



A G E N D A
JOINT TOWN COUNCIL AND RICHLANDS PLANNING
COMMISSION MEETING
At Richlands Town Hall
January 18, 2022
5:30 P.M.

- I.** Call the Meeting to Order
- II.** Invocation
- III.** Pledge of Allegiance
- IV.** Open Public Comment
 - a. Blackstone Data Center
- V.** Close First Public Comment Period
- VI.** Open Public Comment
 - a. Lucky Duck
- VII.** Close Second Public Comment Period
- VIII.** Planning Commission Discussion and Recommendation
- IX.** Adjourn

1-18-22 05:30

RECEIVED
DEC 08 2021

TOWN OF RICHLANDS
200 WASHINGTON SQUARE
RICHLANDS, VA 24641
PHONE (276) 964-2566 · FAX (276) 963-2889

ZONING PERMIT APPLICATION

Business/Professional Services

BY: _____

OPERATE A BUSINESS

Applicant Name Seth R White Phone Number 276-971-4637
 Business Name Blackstone Data Services LLC Type of Business _____
 Contact Person Seth White, Craig Earls Phone Number 276-971-6321
 Address of Business 1216 52001 -> 1216 Front St Richlands, VA 24641 Tax Map Number 105A51104 0013-0015
 Mailing Address For Business PO Box 520 Richlands, VA 24641
 Property Owner Ventus Rentals, LLC Seth White Mailing Address PO Box 520 Richlands, VA 24641
 Contact Person Seth White Phone Number 276-971-4637
 Applicant is: Individual _____ Firm/Partnership X Corporation _____

Description of Project

(Site and Plans Drawings Required for erection, placement, construction, reconstruction, alterations, or additions)

Existing X Build New _____ Remodel _____ Rewire _____ Plumb _____ Site plans _____ Construction plans _____

1. Corporate Office Headquarters
2. Client Computer Hosting and Maintenance

Structural Dimensions: Length: _____ Width: _____ Height above grade: _____ Number of floors: _____

Project cost: _____

Contractor: _____ Phone Number _____ Contractor Number _____

Erect Sign: _____ Height: _____ Length: _____ Width: _____ Material: _____ Power: _____ From _____

Attachments _____

UTILITIES
 Power: X Provider Town Load description: 400 Amp 3 Phase
 Water: _____ Public _____ (Provider) _____ Private _____ Well _____ Other _____
 Sewer: _____ Public _____ (Provider) _____ Private _____ Septic _____ Other _____

* COMPLETED APPLICATION IS REQUIRED FOR ISSUE OF PERMIT*

APPLICANT SIGNATURE [Signature] DATE 12/8/21

Permit is null and void if work is not begun within 30 days. Work must be completed within 6 months of issue of permit.

Town of Richlands, Virginia

200 Washington Square
Richlands, VA 24641

Phone : (276) 964-2566 : Fax : (276) 963-2889

APPLICATION FOR BUSINESS LICENSE

APPLICANT

Blackstone Data Services, LLC

NOTE: It is a Class 1 Misdemeanor for any person to willfully subscribe a return which he/she does not believe to be true and correct as to every material matter. (Code of VA., Sec. 58.1-11)

Location of business, occupation or profession :

1216 Second St Richlands, VA 24641

Mailing address of applicant (individual) :

PO Box 520 Richlands, VA 24641

Applicant is :

Individual Firm/Partnership Corporation

Contact Person Name :

Seth White Craig Earls

Contact Person Phone :

971-4637 971-6321

Contact Person Fax :

Corporations :

Virginia

Foreign

Nature of Business, Occupation or Profession - (Retail Merchant; Wholesale Merchant; Contractor; Retail Peddler; Wholesale Peddler; Itinerant Merchant; Telephone Company; Savings & Loan Association; Financial Services; Real Estate Services; Professional Services; Repair; Personal & Business Services; Direct Seller; Commission Merchant; Photographer; Fortune Teller/Palmist; Massage/Tattoo Parlor; Pawnbroker; Amusement Machine Operator)

Any merchant that started business after the beginning of the 20 21 license year, will need to submit gross receipts data from the time the business opened until December 31, 20 21. An adjustment on your 20 21 business license may need to be made once this data is submitted. If the tax due to the Town is more than the initial (\$30.00) thirty dollars license fee the difference must be paid. The Town will also prorate the amount due for 20 21 business license year, which will be due and payable.

1. Corporate Office Headquarters
2. Client Computer Hosting and Maintenance

LICENSE

I, the Commissioner for the Town of Richlands, Virginia, do find the foregoing application in due form.

THEREFORE, License is this day granted _____ to prosecute the business, occupation or profession of _____ at the following named definite house or place in town, to-wit: _____ for the period beginning January 1st, 20 _____, and expiring December 31st, 20 _____.

Tax Computed and Assessed \$ _____

Date Issued: _____

Commissioner of the Revenue

CALCULATE BUSINESS TAX DUE:

1. Enter 20 11 gross receipts in box.
2. Divide gross receipts in box (1) by 100 (except Telephone Companies).

3. Multiply amount in column (2) by applicable rate.
4. Enter calculated tax in box
5. Tax payable to TOWN OF RICHLANDS.

Type of Business	20 <u>11</u> (1) *Gross Receipts*	(2) Divide box (1) by 100	(3) Rate Per \$100 of Gross Receipts or Flat Fee	(4) Calculated Tax
Contractors			\$0.16	
Retail Merchants			\$0.20	
Telephone Company			\$0.005	
Financial Service, Real Estate and Professional Services			SEE BELOW	
Retail Peddler Merchants	N/A	N/A	\$250.00	
Pawnbroker	N/A	N/A	\$750.00	
Personal Service			\$0.20	
Business Service	0	0	\$0.20	0
****Motor Vehicle Dealers****			SEE BELOW	
Repair			\$0.20	
Wholesale			\$0.05	

All other Business Types (not listed above) please contact our office at (276)-964-2566 for rate information.

As defined in Town of Richlands Code Section 10-2 "gross receipts" means the whole entire, total receipts attributable to the licensed privilege, without deduction, except as may be limited by the provisions of Chapter 37 of Title 58.1 of the Code of Virginia and is outlined in Section 10-10 of the Code of the Town of Richlands.

For financial, real estate and professional service, (\$.30) thirty cents per hundred dollars of gross receipts on the first fifty thousand dollars of gross receipts; (\$.25) twenty-five cents per one hundred dollars of gross receipts between fifty thousand dollars and one hundred thousand dollars; and (\$.20) twenty cents per one hundred dollars of gross receipts in excess of one hundred thousand dollars.

For telephone companies, the rate is one-half of one percent (.005) of the annual gross receipts accruing from sales to the ultimate consumer in the Town of Richlands. Charges for long distance telephone calls and amounts paid to the United States, the Commonwealth of Virginia, or the County of Tazewell for retail sales or use taxes shall not be included in gross receipts for purpose of license taxation.

****A motor vehicle dealer may separately state the amount of license tax applicable to each sale of motor vehicle and add such tax to the sales price of the motor vehicle. The failure of such dealer to recover the tax from the purchaser shall not relieve such dealer from the obligation to pay the tax to the town. Notwithstanding the foregoing provisions, a new and/or used car dealer shall pay a license tax, at rate of \$.20 per \$100.00 of gross receipts to be measured by three-fourths (3/4) of the amount of sales made by him or it during the next preceding year.****

Every _____ must submit to the Town of Richlands no later than March 1, 20_____, an application for the current year license (application is enclosed). The tax shall be paid with the application and is based on the calendar year 20_____ gross receipts. Tax rate is outlined above.

Please complete your portion of the application and return with payment to the Town Hall, 200 Washington Square, Richlands, VA 24641. The finance office will process your application and will forward your 20_____ Business License. Failure to file an application with payment by March 1, 20_____ may result in a penalty of ten percent. A complete copy of the Town's Ordinance is available for review at the Town Hall. If you have any additional questions or require assistance, please call (276)-964-2566.

If you have any questions, please contact the Town Office at (276) 964-2566

~~APPLICANT'S CERTIFICATION: Unsigned applications will not be processed.~~

I (we) do hereby certify that the information given and amount(s) reported as gross receipts from this business or profession as reported herein is true and correct, and that I am familiar with the town ordinance for penalties and revocation of my (our) license for making fraudulent statements in the application.

Print Name: Seth R White

Title: CEO

Signature: 

Date: 12-8-21



TOWN OF RICHLANDS

200 WASHINGTON SQUARE
RICHLANDS, VA 24641

PHONE
(276) 964-2566
FAX
(276) 963-2889
WWW.RICHLANDS-VA.GOV

December 15, 2021

Seth R. White
P.O. Box 520
Richlands, VA 24641

Dear Seth White:

Your Zoning Permit Application to operate a business at 1216 Second Street has been denied. This request does not meet the Use Regulations as required by the Town's Land Use Ordinance found in Chapter 154, Section 071 for this B-2, general business zone.

My decision as Zoning Administrator may be appealed per the provisions in Chapter 154, Section 168 of the Town of Richland's Land Use Ordinance. This chapter allows a request for an added use to the B-2 zoning should you choose to do so. You may refer to the Town's Land Use Ordinance for details or contact my office for more information.

Should you have any questions, please feel free to contact the Town Hall 276-964-2566.

Sincerely,

A handwritten signature in black ink, appearing to read "John O'Daniel".

John O'Daniel
Town Manager

TOWN OF RICHLANDS
200 WASHINGTON SQUARE
RICHLANDS, VA 24641
PHONE (276) 964-2566 · FAX (276) 963-2889

ADDITION OF A USE TO THE ZONING ORDINANCE

The following information is provided as a guideline for citizens requesting a use be added to a Zoning District in the Town of Richlands.

The regulations, restrictions, and boundaries established in the Town of Richlands Zoning Ordinance may, from time to time, be amended, supplemented, changed, modified, or repealed by a favorable majority of votes of the governing body.

The property owner or their agent needs to submit a written request to the Town Manager. The request should include the location of the property and the rezoning requested, along with the reason for the request.

In any district established under the Town of Richlands Zoning Ordinance, if a use is not specifically permitted and an application is made by a property owner to the Administrator for such use, the Administrator shall refer the application to the Planning Commission which shall make its recommendations to the Town Council.

A public hearing shall be held in relation thereto at which parties in interest and citizens shall have an opportunity to be heard.

Notice shall be given of the time and place of such hearings by publication in at least two issues of some newspaper having a general circulation in the jurisdiction. Such notice shall specify the time and place of the hearing at which persons affected may appear and express their views. The hearing shall be held not less than five days nor more than ten days after final publication.

If the Town Council approves the addition of the use to the ordinance, the Zoning Ordinance shall be amended to list the use as a permitted use in that district.

The applicant for rezoning shall be responsible for the cost of advertising. A deposit of \$100.00 is required prior to advertising. If the cost is less the remainder will be refunded, if the cost is more the remainder will be billed. The final cost is based on the request and the wording required for the advertisement the cost.

All advertising costs must be paid prior to a permit being issued for any rezoned properties.

If there are any questions please contact the Town Hall.

Info for Neighbors of 1216 Second Street

1201 Second Street	Nancy Elanor Armes	276-963-2806
	Mail: Same as above	
1205 Second Street	Kathryn Ann Culpepper	804-929-2139
	Mail: Same as above	
201 Lee Street	Mark & Michelle Ball	276-971-1475 or 276-988-5525
	Mail: Same as above	
1222 Second Street	John & Jane Willis	276-971-2225 or 276-971-4900
	Mail: P.O. Box 698, Richlands VA 24641	

' 154.168 USES NOT PROVIDED FOR.

If in any district established under this chapter, a use is not specifically permitted and an application is made by a property owner to the Administrator for such use, the Administrator shall refer the application to the Planning Commission, which shall make its recommendations to the governing body within 30 days. If the recommendation of the Planning Commission is approved by the governing body, the chapter shall be amended to list the use as a permitted use in that district, henceforth. (Ord. passed 11-8-2005)

ORDINANCE

O-2022-01-01

BUSINESS, GENERAL, DISTRICT B-2

' 154.070 STATEMENT OF INTENT.

Generally, this district covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles. (Ord. passed 11-8-2005)

' 154.071 USE REGULATIONS.

In Business District B-2, structures to be erected or land to be used, shall be for one or more of the following uses:

- (A) Retail food stores;
- (B) Bakeries;
- (C) Drycleaners;
- (D) Laundries;
- (E) Wearing apparel stores;
- (F) Drug stores;
- (G) Barber and beauty shops;
- (H) Auto and home appliance services;
- (I) Theaters, assembly halls;
- (J) Hotels, motels;
- (K) Office buildings;
- (L) Churches;
- (M) Libraries;
- (N) Hospitals, general;
- (O) Funeral homes;
- (P) Service stations (with major repair under cover);
- (Q) Clubs and lodges;
- (R) Auto sales and service;

(V) Machinery sales and service;

(W) Public utilities;

(X) Off-street parking as required by this chapter;

(Y) Public billiard parlors and poolrooms, bowling alleys, dance halls and similar forms of public amusement only after a public hearing shall have been held by the governing body on an application submitted to the body for such use. The governing body may request that the Commission submit a recommendation to them concerning such use applications. In approving any such application the governing body may establish such special requirements and regulations for the protection of adjacent property, set the hours of operation and make requirements as they may deem necessary in the public interest;

(Z) Tattoo parlors and piercing parlors only after a public hearing shall have been held by the governing body on an application submitted to the body for such use. The governing body may request that the Commission submit a recommendation to them concerning such use applications. In approving such application, the governing body may establish such special requirements and regulations as they deem necessary in the public interest.

(AA) Business signs;

(BB) General advertising signs;

(CC) Locations signs;

(DD) Pawn shops with a conditional use permit required under ' 154.167;

(EE) Day care centers with a conditional use permit required under ' 154.167; and/or

(FF) Apartments (shall not be allowed on the first street level floor of the building). (Ord. passed 11-8-2005; Ord. passed 8-12-2008; Ord. passed 11-11-2008; Ord. passed 8-23-2011; Ord. O2014-01-02, passed 1-14-2014)

(GG) Data Centers (shall not be allowed on the first street level floor of the building). This business use is for primarily "cloud based" storage or a tech-based service/business to which the public does not requires direct and frequent access. (Ord. _____, passed _____)

' 154.072 AREA REGULATIONS.

(A) None, except for permitted uses utilizing individual sewage disposal systems, the required area for

' 154.072 AREA REGULATIONS.

(A) None, except for permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the Health Official.

60 Richlands - Land Usage

(B) The Administrator may require a greater area if considered necessary by the Health Official.

(Ord. passed 11-8-2005)

' 154.073 SETBACK REGULATIONS.

Buildings shall be located 35 feet or more from the centerline of any street right-of-way, except that signs advertising sale or rent of premises may be erected up to the property line. This shall be known as the setback line.

(Ord. passed 11-8-2005)

' 154.074 FRONTAGE AND YARD REGULATIONS.

For permitted uses, the minimum space adjoining or adjacent to a residential district shall be ten feet and off-street parking shall be in accordance with the provisions contained herein.

(Ord. passed 11-8-2005)

' 154.075 HEIGHT REGULATIONS.

Buildings may be erected up to 35 feet in height from grade, except that:

(A) The height limit for buildings may be increased up to 45 feet and up to three stories provided there are two side yards for each permitted use, each of which is ten feet or more, plus one foot or more of side yard for each additional foot of building height over 35 feet;

(B) A public or semipublic building such as a school, church, library or general hospital may be erected to a height of 60 feet from grade provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet;

(C) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest; and

TOWN OF RICHLANDS
200 WASHINGTON SQUARE
RICHLANDS, VA. 24641
PHONE (276) 964-2566 · FAX (276) 963-2888

RECEIVED
 DEC 20 2021

ZONING PERMIT APPLICATION

BY: _____

OPERATE A BUSINESS

Applicant Name Daniel Smith Phone Number 256-770-1459
 Business Name Lucky Duck Type of Business Vape and Internet Cafe
 Contact Person Daniel Smith Phone Number Same
 Address of Business 2940 Clinch St. Richlands, Va. Tax Map Number 105A3A 0023
 Mailing Address For Business 198 park place Oxford, Ala. 36203
 Property Owner Fletcher Bright Company Mailing Address 537 Market St. suite 400
 Contact Person Kathryn Gosselt Phone Number Charlottesville, Va. 37402
 Applicant is: Individual Firm/Partnership _____ Corporation 423-755-8830

Description of Project

(Site and Plans Drawings Required for erection, placement, construction, reconstruction, alterations, or additions)

Existing Build New _____ Remodel _____ Rewire _____ Plumb _____ Site plans _____ Construction plans _____

Structural Dimensions: Length: _____ Width: _____ Height above grade: _____ Number of floors: 1

Project cost: _____

Contractor: _____ Phone Number _____ Contractor Number _____

Erect Sign: _____ Height: _____ Length: _____ Width: _____ Material: _____ Power: _____ From _____

Attachments _____

UTILITIES

Power: 1 Provider Town Load description: _____

Water: 1 Public _____ (Provider) Town Private _____ Well _____ Other _____

Sewer: 1 Public _____ (Provider) Town Private _____ Septic _____ Other _____

* COMPLETED APPLICATION IS REQUIRED FOR ISSUE OF PERMIT*

APPLICANT SIGNATURE Daniel Smith DATE 12-20-21

Talked to Daniel 12-22-2021 asked for more info
Not Selling Food or Drinks

Wifi internet connections

28 - Games (No skill) Various Prizes

Said him or Lee dye will attend 1-4-2022 meeting

Town of Richlands, Virginia

200 Washington Square
Richlands, VA 24641

Phone : (276) 964-2666 ; Fax : (276) 963-2889

ID # - _____
S.S.# - _____

APPLICATION FOR BUSINESS LICENSE

APPLICANT

Daniel Smith

NOTE: It is a Class 1 Misdemeanor for any person to willfully subscribe a return which he/she does not believe to be true and correct as to every material matter. (Code of VA., Sec. 58.1-11)

Location of business, occupation or profession :

2940 Clinch St. Richlands, Va. 24641

Mailing address of applicant (individual) :

198 Park Pl. Oxford, AL 36203

Applicant is :

Individual Firm/Partnership Corporation

Contact Person Name :

Daniel Smith

Contact Person Phone :

256-770-6459

Contact Person Fax :

Corporations :

Virginia

Foreign

Nature of Business, Occupation or Profession (Retail Merchant; Wholesale Merchant; Contractor; Retail Peddler; Wholesale Peddler; Itinerant Merchant; Telephone Company; Savings & Loan Association; Financial Services; Real Estate Services; Professional Services; Repair; Personal & Business Services; Direct Seller; Commission Merchant; Photographer; Fortune Teller/Palmist; Massage/Tattoo Parlor; Pawnbroker; Amusement Machine Operator)

Any merchant that started business after the beginning of the 20____ license year, will need to submit gross receipts data from the time the business opened until December 31, 20____. An adjustment on your 20____ business license may need to be made once this data is submitted. If the tax due to the Town is more than the initial (\$30.00) thirty dollars license fee the difference must be paid. The Town will also prorate the amount due for 20____ business license year, which will be due and payable.

LICENSE

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THEREFORE, License is this day granted _____ to prosecute the business, occupation or profession of _____ at the following named definite house or place in town, to-wit: _____ for the period beginning January 1st, 20____, and expiring December 31st, 20____.

Tax Computed and Assessed \$ _____

Date Issued: _____

Commissioner of the Revenue

CALCULATE BUSINESS TAX DUE:

1. Enter 20____ gross receipts in box.
2. Divide gross receipts in box (1) by 100 (except Telephone Companies).

3. Multiply amount in column (2) by applicable rate.
4. Enter calculated tax in box
5. Tax payable to TOWN OF RICHLANDS.

Type of Business	20____ (1) *Gross Receipts*	(2) Divide box (1) by 100	(3) Rate Per \$100 of Gross Receipts or Flat Fee	(4) Calculated Tax
Contractors			\$0.16	
Retail Merchants			\$0.20	
Telephone Company			\$0.005	
Financial Service, Real Estate and Professional Services			SEE BELOW	
Retail Peddler Merchants	N/A	N/A	\$250.00	
Pawnbroker	N/A	N/A	\$750.00	
Personal Service			\$0.20	
Business Service			\$0.20	
****Motor Vehicle Dealers****			SEE BELOW	
Repair			\$0.20	
Wholesale			\$0.05	

All other Business Types (not listed above) please contact our office at (276)-964-2566 for rate information.

As defined in Town of Richlands Code Section 10-2 "gross receipts" means the whole entire, total receipts attributable to the licensed privilege, without deduction, except as may be limited by the provisions of Chapter 37 of Title 58.1 of the Code of Virginia and is outlined in Section 10-10 of the Code of the Town of Richlands.

For financial, real estate and professional service, (\$.30) thirty cents per hundred dollars of gross receipts on the first fifty thousand dollars of gross receipts; (\$.25) twenty-five cents per one hundred dollars of gross receipts between fifty thousand dollars and one hundred thousand dollars; and (\$.20) twenty cents per one hundred dollars of gross receipts in excess of one hundred thousand dollars.

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****A motor vehicle dealer may separately state the amount of license tax applicable to each sale of motor vehicle and add such tax to the sales price of the motor vehicle. The failure of such dealer to recover the tax from the purchaser shall not relieve such dealer from the obligation to pay the tax to the town. Notwithstanding the foregoing provisions, a new and/or used car dealer shall pay a license tax, at rate of \$.20 per \$100.00 of gross receipts to be measured by three-fourths (3/4) of the amount of sales made by him or it during the next preceding year.****

Every _____ must submit to the Town of Richlands no later than March 1, 20____, an application for the current year license (application is enclosed). The tax shall be paid with the application and is based on the calendar year 20____ gross receipts. Tax rate is outlined above.

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If you have any questions, please contact the Town Office at (276) 964-2566

ATTENTION: Unpaid applications will not be processed.

I (we) do hereby certify that the information given and amount(s) reported as gross receipts from this business or profession as reported herein is true and correct, and that I am familiar with the town ordinance for penalties and revocation of my (our) license for making fraudulent statements in the application.

Print Name: Daniel Smith Title: Owner

Signature: Dan Smith Date: 12/20/21



February 17, 2021

UPS 2-Day Delivery

Daniel Smith
d/b/a Lucky Duck
198 Park Place
Oxford, Alabama 36203

**Re: Fully Executed Lease
A Gaming Center
Space: 704-08
Richlands Mall Shopping Center
Richlands, Virginia**

Dear Daniel:

Please find enclosed one (1) fully executed Lease on the above-referenced shopping center.

In accordance with your lease agreement, Article V, Section 5.1, we need for you to provide us with current evidence of insurance naming **Richlands Mall Associates, LTD, and Fletcher Bright Company** as additional insureds. Please forward your Insurance Certificate to my attention before you take occupancy of the Leased Premises.

Please let me know if you have questions.

Best regards,

A handwritten signature in black ink, appearing to read "Jack M. Martin".

Jack M. Martin

JMM/jn/Enclosure



City of Portsmouth
 Franklin D. Edmondson, MCR
 Commissioner of the Revenue
 801 Crawford Street, Portsmouth, Virginia 23704
 (757) 393-8714

PLEASE POST
 FOR PUBLIC
 VIEW

VAPOR & STELLIC
 CHERRY VAPES
 810 AIRLINE BLVD
 MICHAEL ZIEGLER - MANAGING MEMBER
 PORTSMOUTH VA 23702

(757) 908-8337
 (757) 830-7158
 810 AIRLINE BL

ISSUED BUSINESS	PERSONS FINING
01/01/2021	12/31/2021

DATE BUSINESS	ISSUED BUSINESS
03/01/2017	01/01/2017

81125 ELECTRONIC EQUIPMENT SUPPLIES \$50 PER HOUR \$100 EQUIPMENT PER HOUR \$100

IMPORTANT: LICENSE NOT VALID UNTIL STAMPED PAID BY TREASURER OF THE CITY OF PORTSMOUTH