



# **CITY OF EMPORIA**

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**AGENDA**  
**EMPORIA PLANNING COMMISSION**  
*Regular Meeting*  
**TUESDAY, JULY 11, 2017 - 6:30 P.M.**

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**ROLL CALL**

**APPROVAL OF MINUTES**

June 13, 2017 ~ Public Hearings & Regular Meeting

**APPROVAL OF AGENDA**

**NEW BUSINESS**

17-06 – Zoning Code Amendment Request – Mobile Food Units

**PUBLIC COMMENT**

## PUBLIC HEARINGS

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1. Rezoning Request – 202 Carroll Street and 2 Little Street
  2. Rezoning Request – Virginia Avenue
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The Planning Commission held three Public Hearings on Tuesday, June 13, 2017, at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Vice-Chairperson Bryant presided over the hearing.

The following Commissioners were present:

Mr. Woodrow L. Bryant, Jr.	Mr. Thomas L. Vaughan
Mr. Edward V. Lankford, IV	Mr. James C. Saunders
Mr. Chris Thompson	Mr. William Powell
Mr. William C. Slate, III	

### 1. Rezoning Request – 202 Carroll Street and 2 Little Street

Mr. Thrower stated that Melody Thorpe is seeking to rezone 202 Carroll Street and 2 Little Street from I-1 Industrial District to C-2 Commercial District. He also stated that per her application, she plans “to open a retail paint and floor covering store.” He further stated that she also plans to offer “limited building materials.” He advised that the properties are identified as tax map parcel numbers 142-A-63,64 and 142-7-13. He also advised that the properties abut and are adjacent to parcels that are zoned DT Downtown District, R-3 Residential District, and C-2 Commercial District.

He advised that the subject properties are currently zoned I-1 Industrial District. He also stated that according to Section 90-78 (a) of the City’s Zoning Code “I-1 Districts shall be utilized for occupancy by certain industries which do not in any way detract from the utilization of adjacent areas to the district for residential purposes...”

He stated that as mentioned above, Mrs. Thorpe is seeking to rezone these properties to C-2 Commercial District. He also stated that per Section 90-77 (a) of the City’s Zoning Code, “C-2 Commercial Districts shall be utilized to accommodate general business areas or for auto or highway-oriented commercial uses, and wholesaling operations which, by nature or space requirements, do not lend themselves to being concentrated within a centralized, C-1 District area.”

He advised that according to the City’s 2015-2035 Comprehensive Plan, these properties are designated as “Retail/Service Commercial” on the Future Land Use Map (FLUM). He also stated that the properties abutting these parcels are also designated as both “Retail/Service Commercial” and “Medium Density” on the FLUM.

He advised that the Comprehensive Plan describes “Retail/Service Commercial” as providing for “an appropriate dynamic variety of uses adjacent to the downtown for commercial, financial, professional, governmental, and cultural activities... Signage and outdoor storage should be adequately controlled to promote an attractive and stable urban environment.”

Mr. Thrower provided the following recommendation:

He stated that section 15.2-2284 of State Code lists the relevant factors to consider in rezoning applications. He also stated that every proposed rezoning should be accompanied by an analysis of how the amendment will satisfy one or more of these factors. He further stated that a locality is not required to consider all nine factors in each zoning decision. He advised that the most pertinent factors applicable to this request involve the Comprehensive Plan and the existing use and character of the properties.

He stated that per Section 15.2-2223 of State Code, the overall purpose of a locality's comprehensive plan is to guide and accomplish a "coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants..." He also stated that in terms of the Comprehensive Plan FLUM, these properties, as well as other properties in the immediate area, are designated as "Retail/Service Commercial." He further stated that the Comprehensive Plan supports this rezoning request.

He advised that in terms of the existing use and character of the properties, older buildings occupy the parcels where the former Sash and Door business previously operated a similar type of business. He also advised that the existing use and character of the properties support the request.

He stated that given these facts, he recommended these properties be rezoned to C-2 Commercial District. He also stated that City Council will consider this rezoning request and your recommendation at its June 20, 2017 meeting.

Mr. Bryant asked if there was anyone present who wished to speak regarding this matter.

Melody Thorpe addressed the Planning Commission stating that it was her intentions to open a showroom and will employ approximately four to five people with the anticipation of adding more employees.

With there being no further comments to come before the Planning Commission, vice-chairman Bryant declared the public hearing closed.

## **2. Rezoning Request – Virginia Avenue**

Mr. Thrower stated that Richard Veno is seeking to rezone a property on Virginia Avenue from R-3 Residential District to DT Downtown District. He also stated that per his application, the proposal includes demolishing the existing Kangaroo convenience store and gas station located at 128 N. Main Street and constructing a new 3,300 square foot Family Fare convenience store and gas station. He further stated that Mr. Veno is requesting the property to the rear of the existing convenience store on Virginia Avenue be rezoned in order to accommodate the new building. He advised that the property is identified as tax map parcel number 162-A-15. He also advised that the property abuts and is adjacent to parcels that are zoned DT Downtown District and R-3 Residential District.

He advised that the subject property is currently zoned R-3 Residential District. He also advised that according to Section 90-73 (a) of the City's Zoning Code "R-3 districts shall be

composed of certain medium to high concentrations of residential uses ordinarily located between residential and commercial areas, plus certain open areas where similar development appears likely to occur. He further advised that the regulations for this R-3 district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life composed of an adult population with children, and to permit certain professional uses of a character unlikely to develop general concentration of traffic and crowds of customers. He stated that to these ends, retail activity shall be limited and this district shall be protected against encroachment of commercial or industrial uses. He also stated that all residential types of structures for both permanent and transient occupancy are permitted. This R-3 residential district is not completely residential as it includes public and semipublic and other related uses. He further stated that however, it is basically residential in character and, as such, shall not be spotted with commercial and industrial uses.”

He advised that as stated above, Mr. Veno is seeking to rezone this property to DT Downtown District. He also advised that per Section 90-80 (a) of the City’s Zoning Code, “The DT downtown district is hereby recognized as an integral part of the city’s unique character and the goal of this section is to promote the conservation and preservation of the city’s downtown areas, and to encourage retail, general commercial business establishment and other appropriate mixed uses to which the public requires direct and frequent access and is characterized by constant heavy traffic and by noises of congestion. He further advised that this DT downtown district includes such uses as retail stores, banks, offices, restaurants and taverns located in the central area of the city.”

He stated that according to the City’s 2015-2035 Comprehensive Plan, this property is designated as “Downtown/Mixed Use” on the Future Land Use Map (FLUM). He also stated that the properties abutting and across the street from this parcel are also designated as “Downtown/Mixed Use” on the FLUM.

He advised that the Comprehensive Plan describes “Downtown/Mixed Use” as including “compact commercial uses that serve both automobile and pedestrian traffic. He also advised that the commercial uses are similar to those under General Commercial but at a pedestrian scale...”

Mr. Thrower provided the following recommendation:

He stated that section 15.2-2284 of State Code lists the relevant factors to consider in rezoning applications. He also stated that every proposed rezoning should be accompanied by an analysis of how the amendment will satisfy one or more of these factors. He further stated that a locality is not required to consider all nine factors in each zoning decision. He advised that the most pertinent factors applicable to this request involve the Comprehensive Plan and the existing use and character of the property.

He advised that per Section 15.2-2223 of State Code, the overall purpose of a locality’s comprehensive plan is to guide and accomplish a “coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants...” He also advised that in terms of the Comprehensive Plan FLUM, this property, as well as the other properties in the immediate area, are all designated as “Downtown/Mixed Use.” He further advised that the Comprehensive Plan supports this rezoning request.

He stated that in terms of the existing use and character of property, the parcel is vacant. He also stated that an existing convenience store and gas station already occupy the properties abutting this parcel. He further stated that the property owner will construct a new convenience store on the property. He advised that the existing use and character of the property and properties in the immediate area support the request.

He stated that given these facts, he recommended this property be rezoned to DT Downtown District. He also stated that City Council will consider this rezoning request and your recommendation at its June 20, 2017 meeting.

Mr. Bryant asked if there was anyone present who wished to speak regarding this matter.

Mr. Tim Sivers of Horvath and Associates addressed the Planning Commission stating that the new building will allow for more room between the building and the pumps. He also stated that there will be two access points, one on Main Street and one on Virginia Avenue. He further stated that the façade will be a brick block and metal panels. He advised that the color of the building is unknown, at this point. He further advised that the building is proposed to be a Family Fare. He stated that if the station is a BP the colors will be green and if it will be a Shell the colors will be red.

Mr. Saunders inquired if the two access points on Main Street would be reduced to one. Mr. Sivers advised that the two access points on Main Street would be reduced to one which will allow the access point closer to the traffic light to be pulled away from the intersection in order to make it safer.

Mr. Bryant inquired if the business would face Main Street. Mr. Sivers advised that this was correct.

With there being no further comments to come before the Planning Commission, vice-chairman Bryant declared the public hearing closed.

**MINUTES  
PLANNING COMMISSION  
CITY OF EMPORIA MUNICIPAL BUILDING  
June 13, 2017**

*Note to Reader: Although the printed agenda document for this Planning Commission meeting is not part of these minutes, the agenda document provides background information on most all of the items discussed by the Commission at this meeting. The Secretary of the Planning Commission maintains the agenda document. One may see a copy of the agenda for this meeting by contacting the Secretary.*

The Planning Commission held a Regular Meeting on Tuesday, June 13, 2017 at 6:30 P.M. in the Council Chambers of the Municipal Building located at 201 South Main Street, Emporia, Virginia. Vice-Chairman Bryant presided over the meeting.

**ROLL CALL**

Upon roll call, the following Commission members indicated their presence:

Mr. Woodrow L. Bryant, Jr.	Mr. Thomas L. Vaughan
Mr. Edward V. Lankford, IV	Mr. James C. Saunders
Mr. Chris Thompson	Mr. William Powell
Mr. William C. Slate, III	

Absent: Mr. Williams S. Newsome  
Mr. Clifton Threat

Others present: Brian S. Thrower, City Manager  
Lori R. Jarratt, Secretary

**APPROVAL OF MINUTES**

Mr. Bryant stated that the date of the public hearing needed to be changed from November 2016 to March 14, 2017.

Mr. Saunders made a motion to approve the March 14, 2017 Public Hearings and Regular Meeting Minutes as amended, seconded by Mr. Lankford which passed as follows:

Mr. Bryant	aye	Mr. Vaughan	aye
Mr. Lankford	aye	Mr. Saunders	aye
Mr. Thompson	aye	Mr. Powell	aye
Mr. Slate	aye		

**APPROVAL OF AGENDA**

Mr. Thrower stated that there was an additional agenda item, number *17-06 Appointment of Chairperson*.

Mr. Saunders moved to approve the agenda as amended, seconded by Mr. Thompson which passed as follows:

Mr. Bryant	aye	Mr. Vaughan	aye
Mr. Lankford	aye	Mr. Saunders	aye
Mr. Thompson	aye	Mr. Powell	aye
Mr. Slate	aye		

**NEW BUSINESS**

***17-03. Rezoning Request – 202 Carroll Street and 2 Little Street***

Mr. Bryant advised that this items was the subject of the public hearing previously held.

Mr. Saunders made a motion to recommend to City Council the approval of the rezoning request for 202 Carroll Street and 2 Little Street, seconded by Mr. Thompson which passed as follows:

Mr. Bryant	aye	Mr. Vaughan	aye
Mr. Lankford	aye	Mr. Saunders	aye
Mr. Thompson	aye	Mr. Powell	aye
Mr. Slate	abstain		

***17-04. Rezoning Request – Virginia Avenue***

Mr. Bryant advised that this items was the subject of the public hearing previously held.

Mr. Slate made a motion to recommend to City Council the approval of the rezoning request for Virginia Avenue, seconded by Mr. Lankford which passed as follows:

Mr. Bryant	aye	Mr. Vaughan	aye
Mr. Lankford	aye	Mr. Saunders	aye
Mr. Thompson	aye	Mr. Powell	aye
Mr. Slate	aye		

***17-05. Architectural Compatibility Review – 128 N. Main Street***

Mr. Thrower stated that Richard Veno seeks architectural compatibility review approval to demolish the existing Kangaroo convenience store and gas station located at 128 N. Main Street and construct a new 3,300 square foot Family Fare convenience store and gas station at the same location. He also stated that according to the plans, the exterior of the building will primarily include brick, stone, and metal finishes.

He advised that Section 90-80 (k) of the City’s Zoning Code requires the Planning Commission to review the proposal for architectural compatibility and forward its recommendation to City Council.

He recommended that the Planning Commission approve this request to City Council. He stated that City Council will consider this request and the commission’s recommendation at its June 20, 2017 meeting.

Mr. Saunders made a motion to recommend to City Council the approval of the Architectural Compatibility of 128 N. Main Street seconded by Mr. Slate which passed as follows:

Mr. Bryant	aye	Mr. Vaughan	aye
Mr. Lankford	aye	Mr. Saunders	aye
Mr. Thompson	aye	Mr. Powell	aye
Mr. Slate	aye		

***17-06. Appointment of Chairperson***

Mr. Bryant stated that due to the resignation of Mr. Short the Planning Commission needed to appoint a chairperson.

Mr. Slate nominated Edward V. Lankford, IV as Chairperson.

Mr. Slate made a motion to appoint Edward V. Lankford, IV to serve as Chairman of the Planning Commission, seconded by Mr. Saunders, which passed as follows:

Mr. Bryant	aye	Mr. Vaughan	aye
Mr. Lankford	no	Mr. Saunders	aye
Mr. Thompson	aye	Mr. Powell	aye
Mr. Slate	aye		

**PUBLIC COMMENT**

Mr. Bryant asked if anyone would like to address the Planning Commission.

With there being no comments to come before the Planning Commission, Mr. Bryant closed the public comment portion of the meeting.

**ADJOURNMENT**

With no further business to come before the Planning Commission, Mr. Bryant adjourned the meeting.

\_\_\_\_\_  
Woodrow Bryant, Jr., Vice-Chairman                      Date

\_\_\_\_\_  
Lori Jarratt, Secretary    Date





## Memorandum

July 7, 2017

**TO:** Planning Commissioners

**FROM:** Brian S. Thrower, City Manager *BST*

**SUBJECT:** Zoning Code Amendment Request – Mobile Food Units

**ITEM #:** 17-06

Daniel Grizzard has submitted a zoning code amendment application to add “Mobile Food Units” as a permitted use in the DT Downtown District. Mr. Grizzard is requesting the City allow this use on Alvin Pair’s vacant lot on E. Atlantic Street. The parcel is identified as City Tax Map Number 143-A-0-24 and is currently zoned DT Downtown District. The requested use is not currently listed as a permitted use in any zoning district within the City.

As stated in Sec. 90-80 (a) of the City’s zoning code the Downtown District “is hereby recognized as an integral part of the city’s unique character and the goal of this section is to promote the conservation and preservation of the city’s downtown areas, and to encourage retail, general commercial business establishment and other appropriate mixed uses to which the public requires direct and frequent access and is characterized by constant heavy traffic and by noises of congestion. This DT downtown district includes such uses as retail stores, banks, offices, restaurants and taverns located in the central area of the city.”

The Virginia Department of Health (VHD) defines a “Mobile Food Unit” as a “food establishment mounted on wheels, readily moveable from place to place at all times during operation and shall include, but not be limited to, pushcarts, trailers, trucks, or vans. The unit, all operations, and all equipment must be integral to and be within or attached to the unit.” Mobile Food Unit vendors are required to obtain a permit through the VDH prior to commencing operations.

### Recommendation

In reviewing the purpose and intent of the DT Downtown District, as well as other permitted uses in the DT Downtown District, I recommend that Sec. 90-80 (b) of the City’s zoning code be amended to list “Mobile Food Units with Conditional Use Permit” as a permitted use in the DT Downtown District. Requiring a conditional use permit will help ensure proper development standards are met and that potential impacts to surrounding properties are addressed through conditions. It will also allow time for staff to research how other localities regulate Mobile Food Units through conditions or by ordinance.

You will need to make your recommendation to City Council regarding this request. City Council will consider this request and your recommendation at its July 18, 2017 meeting.

**Attachments**

Application  
Photo of Property  
Zoning Map  
Tax Map Sheet  
Sec. 90-80 DT Downtown District



**CITY OF EMPORIA**  
 Planning Department  
 201 South Main Street  
 Emporia, Virginia 23847  
 (434) 634-3332  
 (434) 634-0003 /fax



**LAND USE AMENDMENT APPLICATION**  
*Information must be typed or printed and completed in full.*  
*Attach additional pages where necessary.*

**LAND USE INFORMATION**

Application Type: (Circle One):  Variance  Rezoning  **Conditional Use Permit**  
 Special Exception  **Amendment**  Appeal  
 Telecommunications Tower  Co-location on existing tower

Description of Request: Mobil Food unit

Existing Zoning: DT Proposed Acreage: \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

Applicant(s): Daniel Grizzard Home/Cell# (434) 594-1582  
 Address: 1084 Greenplains R.d. Work# \_\_\_\_\_  
 Agent(s): \_\_\_\_\_ Home/Cell# \_\_\_\_\_  
 Address: \_\_\_\_\_ Work# \_\_\_\_\_  
 Email Address: DPG 78 Bird@gmail.com

**PROPERTY OWNER INFORMATION**

Property Owner's Name and address (see note on last page):  
Alvin Pair  
Drx Bread R.d.

Property Owner's Mailing Address (If this address is different from that listed in the Assessor's Office.):

Property Tax Parcel Number:  Phone# (434) 637-3431

Is the applicant:  Property Owner  Contract Purchaser  Other: \_\_\_\_\_

If you are the agent for the property owner, do you have consent of the owner attached? **Y/N**

**SUBJECT PARCEL INFORMATION**

Location of Property

East Street - DT-

Street Address

Tax parcel ID number

General Description of Property

VACANT Lot EAST ATLANTIC

Current Zoning (circle one)

R-1 R-2 R-3 R-PRD R-3MHS C-1 C-2 I-1 I-2 DT Other \_\_\_\_\_

Proposed Zoning (for rezoning request)

R-1 R-2 R-3 R-PRD R-3MHS C-1 C-2 I-1 I-2 DT

Existing Use(s) of Property

A. Explain fully the proposed use, type of development, operation program, reason for this request, etc.:

would like to setup mobile food unit that will be pulled out daily.

B. Section(s) of the City Code that pertain to this request

C. State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood or City in general. Include where applicable; information concerning use of public utilities/services, relationship to the comprehensive plan effect of request on public schools, traffic impact, means of access to nearest public road, existing and future area development, etc.

D. Has any previous application for a land use amendment been filed in connection with these parcels? List case numbers and explain any existing use permit, special exception, conditional use or variance previously granted on the parcels in question. If this application is to amend an existing special use permit, special exception, or other applicable amendment, please explain the request (proposed change in structure(s) including all signs).

N/A

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E. Proffers and Conditions

List any conditions or proffers currently associated with this property.

Will Need Electrical Connect

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If the applicant proffers any conditions (§ 15.2-2297 of the Code of Virginia), they must:

- 1) Have a reasonable relationship to the rezoning
- 2) Not include a cash contribution to the City of Emporia
- 3) Not include mandatory dedication of property
- 4) Not include payment for construction of off-site improvements

Proffers may be amended in writing prior the Planning Commission public hearing.

If this is an application for a **conditional zoning**, the following conditions are voluntarily proffered:

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F. Please list any and all restrictive covenants, deed restrictions and other special considerations:

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G. If required by the Zoning Administrator, attach a site plan / plot plan / survey plat / building dimensions / densities showing the location(s) of existing and proposed structures to be erected and applicable setback lines and distances including all zoning district requirements.

Notes:

- (1) Special use permits shall be for an indefinite period of time unless the Planning Commission imposes a condition specifying a shorter duration. Such permits shall run with the land unless the City of Emporia imposes a more restrictive condition with regard to the succession to rights in such a permit.

- (2) The City of Emporia may include, as part of the ordinance granting any conditional use permit, suitable regulations and safeguards as it may deem appropriate. Once a special use permit is approved subject to such conditions, they shall be deemed to be a part of the zoning ordinance and may be enforced by the zoning administrator. Conditions attached to a special use permit may only be amended or deleted by subsequent application for the purpose.
- (3) This application for a conditional special use permit must be accompanied by two (2) copies of any required site plans or plot plans.

H. If requesting a variance, explain the unique physical hardship or extraordinary situation (size, shape, topography, etc.) that is justification for the request:

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I. Explain how the zoning ordinance prohibits or unreasonable restricts the use of the property.

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J. Applicant Remarks

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K. The required fee must accompany this application. A fee schedule is attached for your convenience. Checks must be made payable to: "Treasurer, City of Emporia".

L. Enclosed with the application, a copy of the appropriate county tax map with the property marked and, if available, a surveyed plat of the entire parcel.

M. Enclose with this application any required plans or plats (plans must be folded).

N. Enclose with this application any additional information to assist with review and determination.

O. I/We hereby certify that to the best of my/our knowledge all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application:

Date: \_\_\_\_\_, 20 17

SIGNATURE OF AGENT\* \_\_\_\_\_  
(Name of person other than, but acting for, the property owner and responsible for this application.)

AGENT'S NAME \_\_\_\_\_  
(Typed or printed)

SIGNATURE OF APPLICANT\*\* *Daniel Grizzard*  
(Same name as used in Item 2, Page 1)

APPLICANT'S NAME Daniel Grizzard  
(Typed or printed)

**Notes:** Incomplete application will not be accepted. Any request that requires plans must be accompanied by those plans at the time submission of the application.

**For Office Use by the City of Emporia Dept. of Planning and Zoning and/or the Planning Commission**

Zoning Subdivision Code (90-14 or 66-8): Fee Paid:

Copy of Receipt attached

Action Taken:

\_\_\_\_\_  
Planner / Zoning Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Council

\_\_\_\_\_  
Date



## PERMIT FEES

VARIANCE	\$300.00
REZONING	\$400.00 + 50/lot
CONDITIONAL USE PERMIT	\$300.00
TELECOMMUNICATIONS TOWER (CONDITIONAL USE)	\$1,500.00 per plus review by private consultant if deemed necessary for final approval
CO-LOCATION ON EXISTING TOWER (CONDITIONAL USE)	\$300.00 per plus review by private consultant if deemed necessary for final approval
SPECIAL EXCEPTION	\$300.00
AMENDMENT TO CONDITIONAL USE	\$300.00
RENEWAL OF CONDITIONAL USE	\$300.00
REQUEST FOR PRIVATE ROAD- NAME/SIGN	\$100.00
REQUEST TEXT AMENDMENT	\$400.00
APPEAL	\$300.00
AMENDMENT TO PROFFERED REZONING	\$300.00

City of Emporia  
Emporia VA 23847  
LIEN AGENT:

Conditional Use Permit

PERMIT NUMBER: 0000157 - 2017  
USBC: 2012  
APPLICATION DATE: 5/17/2017  
ISSUANCE DATE: 5/31/2017  
RENEWAL DATE: 5/31/2017  
DATE: 5/31/2017

OWNER NAME/ADDRESS  
PAIR ALVIN B JR  
P O BOX 822  
EMPORIA VA 23847  
PHONE:

SITE ADDRESS  
EAST ATLANTIC STREET  
DANIEL GRIZARD-BITE ME DOG  
EMPORIA, VIRIGNIA 23847

CONTRACTOR NAME/ADDRESS  
OWNER  
PHONE: 000 000 0000

RE ACCOUNT#: 15940  
TAX MAP NO.: 143A 0 24

DESCRIPTION OF CONSTRUCTION LOCATION  
LOT: BLOCK: SECTION: BLDG NO.:

SET-BACKS:  
FRONT: BACK:  
RIGHT: LEFT:  
CNTR : FRTGE:

HEALTH PERMIT NO.:  
FLOODPLAIN:  
AREA:  
RIGHT-OF-WAY:

DISTRICT:  
SUB-DIVISION:  
ZONE:  
S/E CUP NO.: SITE PLAN:

DIRECTIONS TO SITE:

USE GROUP:  
CNST.TYPE:

USE CODE:  
NATURE/WRK: zoning compliance-set mobile food unit on vacant lot

SQ FEET:

Conditional Use Permit

JOB VALUE:

PERMIT FEE:

ALL WORK TO CONFORM TO THE CURRENT EDITION OF THE STATE BUILDING CODE.

PERMIT HOLDER SHALL CALL FOR ALL REQUIRED INSPECTIONS AS REQUIRED BY STATED & LOCAL LAW.

TOTAL FEES:

REQUIRED SIGNATURES

PROPERTY OWNER SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

AGENT SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

PLANNER/ZONING ADMINISTRATOR: \_\_\_\_\_

DATE: \_\_\_\_\_

PLANNING COMMISSION: \_\_\_\_\_

DATE: \_\_\_\_\_

CITY COUNCIL: \_\_\_\_\_

DATE: \_\_\_\_\_



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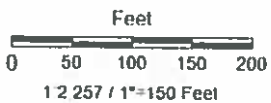
# City of Emporia, Virginia

## Legend

- City Boundary
- Parcels
- Site Addresses
- Road Centerlines
- Zoning
- DT DOWNTOWN
- C-1 GENERAL COMMERCIAL
- C-2 AUTO COMMERCIAL
- I-1 INDUSTRIAL
- I-2 INDUSTRIAL
- R-1 SINGLE FAMILY
- R-2 SINGLE FAMILY
- R-3 MULTI-FAMILY
- Streams and Rivers
- Water Bodies



Subject Property



Title:

Date: 7/7/2017

*DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Emporia is not responsible for its accuracy or how current it may be.*

# City of Emporia, Virginia

Map Pin	Tax Map Number	Address	Deed Book Reference
143-A-24	143 -A -0 -24	0 EAST ATLANTIC STREET Emporia, Va 23847	IN09000118

Owner Information	
Owner	PAIR ALVIN B JR
Owner's Address:	P O BOX 822 EMPORIA VA 23847

Summary			
Property Information			
Residential	No Data	Well	No Data
Commercial	No Data	Spring	No Data
Class	COMMERCIAL/INDUSTRIAL	Paved Road	Y
Zone	DOWNTOWN DIST	Improvement Value	0
Property Use	PARKING AREA	Land Value	7000
Description Land Area	No Data	Sale Price	20000
Size Main Land Area	No Data	Sale Date	01/27/2009
Computed Main Land Area	0	Account Number	15940
Public Water	No Data	Dirt Road	No Data
Public Sewer	No Data	Road	No Data
Septic System	No Data	Sidewalk	No Data
Underground Utility	No Data	Topography	LEVEL
Gutter	Y		

Improvement Information			
Year Built	No Data	Split Foyer	No Data
Year Remodeled	No Data	Central Heat	No Data
Year Assessed	2016	Central Air	No Data
Number Stories	0	Roof Type	No Data
Number Rooms	0	Exterior Type	No Data
Number Bedrooms	0	Basement Type	No Data
Number Bathrooms	0	Exterior Condition	No Data
Number Fireplaces	0	Foundation Type	No Data
Number Chimneys	0	Floor Type	No Data
Split Level	No Data	Wall Type	No Data
Building Description	No Data	Heat Fuel Type	No Data
Square Footage	0	Subdivision	ATLANTIC ST EAST

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation whose use of this map or any of the enclosed information assumes all risk for the consequences thereof. The City of Emporia expressly disclaims any liability for loss or damage arising from the use of this information by any third party.

Previous Owner	
<b>Previous Owner 1</b>	
Previous Owner	SYKES KAY SANDRA JOYNER
Datebase Reference	221 P569
Previous Owner's Address	1280 SUSSEX DR EMPORIA VA 23847
Date of Transfer	01/27/2009
Sale Price	0
<b>Previous Owner 2</b>	
Previous Owner	JOYNER, W D ESTATE
Datebase Reference	84 P281
Previous Owner's Address	No Data
Sale Price	0

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Sec. 90-80. - DT downtown district.

(a)

Purpose and intent. The DT downtown district is hereby recognized as an integral part of the city's unique character and the goal of this section is to promote the conservation and preservation of the city's downtown areas, and to encourage retail, general commercial business establishment and other appropriate mixed uses to which the public requires direct and frequent access and is characterized by constant heavy traffic and by noises of congestion. This DT downtown district includes such uses as retail stores, banks, offices, restaurants and taverns located in the central area of the city.

(b)

Uses permitted. Permitted uses in a DT district shall be as follows:

Art galleries and studios.

Assembly halls.

Automotive sales and service with the screening of impound/storage areas with conditional use permit.

Bakeries.

Banks and financial institutions.

Banquet facility.

Barber and beauty shops.

Bed and breakfast and tourist homes.

Billiard parlors and pool rooms.

Bookstores.

Bowling alleys.

Business offices and display rooms.

Child care centers.

Churches.

Clubs and lodges.

Convenience stores.

Delicatessen.

Department stores.

Drugstores.

Dry goods or notion stores.

Flower, gift, record and tobacco shops.

Furniture stores.

Grocery stores.

Hardware stores.

Hotels/motels.

Household appliance stores.

Jewelry stores.

Laundromats and dry cleaners.

Libraries.

Machinery sales and service with conditional use permit.

Magazine and news stands.

Newspaper printing establishments.

Nightclubs with condition use permit.

Pet service and supply establishments.

Photographer.

Post office.

Printing establishments.

Professional and public offices.

Recreation centers.

Repair, sale and service of bicycles, locks, lawn mowers and other small engines or appliances.

Radio and telecommunication stations with conditional use permit.

Residential uses, single and multi-family, above ground level floors.

Residential use, apartment, on the ground level floor with conditional use permit provided the dwelling is located at the rear of the structure and is occupied by the current property owner(s) or business owner(s) of a business operating in the structure. Furthermore, the residential area should not



be visible from the commercial space and shall not occupy more than 50 percent of total ground floor area as shown in a floor plan provided to the city for review.

Restaurants, excluding drive-in or curbside types.

Shoe repair shops.

Tailors.

Taxicab establishments.

Theaters.

Variety stores.

Wearing apparel stores.

Wine and beer shops.

(c)

Height regulations. Buildings in a DT downtown district may not be erected more than 45 feet in height without prior approval of the city planning commission.

(d)

Area regulations. None.

(e)

Lot coverage. Lot coverage in a DT downtown district may be up to 100 percent if yard and other regulations are met.

(f)

Setback regulations. Building or structure in a DT downtown district may have a zero setback; however such building or structure shall be placed such that the front is generally "in-line" with other existing buildings.

(g)

Width regulations. Width regulations in a DT downtown district are not applicable.

(h)

Yard regulations. For permitted uses in a DT downtown district, the minimum side or rear yard adjoining or adjacent to a residential district shall be 25 feet.

(i)

Parking. Due to the centralized nature of the DT downtown district, parking shall be provided as is practically possible to conform with the requirements of article V of this chapter and shall be subject to subsection (k) of this section.

(j)

Signs. The following signs shall be permitted in a DT downtown district and shall conform to all other applicable requirements of article V of this chapter. All permitted signs shall be subject to subsection (k) of this section.

(1)

All signs permitted in R districts.

(2)

Business signs not to exceed a total area of two square feet for each foot of frontage of the business provided they are attached to the building and not projecting more than four feet therefrom and shall not extend above the roofline. For buildings with more than one business, the total area allowed may be divided among those businesses.

(3)

One freestanding or monolithic business sign not to exceed 50 square feet in area and no higher than six feet tall, for each lot with a lot frontage of 75 feet or more, provided such signs do not create a visual obstruction or safety hazard. In the case of shopping or business centers where more than one business resides within a single building, each business may have an additional ten square feet of sign area, so long as it is located on the same pole or poles of the freestanding or monolithic sign, but in no case shall such sign extend over the street right-of-way line. Freestanding signs shall not be permitted on lots where the building has a setback of 25 feet or less.

(k)

Architectural compatibility.

(1)

All buildings and structures shall be constructed, erected, and altered to blend with the general character of the DT downtown district. To facilitate this requirement, the zoning administrator shall submit all plans and specifications involving the construction or erection of new buildings and structures and major alterations to existing buildings and structures to the planning commission for review. For the purposes of this section, major alteration means any physical modification to a structure that involves a major portion of the structure or has a substantial visual impact on the structure or surroundings. Major alterations include, but are not limited to, changes in building massing, cladding the exterior walls in a new material, and extensive replacement of windows and doors with a new or unoriginal design in a structure.

The planning commission shall make architectural compatibility recommendations to city council. Final decision making authority shall be vested in city council. This review shall in no way require the use of specific materials.

(2)

Minor alterations shall be subject to review and approval by the zoning administrator. For the purposes of this section, minor alteration means any physical modification to a structure that is limited in scope or has a minor visual impact in relation to the total design of the project. Minor alterations include, but are not limited to, awnings, landscaping, lighting, roofing, paint colors, and signage.

(3)

Plans approved by the Department of Historic Resources pertaining to the Belfield Business District Revitalization Project shall be approved administratively by the zoning administrator.

(4)

In order to ensure that buildings proposed for removal will not substantially impact or take away from the general character of the DT downtown district, the proposed demolition of any building or structure is subject to the same review and approval as outlined in subsection (k)(1) above.

(5)

The City of Emporia shall be exempt from the review and approval procedure as outlined in subsection (k)(1) and (2) above provided any erection or alteration done by the city is consistent with the general character of the DT downtown district.

(Ord. No. 03-50, § 2, 11-18-03; Ord. No. 04-48, § 1, 12-7-04; Ord. No. 05-26, § 1, 6-21-05; Ord. No. 06-41, 3-6-07; Ord. No. 07-03, 9-18-07; Ord. No. 09-27, 6-2-09; Ord. No. 10-8, 1-19-10; Ord. No. 12-03, 2-21-12; Ord. No. 15-09, 3-3-15)