



PLANNING COMMISSION

AGENDA for November 12th 2025

AGENDA

PUBLIC HEARING

- 1) Zoning Text Amendment – Section 705 Home Occupations

REGULAR MEETING

Call to Order by Chairman and Roll Call

Public Comment on Items Not on the Agenda

Review and Adoption of Minutes

- 1) Minutes of September 9th 2025

Old Business

- 1) Zoning Text Amendment – Section 705 Home Occupations

New Business

- 1) Abandonment of Public ROW – Portion of Piedmont Ave and alley adjacent to former Northwest Hardwoods Site at 704 Linden Ave
- 2) Zoning Map Amendment – 2000 block Chestnut Ave
- 3) Appoint member to serve on MGCC Vista Links building committee

Report of Secretary

- 1) Status of SVU residence hall project
- 2) At the request of the City Manager based on citizen concerns, staff is working on revising animal regulations, which includes both general City code and zoning regulations.
- 3) WLU engineering student team working on GIS analysis for potential development locations in the City.

Adjournment

Members and Term Expirations

Dennis Hawes, Chairman, 7/31/2028

Harold Kidd, 6/30/2026

Jesse Lineberry, 8/31/2029

Marolyn Cash, 6/30/2028

Sarah Henson, 9/30/2027

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

Bryson Adams, 12/31/2028

Timothy Petrie, 12/31/2028

Jason Tyree, Ex Officio member

Staff

Tom Roberts, Director of Community Development

City Hall, 2039 Sycamore Avenue, Buena Vista VA 24416

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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 September 9th 2025

Meeting location: City Council Chambers

Meeting time: 7:00 PM

Members Present:

Dennis Hawes, Chairman

Melvin Henson, City Council Representative

Bryson Adams

Sarah Henson

Harold Kidd

Marolyn Cash

Jesse Lineberry

Timothy Petrie

Members Absent:

Jason Tyree, Ex Officio member

Staff Present:

Tom Roberts, Director of Community Development

Meeting is called to order.

Minutes

For minutes of 8/12/2025 meeting:

Corrections: Duplicated sentence on second page, first full paragraph

Motion to approve: Mrs. Cash 1st, Mr. Henson 2nd, all yes

Abstentions: none

New Items

Zoning Text Amendment – Section 705 Home Occupations

Mr. Roberts briefly introduced the new text and quickly jumped into specifics. Mr. Hawes pointed out a few provisions and stated that the most important piece is that the home occupation doesn't change the character of the neighborhood. Mr. Hawes pointed out the provision about a sign, and Mr. Roberts added that the current text makes a reference to a specific sign type ("professional nameplate") that no longer occurs in the sign code after revision several years ago. Mr. Roberts also highlighted the problematic provision that only items produced in the home could be sold. This is not consistent with the City's practice, and raises some difficult questions for certain businesses that otherwise seem acceptable home occupations.

Mr. Hawes asked about the nature of these home occupations, and Mr. Roberts responded that he hasn't done an actual analysis, but anecdotally the majority of home occupations are tradespeople and contractors. City Council has requested this revision.

Mr. Adams opined that if this is adopted, no business would be grandfathered in, because they have to annually obtain a business license. Mr. Lineberry asked if a comprehensive review of all existing home occupations would be done to see if they comply with the new text. Mr. Roberts responded that generally, if a use is legal when it is begun, then it remains legal as a pre-existing non-conforming use. He continued that he plans to reach out to existing home occupation proprietors for their feedback.

Mr. Adams asked about the expiration provision in the draft text, and Mr. Roberts explained that it is intended to address zoning applications that are not acted on or uses people cease to do. The zoning application is separate from the business license. Mr. Adams asked about enforcement of this two-part process, and Mr. Roberts explained that you have to have both and staff periodically check that both the permit and the license have been pulled and paid for.

Mr. Lineberry asked what types of activities required a home occupation permit and brought up 1099 contractors. Mr. Roberts responded that he doesn't want to speak outside his expertise as far as taxation, but if there is an income-producing activity then it should have a home occupation permit. Additionally, the wording of the definition of home occupation is intended to capture hobbies that are done in such a way that they could be a business. This is to address potential rare outlier cases. Ultimately though, the goal of the home occupation regulations is not taxation or business license compliance, but neighborhood character and impact on surrounding properties, so if an occupation is unnoticeable by neighbors then it's not a problem. Conversely, if there is a problematic home occupation, staff should hear about it.

Mr. Henson asked about a particular home occupation on Oak Avenue, and Mr. Roberts replied that he had worked with the proprietor to set some parameters for this business, which is a tow truck business. There is a maximum 48 hours that vehicles towed can be stored, and they can't do vehicle repair. However, the proprietor also does vehicle repair work that is for family and friends and not part of the business.

Mr. Adams asked about parking for work vehicles and pointed out that the text does not address vehicles of employees who work off premises. Mr. Roberts noted that the parking regulations are something he needs to be very careful with because some locations have limited off-street parking. Mr. Lineberry added that as a business grows, at some point it needs to find a business location because of storage, vehicles, etc.

Mr. Hawes noted a case some years back when an individual applied to operate a body shop at his home, and it went to the BZA and was denied. Mr. Hawes stated that many great businesses began in a garage, but he comes back to the character of the neighborhood, and residential owners should be able to expect a residential neighborhood.

Mr. Roberts asked the Commission directly whether they wanted to prohibit auto related uses such as body shops, repair shops, dealerships, etc. The current text does not address them

directly (or any specific uses), and some other localities prohibit them outright. He thinks that it is hard to pin down whether it is out of character or not, because some people work on their personal vehicles from time to time and it's not a big deal, but at what point is it a problem? Mr. Lineberry pointed out hours of operation. He added that generally restricting hours of operation of home occupations would be good to limit traffic and safety impacts on neighbors. Mr. Roberts responded that he was hearing this as applying to customer and delivery traffic. Other members added that some personal services after hours would not be a big deal, and that outdoor things like auto repair should be in business hours. Mr. Roberts circled back to the auto repair, and there was discussion of the problems of regulation parameters for auto repair businesses—how do you tackle tow businesses that could be called on to tow at night, or spilling antifreeze or oil on the ground. The Commission suggested a conditional use permit or prohibition entirely for these uses.

Mr. Adams stated that he thinks that home occupations should have to renew every year, which would include a compliance check.

Mr. Hawes recapped items in the draft text, and then invited some members of the public to speak, while noting it was not a public hearing.

Kathy Janiczek spoke and asked about whether existing uses would be grandfathered, and Mr. Hawes said yes. She then pointed out a property on Orchard Ave with a large number of vehicles where the owner has a hobby of fixing up cars for people.

Sally Foshay spoke and opined that people should be more careful about where they put storage buildings so they don't look unattractive.

Ada Branham spoke and opined that she is concerned about traffic, and alluded to the home occupation across the street from her and stated that while it was better than it used to be there are still more than 12 vehicles per day (referencing the proposed limit in the text). She pointed out the text of the R2 zoned and opined that the home occupation is in conflict with it, and outlined some of the history of the issue.

Mr. Henson asked about restaurants and bakeries, and Mr. Roberts clarified that bakeries would be allowed but restaurants that served customers on premises would not be allowed. Mr. Roberts emphasized that his is related to the prohibition on drop-in traffic.

Mr. Lineberry thinks that people should be allowed to have more than two yard sales per year. Mr. Roberts stated that he included that to prevent someone from running a retail shop out of their home, but still allow people to have periodic yard sales. Mr. Henson added that in the past, the City used to require a permit to hold a yard sale. Mr. Roberts replied that requiring a permit for yard sales seems like a lot of extra work for very little benefit. Mr. Lineberry asked whether someone could sell Pampered Chef at a yard sale, and Mr. Roberts replied that one could not if it was related to a Pampered Chef business.

Mr. Roberts pointed out the Conditional Use Permit process to do address exceptions.

Mr. Adams brought up trailers used by a business, and Mr. Roberts asked whether he thinks limiting outdoor storage of equipment would be a hindrance. Mr. Adams responded that

businesses that have equipment just need to find another place to store it, although there are not enough business or industrial locations to store equipment.

Report of the Secretary

- City Council tabled the CUP and ROW abandonment for SVU’s dorm project to October because they wanted more details for parking.
- Additional funding was approved by VDOT for the streetscape project so the City can proceed with awarding the contract.
- Construction at Magnolia Square for the final items is imminent.

Mr. Hawes shared his opinion that Council should officially recommend or request of the state that they designate Buena Vista’s Labor Day as the official kick-off of the election season. He also recommended changing the name of Sycamore Ave from 22nd St north to Park Ave to Irma Thompson Avenue to honor her.

Adjournment 8:00 PM

Approved: _____



PLANNING COMMISSION Staff Report

Zoning Text Amendment
Section 705 Home Occupations
11/4/2025

Synopsis

Rewrite regulations of home occupations.

Background

Neighborhood and compliance issues in the last year have drawn attention to the text of the City's home occupation (HO) regulations. These have not been substantially updated since the 1986 zoning code update, and the current text leaves certain ambiguities and enforcement challenges. Additionally, the current text does not reflect the character of HO's in the 21st century. Council has directed that it be updated.

Discussion

The purpose of home occupation regulations is to strike the right balance between allowing residents to conduct business activity from their homes, while minimizing negative impacts on the neighborhood. This is one of the fundamental tasks of zoning in general—in business or industrial zones, the priority is given to businesses; in residential zones, the priority is given to residences. HO;s are also by definition an accessory use, meaning the primary use of the property is as a residence.

Almost all localities regulate HO;s, but every locality has different specific parameters based on their needs. In Buena Vista, there is a robust community of home-based enterprises that form an important part of our local economy. Currently, there are approximately 100 home-based businesses with active business licenses. See end of report for breakdown of current licenses by type. The largest share are tradesmen and contractors, followed by miscellaneous non-personal services such as pest control, followed by retailers.

The current text is very short, and takes the approach that any type of business can be an HO, provided it is not "detrimental to the character of the surrounding area." It gives a few specific parameters but leaves too much to the interpretation of City staff, who have too little clear text on which to base their judgement. Additionally, it states that HO's can only provide products or services "produced by members of the family living on the premises," meaning no commercially-produced products could be sold. This gives preference to artisans and those who provide professional or non-professional services, but this provision has been ignored in practice, as for many years HO's have been licensed that are wholesalers or otherwise deal in products not produced on premises. Finally, the current text gives enforcement authority to City Council directly, which conflicts with the enforcement and appeal process for all other aspects of zoning and with state code.

Note that although short term rental units and bed & breakfasts meet the definition of a business operated from a home, they are governed by separate regulations and not by the section under consideration.

Violations and Grandfathering

Non-conforming status and “grandfathering” was discussed at length in the last meeting. Staff reviewed the expiration and revocation language in the draft text (which was pulled largely from the current text) and determined that it may not conform to enforcement authority granted in the Code of Virginia for zoning violations. The current text speaks of a permit being “revoked” when the HO is found not in compliance, but this is not a term used in zoning enforcement. It is not clear how revocation is different from determination of a zoning violation, and what penalty revocation would impose. Additionally, staff could find no other HO codes from other Virginia localities that included separate enforcement/violation language or referred to revoking a HO permit.

Given this, staff removed the subsection about expiration and revocation of permit. HO permits will be treated like any other zoning permit. Expiration of permits not acted upon is already addressed by Section 802.05-3, which imposes a six month time frame. Violation is addressed by Article 11. Non-conforming status (“grandfathering”) is addressed by Section 708.03:

708.03 Nonconforming uses of land. Where a lawful use of land exists at the time of enactment or amendment of this ordinance that would not be permitted by the regulations imposed herein and where such is either:

- (1) An accessory use involving the use of no separate accessory structure; or*
- (2) A principal use involving no individual structure, such use may be continued as long as it remains otherwise lawful, subject to the following provisions:*

708.03-1 No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the time of enactment or amendment of this ordinance;

708.03-2 No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the time of enactment or amendment of this ordinance;

708.03-3 In the event that such use ceases for reason other than destruction for a period of more than one year any subsequent use shall conform to all requirements of this ordinance for the district in which the land is located;

708.03-4 No additional structure not conforming to the requirements of this ordinance shall be constructed in connection with such nonconforming use.

Although different options for dealing with non-conforming existing HO’s were discussed, staff recommend following the same provisions for non-conforming uses as other use regulations. This places the City of firm legal footing (by not creating a new and separate enforcement scheme) and provides consistency and simplicity. Any HO active at the time the regulations are passed can continue to operate as it has been, but cannot expand, change operations, or move

to a different building on the premises. Any new HO must meet the new regulations. If an HO ceases to operate for one year, the proprietor must re-apply and it must meet the new regulations.

The idea of requiring annual renewal of HO's was raised. Since so few HO's cause problems, it is likely a significant amount of administrative work with little payoff. Because HO's are often secondary side gigs, and there is significant annual turnover (businesses that are active for one or two years then cease), many HO's would likely fail to or be late submitting renewal. Staff would have to follow up with each of these and develop an appropriate penalty for non-renewal.

Draft Text

The draft text pulls inspiration from over a dozen other HO codes from other Virginia localities as well as staff brainstorming on policy points. More than many code sections, there are many important small policy decisions found through this text, all of which are worth of discussion and review. Below are some highlights:

- 1) Enforcement – Violations are handled the same as any other zoning violation, except that the Zoning Administrator can also request that the business license be revoked. Pre-existing HO's that do not conform to new regulations can continue to operate but not expand.
- 2) Employees – allows up to one non-resident employee, but there has to be an off-street parking space for that person
- 3) Customer traffic – no drop-in traffic allowed (except wayside farm stands), max of 2 customers at any given time, and max of 12 customers per day
- 4) Parking – limits number of commercial vehicles, requires off-street parking space for any vehicle used primarily for business
- 5) Outside storage – prohibits outside storage of materials & equipment; many localities have this provision
- 6) Signage – allows no more than one “minor sign” (no larger than 2 sq ft) for the business
- 7) General character provision – prohibition on nuisance activities
- 8) Certain occupations prohibited
- 9) Special Exception – Allows a home occupation to apply for Special Exception, heard by the Board of Zoning Appeals, if they want to do something otherwise prohibited so it can be considered on a case by case basis.

Updates since last draft

- a) 705.02-3 Violation – see above
- b) 705.03-4 - Exempted wayside stands from the prohibition on drop in traffic. The code defines wayside stands as “any structure or land used for the sale of agricultural or

horticultural produce, livestock or merchandise produced by the owner or his family on their farm.”

- c) Parking for employees not working on premises – this issue was raised at the last Commission meeting. While it is a good point, staff have not heard of this being an issue on the ground, and suspect it would only apply to a small number of establishments. It would also be difficult to determine how many off-premise employees an HO has. For these reasons, staff have chosen not to change the text to address these. If it becomes an issue in the future, the text can be amended.
- d) 705.03-5 Deliveries – Added a permissible window of 9:00 AM to 6:00 PM.
- e) 705.03-9 Prohibited HO’s
 - a. Added automobile service stations, automobile sales, vehicle towing, and automobile graveyards. There are several of these in existence currently, so they could continue to operate but could not expand or change operations.
 - b. Removed self-storage facilities. The reason for inclusion was to prevent a homeowner from building multiple excessive storage facilities, but this would be prevented by the 30% space maximum found in 705.03-2, so it is not necessary to prohibit.
- f) 705.04-1.2 Yard Sales – updated to allow up to 4 per year
- g) 705.04-3 – Added a provision to clarify that just because a person has a HO permit to conduct a particular use, they are still subject to the same nuisance regulations as everyone else.
- h) 705.05 - Changed the process to do a home occupation otherwise prohibited from a Conditional Use Permit to a Special Exception. CUPs go to City Council and require 60-90 days with multiple public hearings. SE’s go to the Board of Zoning Appeals in 30 days and can be decided in one meeting. When considering a home occupation that would deviate from one or more of the provisions of the new text, the basic question is whether that home occupation would match the intent of protecting the character of the neighborhood. I think this fits with the quasi-judicial nature of the BZA. Placing this with the BZA would potentially make the decisions less political and less contentious and would not bog down Council with more public hearings. That said, which process to use is fairly debatable and staff is not opposed to a CUP.

Additional policy questions

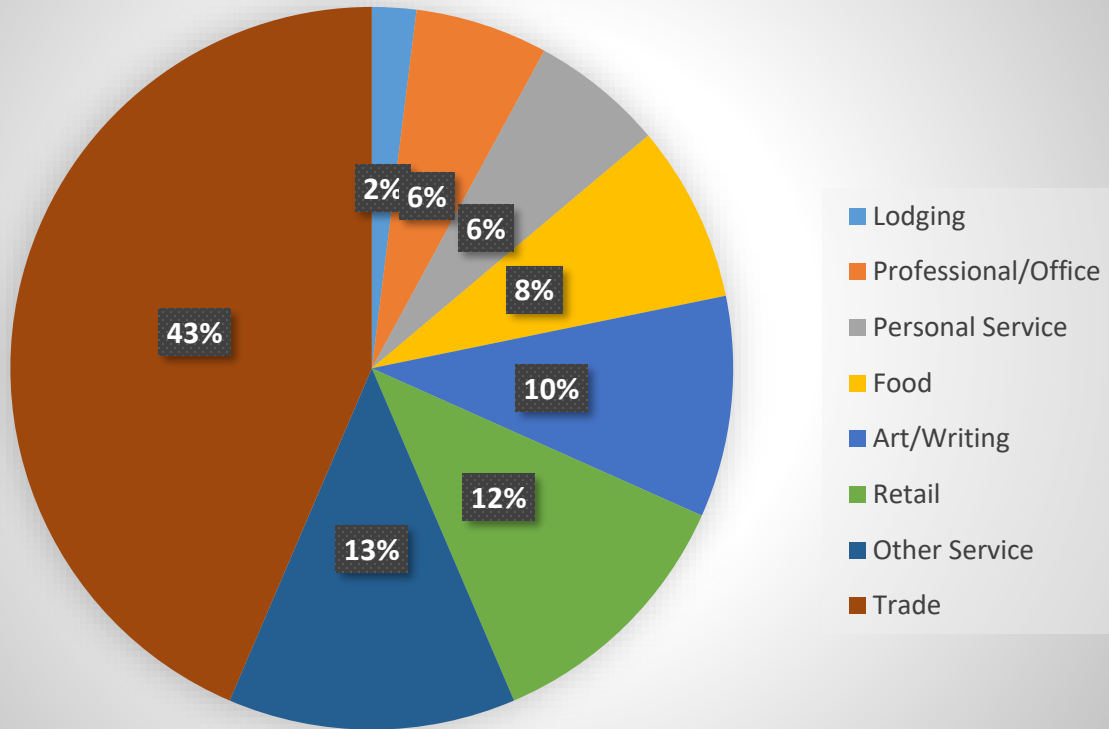
Additional items to discuss for inclusion in the text:

- a) Should the prohibition on tractor trailer deliveries be removed? Staff received feedback that this prohibition would be problematic and could delay deliveries. Thoughts?

Next Steps

Draft text was sent to business owners and other stakeholders and staff have received feedback from several. After Planning Commission's review and recommendation, staff will take to City Council for public hearing.

Home Occupation Type, 2025





705 Home Occupations

DRAFT Text

11/4/2025

Definition

302.08 *Home occupation* means a business, profession, trade, activity, or use of a residential property that is accessory and subordinate; is typically conducted for gainful employment; and conforms to Section 705 of this chapter.

Sec. 705.00. - Home occupations.

705.01 Purpose. The intent of this section is to regulate the operation of businesses, professions, trades, or similar activities typically undertaken for gainful employment within residential zones. Home-based businesses are an important element of the City's economy and provide critical goods, services, and employment. Home occupations are secondary to the residential character of the property and neighborhood.

705.02 Permit required; validity; enforcement.

705.02-1 Any person desiring to establish a home occupation shall submit a zoning verification for home occupation permit application to the Zoning Administrator using a form provided by the City. The application, review, approval, denial, appeals, and expiration processes shall conform to Article 8 of the Land Development Regulations of the City of Buena Vista.

705.02-2 If the nature of the home occupation requires a business license issued by the City of Buena Vista, and the proprietor does not obtain such business license within the necessary timeframe, the zoning verification for home occupation shall be void.

705.02-3 Violation. When the Zoning Administrator finds that a home occupation is in violation of any provision of this section, in addition to the remedies referenced in Article 11 of the Land Development Regulations of the City of Buena Vista and any remedies available to the him or her under the Code of Virginia, the Zoning Administrator may request that the Commissioner of Revenue revoke the business license of the home occupation.

705.03 General Requirements

705.03-1 Premises may display as signage for or advertising for the home occupation no more than one (1) minor sign.

705.03-2 The home occupation use shall be limited to no more than 30% of the square footage of the dwelling unit; or if an accessory building is used for the home occupation, than no more than 30% of the gross square footage of the dwelling unit and accessory buildings.

705.03-3 In addition to at least one (1) person residing on premises, home occupations may employ only the following persons. For the purposes of this section, "employee" means any person directly involved in the operations of the home occupation, whether compensated or not.

705.03-3.1 Additional persons residing on the premises

705.03-3.2 Persons whose work is exclusively off the residential premises, and are not regularly present on the premises

705.03-3.3 Up to one (1) additional person whose work is primarily or exclusively on premise, and who does not reside on premises, provided that there is at least one (1) off-street parking space provided on the premises in addition to the off-street parking spaces required for the premises under Section 703 of the Land Development Regulations of the City of Buena Vista.

705.03-4 Customer or client traffic to the premises must be on a pre-arranged appointment basis. Home occupations may not offer products or services to the general public on premises on a drop-in basis, except for wayside stands as herein defined. The number of on-premise customer or client appointments may not exceed two (2) at any given time, and a total of twelve (12) per day.

705.03-5 Delivery traffic to or from the premises must be within business hours of 9:00 AM to 6:00 PM. Tractor trailer deliveries are prohibited.

705.03-6 Parking

705.03-6.1 Only two motor vehicles or motor vehicle trailers may be operated from the premises in connection with a home occupation. Only one such vehicle may exceed 14,000 pounds GVWR (US Class 3 commercial vehicle).

705.03-6.2 The premises must provide an off-street parking space for each vehicle classified, for tax purposes, for business use by the home occupation.

705.03-6.3 Drive-through facilities for home occupations are prohibited.

705.03-7 Supplies, materials, merchandise, or equipment used for a home occupation may not be stored outside.

705.03-8 Home occupations shall not introduce to a property or neighborhood noise, dust, odors, glare, vibrations, or other hazards or nuisances that are detrimental to surrounding properties or exceed conditions typical of a residential neighborhood.

705.03-9 The following uses are prohibited as home occupations:

705.03-9.1 Adult businesses

705.03-9.2 Kennels

705.03-9.3 Private clubs and lodges

705.03-9.4 Restaurants, except for those that are part of a Bed and Breakfast

705.03-9.5 Businesses engaged in the medical or recreational sale of cannabis or CBD products

705.03-9.6 Automobile service stations, automobile sales, vehicle towing, and automobile graveyards

705.03-9.7 Waste collection facilities and recycling centers

705.04 Additional Provisions

705.04-1 The following uses are exempt from the provisions of this section:

705.04-1.1 Residential Transient Occupancies, as defined herein

705.04-1.2 Yard sales, with the following limitations:

705.04-1.2-1 Yard sales shall be held no more frequently than four times within any twelve-month period, for a duration of no more than two days per event.

705.04-1.2-2 The yard sale is not associated with a home occupation or business, whether or not the yard sale and the home occupation or business share the same premises.

705.04-2 Proprietors of home occupations are responsible for compliance with all applicable local, state, and Federal regulation or licensure or inspection requirements. Issuance of a zoning verification for home occupation shall not be construed as a determination by the City of compliance with, or exemption from, any state or Federal regulation or licensure or inspection requirement.

705.04-3 Issuance of a home occupation permit shall not exempt any premises from compliance with applicable state and local regulations pertaining to nuisances, public health and safety, or property maintenance.

705.05 Special Exceptions

705.05-1 Home occupations which do not conform to the provisions of Section 705.03 General Requirements or Section 705.04 Additional Provisions may be permitted by Special Exception approved by the Board of Zoning Appeals. The following criteria shall be considered:

705.05-1.1 Impact on pedestrian and vehicular traffic and parking

705.05-1.2 Potential for noise, dust, odors, glare, vibrations, or other hazards or nuisances

705.05-1.3 Impact on surrounding property values

705.05-1.4 Economic impact and community value of product or service

CURRENT TEXT

Definition

302.08 *Home occupation* means an accessory use carried on by the occupant of a dwelling in connection with which there is no display, no one is employed other than immediate members of the family residing on the premises, and the activities are conducted within the dwelling or accessory building.

Regulation

Sec. 705.00. - Home occupations.

This ordinance uses a permit approach to the control of home occupations. The use of permits is to ensure compatibility of home occupations with surrounding residential uses. Custom or traditions are not to be considered as criteria for the evaluation of home occupations. The administrator may request advice from the planning commission as appropriate.

705.01 *Special requirements.* Home occupation, where permitted, must meet the following special requirements:

705.01-1 The applicant must be the owner of the property on which the home occupation is to be located, or must have written approval of the owner of the property if the applicant is a tenant;

705.01-2 The home occupation shall be operated only by the members of the family residing on the premises and no article or service shall be sold or offered for sale except as may be produced by members of the family residing on the premises;

705.01-3 The home occupation when restricted to the main building shall not occupy more than 50 percent of the floor area within said building;

705.01-4 The home occupation shall not generate excessive traffic or produce obnoxious odors, glare, noise, vibration, electrical disturbance, radioactivity, or other conditions detrimental to the character of the surrounding area, and in general, shall give no evidence of nonresidential character of use other than through the use of a sign meeting requirements for professional name plates, as spelled out in section 706.03-3;

705.01-5 The building in which the home occupation is to be located must be an existing structure ready for occupancy and not a proposed structure.

705.02 Expiration and revocation. A zoning permit for home occupations shall expire or be revoked under the following conditions:

705. 02-1 Whenever the applicant ceases to occupy the premises for which the home occupation permit was issued. No subsequent occupant of such premises shall engage in any home occupation until he shall have been issued a new permit after proper application;

705.02-2 Whenever the holder of such a permit fails to exercise the same for any period of six consecutive months.

705.02-3 Whenever the city council finds that the holder of the permit has violated the conditions of the permit for one or more of the special requirements in [section 705.00](#).



PLANNING COMMISSION Staff Report

ROW Abandonment

750 Linden Ave alley & Piedmont Ave abandonment

10/31/2025

Synopsis

Applicant Robert Young, representing Robert Young Towing (RYT), requests abandonment of a portion of Piedmont Ave and a section of alleyway adjacent to his property at 750 Linden Ave.

Summary:

- RYT owns land on both sides of the alley and of the street segment, and both segments are within the existing fencing
- A building is located on this segment of Piedmont Ave
- Abandonment would help consolidate parcels already owned by RYT
- Alley area is 5400 sf = \$4,050 and street segment is 7200 sf = \$5,400

Analysis

RYT purchased the former sawmill site on Linden Ave from Northwest Hardwoods over a year ago. They are working to identify a lessee or purchaser, or may occupy the site themselves in the future. They have requested abandonment of these two portions of right of way that are surrounded on both sides by their property.

The lots in this part of the City plat are irregularly shaped because of the steep topography of the hill behind Enderly Heights. The alley to be abandoned is the entire alley in "Block Y" of Enderly Heights. The segment of Piedmont Ave is the very end of the street, which actually splits or dog-legs depending on how you look at it. This abandonment will not affect access to the single family home at the very end of Piedmont Ave. A sawmill building (a storage shed) is located partly on Piedmont Ave, and this abandonment will include some but not all of this building. Because of the location, it is highly unlikely that the City would ever want to open this street segment or this alley.

Staff recommend this abandonment. It will allow RYT to consolidate lots and have clearer title to land that is functionally already part of the property.







PLANNING COMMISSION Staff Report

Zoning Map Amendment
 2056-2068 Chestnut Ave – Blue Ridge Abbey
 10/31/2025

Synopsis

Applicant Daniel DeSouza proposes to rezone the Blue Ridge Abbey property from R3 Residential to MU Mixed Use and construct ten cottages for transient occupancy.

Site Information

Address/Tax Map:	2056 Chestnut Ave (34-1-2-57-3 and 34-1-2-57-5) and 2068 Chestnut Ave (34-1-2-57-7)	
Existing zoning:	R3 Residential Limited	
Existing land use:	Single-family residential with CUP for Bed & Breakfast (2025)	
Proposed zoning:	MU Mixed Use	
Proposed land use:	Hotel	
Surrounding zoning and land use: Single family residential		
Size:	37,500 sf land	
Staff Recommendation:		
Tentative Timeline	Preliminary Commission Discussion	11/12/2025
	Planning Commission Public Hearing	12/9/2025
	City Council Public Hearing	1/15/2026
	City Council Adoption	TBD

Overview

2056 and 2068 Chestnut Ave are two single-family houses which were granted a Conditional Use Permit (CUP) for use as a Bed & Breakfast in February 2025. The house at 2068 Chestnut Ave was renovated and began operation as a B&B in late spring of this year, and the house at 2056 Chestnut Ave is still under renovation.

Daniel De Souza, on behalf of the LLC owning the Blue Ridge Abbey business, proposes to expand the inn by constructing ten (10) cottages on the undeveloped south end of the property as well as increasing the number of rental rooms in the existing structure. This will require rezoning the property from R3 Residential to MU Mixed Use.

Required Approvals

- Zoning Map Amendment – Planning Commission recommendation and City Council approval

- Site Plan – Staff will review and approve the technical site plan, however, the site improvements are integral to the change in use and Zoning Map Amendment review by Planning Commission.
- Erosion & Sediment Control – The land disturbance is expected to exceed 10,000 sf, so and ESC plan will be required. The City’s 3rd party, AMT, will review.

Site

1. Overall Layout & function

- a. 2056 and 2068 will combined have between 14-17 rooms as well as the common dining, kitchen, and sitting spaces for the inn. Ten new cottages are proposed, constructed in a U-shape on the south end of the property (lots 3-4). Each cottage will be approximately 200 sq ft and contain a sitting area, kitchenette, full bathroom, and bedroom. The cottages will open onto a landscaped central green.

2. Vehicular Circulation and Parking

- a. 2056 offers seven off-street parking spaces, four in front of the main building and three under a covered carport. Although the driveway has two entrances and a deep space in front of the buildings, the capacity is realistically seven vehicles without blocking in vehicles.
- b. 2068 offers two off-street parking spaces in the semi-circular driveway off 21st Street. The driveway is wide enough only to accommodate one vehicle, only two can be parked without one being blocked in.
- c. There are 8 on-street parking spaces on the 21st St and Chestnut Ave frontages of this property, excluding the area of proposed perpendicular parking. The frontage of the proposed perpendicular parking currently accommodates approximately 3 vehicles on-street, parallel.
- d. The off-street parking requirement for hotels is one space per bedroom plus one additional space for each two employees (703.03-1). For 25 rooms and 2 employees this equals 26 spaces.
- e. The current site plan calls for 11 parking spaces arranged perpendicular to Chestnut Avenue on the front of the property. For the number of parking spaces and potential volume of vehicles, staff do not believe that perpendicular parking is safe here. This arrangement would be safer with angle parking. These parking spaces would be partly in the public ROW and partly on private property.

3. Trash Collection, Water/Sewer, Signage, and Landscaping are still TBD.

Analysis

Zoning and Use

The current zoning is R3 Residential Limited with a Conditional Use Permit (CUP) to operate two bed & breakfasts, one in each house. The CUP also included a list of additional conditions

related to special events. The B&B began operations earlier in 2025 but only in the large house (2068); the smaller house is still under renovation, so only five rooms have been available for occupancy thus far.

The proposed use is a hotel with up to 27 rooms, including the two existing houses and ten new detached cottages. The MU Mixed Use zone is the most logical choice for rezoning because the Magnolia Ave corridor is zoned MU and it allows hotels. The Comprehensive Plan Future Land Use Plan designates this location as Residential Medium Density, which aligns with its current zoning, but it is only half a block away from the edge of the existing MU zone. The downtown revitalization plan, among others, highlights the importance of the 21st Street corridor as the primary east-west axis in the City, further supporting extension of the MU zone along this street.

There is a documented need for transient accommodation in the City. Multiple plans including the downtown revitalization plan and the Recreation Economies for Rural Communities plan, included specific recommendations to pursue hotel/transient occupancy businesses to expand options and drive tourism in the City. In 2025, both the Bontex revitalization study and Main Street's economic analysis identified market gaps for hospitality.

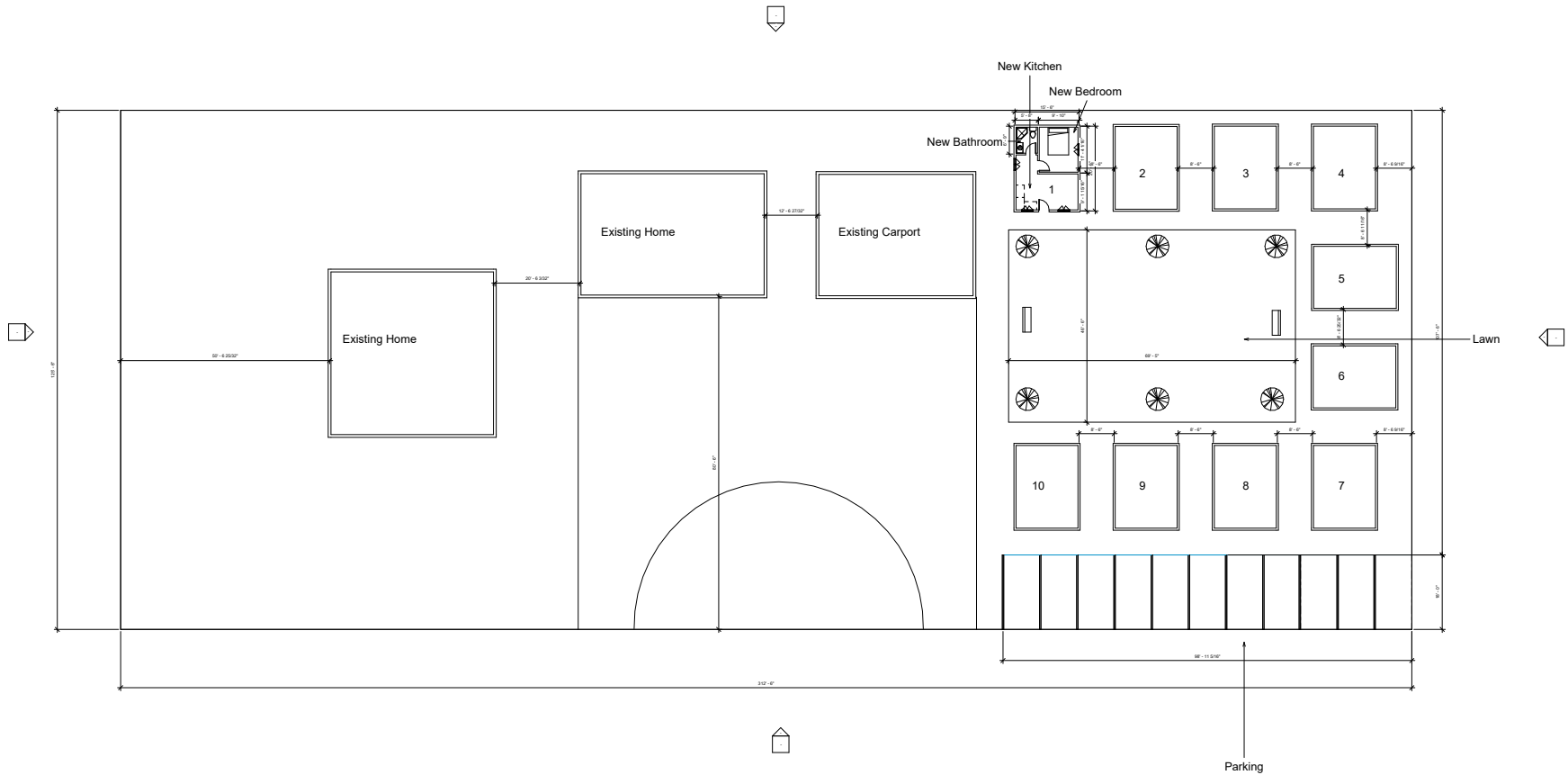
The Blue Ridge Abbey plans for transient occupancy only and no accommodations would be for residency (30+ days).

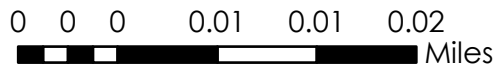
Items for Further Consideration

While the existing structures were historically a house and "carriage house," and are consistent with other nearby properties, the new structures would be a departure from the single-family residential rhythm. Cottage courts can be an effective and attractive way to increase density in residential areas, but the site-specific design of the courts and their appearance in relation to nearby properties is critical. The designs presented so far lack sufficient detail on building architecture, materials, landscaping, and relation to the street. As proposed, the cottages are internally oriented and do not face or engage with the street. The building floorplan indicates that there would be no doors or windows facing Chestnut Ave but instead would have blank walls. Additionally, at full occupancy one would see a row of parked cars separating the buildings from the street.

Considering use, because the bed & breakfast has thus far only operated with five rooms, it is hard to gauge the future level of pedestrian and vehicular activity of a 27-room hotel and its potential impact on the character and scale of the neighborhood. While the library across 21st Street receives regular traffic, and Forest Avenue has both MGCC and the Post Office as well as the White Tree Inn, Chestnut Ave remains residential in character and somewhat quieter.

Considering parking, with ten angle or perpendicular spaces off Chestnut Ave in front of the new cottages, the total off-street parking would be 19 spaces, plus approximately 8 on-street spaces. Council can approve the rezoning and this project without meeting the black-and-white requirements of the off-street parking regulations, but it is not clear if the parking would be sufficient for full occupancy, or for a special event. The potential visual and operational impacts of parking overflow, increased vehicular movement, and short-term guest activity should be weighed carefully.





2056 - 2068 Chestnut Ave









PUBLIC RECREATION FACILITIES AUTHORITY

STAFF REPORT – MGCC VISTA LINKS BUILDING

Last Updated: October 29, 2025

Background

The Public Recreation Facilities Authority (PRFA) owns the property located at 35 Vista Links Drive, formerly occupied by Mountain Gateway Community College (MGCC). The facility carries an existing debt service of just under \$1.8 million, with 18 years remaining on the loan. Payments for this obligation are currently budgeted through the end of FY 2026 (\$181,729 – a monthly average of \$15,144) for the long-term planning for this property.

The building was recently considered as a potential site for the new middle school. After architectural review for compliance with Virginia Department of Education design standards, the School Facilities Committee decided not to pursue further study of this option. The architectural review found that the building would require a very large addition nearly doubling its size to include new classrooms, a media center, and a gymnasium, as well as extensive renovation of the existing building. The large addition would require substantial site work, including all new stormwater management measures and possibly acquisition of additional land.

As such, City leadership has begun exploring viable options for the property's future use that would support economic development goals and fiscal sustainability.

Property Details

- **Address:** 35 Vista Links Drive, Buena Vista, VA
- **Building Size:** 15,810 square feet (gross building area)
- **Site Size:** 4.38 acres (190,880 square feet)
- **Parking:** 120 off-street spaces (7.6 spaces per 1,000 SF)
- **Year Built:** 2007
- **Features:** Classrooms, offices, a conference room, and a commercial kitchen, offering flexibility for conversion to other educational, office, or business uses.
- **Appraised Market Value (June 12, 2025):** \$2,450,000

Staff Recommendations

1. Future Occupant be a Revenue Producing Entity

Staff recommends that any future occupant be a revenue-producing entity, contributing to the local tax base through personal property, business license, or machinery and tools tax, depending on the nature of operations.

The outstanding debt on the property represents a significant long-term financial obligation. The most advantageous financial outcome would be to remove this debt service from the City's responsibility, ideally through the sale of the facility.

However, leasing the property could also serve as a practical alternative—provided that the lease terms offer meaningful economic benefit, and align with the City's broader strategic growth and revenue generation goals.

Should leasing the property be considered, the PRFA must consider that Virginia Code limits the authority to recreational, outdoor entertainment, and related facilities. These limitations restrict the types of tenants or uses that the PRFA may directly engage with. For this reason, staff recommend evaluating whether, with lender approval, ownership of the property could be transferred to the Economic Development Authority (EDA) if the lease options is considered as the EDA's broader statutory powers allow for a wider range of uses and redevelopment opportunities.

2. Future Use Align with Hill Top Zoning Districts

The property is located within the Hill Top District, guided by the Hill Top Small Area Plan, and is currently zoned Planned Unit Development–Residential–Hill Top (PUD-RES-HT). While this zoning accommodates civic and institutional uses, it offers limited flexibility for commercial development. The Comprehensive Plan's Future Land Use designation of this property is Mixed Use Planned Development. The adjacent property where Food Lion, Head Start, etc. is located is zoned Mixed Business-Hill Top (MXB-HT) with future land use designation of Corridor Commercial.

Because desirable potential future uses may not be permitted within the PUD-RES-HT zone, staff/PFRA/Council should be prepared to rezone the property. One consideration of the process should be whether to leave the current zoning and rezone once a particular proposal has been selected, or whether to pre-emptively rezone to the MXB-HT zone. Waiting to rezone for a particular proposal may avoid unnecessary rezoning and allows specific conditions to be applied, but could delay purchase or occupancy; pre-emptively rezoning could limit City influence on use of the site or improvements to the site, but gives potential buyers more certainty about their investment and could speed the purchase or occupancy.

PUD-RES-HT Permitted uses include:

- Single-, two-family, multifamily, and townhouse dwellings
- Civic and institutional facilities
- Recreation facilities
- Private schools and studios
- Public utilities and municipal service buildings
- Restaurants and hotels/motels

MXB-HT Permitted uses include:

- Retail shops and offices
- Theaters, restaurants, and assembly halls
- Hotels, banks, and bakeries
- Live-work units and bed-and-breakfast establishments
- Drive-through facilities along Highway 60

3. Structured and Transparent Process for Determining Future Use

Staff recommend that the PRFA implement a structured process to identify the most beneficial long-term use of the property, including:

- a. **Establish an Evaluation Cross-Representative Committee** to oversee the process for identifying a qualified entity. The committee should include:

- i. One PRFA member – representing owning authority
 - ii. One EDA member – provides economic development knowledge and represents EDA as potential future owner in lease option
 - iii. One Planning Commission member – offers zoning and planning review expertise
 - iv. City Staff
 - v. City Attorney
- b. **Authorize the Committee to Prepare and Evaluate a Public Request for Proposals (RFP)** for the purchase or lease of the property to ensure a competitive and transparent process. The RFP will include key criteria including requirements for proposed use, investment and job creation metrics, timeline, demonstration of financial capability, etc. to ensure the best outcome for the community and safeguard public interests.
 - c. **Committee Makes Recommendation to the PRFA** based on proposals received and evaluated for community benefit, economic impact, and financial return.

Conclusion

The former MGCC facility presents a valuable opportunity for the City of Buena Vista to repurpose an existing asset into a driver of economic activity. Through the creation of a cross-representative committee, issuance of a competitive RFP, and evaluation proposals on strategic criteria, the PRFA will be positioned to make an informed, strategic decision that balances financial stewardship with long-term community and economic benefits.