



PLANNING COMMISSION

AGENDA for March 12th 2024

AGENDA

PUBLIC HEARING

- 1) Conditional Use Permit for animal shelter at 2463 Beech Ave

REGULAR MEETING

Call to Order by Chairman and Roll Call

Public Comment on Items Not on the Agenda

Review and Adoption of Minutes

February 13th 2024

Report of Secretary

- Town Square construction starting very soon by Lew Hamilton

Old Business

New Business

- 1) Conditional Use Permit for animal shelter at 2463 Beech Ave
- 2) Site Plan for 1910 Sycamore Ave, Humphreys Septic

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

Sarah Henson, 9/30/2027

Melvin Henson, City Council Representative,
9/30/2027

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 | 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 2nd 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 February 13th 2024

Members of the Buena Vista Planning Commission met in Council Chambers at 7:00 PM on Tuesday, February 13th 2024.

Members Present:

Dennis Hawes, Chairman
Melvin Henson, City Council Representative
Sarah Henson
Justin Wiseman
Marolyn Cash
Kristie Gibbons
Harold Kidd
Timothy Petrie

Members Absent:

Jason Tyree, Ex Officio member

Staff Present:

Tom Roberts, Director of Community Development

Meeting is called to order.

Minutes

Mrs. Cash motioned to approve the minutes of the January 9th 2024 meeting, Mrs. Gibbons seconded, and all voted yes except for Mr. Kidd and Mr. Henson, who abstained.

Secretary's Report

- 1) Mr. Roberts offered bumper stickers to members who missed the December meeting when he gave these out.
- 2) The CUP for 2345 Birch Ave was denied at the last City Council meeting. Mr. Roberts noted that several neighbors came to the Council public hearing. They did not come to the Planning Commission public hearing because they had not received the official notices because of a mail issue. At the Council public hearing, no one spoke in favor of it, and multiple people spoke against it with concerns about student rentals across the City, occupancy, and parking concerns. Mr. Roberts has discussed the issue of code enforcement with Police Chief Handley, Property Maintenance Official Alan McMahan, and the City Manager. Right now, the City has a reactive approach because he and Mr. McMahan do not have bandwidth for a proactive approach. Mr. Roberts reported that he had done a follow up inspection and it appeared the house is now in compliance. The police have stepped up their patrols of the area around 2345 Birch Ave. Mrs. Gibbons mentioned that the City and SVU are planning a meeting to discuss and coordinate. Mr. Hawes brought up the rental inspection program, and Mr. Roberts responded that the

rental inspection program is focused on health and safety code issues, although it can sometimes catch zoning issues like occupancy. However, 2345 Birch is not within a rental inspection zone.

- 3) City Council approved the two text amendments for Sections 630 and 711.
- 4) Homeless shelters came up as a question recently. Mr. Roberts has started the discussion of addressing this issue, and it is a complicated issue with multiple facets to address, and Buena Vista has not previously touched it. He researched the zoning dimension, and determined that the City's current zoning code does not adequately address any type of housing or shelters for people with housing problems. He explained that there are different categories such as temporary shelters, transitional housing, and permanent supportive housing. There currently are homeless people in the City, but it is masked somewhat people they are either living in a tent by the river or they are couch surfing with friends and family. When the City develops new policies for this, he expects to introduce zoning text amendments. Mr. Petrie brought up Social Services, and Mr. Roberts agreed that they would be closely involved with any policy or efforts.
- 5) At next month's meeting, there will be a public hearing for a CUP for a cat shelter at 2463 Beech Avenue operated by Mary Huffman. There was brief discussion and several members state that they think it is a good idea.

New Business

Discuss draft of-street parking regulations

Mr. Hawes asked if this is going under the land use regulations, and Mr. Roberts clarified that no, it would be going under the regular City code. It has been before Council several times, but at the last meeting, Council asked the Planning Commission to review it. Mr. Roberts then noted that he wants to clearer direction from Council that this is a strategic priority right now. Although he believes this is a good policy, he is concerned because implementing and enforcing this will be resource-intensive for several months, and he wants to be certain this is how those resources should be spent.

If Council wishes to move forward with this change, the next step would be an intense public information campaign to notify people what the change is. This would be via newspaper, social media, radio, flyers, etc. There would be multiple opportunities for public feedback. Then, if adopted, there would be an implementation grace period during which the City would probably put notifications on actual vehicles affected.

Mr. Petrie stated that one size does not fit all, and that on some streets parking is a problem, and on other streets it is not. Mr. Henson brought up the problem of where residents can park an RV if they can't park it on the street and can't park it in the yard, and that off-site parking lots cost money. Mr. Henson also stated that residents could move trailers to the County and the City would lose the tax revenue.

Mr. Roberts stated that it is impossible to have a "perfect" regulation, because there will always be tradeoffs in prohibiting and allowing certain vehicles. Mr. Hawes thinks that they needs to be discretion in enforcement, and Mr. Kidd said this should not be punitive but should be about safety.

Mr. Wiseman asked if there were alternative ways to regulate, such as looking at the percentage of the road that it occupies rather than the type of vehicle. Mr. Kidd noted that in the past, these regulations were enforced more, but there are many more vehicles today. Mrs. Cash stated that it may take a wreck with a pedestrian for this to be an important issue.

Mrs. Cash motioned to recommend approval as presented, Mr. Kidd seconded, and all voted yes except for Mr. Petrie and Mr. Wiseman who abstained.

Adjournment 7:45 PM

Approved: _____



PLANNING COMMISSION Staff Report

Conditional Use Permit

2463 Beech Ave – Furever Friends Lodge

3/5/2024

Synopsis

Applicant Mary Huffman requests conditional use permit to operate a kennel for the purpose of opening a cat shelter in an existing building.

Site Information

Address/Tax Map:	2463 Beech Ave, 27-3-5-16-A	
Existing zoning:	Mixed Business (MB) with Seminary Hill District (SHD) overlay	
Existing land use:	Retail	
Proposed zoning:	Same	
Proposed land use:	Animal kennel in portion of building	
Surrounding zoning and land use:		
North: MB/SHD hair salon		
East: MB/SHD single-family dwellings, retail		
South: MB/SHD retail		
West: MB/SHD single family dwelling and then Light Manufacturing (LM) railroad tracks and ADS manufacturing		
Size:	504 sf of building for kennel use; total building 1,944 sf	
Staff Recommendation:	Approve as presented	
Tentative Timeline	Planning Commission Public Hearing	3/12/2024
	City Council Public Hearing	4/4/2024
	City Council Adoption	4/18/2024

Overview

The applicant owns an existing building at 2463 Beech Ave and uses it for an online auction business. The applicant has an established nonprofit assisting cats which has operated at other locations. The proposal is to convert a rear room of the existing building to a kennel for use as a cat shelter.

Zoning and Comprehensive Plan Conformance

A conditional use permit (CUP) is required for this use because kennels are a conditional use in the Mixed Business zone. The comprehensive plan future land use plan classifies this as mixed-use corridor commercial, which is intended “to provide for a mix of small- to medium-sized retail, office, institutional, and residential uses.” An animal shelter is compatible with this.

Furever Friends and Cats Unlimited, organizations associated with the proposed shelter, provide an important service to the community and have demonstrated significant positive benefit over many years in controlling feral cat populations in humane ways.

Land Use Considerations

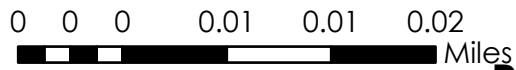
The shelter is entirely inside the building, with no cats housed or running outside. The use will not generate significant additional foot or vehicular traffic to the site. The use does not require any additional infrastructure. Staff anticipate minimal to no impact on surrounding properties.

Operations

The shelter will have a maximum of about 20 cats at any given time. Cats will be housed in either stalls (for larger cats) with cat trees and other stimuli, or in cages (generally younger cats or behavior issues). The shelter will be used by nonprofit volunteers, and will not be open to the public, only by appointment for individuals adopting cats.

Recommendation

Staff recommend approval of the CUP as presented.

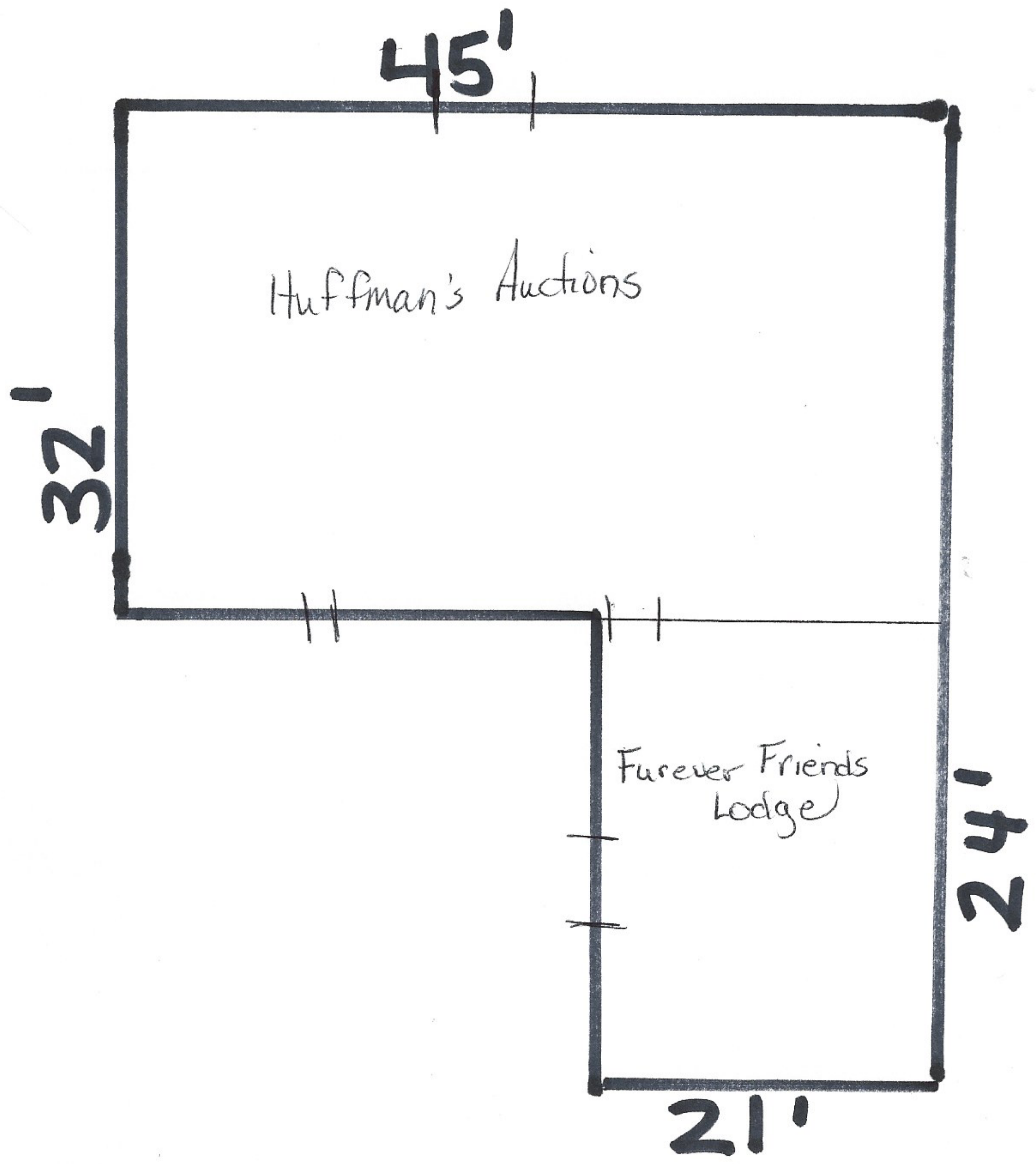


2463 Beech Ave Proposed Furever Friends Lodge

12/29/2023

Virginia Geographic Information Network (VGIN)

2463 BEECH AVE. B.Y.





**Virginia Department of Agriculture and Consumer Services****(<https://arr.vdacs.virginia.gov>)**An official website [Here's how you know](#)**Find a Commonwealth
Resource**Home (<http://www.vdacs.virginia.gov/index.shtml>) / Animals (<http://www.vdacs.virginia.gov/animals.shtml>)
/ Animal Care (<http://www.vdacs.virginia.gov/animals-animal-care.shtml>) / Animal Custody Record Reports[\(https://twitter.com/vaagriculture/\)](https://twitter.com/vaagriculture/)[\(https://www.facebook.com/VaAgriculture\)](https://www.facebook.com/VaAgriculture/)[\(https://www.flickr.com/photos/vdacs/\)](https://www.flickr.com/photos/vdacs/)[eVA \(https://eva.virginia.gov\)](https://eva.virginia.gov)[/pages/eva-registration-buyer-vendor.htm](https://eva.virginia.gov/pages/eva-registration-buyer-vendor.htm)**PUBLIC REPORT****Results - Reporting Year 2023****The Agency Data report was successfully submitted for review on 1/13/2024
1:14:04 PM****You may edit this report at any time during the open submission period.****Agency Information:**

Agency Name:	Furever Friends Lodge
Street Address 1:	73 Deer Haven Drive
Street Address 2:	
City:	Buena Vista
State:	VA
County:	Buena Vista City
Zip Code:	24416
Agency Email:	fureverfriends2020@gmail.com
Agency Phone:	(540) 460-1576
Agency FAX:	()
Agency Type:	Home-based Rescue Group
Date Submitted:	1/13/2024 1:14:04 PM
	View Intake Policy (/AdminReports/ViewDocument/7054?year=2023)

Animal Information:**Reason for Custody**

Species	A On Hand January 1	B Stray	C Seized	D Bite Case Quarantine	E Surrendered by Owner	F Received From Another Virginia Releasing Agency*	G Received From Out- of-State Releasing Agency	H Other**	Total
Dogs	0	0	0	0	0	0	0	0	0
Cats	15	147	0	0	46	2	0	54	264
Other Companion Animals	0	0	0	0	0	0	0	0	0
Hybrid Canines	0	0	0	0	0	0	0	0	0
Equine	0	0	0	0	0	0	0	0	0
Livestock	0	0	0	0	0	0	0	0	0
Poultry	0	0	0	0	0	0	0	0	0
Total	15	147	0	0	46	2	0	54	264

Method of Disposition

Species	J Reclaimed by Owner	K Adopted	L Transferred to another VA Releasing Agency***	M Transferred to Out-of State Releasing Agency	N Died While in Custody	O Euthanized	P Other****	Q On Hand December 31	Total
Dogs	0	0	0	0	0	0	0	0	0
Cats	2	143	25	0	11	0	50	33	264
Other Companion Animals	0	0	0	0	0	0	0	0	0
Hybrid Canines	0	0	0	0	0	0	0	0	0
Equine	0	0	0	0	0	0	0	0	0
Livestock	0	0	0	0	0	0	0	0	0
Poultry	0	0	0	0	0	0	0	0	0
Total	2	143	25	0	11	0	50	33	264

Wildlife Received and Disposition Information:

Submitted To Licensed Rehabilitator	Liberated	Euthanized	On Hand December 31	Total
0	0	0	0	0

Explanatory Notes: (if applicable)

*** Column F: Names and addresses of Virginia releasing agencies from which animals were received.**

Rockbridge SPCA-10 Animal Place, Lexington, Va. 24450

**** Column H: Include other reasons for custody, i.e. births at the facility, or animals taken into custody for a reason not designated by another category. An explanation is required.**

Four born in shelter
50 feral cats from colonies for TNR

***** Column L: Names and addresses of Virginia releasing agencies to which animals were transferred.**

Richmond SPCA- 2519 Hermitage Rd., Richmond, Va. 23220
Cat's Cradle- P.O. Box 70040 Richmond, Va. 23255
Star City Kitties-4295 Toddsbury Drive, Vinton, Va. 24179

****** Column P: Include other methods of disposition, i.e. escaped, stolen, or otherwise not disposed of in a method in accordance with Virginia code. An explanation is required.**

One lost by foster
49 Feral cats returned to colonies

Other miscellaneous explanatory notes:


N/A

Select Report (/Home/SelectReportNew)

ABOUT VDACS (<http://www.vdacs.virginia.gov/about-vdacs.shtml>) | SERVICES/FORMS (<http://www.vdacs.virginia.gov/services-forms.shtml>)
| MEDIA CENTER (<http://www.vdacs.virginia.gov/media.shtml>) | CONTACT (<http://www.vdacs.virginia.gov/about-agency-directory.shtml>) |
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(<mailto:webmaster@vdacs.virginia.gov?subject=User Comments / Questions: VDACS.virginia.org>). WAI Level A Compliant
(<http://www.w3.org/WAI/WCAG1A-Conformance>)

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 (<https://logi.epro.cgipdc.com/Public/rdPage.aspx?rdReport=Public.PublicLandingPage&rdRnd=39158>)



(<http://www.polarisproject.org/what-we-do/national-human-trafficking-hotline/the-nhtrc/overview>) |  VDACS EXPENDITURES

(http://datapoint.apa.virginia.gov/exp/exp_checkbook_agency.cfm?AGYCODE=301) |  VIRGINIA AGRICULTURE COUNCIL EXPENDITURES (http://datapoint.apa.virginia.gov/exp/exp_checkbook_agency.cfm?AGYCODE=307)



PLANNING COMMISSION Staff Report

Site Plan
 1910 Sycamore Ave
 3/6/2024

Synopsis

Applicant Robert Humphreys proposes at 40’ x 30’ building on existing parking lot.

Site Information

Address/Tax Map:	34-1-2-17-1 to be addressed 1910 Sycamore Ave	
Existing zoning:	Mixed Use MU	
Existing land use:	Parking lot – Plumbing contractor	
Proposed zoning:	Mixed Use MU (same)	
Proposed land use:	Building – Plumbing contractor	
Surrounding zoning and land use:		
Mixed Use zone – retail, residential, restaurant, contractors		
Size:	Lot is 100’ x 125’ proposed building is 30’ x 40’	
Staff Recommendation:	Recommend approval	
Tentative Timeline	Preliminary Commission Approval	3/12/2024

Review

The property has been an asphalt parking lot for decades, and for the last few years has been used by Humphreys Septic as a base of operations to park vehicles and equipment. The business proposes to enclose some equipment and operations in a new building.

The building will be a 30’ x 40’ metal building set close to the middle of the property, next to the alley. There will be a 25’ offset from the north property line and a 45’ setback from the south property line (19th St). There will be an 85’ setback from the Sycamore Ave property line. There will be a new double gate and vehicular entrance on 19th St near Sycamore Ave.

The building will have a bathroom. Water and sewer are available in the alley.

Development Requirements

Currently there is no curb & gutter on the 19th Street side of this property. Construction and curb & gutter will be required here per standard policy to require this for new construction. Curb & gutter in this location is particularly important because it will contribute to a more attractive downtown. In the long term, the City hopes to have sidewalk on the north side of this

block of 19th Street, but adding curb & gutter will provide a neat edge to the street and will make on-street parking along this property easier.

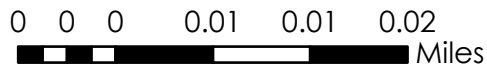
The Design Guideline appendices apply to new development in the Mixed Use zone. Appendix B requires that buildings be “sensitive to their site and the neighborhood character with regard to siting, scale, style, use of material, massing, and historical context.” Because there are unadorned metal buildings to both the north and the west, staff find that the proposed metal building is in keeping with the surrounding properties.

Appendix E requires that vegetated borders separate off-street parking lots from street edges of properties. Additionally, Article 15 Site Plans lists as a criterion of site plan approval the “adequacy of landscaping to soften the harsh visual effects of parking lots and for providing screening between development and the street...” The lot currently has no vegetation other than some grass at the edges. The site plan shows new shrub/grass plantings along the Sycamore Ave and 19th St edges of the property. These will be mostly low-growing and not much taller than the fence. Along Sycamore Ave, the vegetation will be in the narrow strip of grass between the fence and the sidewalk. Along 19th St, the vegetation will be close to the fence where there now is grass. These plantings will make the property more aesthetically appealing and screen some of the equipment storage. Below is the plant list recommended to the applicant:

- *Ilex glabra 'Compacta'* Compact Inkberry – good basic holly, small growth habit
- *Ilex crenata* Soft Touch Japanese Holly
- *Myrica cerifera* Bayberry (also known as Wax Myrtle) – this is a hardy shrub; after it gets established may need periodic trimming because it can get big
- *Thuja Occidentalis* Arborvitae – this will grow a little taller but it takes years; nice evergreen shrub/tree
- *Lagerstroemia indica* Crepe myrtle – this also can get taller but I think could provide nice accent; you’d need to prune it every couple years to keep it growing up and not getting in the way of pedestrians or your equipment
- *Panicum virgatum* Switchgrass (also known as Panic grass) – large perennial ornamental grass that can grow up to 3-4’ tall in large clumps

Recommendation

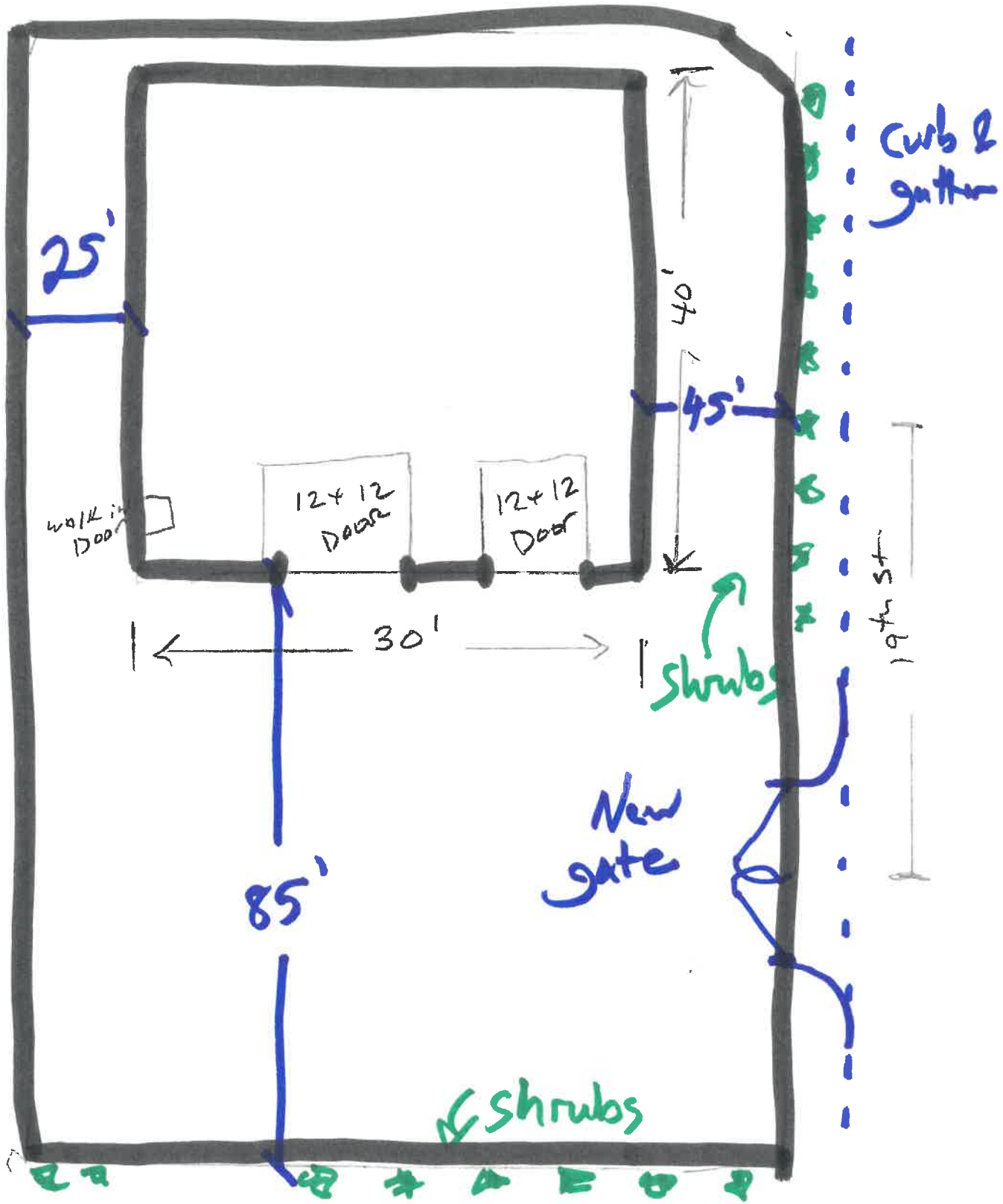
Approve as presented.



1910 Sycamore Ave

3/6/2024

← Alley →



Curb & gutter

25'

40'

45'

walk in Door

12x12 Door

12x12 Door

30'

Shrubs

19th St

New gate

85'

Shrubs

Syc amole

← Syc amole →



