*
- 3.5. *Industrial Buildings*
- 3.6. *Civic/Institutional Buildings*
- 3.7. *Recommended*
- 3.8. *Not Allowed*
- 3.9. *Routine Maintenance*
- 3.10. *Certificate of Appropriateness Required*
- 4.0 Guidelines for New Buildings in the River District*
- 4.1. *Purpose*
- 4.2. *Allowed Uses*
- 4.3. *New Building Types*

- 4.4. *Architectural and Site Guidelines for Large Buildings*
- 4.5. *Architectural and Site Guidelines for Small Buildings*
- 4.6. *Routine Maintenance*
- 4.7. *Certificate of Appropriateness Required*
- 5.0 *Site Design Guidelines*
- 5.1 *Purpose*
- 5.2. *Site Guidelines*
- 5.3. *Routine Maintenance*
- 5.4. *Certificate of Appropriateness Required*
- 6.0 *Sidewalk and Outdoor Dining and Outdoor Display Design Guidelines*
- 6.1. *Purpose*
- 6.2. *Sidewalk Dining*
- 6.3. *Outdoor Dining on Private Property*
- 6.4. *Outdoor Display Guidelines*
- 6.5. *Routine Maintenance*
- 6.6. *Certificate of Appropriateness Required*
- 7.0 *Sign Guidelines*
- 7.1. *Purpose*
- 7.2. *Commercial Signs*
- 7.3. *Existing Signs*
- 7.4. *Awnings & Canopies*
- 7.5. *Banners*
- 7.6. *Wayfinding Signage*
- 7.7. *Routine Maintenance*
- 7.8. *Certificate of Appropriateness Required*
- 8.0 *Streetscape and Open Space Guidelines*
- 8.1. *Streetscape Guidelines*
- 8.2. *Streetscape Recommendations*
- 8.3. *Routine Maintenance*
- 8.4. *Certificate of Appropriateness Required*
- 8.5. *Public Open Space Guidelines*
- 8.6. *Open Space Recommendations*
- 8.7 *Certificate of Appropriateness Required*

The boundaries include all properties within the area bounded by and within the following:

Beginning on the south side of Riverside Drive at the Farrar Street overpass, and then along the south side of Riverside Drive to the Norfolk and Southern Rail Road Bridge, thence south along the west side of the Rail Road tracks to the north side of Monument Street, then along the north side of Monument Street to the west side of Newton Street, including 501 and 503 Newton Street, thence along the west side of Newton Street to the north side of Dame Street, thence along the north side of Dame Street to the north side of Wilson Street, thence along the north side of Wilson Street, to Jefferson Avenue including the property at 257 Jefferson Avenue, thence along the rear property lines of lots on the north side of Jefferson Avenue crossing Patton Street, along the rear of the lots fronting the west side of Patton Street to 747 Main Street, thence crossing Main Street including up to 730 Main Street, thence extending west to the include the east side of Spring Street, thence north to South Ridge Street, including all properties along the north side of South Ridge Street to

High Street, including all properties on the east side of High Street to the north side of Floyd Street, thence along the north side of Floyd Street to the east side of Poplar Street, thence along the east side of Poplar Street, to Union Street Bridge Road, crossing the Dan River, then extending along the rear property lines of Farrar Street to the intersection of Riverside Drive.

Ms. Blair read the staff report.

Open the Public Hearing.

Present on behalf of the request was Ms. Allison Platt. Ms. Platt stated the only thing that I would like to add is that for any of you who were here at the last meeting, Planning Commission has addressed those issues by ensuring that there will be people who own property or businesses in the District who could be on the Commission even though they don't live in the District, because there are not that many people who live in the District. I wanted to make sure that there was business representation because it is important to be business friendly.

Present was Mr. Rob Taylor. Mr. Taylor stated I am an owner of one of the businesses down there in the River District. It appears to me that you all are going to make your recommendation to City Council that the River District Overlay be in place. As an owner of a building down there I ask that it be considered not to happen unless there is some funding to support what this new requirement is going to have. My biggest concern as a building owner is if I want to make an improvement to the exterior of my building and I get a contractor that gives me a price of \$5,000 to do it and it goes in front of the Board and they say "no we want you to use these materials" and they end up costing me \$10,000. Now I am stuck with either making the additional payment of \$10,000 to make the improvement or not doing the improvement at all. Without any funding to support what the Board may require of the building owner you are going to have buildings that become derelict or buildings that are just going to be moved out of. I would ask that unless there is funding available that perhaps current building owners have some type of grandfather clause to allow them to either make improvements before the Board comes in place in the two or three months that they are talking about or enables them to sell the building to someone who is willing to make the additional improvements that might be placed upon them.

Mr. Scarce stated thank you for your comments.

Mr. Jones stated what he is asking should be to City Council.

Mr. Gillie stated correct. Planning Commission has no budget. You don't have anything that would allow you to recommend putting additional funds out. That is a City Council question as to whether they would institute some sort of program like they used to have a façade program or something else. That is not something that Planning Commission deals with.

Mr. Wilson stated we could recommend that they consider that.

Mr. Gillie stated you could recommend that City Council consider it.

Mr. Scarce stated Allison maybe you should address old properties, grandfathered, and that sort of thing.

Ms. Platt stated there are several categories that apply to existing buildings and older buildings. The guidelines don't apply to existing non-contributing buildings. If you have a building that is metal or whatever it might be there would be no requirement to put in wood windows because it never had wood windows for instance. It is important to understand with guidelines that studies have shown putting guidelines in place and asking people to have a high standard have universally resulted in having higher property values. That is an important consideration when you think about the cost. Lastly it is important to remember that sometimes improvements in a difficult economy are burdensome. Guidelines allows for that by having a two part approval process. Let's say strictly speaking that there is one set of improvements that you should make but the people on the Committee understand that they would be prohibitively expensive. It is possible in this two part approval process to say on the first part "does it meet the guidelines" and the answer to that would be no; and then "will you approve it" yes. There have been problems in the past with the guidelines not having any flexibility; but I think this is a flexible system so that if you need to make changes and making changes that are historically correct might be prohibitively expensive they could approve them. With a business friendly group of people who are still preservation minded I think this allows everyone the flexibility that they need to make things better and move forward.

Close the Public Hearing.

Mr. Griffith made a motion that the River District Design Guidelines be approved with what we have received as staff's additions to these: contingent on the River District Design Committee shall consist of seven citizens, three of whom shall be property or business owners within the River District. These three members do not have to be residents of the City of Danville. The members are appointed by City Council and serve without compensation. Consideration for appointment should be given to architects, contractors, design professionals, attorneys, bankers, business owners, and realtors as provided. There were several other changes that we have a copy of I don't know if I need to read all of those.

Mr. Searce stated I don't think so.

Mr. Griffith stated we have an added addition to each section *failure to obtain appropriate permission should be considered a zoning violation*, which applies to every section 3.10, 4.7, 5.4, 7.8, and 2.7.

Mr. Gillie asked you are also asking for the appendix for the 1.8 and 1.9 right?

Mr. Griffith responded right.

Mr. Gillie stated these per Ms. Platt's recommendations.

Mr. Griffith stated yes.

Mr. Gillie stated that is fine.

Mr. Griffith stated include that in the appeal review summary.

Mr. Searce stated so basically it is everything printed that we had in here except you made one change.

Mr. Griffith stated I made a change that three of the seven members shall be business or property owners within the River District and that those three members do not have to be residents of the City of Danville.

Mr. Wilson seconded the motion.

Mrs. Evans stated were we going to limit the number that could be members? Is that too restrictive that we limit that three members should be from the district?

Ms. Platt responded no I don't think so. I mean it could be more.

Mrs. Evans stated if three fail to apply for the Commission is that an issue?

Mr. Griffith responded then you've got to go find three. You do it with other Commissions. I don't see any difference in this. The CAR requires that three of their seven members be residents of the Historic District. The Airport Commission lists a requirement for every member.

Mr. Jennings asked is your motion without consideration of funding? Is that something that we cannot deal with?

Mr. Searce responded we don't have the jurisdiction.

Mr. Jennings stated well he said we could make a recommendation.

Mr. Gillie stated you can make a recommendation that City Council consider it. You can't tell them to do it. You have no budgeting authority. All you can say is consider this as part of it. It is up to them what they do at that point.

Mr. Wilson asked could we make a separate motion for that?

Mr. Gillie responded you could make a separate motion.

Mr. Searce stated I suspect that when Council looks at it they are going to have some of the same questions. I think it will automatically come up.

The motion was approved by a 7-0 vote.

Mr. Griffith stated I notice that there are a number of people here this afternoon that have businesses and are either owners or operators within the new River District. Any of you that are interested in serving, if you would contact Susan Demasi, City Clerk she can give you the application so that you can serve on that Committee if and when Council passes it.

2. Special Use Permit Application PLSUP20120000296, filed by Knights of Columbus, requesting a Special Use Permit to operate a private club in accordance with Article 3.C.; Section C., Item 14 of the Code of the City of Danville, Virginia, 1986, as amended, at 3777 Westover Drive, otherwise known as Grid 9705, Block 001, Parcel 000005 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to use the property as a meeting place for Knights of Columbus.

Ms. Blair read the staff report. Nineteen notices were sent to surrounding property owners within 300 feet of the subject property. Three responses were opposed; two responses were not opposed.

Open the Public Hearing.

Present on behalf of the request was the Knights of Columbus (KOC). We are not a club. We are a fraternal organization. I think there may be some misunderstanding in regard to the use of this building and this permit. I am not familiar with how many permits you issue, but I believe this permit would fall under the same category as the American Legion or one of those other organizations. We have meetings and organized events. It is not a club and I think there is a misinterpretation there in regard to the category. With the limitations on the hours, we have meetings that may go past 9:00 or 10:00. We have other events and things like dinners that we may have that would go beyond those hours. I don't quite understand that limitation as far as where it stops us from where we can use it.

Mr. Scarce asked did you hear the whole report?

KOC responded I did understand the hours, yes.

Mr. Scarce stated it is up to 11:00 on Fridays and Saturdays.

KOC stated we have to clean up the building after an event. We may go past those hours to be able to stay in the building. Are we allowed to even be in the building after this time? Do we have to lock up the building at 11:00?

Mr. Scarce responded those are the hours of operation. I don't know about cleaning staff.

KOC asked what do you consider operation is what I am getting at?

Mr. Gillie responded the operation is the actual event itself. If you are there cleaning up afterwards, we have limitations on restaurants and other things. We want the general public out of there by that time.

KOC stated we will not have general public there in the first place. Everybody that comes in there will be invited.

Mr. Gillie stated whenever you have an event, reception, or anything else the reception should end at that time. If there is time necessary to clean up afterwards that is not considered hours of operation because you don't actually have that event going on.

KOC asked if there is nothing going on we can use the building on our own time right?

Mr. Gillie responded at your own time correct. If you have your meeting, we would like your meeting to be over at a certain time and then clean-up and other things afterwards.

KOC asked if we just have a meeting we have to be out of the building at a certain time?

Mr. Gillie responded you should be yes.

KOC stated I don't understand that.

Mr. Gillie stated the reason being is because the location has a substantial amount of residential property around it. When the church was in operation they had rather limited hours. They weren't there 24 hours a day seven days a week. We are still trying to look out for the adjacent residences. We want to limit the hours just to limit the number of people coming in and out at various times. We thought that the 6:00 to 10:00 Sunday through Thursday and 6:00 to 11:00 Friday and Saturday allowed for a substantial time to operate whatever events or anything else you have and then still have a little bit of limited time to clean up and everything else and not impact the adjacent residential properties.

KOC asked does this same rule apply to churches?

Mr. Gillie responded it applies to most places that ask for a Special Use Permit. A church itself is a by right use in most districts, but their standard hours of operation are usually Sundays and Wednesdays. They are not open seven days a week 24 hours a day. Most of our restaurants, daycares, anyone that is coming in for a Special Use Permit, these are pretty much standard hours of operation.

KOC stated I just needed clarification on where we stand.

Mr. Griffith asked since the hours of operation are 6:00 to 9:00 Sunday through Thursday, do you all normally meet during the week?

KOC responded we meet on Monday nights.

Mr. Griffith asked normally what time are these over?

KOC responded most of the time it is over by 8:30. Last Monday we had a meeting that ran till about 9:30 or 10:00.

Mr. Griffith asked if we change it from 9:00 to 10:00 would that accommodate it?

KOC responded that would solve our problems as far as our meetings are concerned. Our meetings normally run from 7:30 to 8:30. Last week we had Council Corporation which was after our meeting which ran until 9:30 or quarter till 10:00.

Mr. Jones asked will you be renting this building out to the public?

KOC responded we have no anticipation of renting it out to the public. It might happen that we would rent it to people for like a bridal shower, reception, or something of that nature.

Mr. Jones asked would they already be affiliated with the Knights of Columbus?

KOC responded normally they would come out of our organization or somebody that we are acquainted with yes. We wouldn't be advertising to rent this building not at the present moment. Down the road I don't know if the circumstances would change or not. At one time we had a bingo parlor at our other building and that is not anticipated because we won't be into that at all.

Mrs. Evans asked is 11:00 on Friday and Saturday too restrictive?

KOC responded no, that shouldn't be a problem. We can handle that as long as we can clean up afterwards. That is the thing that I was concerned about. We can't set a time as to how long it will take to clean up afterwards.

Mr. Gillie asked how often do you rent the facility out?

KOC responded we don't. We don't have any set schedule to rent out the facility.

Mr. Gillie asked is it your plan, because your current facility you didn't rent out. Did you?

KOC responded no. At one time we did rent it out, but it was very limited.

Mr. Gillie asked are you planning to expand that and start renting it out?

KOC responded we don't have any plans for that at the present time.

Mr. Gillie stated if you decide to start renting it out on a consistent basis it may require additional approvals through commercial indoor recreation and other Special Use Permits.

KOC stated we would have to come back to you. We will make sure that it complies.

Close the Public Hearing.

Mr. Wilson asked what was the reason from going from the church non-profit affiliated organization to operating a private club? The word private club and lodge if I have this right is in the application, so the idea that it is a club came from somewhere. Is it because it is changing from one thing to another that they need to be here?

Mr. Gillie read the Zoning Code definition of a private club.

Mr. Gillie stated they meet our definition of a private club. At their current facility they didn't have a Special Use Permit because that wasn't required under the old Code.

Mrs. Evans made a motion to recommend approval of PLSUP20120000296 with the recommendations proffered by staff regarding the assembly card and hours of operation being 6:00 a.m. to 10:00 p.m. Sunday through Thursday 6:00 a.m. to 11:00 p.m. on Friday and Saturday. Mr. Jennings seconded the motion. The motion was approved by a 7-0 vote.

3. Special Use Permit Application PLSUP20120000297, filed by Full Moon Rising, LLC, requesting a Special Use Permit to operate a contractor's office, in accordance with

Article 3.O:, Section C., Item 5 of the Code of the City of Danville, Virginia, 1986, as amended, at 1032 -1102 Cahill Court, otherwise known as Grid 1711, Block 006, Parcel 000009 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to use the property to operate a general contractor's office.

4. Special Use Permit Application PLSUP20120000298, filed by Full Moon Rising, LLC, requesting a Special Use Permit to allow outdoor storage, in accordance with Article 3.O:, Section C., Item 16 of the Code of the City of Danville, Virginia, 1986, as amended, at 1032 -1102 Cahill Court, otherwise known as Grid 1711, Block 006, Parcel 000009 of the City of Danville, Virginia, Zoning District Map. The applicant is requesting to be allowed outdoor storage in conjunction with the operation of general contractor's office.
5. Special Use Permit Application PLSUP20120000299, filed by Full Moon Rising, LLC, requesting a Special Use Permit to allow Uses with lot frontage on the Dan River, in accordance with Article 3.O:, Section C., Item 17 of the Code of the City of Danville, Virginia, 1986, as amended, at 1032 -1102 Cahill Court, otherwise known as Grid 1711, Block 006, Parcel 000009 of the City of Danville, Virginia, Zoning District Map. The applicant is requesting to operate Uses with lot frontage on the Dan River.

Mr. Gillie read the staff report. Six notices were sent to surrounding property owners within 300 feet of the subject property. One response was opposed; zero responses were not opposed.

Open the Public Hearing.

Present on behalf of the request was Full Moon Rising, LLC (FMR). We are here if you have any questions about our application. We met with the City before we submitted this so we could cover our bases. Right now we are just using our building to store material. We probably will not have any outside storage, but we did decide in case we needed it we would include that with our application. Any use related to the river is really related to picnic tables or something of that nature.

Mr. Scarce asked are you in agreement with staff's recommendations?

FMR responded yes. I have no problem with that. Our business materials are rather fragile and they are really kept inside.

Mr. Jennings asked did you say that the only thing you plan to do with the river front is for some sort of tables?

FMR responded just a clear to put out picnic tables. We have had a tenant request for our second building which is on this property. It is a community facility and they have asked to be able to put picnic tables and grills for their organization. Other than that we are not really using the river side. They haven't made a firm commitment. They are reconsidering the location now.

Mr. Wilson asked this community facility seems a little vague. Is there more details on that? What is a community facility?

FMR responded the group that had asked to lease our smaller building is an organization of individuals that does group activities. They wanted to have a meeting place, a place to

maybe have picnics including their families. Now we are not even sure if they are going to lease the building.

Mr. Wilson stated my concern is related to the long term. Is this Special Use Permit specifically for this? If someone were to come into this community facility and use it for a specific purpose, how open does community facility become here?

Mr. Gillie read the definition of community facility.

Mr. Gillie stated if someone came in and asked for the same thing their folks are asking for we would treat it just like this is now. A facility is a facility in our book. It doesn't matter who is operating it. It is just what to do they do. That is our big question. That is the first thing we ask them, "what are you doing with the property?" The folks that they have proposing to go in there came and talked to us about doing things outside, putting picnic tables, maybe a gas grill. We said that is fine. It is just if you are going to have any materials or anything else used in conjunction with your facility we think it should be screened. A picnic table will not need to be screened because that is not really a use that you have. If they were to store construction materials outside, trailers, or other things we would want that screened. It comes down to what they are actually using the building for.

Mr. Wilson asked long term vision for the RiverWalk Trail, would that have any impact on the decision we make today? The trail is eventually, hopefully going to come back along the river that way.

Mr. Gillie responded hopefully someday it will come along this. The decision you make today, no it will not have any impact on it. If we wanted to extend the trail across we would have to do the same thing we done with the trail on the northside. We would have to work with the owners of the property along the river to obtain an easement. If there is anything blocking the trail we would have to work with them on relocating that. Facilities on the northside had already built fences back to the river. We secured easements from property owners and the City has relocated fencing to put the trail in, so what you are doing now will not have any impact on it.

Mr. Wilson asked would you be interested in working with them to have the trail go through there?

FMR responded yes, actually now it is kind of a jungle. We would love to clear some of that brush. It goes down steep to the river, so it is really not touching the water. I seriously doubt that we will even be outside but we decided to include that since we had to make application.

Mrs. Evans stated I have a concern about the outdoor storage. You say that you don't really have anything out there.

FMR stated we will have some things out there, but we will have fencing. I can't be a contractor and not store stuff outside.

Mrs. Evans stated I think your storage should be hidden from the river view as well.

FMR stated it will be.

Mr. Gillie stated there is about a 30 foot drop between that property and the river, so naturally it is going to be screened from the river. The fencing for the contractor's part was more along Cahill because that is where it is going to be visible. We were just concerned if anyone done anything towards the river and got stuff back towards the bank, then that is what we wanted to be screened. They have one of the few properties that is not in the floodplain because it is elevated so high at that point.

Close the Public Hearing.

Mr. Laramore made a motion to recommend approval of PLSUP20120000297 as submitted. Mr. Griffith seconded the motion. The motion was approved by a 7-0 vote.

Mr. Jennings made a motion to recommend approval of PLSUP20120000298 with conditions by staff. Mr. Griffith seconded the motion. The motion was approved by a 7-0 vote.

Mr. Wilson made a motion to recommend approval of PLSUP20120000299 with conditions by staff. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.

6. Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 3.A.;, entitled "SR-R, Sandy River Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit", Article 3.B.;, entitled "T-R, Threshold Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit", Article 3.C.;, entitled "S-R, Suburban Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit", Article 3.D.;, entitled " NT-R, Neo-Traditional Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit", Article 3.E.;, entitled "OT-R Old Town Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit", Article 3.F.;, entitled " Attached Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit", Article 3.G.;, entitled "Multi-family Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit", Article 3.H.;, entitled "Manufactured Home Park Residential District", Section B. entitled "Permitted Uses" and Section C. entitled "Uses Permitted by Special Use Permit"; and amend Article 15 to create a definition for Family Day Care Home and amend other definitions, and amend Article 2 "General Regulation" , Section T. Home Occupations to address the keeping of more than five (5) but less than twelve (12) children in residences.

Ms. Blair read the staff report.

Open the Public Hearing.

No one was present on behalf of the request.

Mr. Gillie stated you should have received in front of you a letter from a list of multiple applicants. Those are the ones who are right now out of compliance with the Zoning Code. They have been working with staff to try and amend the Code.

Close the Public Hearing.

Mr. Griffith asked who monitors this?

Mr. Gillie responded the State does as well as our Social Services Department.

Mr. Griffith asked do the operators of these businesses have to get a permit?

Mr. Gillie responded they are obtaining a license through the State. As part of their licensure through the State, they have to obtain local Zoning approval.

Mr. Jones stated the information that we have says *in some interpretations allowing additional children*. If the number is 12 how can you interpret it to be more?

Mr. Gillie responded staff and the Zoning Code allowed five. The process was you came to us and got a Zoning Clearance, you then went and obtained your business license, then you went to the State to get certified through the State. We would issue a Zoning Clearance for five because that is what our regulations said. They would go get a business license for five. They went to the State and the State was telling them they could have 12, so they would have 12. The State wasn't notifying us that they were allowing more than what our local requirements were. As of a year or so ago the State change the regulations to match what the local Zoning allowed. The State had authorized for a number of years for homes to have more than what the local Zoning requirements were. We are trying to match the two processes together. That is one of the reasons we are recommending not changing our home occupation provisions, but to allow these by Special Use Permit because the numbers are greater than what we have allowed in the past.

Mr. Searce stated but they are basically doing it already.

Mr. Gillie stated a few of them are doing it already, not all of them. The list is rather small. I don't remember the numbers of licensed daycares that we have, but it is a small percentage of them that have more. In their defense, they went to the State and they told them it was ok to have more. They assumed since the State was telling them they could have more they were allowed to have more not knowing that the State was in effect doing something they shouldn't be doing. We are now trying to help them resolve that issue. This is happening all over the State. We are not the only one. I have a list of multiple localities throughout Virginia. We are modifying ours because some other places may match what we do because they are running into the same thing.

Mr. Laramore asked they are operating under a business license?

Mr. Gillie responded yes.

Mr. Wilson made a motion to recommend approval of the request to amend the Zoning Ordinance as recommended by staff. Mr. Laramore seconded the motion. The motion was approved by a 7-0 vote.

II. MINUTES

Mr. Griffith made a few corrections to the minutes.

Mr. Griffith made a motion to approve the October 11, 2012 minutes with corrections. Mr. Laramore seconded the motion. The motion was approved by a 7-0 vote.

III. OTHER BUSINESS

Mr. Gillie stated at this point we do not have any cases filed for next month, so you may have a month off. I want to recognize Mr. Jennings for his service. I understand his term is up and he has asked not to be reappointed. Thank you very much for your years of service you have provided the City. Good luck in your retirement from the Planning Commission.

Mr. Jennings stated thank you very much. I think it is time. I have enjoyed serving on this Commission.

Mr. Gillie stated in front of you there is a copy of the Old Westend Rental District Study. Ms. Platt would like to say a few words about that.

Ms. Platt stated what you have is a final draft of the report. I will not go into the high points, because I am sure at a future date we will have a presentation about it; but the point of the study is to come up with strategies to basically save the Old Westend Rental District. We sort of come up with some financial strategies, some administrative strategies that will save the buildings hopefully before they need to be demolished. Further the focus, if these strategies work is that they can be applied City-wide, because the City as well as many other cities has a problem with under population, less people than houses; so you can't save them all. Saving them earlier will mean that you can save more of the good ones. That is the philosophy and we will have an occasion in the future to talk about it. Just for your information there is a matrix in the back toward the last page which summarizes all of the actions that we would like to see taken. We hope to get this implemented and get it off to a good start. Thank you.

With no further business, the meeting adjourned at 3:54 p.m.

APPROVED