



## PLANNING COMMISSION

AGENDA for July 11<sup>th</sup> 2023

### AGENDA

#### **PUBLIC HEARING**

- 1) Conditional Use Permit for converting existing building to multifamily dwelling at 2424 Magnolia Avenue.

#### **REGULAR MEETING**

##### **Call to Order by Chairman and Roll Call**

##### **Public Comment on Items Not on the Agenda**

##### **Review and Adoption of Minutes**

Minutes of June 13<sup>th</sup> 2023

##### **Report of Secretary**

##### **Old Business**

- 1) Conditional Use Permit for converting existing building to multifamily dwelling at 2424 Magnolia Avenue.
- 2) Subdivision of parcel between 6<sup>th</sup> Street and 9<sup>th</sup> Street on Magnolia Avenue, Tax Map 47-1—E-A
- 3) Zoning Text Amendment for Institutional Zone

##### **New Business**

- 1) Site Plan review for townhouses at 1440 Magnolia Avenue
- 2) Abandonment of portion of 15<sup>th</sup> Street at Pine Ave

##### **Adjournment**

**Members and Term Expirations**

Dennis Hawes, Chairman, 7/31/2024

Harold Kidd, 6/30/2026

Justin Wiseman, 8/31/2025

Marolyn Cash, 6/30/2024

Lucy Ferrebee, 9/30/2023

Melvin Henson, City Council Representative,  
9/30/2023

Kristie Gibbons, 12/31/2024

Timothy Petrie, 12/31/2024

Jason Tyree, Ex Officio member

**Staff**

Tom Roberts, Director of Community Development

City Hall, 2039 Sycamore Avenue, Buena Vista VA 24416

(540) 261-8607 | [troberts@bvcity.org](mailto:troberts@bvcity.org) | [buenvistava.org/planning](http://buenvistava.org/planning)

**Meetings**

Members of the Buena Vista Planning Commission meet in Council Chambers, 2039 Sycamore Avenue, at 7:00 p.m. on the 2<sup>nd</sup> Tuesday of each month, unless otherwise announced. Meetings may be held and business conducted without a quorum, but no votes may be taken unless a quorum is present. A majority of members constitutes a quorum. A motion passes with a majority vote; a tie constitutes defeat of the motion.



## PLANNING COMMISSION

MINUTES of June 13<sup>th</sup> 2023

Members of the Buena Vista Planning Commission met in Council Chambers at 7:00 PM on Tuesday, June 13<sup>th</sup> 2023.

### **Members Present:**

Dennis Hawes, Chairman  
Melvin Henson, City Council Representative  
Marolyn Cash  
Timothy Petrie  
Justin Wiseman

### **Members Absent:**

Lucy Ferrebee  
Harold Kidd  
Kristie Gibbons  
Jason Tyree, Ex Officio member

### **Staff Present:**

Tom Roberts, Director of Community & Economic Development

Meeting is called into order and roll was called. There was no public comment on items not on the agenda.

### **Minutes**

Mrs. Cash motioned to approve the April 11 2023 minutes, Mr. Wiseman seconded, and all voted to approve except for Mr. Wiseman abstaining. Mr. Petrie motioned to approve the May 9 2023 minutes, Mrs. Cash seconded, and all voted to approve except for Mrs. Gibbons abstaining.

### **Public Hearing**

*Zoning Map Amendment for Rehl property, Tax Maps 19-1-6-52-1 (R4)*

After introducing the item, Mr. Hawes asked Mr. Roberts about the small brick building at the southwest corner of the property. Mr. Roberts confirmed that there was a very small corner that belonged to the City for a water pump station.

Mr. Roberts summarized the proposal from the staff report, beginning by clarifying that there were no changes to the proposal from last month. He reiterated that the new zoning would allow multifamily, up to 15 units per acre, with setback requirements and parking requirements. Mr. Hawes noted that the lots slope off steeply at the back (south).

Mr. Hawes opened the public hearing, but no one spoke. He asked the Commission for discussion and vote.

Mr. Henson asked about who would be responsible for alley or street development if the owner wanted to use it for access. Mr. Roberts responded that using the alley would not be feasible for this site, but if it were used, it would be the developer's responsibility.

Mr. Wiseman motioned to recommend approval of the rezoning to R4. Mr. Petrie seconded, and all voted yes.

*Zoning Map Amendment for Rehl property, Tax Maps 8-1--1 & 2 (INST)*

Mr. Roberts began by clarifying that there have not been any changes to the proposal since last month. He then summarized the proposal from the staff report for the benefit of the public, including the next steps required for development, the erosion and sediment control/storm water management plan and site plans.

Mr. Hawes opened the public hearing, and Brad Johnson from 335 Duck Pond Dr. spoke. His property is adjacent to Mr. Rehl's. He stated that his concerns are that there is no master plan, and he is concerned about potential noise and visual pollution onto his property. He stated that it sounds like those concerns will be considered when particular site plans and ESC/SWM plans are presented. Mr. Hawes confirmed this.

William Harris, who lives on Longhollow Avenue, spoke also. He stated that when the property had been logged some years back, his property had been damaged by extensive sediment flowing off of Mr. Rehl's property. He wants to be sure that this does not happen again. Mr. Hawes added that ESC/SWM requirements should be bonded.

Mr. Roberts responded to Mr. Harris's concerns by noting that it is Mr. Roberts's understanding that the previous owners did not obtain the property ESC/SWM permits, and that the City took enforcement action. Mr. Roberts also noted that the timbering operations disturbed much more land than Mr. Rehl's planned development will. All erosion and sediment control measures will be bonded so that if something fails or if Mr. Rehl will not pay, the City can remedy.

Mr. Hawes closed the hearing and asked the Commission if they wanted to discuss. Mr. Petrie asked about the ESC/SWM process. Mr. Roberts and the Commission discussed the process, going over "common plans of development" and how the project might be phased. All of the land disturbance and runoff from a given phase must be handled by stormwater measures built in that phase, so it behooves the developer to do as much as possible all at once.

Mr. Petrie also asked about compliance. Mr. Roberts explained that the Building Official will inspect the project during the construction phase for erosion and sediment control measures. Permanent stormwater management facilities should be periodically be inspected, but the City does not currently have a program tracking and inspecting those. The City has talked about doing those inspections.

Mr. Henson asked if this is a subdivision. Mr. Roberts replied that although this proposal is somewhat like a subdivision, it is not. Mr. Roberts noted that because ownership will remain under one entity, it is very clear who is responsible for maintenance of stormwater management facilities. Mr. Henson also suggested individual water meters on buildings to prevent an accidental emptying of the 34<sup>th</sup> Street water tank. These will be private meters, and Mr. Roberts stated that there would be a meter at his pump station right off the City's tank.

Mr. Wiseman asked what happens if Mr. Rehl sells the property right after it is rezoned to Institutional, and whether there are any risks to this. Mr. Roberts responded that in the INST zone (per the proposed text), all uses must directly related to an institution of some kind. In a sense, this protects the property because other types of uses such as a housing subdivision or a factory would likely not qualify for the Institutional zone.

Mr. Petrie motioned to recommend approval of the rezoning to INST as presented, Mrs. Cash seconded, and all voted yes.

#### *Zoning Text Amendment for Institutional Zone*

After an introduction to the INST amendments by Mr. Hawes, Mr. Roberts began by acknowledging that some of these changes were proposed with an eye to Mr. Rehl's proposed uses. The whole zone needed updates regardless, however, because some of the text seems to date from an antiquated view of how colleges work. Mr. Roberts ran through a quick list of the proposed changes to the zone, including a few changes made since last month's meeting. He emphasized the new definition for the word "institution" and intent statement that all uses in the zone should be directly related to an institution.

Mr. Roberts highlighted changes since last month. Retail uses directly associated with an institution are permitted by right to allow sales of products made by Mr. Rehl's school on premises. Mr. Roberts read the definition of small scale production establishments. Outdoor athletic fields are permitted, but if there are large lights on a field it would require a conditional use permit. Campgrounds will be defined, and allowed by right if they are limited to 10 sites, but more than that will require a conditional use permit. He noted that this number is arbitrary.

Mr. Roberts stated that his research showed that many localities have campground design standards in their zoning ordinance, and that he believes Buena Vista would benefit from this and will bring forward text for this in a few months.

Mr. Roberts added a height limit and lot coverage requirement. The height limit is currently regulated in the INST zone by the Seminary Hill District, which would not apply to Mr. Rehl's property. The proposed height limit is three stories. Mr. Henson asked if this would pose an issue for fire truck ladders and whether this was too tall, if one story was twenty feet for example.

Mr. Henson also suggested that rather than encouraging Mr. Rehl to build his own campground, could the City encourage campers to use Glen Maury Park. Mr. Henson suggested this as a revenue opportunity.

Mr. Hawes opened for public comment but no one spoke.

#### **New Business**

##### *Abandonment of portion of alley adjacent to 1105 E 24th Street, between Holly Ave and Spruce Ave*

Mr. Roberts summarized the staff report, noting this is a very straightforward abandonment. The applicants were present but did not speak. Mrs. Cash motioned to recommend approval to City Council, Mrs. Gibbons seconded, and all voted yes.

#### **Old Business**

*Zoning Text Amendment for Institutional Zone*

Mr. Petrie suggested that there are still some details to review in this text and that the Commission go slowly. Mr. Hawes agreed and noted that the zoning is about the use, not a particular owner. Mr. Petrie motioned to table the amendment until July, Mrs. Cash seconded, and all voted yes except Mr. Wiseman, who abstained.

Mr. Roberts asked what specifically he should work on. Mr. Hawes stated that retail is one concern and not pulling business from downtown; and the hotel use. Mr. Petrie brought up all outdoor lighting for the development on Mr. Rehl's property, not just athletic field lighting. He also noted potential sewage smells at a campground.

*Other*

Mr. Hawes asked about the 2424 Magnolia Avenue CUP application, and Mr. Roberts replied that there was some discussion with the owner about an alternate use and changes to the floor plan so it was not ready to present yet.

**Secretary's Report**

None

**Adjournment 8:20 PM**

Approved: \_\_\_\_\_



**PLANNING COMMISSION Staff Report**

Conditional Use Permit

2424 Magnolia Ave

7/6/2023

**Synopsis**

Applicant Keith Holland proposes to convert existing office building to three apartments.

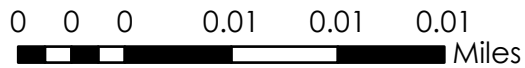
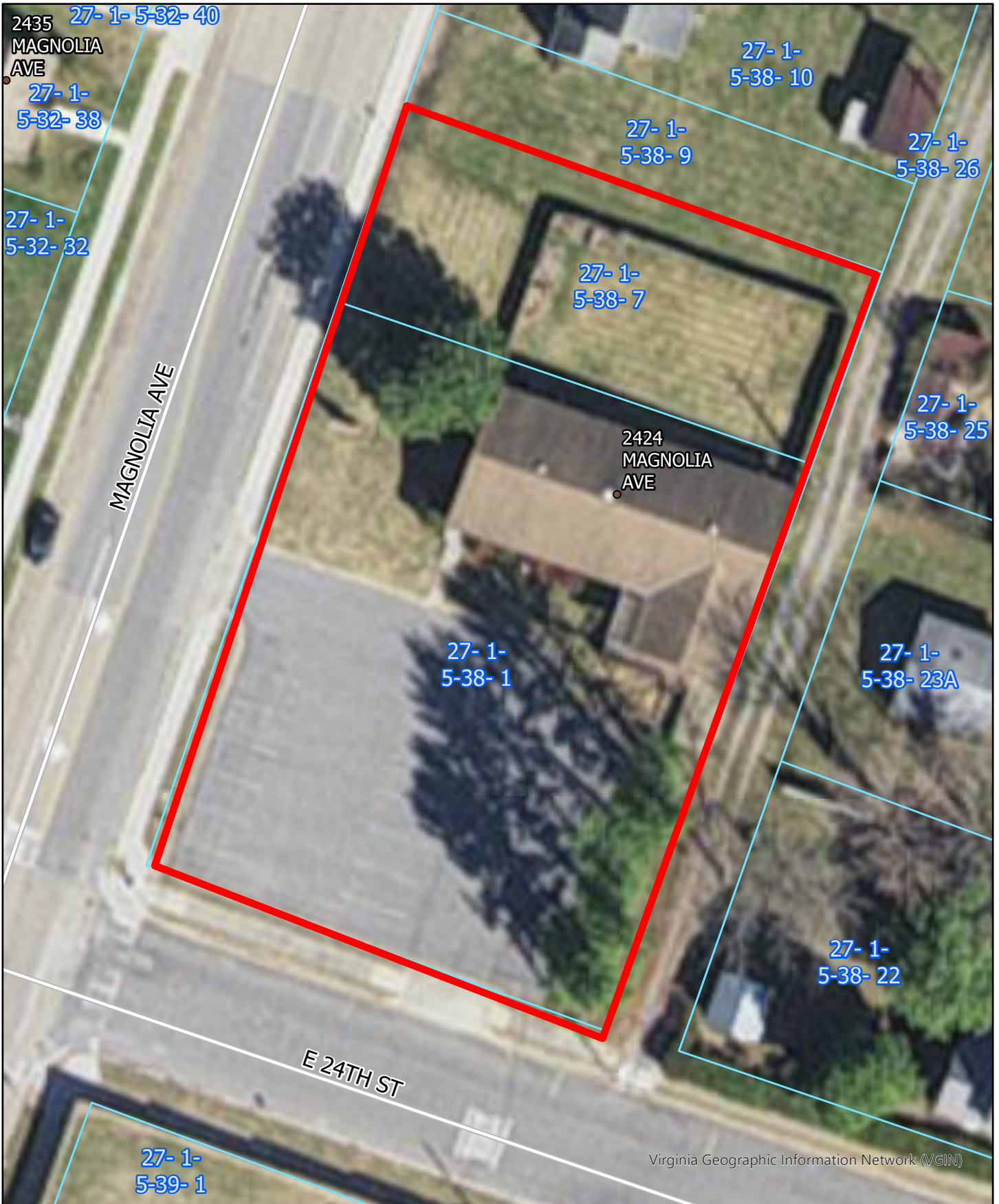
**Site Information**

<b>Address/Tax Map:</b>	27-1-5-38-1	
<b>Existing zoning:</b>	MU Mixed Use	
<b>Existing land use:</b>	Vacant office building	
<b>Proposed zoning:</b>	MU Mixed Use, CUP for multifamily dwelling	
<b>Proposed land use:</b>	Apartment building	
<b>Surrounding zoning and land use:</b>		
Single family residential, middle school		
<b>Size:</b>	Parcel is 37,500 sf, building is 3,175 sf	
<b>Staff Recommendation:</b>	Approve as presented	
<b>Tentative Timeline</b>	<b>Planning Commission Public Hearing</b>	<b>7/13/2023</b>
	City Council Public Hearing	8/3/2023
	City Council Adoption	8/17/2023

Convert existing office building to three apartments. Two of the apartments have four bedrooms (~1,360 sf), the other apartment has one bedroom (~375 sf). Existing parking lot has 14 spaces. Existing utilities to remain.

**Recommendation**

Approve as presented.



**2424 Magnolia Ave**

5/5/2023







# PLANNING COMMISSION Staff Report

Subdivision  
600 block Magnolia Ave  
7/6/2023

## Synopsis

Subdivide parcel into four lots.

## Site Information

<b>Address/Tax Map:</b>	47-1-E—A and 47-1-1-27-1	
<b>Existing zoning:</b>	R3 Residential Limited	
<b>Existing land use:</b>	Vacant/undeveloped	
<b>Proposed zoning:</b>	Same	
<b>Proposed land use:</b>	Same	
<b>Surrounding zoning and land use:</b> R3 Residential Limited, single family homes		
<b>Size:</b>	1.06 acres	
<b>Staff Recommendation:</b>		
<b>Tentative Timeline</b>	Preliminary Commission Discussion	5/9/2023
	<b>Second Planning Commission Review</b>	<b>7/6/2023</b>
	City Council Public Hearing	8/3/2023
	City Council Adoption	8/17/2023

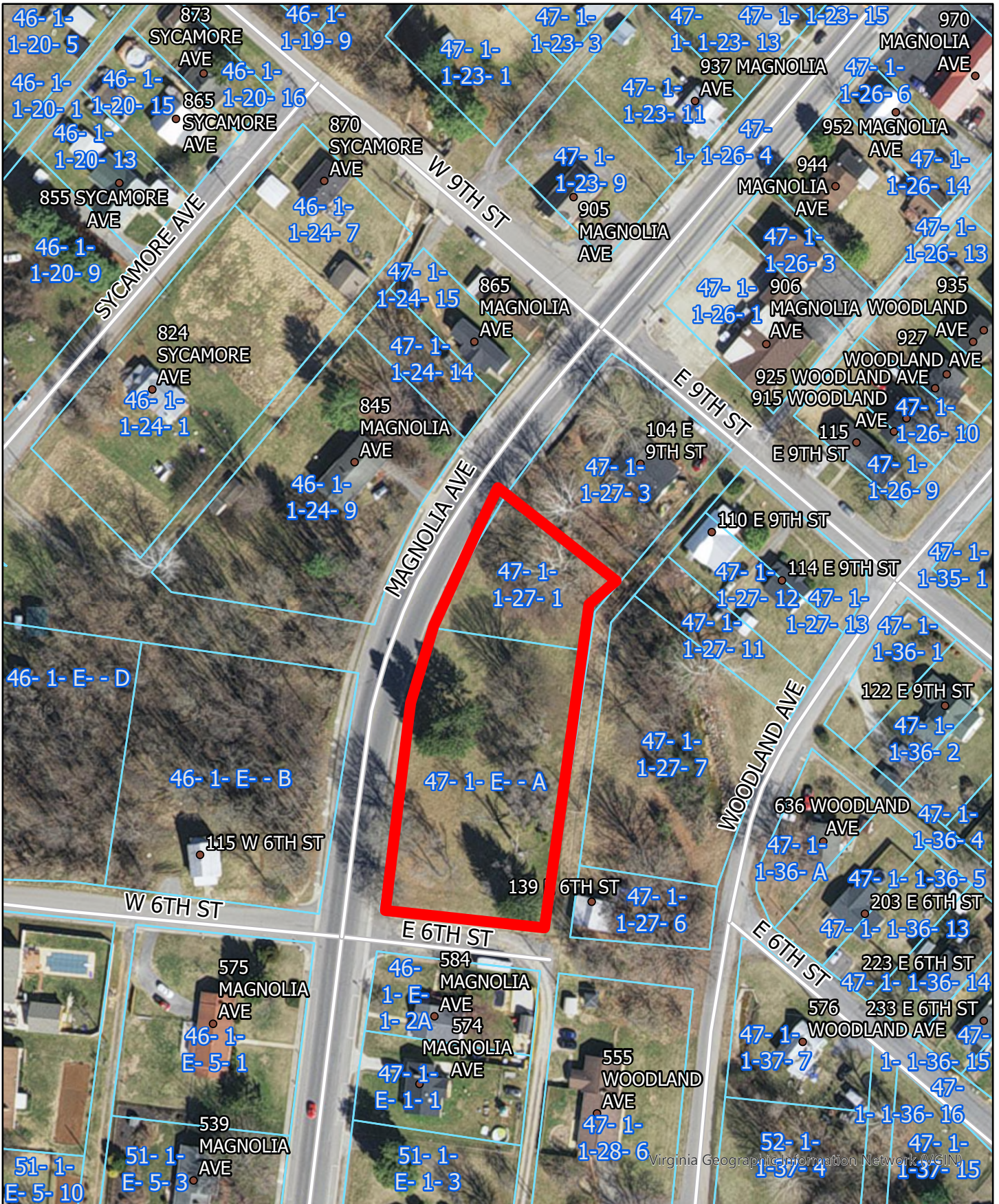
## Updates

This subdivision was presented in May. Based on staff and Planning Commission feedback, it was revised with the following changes:

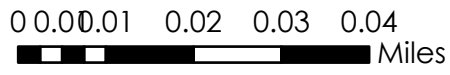
- 1) A 5’ wide dedication to the City at the rear of the lots in order to widen the alley to 20’ for easier two-way traffic. This will be the only vehicular access to the property.
- 2) Revising the lot lines so that Lot 1 (closest the creek) has a buildable area outside the floodplain. Lots 2, 3, and 4 are each approximately a quarter acre, and Lot 1 is a third of an acre.

## Recommendation

Staff recommend approval of the revised subdivision.



Virginia Geographic Information Network (VGIN)



# 600 Block Magnolia Ave

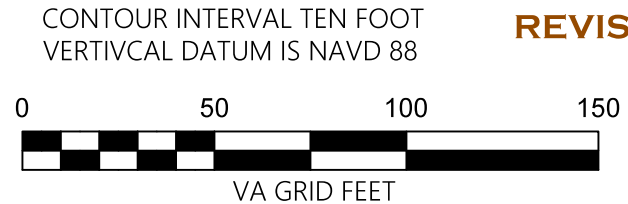
4/24/2023

**SUBDIVISION SURVEY FOR  
MGCC REAL ESTATE  
FOUNDATION  
CITY OF BUENA VISTA  
ROCKBRIDGE COUNTY, VIRGINIA  
GREEN FOREST JOB # GF01765\_4 LOT  
REVISION 1, JULY 6, 2023  
SHEET 1 OF 1**

THIS TOPOGRAPHIC INFORMATION SHOWN HEREON IS PULLED DIRECTLY FROM ROCKBRIDGE COUNTY GIS AND IS FOR INFORMATIONAL PURPOSES ONLY



SOURCE OF MERIDIAN  
VA GRID



THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND, THEREFORE, MAY NOT, NECESSARILY, INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	550.10'	57.81'	57.79'	N 10°01'23" E	6°01'18"
C2	554.34'	75.23'	75.17'	N 16°57'26" E	7°46'31"
C3	542.31'	144.34'	143.91'	N 28°31'51" E	15°14'57"

IT IS THE INTENT OF THIS SURVEY TO CREATE LOTS 1 THROUGH 4 AND DEDICATE A 5' STRIP TO THE ALLEY FROM EXISTING PARCEL CONTAINING 1.060 ACRES

LINE	BEARING	DISTANCE
L1	N 07°00'09" E	75.00'
L2	N 07°00'09" E	17.23'
L3	S 40°13'49" W	44.22'
L4	S 07°00'09" W	36.59'
L5	S 07°00'09" W	68.57'
L6	S 07°00'09" W	74.86'
L7	S 07°00'09" W	75.08'

SUBJECT PARCEL  
**MGCC REAL ESTATE  
FOUNDATION**  
INSTRUMENT # 202000596  
TM# 47-1-1-27-1 & 47-1-E--A  
**1.060 ACRES**

A PORTION OF THIS PROPERTY LIES WITHIN OR ADJACENT TO THE TRAVELED WAY OF MAGNOLIA AVENUE (ROUTE 501), 6TH STREET AND AN ALLEY AND, IS SUBJECT TO ANY PUBLIC OR DEEDED RIGHTS NORMALLY ASSOCIATED WITH A ROAD AND, OTHER RIGHTS OR RESTRICTIONS REVEALED BY A TITLE REPORT.

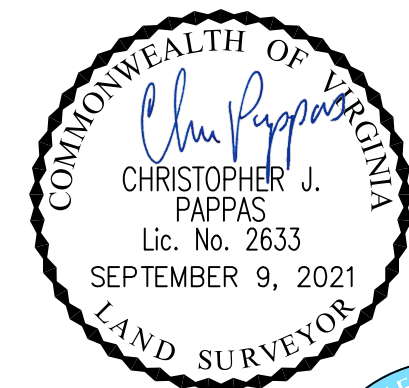
PORTIONS OF THIS PROPERTY LIE IN THE VARIOUS "SPECIAL FLOOD HAZARD AREAS" AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKBRIDGE COUNTY, VIRGINIA AND INCORPORATED AREAS. MAP NUMBER 51163C0401 C; EFFECTIVE DATE: APRIL 6, 2000.

ZONE A, "SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD; NO BASE FLOOD ELEVATIONS DETERMINED."

ZONE X / SHADED, "AREAS OF 500-YEAR FLOOD."

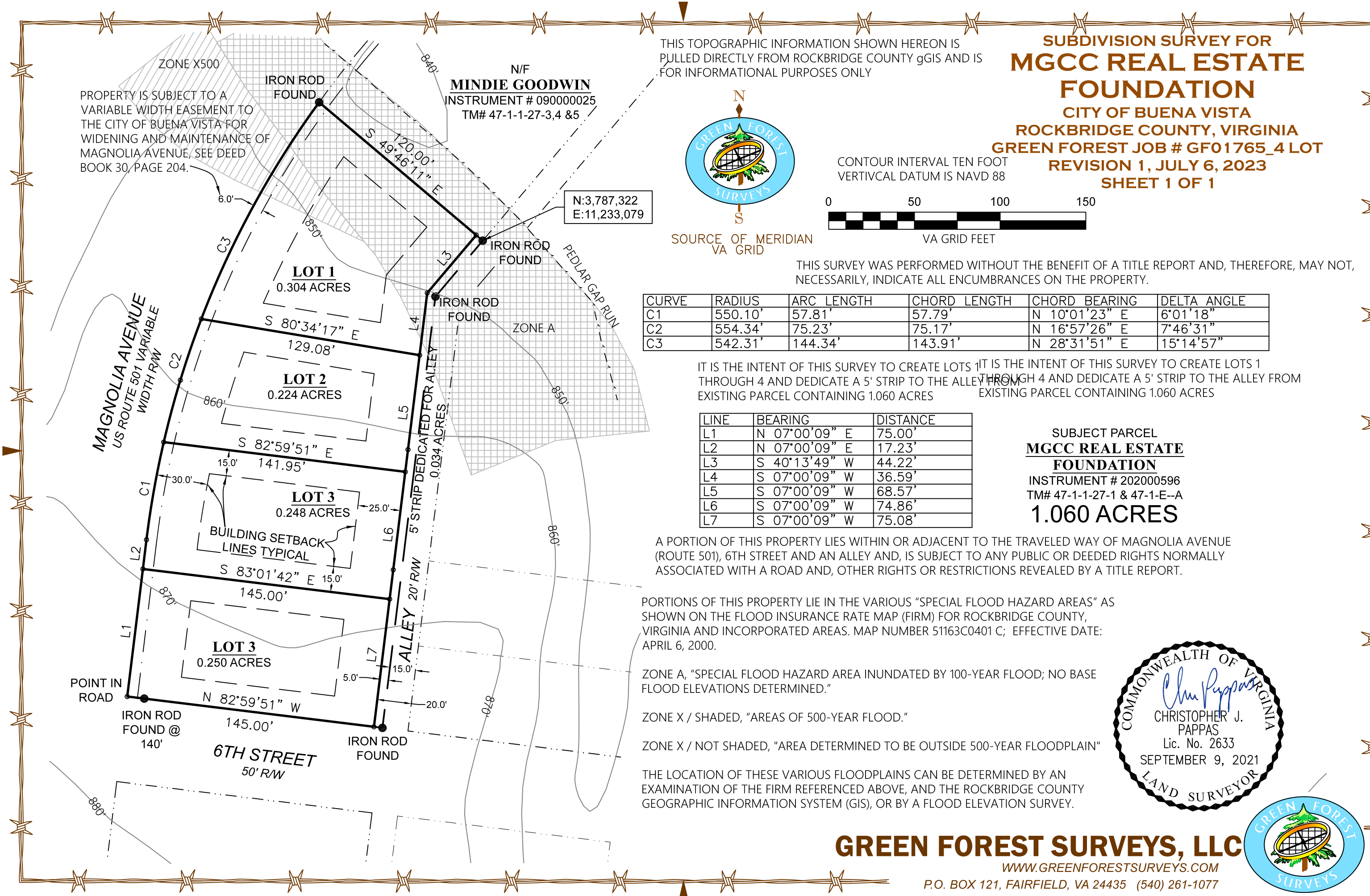
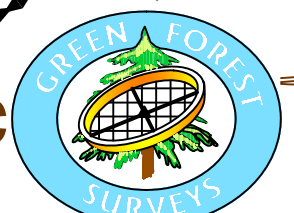
ZONE X / NOT SHADED, "AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN"

THE LOCATION OF THESE VARIOUS FLOODPLAINS CAN BE DETERMINED BY AN EXAMINATION OF THE FIRM REFERENCED ABOVE, AND THE ROCKBRIDGE COUNTY GEOGRAPHIC INFORMATION SYSTEM (GIS), OR BY A FLOOD ELEVATION SURVEY.



**GREEN FOREST SURVEYS, LLC**

WWW.GREENFORESTSURVEYS.COM  
P.O. BOX 121, FAIRFIELD, VA 24435 (540) 261-1077



PROPERTY IS SUBJECT TO A VARIABLE WIDTH EASEMENT TO THE CITY OF BUENA VISTA FOR WIDENING AND MAINTENANCE OF MAGNOLIA AVENUE, SEE DEED BOOK 30, PAGE 204.

N/F  
**MINDIE GOODWIN**  
INSTRUMENT # 090000025  
TM# 47-1-1-27-3,4 &5

N:3,787,322  
E:11,233,079

MAGNOLIA AVENUE  
US ROUTE 501 VARIABLE  
WIDTH RW

6TH STREET  
50' RW

ALLEY 20' RW  
5' STRIP DEDICATED FOR ALLEY  
0.034 ACRES

BUILDING SETBACK  
LINES TYPICAL

POINT IN  
ROAD  
IRON ROD  
FOUND @  
140'

IRON ROD  
FOUND

870'

860'

850'

840'

6.0'

860'

15.0'

0.78'

5.0'

15.0'

20.0'

1850'

C3

C2

C1

L2

L1

L3

L4

L5

L6

L7

L3

L4

L5

L6

L7

120.00'

S 49°46'11" E

S 80°34'17" E

S 82°59'51" E

S 83°01'42" E

N 82°59'51" W

145.00'

145.00'

129.08'

141.95'

120.00'

129.08'

141.95'

145.00'

145.00'

145.00'

145.00'

129.08'

141.95'

141.95'





## **PLANNING COMMISSION Staff Report**

Zoning Text Amendment

INST Institutional Text Amendments

7/5/2023

### **Synopsis**

Update by right and conditional uses in the Institutional zone.

#### **Summary:**

- Define the word “institution” and reinforce intent of zone
- Revise retail uses allowed
- Update permitted/conditional uses for eating establishments
- Allow small-scale production establishments by right
- Allow parks and playgrounds
- Make indoor and outdoor athletic fields and recreation uses by right unless they have outdoor lighting
- Define “campground” and add as permitted and conditional use with restrictions
- Add maximum lot coverage and maximum height
- Add lighting regulations
- Housekeeping to clean up duplicate and obsolete uses

### **Analysis**

It should be noted that per Section 506, any single building in the INST zone greater than 25,000 sf must have a conditional use permit. This section requires a CUP for a single large building in most of the zoning districts, with a table governing the size threshold for each zone. Residential zones, for example, require a CUP if building is greater than 10,000 sf.

### **Changes since May 2023 presentation**

1. Removed hotel as a conditional use (now hotels are not allowed at all)
2. Changed height limit from 3 stories to 3 stories “up to a maximum of 40 feet” which is now consistent with several other zoning districts (Mixed Use, Mixed Business).
3. Added section of lighting requirements to head off potential light pollution/nuisance concerns.



## 617 Institutional District

6/8/2023

### Definitions

*Campground.* A facility wherein two or more recreational vehicle, recreational park trailer, or other camping unit sites are offered for use by the public or members of an organization for overnight stays.

*Institution.* A public or private establishment or facility whose primary purpose and audience is charitable, civic, educational, healthcare, or religious. Institutions need not be non-profit but generally do not have a commercial orientation.

### Code section

Sec. 617.00. Institutional district.

Uses in the Institutional district are oriented to or supportive of one or more institutions. The regulations are designed to provide for a high level of human interaction with relatively compact, cohesive development of public and private space.

617.01. Multiple principal by-right uses. Insofar as allowed by the building codes, single structures may have multiple uses by right.

617.02. Permitted by right.

617.02-1 Commercial uses.

617.02-1.1 Retail stores and shops directly affiliated with an institution

617.02-1.2 Publishing, printing and lithographing, for institutional private uses such as student newspapers, institutional promotions, institutional printing etc.

617.02-2 Civic/institutional.

617.02-2.1 Assembly halls.

617.02-2.2 Business, private, public, and vocational schools and classrooms, academic facilities, administrative offices, and associated support structures.

617.02-2.3 Churches and other places of worship, and church school buildings.

617.02-2.4 Clubs and lodges, fraternities, and meeting places of other organizations.

617.02-2.5 Dining halls, restaurants, cafes, and other eating establishments directly affiliated with an institution

- 617.02-2.6 Hospitals.
- 617.02-2.7 Laboratories and research facilities
- 617.02-2.8 Libraries.
- 617.02-2.9 Museums.
- 617.02-2.10 Police, fire and rescue squad stations.
- 617.02-2.11 Post offices.
- 617.02-2.12 Public and institutional buildings and properties of a cultural, administrative, or service type.
- 617.02-2.13 Public service and storage buildings.
- 617.02-2.14 Public utilities.
- 617.02-2.15 Repair facilities for institutional equipment and property only.
- 617.02-2.16 Theaters.
- 617.02-2.17 Small-scale production establishments directly affiliated with an institution
- 617.02-2.18 Radio and television broadcasting studios.
- 617.02-2.19 Parks and playgrounds
- 617.02-3 Residential/lodging.
  - 617.02-3.1 Childcare centers and family day care homes.
  - 617.02-3.2 Dormitories.
  - 617.02-3.3 Two-family homes
  - 617.02-3.4 Family care homes, foster homes or group homes serving the mentally, retarded, developmentally disabled or others, rest homes, homes for adults, or nursing homes, provided that licensing requirements are met.
  - 617.02-3.5 Multifamily homes/apartments.
  - 617.02-3.6 Single-family dwellings.
  - 617.02-3.7 Townhouses.
- Campgrounds or recreational vehicle parks with ten (10) or fewer camping unit sites.
- 617.02-4 Miscellaneous.
  - 617.02-4.1 Indoor agriculture
  - 617.02-4.2 Parking garages and parking lots.
  - 617.02-4.3 Off-street parking as required by this ordinance.
  - 617.02-4.4 Agriculture

617.02-4.5 Athletic playing fields, golf courses, driving ranges, and similar outdoor recreation uses which are primarily for daytime use and which do not have artificial lighting directed onto the area of play or recreation

617.02-4.6 Indoor athletic facilities, to include gyms, indoor pools, dance studios, and similar uses

617.02-4.7 Indoor firing ranges, subject to any other applicable regulations

617.02-4.8 Bus and taxi stands.

617.03. Conditional uses. When after review of an application and hearing hereon, in accordance with article 8 herein, the Buena Vista City Council finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this ordinance and of the comprehensive plan, is in the public interest, and will comply with all other provisions of law and ordinances of Buena Vista, the following uses may be permitted with appropriate conditions:

617.03-1 Bakeries.

617.03-2 Business and professional offices including, but not limited to, medical offices, tax preparation, real estate, engineers, architects not affiliated with an institution.

617.03-3 Campgrounds or recreational vehicle parks with more than ten (10) camping unit sites.

617.03-4 Restaurants, cafes, and other eating establishments not affiliated with an institution

617.03-5 Commercial radio, television, and communication towers along with related buildings and equipment provided the requirements of article 13 are met.

617.03-6 Existing structures to include towers, power towers, water tanks, telephone poles, commercial buildings and rooftops, may be used to affix commercial radio, television, and communication antennas provided the requirements of article 13 are met.

617.03-7 Laundries and dry cleaning shops, and clothes dyeing establishments for institutional and student use only.

617.03-8 Athletic playing fields, golf courses, driving ranges, and similar outdoor recreation uses which have artificial lighting directed onto the area of play or recreation

617.04. Accessory uses

617.04-1 Home occupations provided the requirements of article 7, section 705 are met.

617.04-2 Private parking garage.

617.04-3 Temporary office or storage building for use during construction, which shall be removed upon completion or abandonment of the construction work;

617.04-4 Storage of unoccupied travel trailers

617.05. Dimensional regulations.

617.05-1 Lot coverage. Buildings may occupy no more than 80% of the lot area, unless a conditional use permit for additional area is granted.

617.05-2 Height. Buildings may be no more than three (3) stories tall, up to a maximum height of forty (40) feet, unless a conditional use permit for additional height is granted.

617.06. Lighting Requirements for Site and Building Exteriors.

617.06-1 Outdoor lighting shall be designed to limit light trespass or light pollution to the greatest extent feasible. Fixtures shall be full cutoff type or otherwise limit the amount of light escaping upward. Photosensor or motion sensor lighting should be used where possible. Light poles shall not exceed 24 feet in height.

617.06-2 Outdoor lighting shall be shown on any submitted site plans and shall be considered by the Planning Commission when reviewed.



**PLANNING COMMISSION Staff Report**

Site Plan

1440 Magnolia Ave – North River Townhomes

7/6/2023

**Synopsis**

Applicant Keith Holland proposes four townhouses in the 1400 block of Magnolia Avenue.

**Site Information**

<b>Address/Tax Map:</b>	1440 through 1448 Magnolia Ave, 40-1-2-33-7	
<b>Existing zoning:</b>	MU Mixed Use	
<b>Existing land use:</b>	Vacant grassy lot	
<b>Proposed zoning:</b>	MU Mixed Use	
<b>Proposed land use:</b>	Townhouses	
<b>Surrounding zoning and land use:</b>		
Professional office, single family residential, industrial		
<b>Size:</b>	Each unit 1,152 sf	
<b>Staff Recommendation:</b>	Approve as presented	
<b>Tentative Timeline</b>	<b>Planning Commission Review</b>	<b>7/11/2023</b>

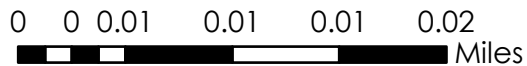
**Overview**

Townhouses are permitted by right in the Mixed Use zone but they require a site plan.

- Set back from the sidewalk 10’ with two shared walkways
- 5’ 6” setback from adjacent property to the south
- Water is either in the alley or across Magnolia Ave. Sewer is in Magnolia Ave. Separate water meters for each unit.
- Parking will be a gravel parking lot at the rear, accessed from the alleyway, with 8 or possibly 10 spaces. There is an existing gravel parking lot accessed from the alley serving the office building at 1480 Magnolia Ave.

**Recommendation**

Approve as presented.

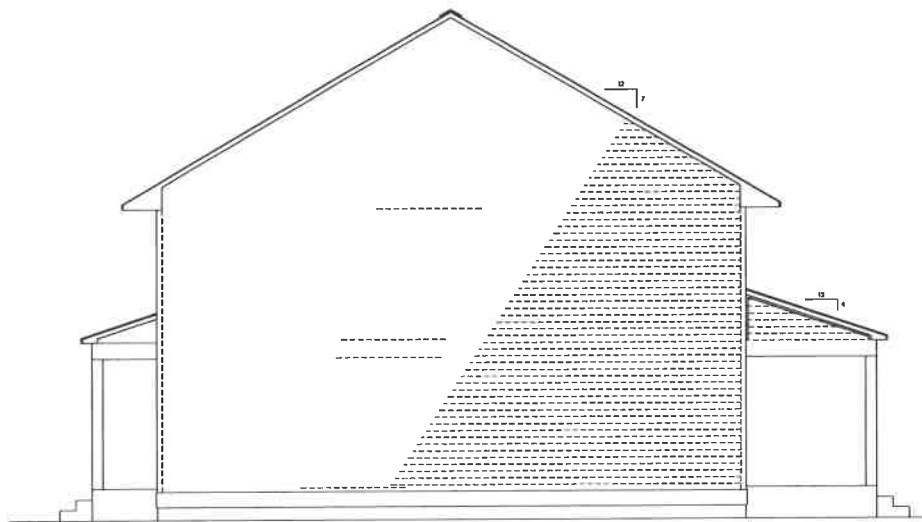


**1440 Magnolia Ave**

7/5/2023



FRONT ELEVATION  
3/16" = 1'-0"



SIDE ELEVATION  
3/16" = 1'-0"



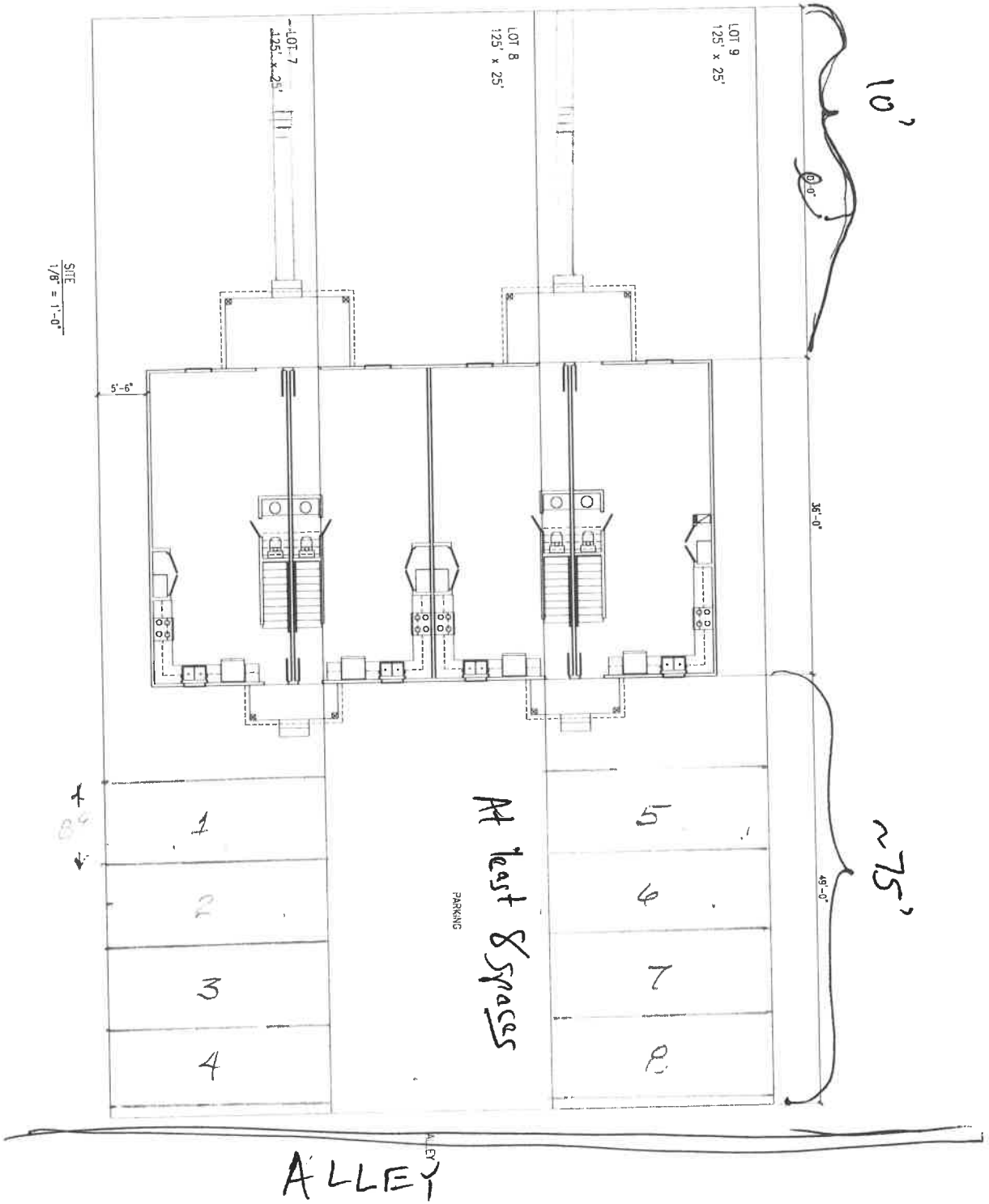
BACK ELEVATION  
3/16" = 1'-0"

3

NORTH RIVER TOWNHOMES  
MAGNOLIA AVENUE  
BUENA VISTA, VA

8-22-22

MAGNOLIA AVENUE



S

NORTH RIVER TOWNHOMES  
MAGNOLIA AVENUE  
BUENA VISTA, VA

7-3-23









## **PLANNING COMMISSION Staff Report**

Zoning Map Amendment

1400 block Pine Ave

7/10/2023

### **Synopsis**

Rezone Pine Avenue between 13<sup>th</sup> Street and 17<sup>th</sup> Street from R2 Residential to R3 Residential Limited.

### **Summary**

- Purpose of rezoning is to make additional house lots developable – some lots lack minimum area to build
- Spurred by request for corner lot at 15<sup>th</sup> St & Pine Ave

### **Analysis**

#### *Background*

The parcel 49-1-3-48-8 is a single lot at the corner of 15<sup>th</sup> St and Pine Avenue. Because R2 Residential zone requires at least 1.5 lots and 75' of frontage for a house, this lot is unbuildable.

At first look staff suggested applicant apply for abandonment of the end of 15<sup>th</sup> Street, which they did. On further review staff determined this dead end is not a good candidate for abandonment. It was paved by the City decades ago, snow is plowed off this dead end, it has overhead power and data lines, and City staff use it to access water meters for Hillcrest Apartments. Staff would not recommend abandoning this street section.

#### *Rezoning*

The main differences between the R2 Residential and the R3 Residential are the dimensional regulations: minimum lot size, minimum frontage, and minimum dwelling unit side. Both allow only single-family residential by right, and allow duplexes by Conditional Use Permit. Essentially, R2 zoning is for larger, nicer houses on larger, nicer lots. On the ground, the distinction between neighborhoods zoned R2 and R3 in many places is not clear—they have similar development patterns with similar houses spaced similarly. This is especially true south of 17<sup>th</sup> Street. Pine Avenue is the (rather arbitrary) dividing line between R2 and R3.

R3 requires only one lot to build a house. R2 requires one and a half lots to build a house, which reduces the number of houses that can be built on a block. There are eight lots on each side of a block, so mathematically there is at least one lot per block that is unbuildable. In practice, houses are spaced irregularly along the block. Some houses that predate the 1.5-lot minimum are located on adjacent lots (such as 1308 and 1318 Pine), while other houses straddle two lots and have accessory buildings spread over additional lots (such as 1574 Pine).

The minimum lot size makes infill development on remaining vacant lots difficult or impossible in some cases. Based on review of the aerial imagery and lot lines, under current zoning, there

are four house sites on the east side (R2 side) of Pine Ave between 13<sup>th</sup> St and 17<sup>th</sup> St. If this side of the street were rezoned to R3, there would be eight buildable lots.

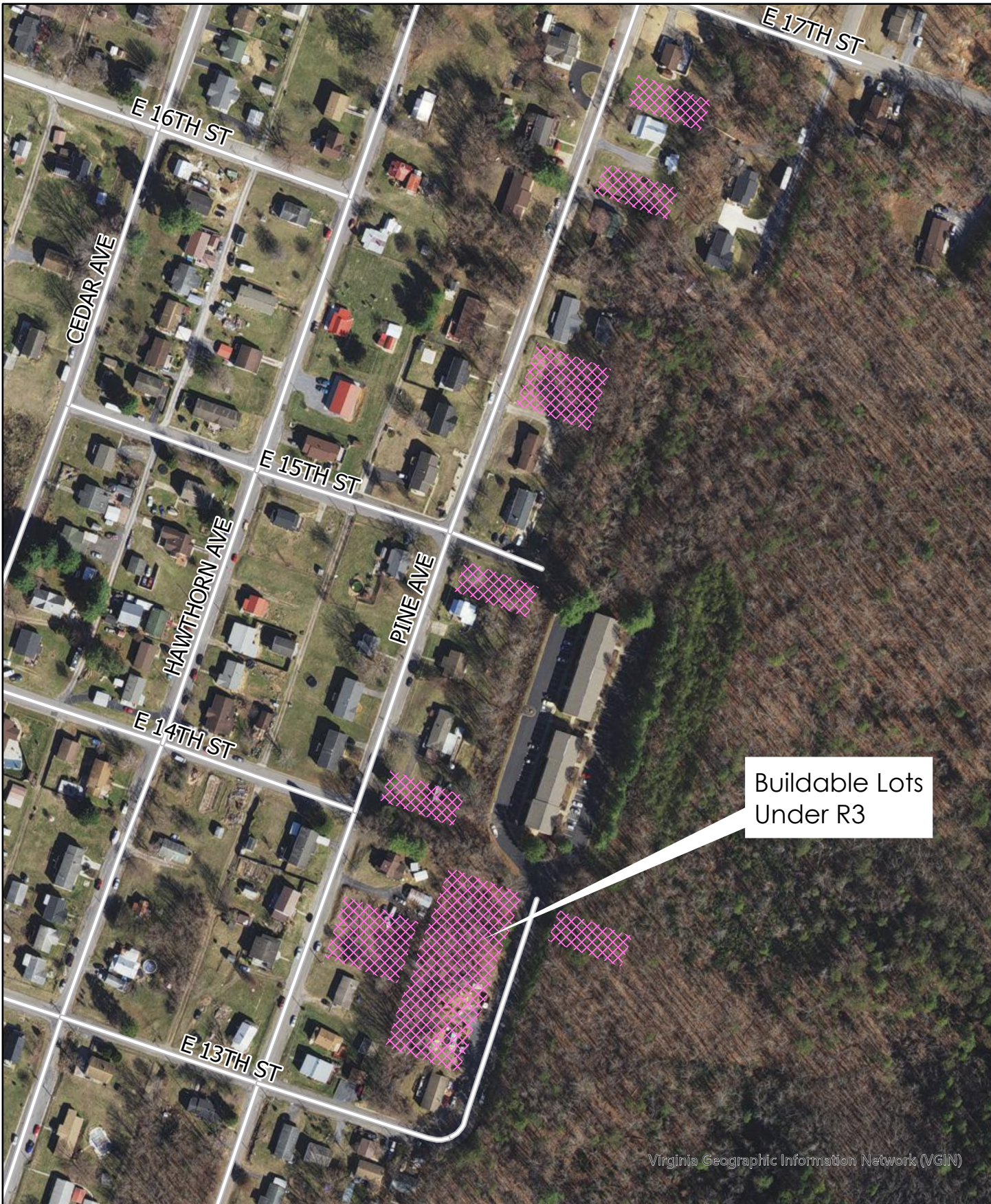
This rezoning request is spurred by the lot at the southeast corner of 15<sup>th</sup> St and Pine Ave, next to 1474 Pine Ave. 1474 Pine is built on the second lot south in the block, leaving the corner lot with no room to purchase additional area.

Staff see this as a “common sense” rezoning to facilitate beneficial residential development. The density of these blocks of Pine will be no greater than is found in the nearby blocks, and not greater than is allowed across the street. Property owners with vacant land would be free to build on large lots if they wish but would have the option of a single lot as well.

Staff included the 1300 block of Spruce Ave in the proposal as well. This block, which is the entranceway to Hillcrest Apartments, has only one house. It possesses at least seven additional lots which could be developed in the future

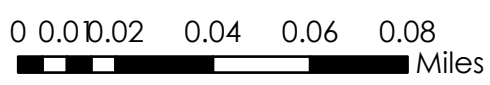
### **Recommendation**

This is the first presentation of this proposal. No property owners have been consulted at this time. It is a staff-initiated rezoning because the property owner applied for a ROW abandonment originally, and staff suggested the pivot to rezoning. Staff is seeking Planning Commission feedback on the idea. The next step would be sending letters to property owners.



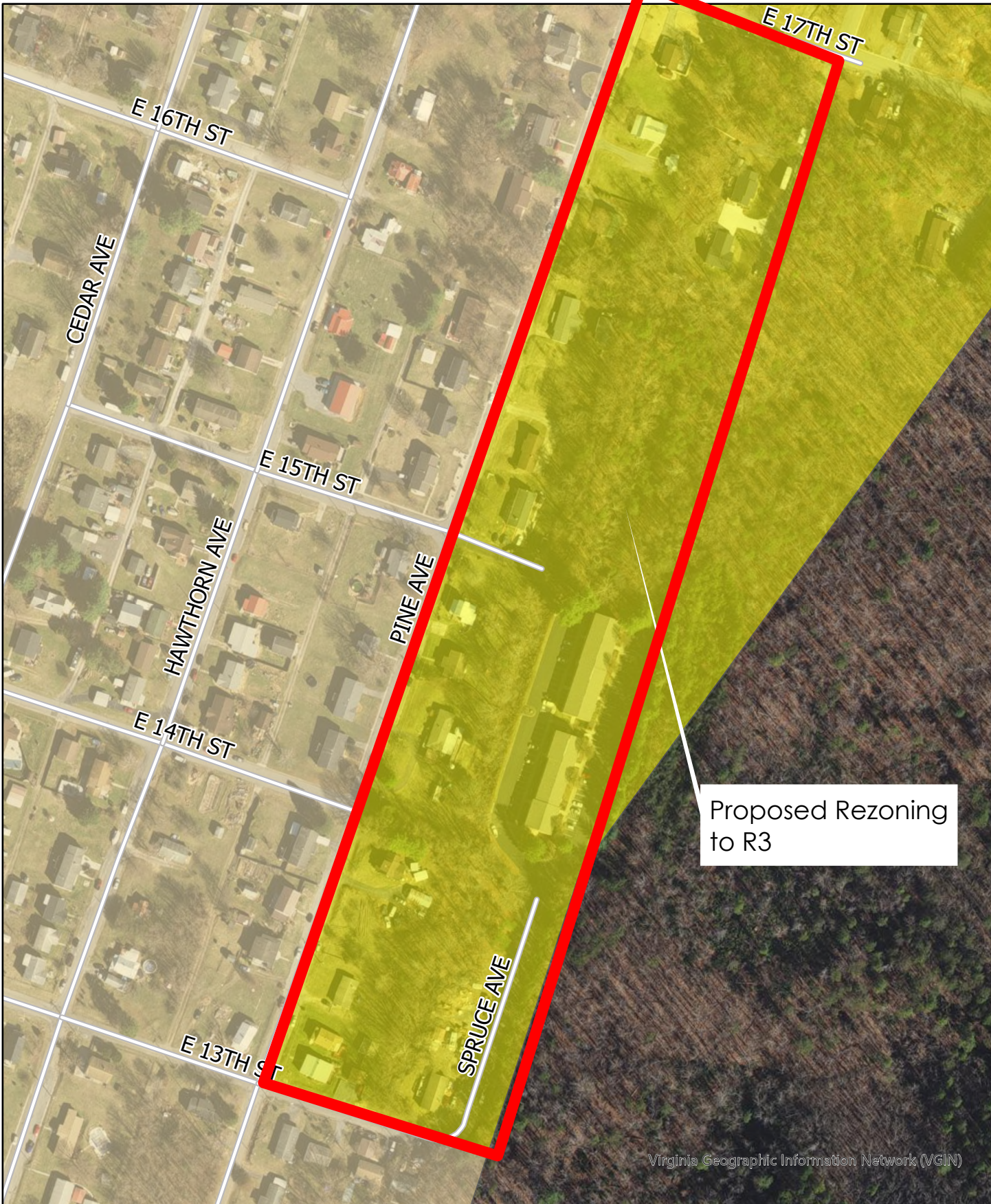
Buildable Lots Under R3

Virginia Geographic Information Network (VGIN)



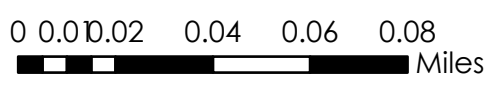
# Buildable Lots East side of Pine Ave

7/5/2023



Proposed Rezoning  
to R3

Virginia Geographic Information Network (VGIN)



# Pine Avenue R3 Zoning Map Amendment

7/5/2023



