

# **ADDENDUM**

## MARTINSVILLE CITY COUNCIL AGENDA

November 10, 2015

### **7:30 pm – REGULAR SESSION ADDENDUM**

1. Consider setting two public hearings regarding an application for a Zoning Text Amendment and Special Use Permit from McGuireWoods, LLP on behalf of BVI Martinsville, (BVI) LLC.”

**Meeting Date:** November 10, 2015  
**Item No:** Addendum Item 1.  
**Department:** Community Development

**Issue:** Consider setting two public hearings to hear public input regarding an application for a Zoning Text Amendment and Special Use Permit from McGuireWoods, LLP on behalf of BVI Martinsville, (BVI) LLC.

**Summary:** A petition for a Zoning Text Amendment and an application for a SUP were submitted by McGuireWoods, LLP on behalf of BVI Martinsville, LLC (BVI) and BVI, respectively, to operate a bidding fee auction facility, (aka “penny auctions” and/or “all pay auctions”) as part of a mixed-use commercial development in Uptown Martinsville. The petition for a zoning text amendment adding “Auction Facilities” including “bidding fee auctions” is running concurrently at BVI’s request.

The proposed location for the Auction Facility is 35-37 West Main Street, which connects interiorly to 54 W Church Street. The Property is currently zoned C-2 Central Business. McGuireWoods LLP asked if the City could consider the SUP application concurrently with the Zoning Text Amendment to save time for the applicant and City. As a condition precedent to City Council's approval of its application, the Planning Commission is requested by BVI to recommend that Council amend the City of Martinsville Zoning Ordinance to:

- 1) permit Auction Facilities as a use allowed by a special use permit in the C-2 zoning district and
- 2) define Auction Facilities so as to include facilities operating in accordance with the Redibids business model.

After a duly advertised public hearing on October 22, 2015, Planning Commissioners voted to deny McGuireWoods, LLP’s petition for a zoning text amendment (unanimously 5-0) on behalf of BVI, and voted to deny BVI’s application for a special use permit (4-0, 1 abstention) and ask Council to set public hearings for both issues.

**STAFF RECOMMENDATION:** Staff recommends that City Council set two public hearings for the

- 1) Petition for a Zoning Text Amendment and
- 2) Special Use Permit and Conditions.

**ATTACHMENTS:** None