



PLANNING COMMISSION

AGENDA for November 14th 2023

AGENDA

REGULAR MEETING

Call to Order by Chairman and Roll Call

Public Comment on Items Not on the Agenda

Review and Adoption of Minutes

Delayed

Report of Secretary

- 1) Applied for Community Flood Protection Fund (CFPF) grant for flood hazard resilience plan and engineering analysis of interior waterways
- 2) Applied for Industrial Revitalization Fund (IRF) grant for Mountain Gateway Community College renovation. Phase I work began a couple weeks ago—hazardous material abatement and roof repair.
- 3) Applied for Virginia Trees for Clean Water grant for tree planting at City Hall and at new GMP playground.
- 4) I have not had time to research the Planning Commission bylaw questions we discussed at the last meeting regarding the month that terms expire.

Old Business

None

New Business

- 1) Certificate of Appropriateness for 123 E 29th Street
- 2) Discuss R4 Medium Density Residential Conditional Use Permit for dimensional regulations

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 Staff Report

Certificate of Appropriateness

Two dwellings at 123 E 29th St

11/10/2023

Synopsis

Certificate of Appropriateness for two detached single family homes at 123 E 29th Street.

Summary:

- Two detached single family dwellings proposed on single lot
- Requires Certificate of Appropriateness because located in Seminary Hill District

Analysis

Applicant proposes to construct two dwellings (a larger primary dwelling and a second smaller one at the rear of the site). See applicant's attached proposal.

Four off-street parking spaces are required (two for each unit). This will be at the rear of the site accessed from the alley. There are no curb cuts in front of this property so no opportunity for vehicular access off 29th Street.

Design Review

In the Seminary Hill District, new construction requires a Certificate of Appropriateness. Section 615.10 state that, "In reviewing applications, the committee [the Architectural Review Board] shall base its decision on whether the proposals therein are compatible with the existing building or structure, if any, and with the surrounding design district." Below are the prescribed considerations and analysis of this project.

615.10-1 Exterior architectural features, which are subject to public view from a public street, way or place.

615.10-2 Design, arrangement and relative size or mass.

As noted in the proposal, the scale and setbacks of the main house are similar to other houses on the block and in this neighborhood. Also the smaller structure in the rear of the property is very similar—in fact smaller than—garages and sheds in the rear yards of many of the houses along 29th Street.

615.10-3 The relation of the proposed construction to buildings and structures in the immediate surroundings.

615.10-4 The extent to which the building or structure would be harmonious with or obviously incongruous to the historic aspect of the surroundings.

The Seminary Hill District has no coherent architectural style or period of construction. Along 29th Street within the district there are examples of 19th century farmhouses, early 20th century bungalows, mid-century brick ranchers, late-century manufactured homes, zero-lot-line early 20th century commercial

buildings, mid-century brick churches, and more. Although most buildings have gabled roofs, there is a mix of gable orientations in relation to the street. For these reasons, the proposed single-pitch roof would be a complementary addition to the varied architecture of the neighborhood. Importantly, the design makes clear references to the surrounding materials and forms, as noted in the proposal.

615.10-5 In the case of a building to be razed or moved, a primary consideration shall be the extent to which its continued existence would tend to protect irreplaceable historic places and preserve the general historic atmosphere of the city.

615.10-6 The extent to which the proposed construction or demolition will promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, and making the city a more attractive and desirable place in which to live.

There is an urgent need for more housing in the City, and this project would construct two dwelling units. The development is efficient because it takes advantage of an infill lot with existing infrastructure, so there is no street construction or utility extension needed. The project will bring outside investment to the City, add to the tax base, and likely help lift surrounding property values.

615.10-7 The extent to which the proposal adheres to the design district guidelines for the City of Buena Vista adopted by the city council and incorporated herein by reference.

The Design Guidelines are generally focused on quality urban design and how buildings relate to the public realm. Appendix B Building Design Guidelines are below, with analysis.

1) *All new development must be careful to integrate into the existing neighborhood or district. Placement of new structures in residential districts shall take care to maintain privacy between existing structures.*

a) See discussion above.

2) *The building footprint of any single structure shall not exceed 50 percent of the area of a city block, without going through the conditional use permitting process. N/A*

3) *Single large buildings meeting or exceeding the sizes set forth below must receive a conditional use permit prior to construction: N/A*

4) *Building designs shall be sensitive to their site and to the neighborhood character with regard to siting, scale, style, use of material, massing, and historical context.*

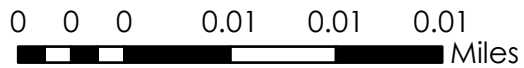
a) See discussion above.

5) *Buildings shall achieve a human scale and pedestrian interest. This can be achieved by using elements like balconies, awnings, canopies, arcades, reveals, etc.*

- a) These houses are excellent examples of these features.
- 6) *The glazing materials on the front elevation of buildings should not exceed 75 percent (50 percent in the mixed business district) of its overall surface area. The glazing materials on the ground floor of the front elevation of buildings should not be less than 50 percent of its overall surface area.*
- a) This is met.
- 7) *Building facades must be divided into increments or bays appropriate to the context of the street and neighborhood. These bays should never exceed 50 feet. Large structures should be subdivided along the street elevation with columns, pilasters, changes in materials, windows, doors, landscaping, setbacks, or other design techniques to modulate the wall plane. The building may extend as necessary along the street front (200 feet, for example), but visible articulation of the mass must occur at a minimum of 50-foot increments, or as dictated by the surrounding structures.*
- a) This is met.
- 8) *Facades of both residential and non-residential use buildings must interact functionally with the pedestrian walkway and the street through building entrances. Entryways that feature awnings, porches, or recessed vestibules are encouraged. Buildings and spaces that have primary entrances on the façade may have side or rear secondary entrances. Buildings and spaces may have a primary entrance on the side or rear of a building, provided that the building has entrance(s) and a functional relationship with the pedestrian walkway and street.*
- a) This is met.
- 9) *Building facades shall be articulated and varied. Primary signs of residential life such as front porches, bays, and balconies shall face the street. In no case will a building be permitted where the street façade is an unarticulated blank wall.*
- a) This is met.
- 10) *Rooflines shall be varied through the use of a combination of story heights, chimneys, cupolas, dormers, etc. Traditional roof forms shall be used to relate structures within the neighborhood.*
- a) This is a varied roofline.
- 11) *Residential garages may be attached or detached from the home. In all cases, the garage shall be placed in a manner that limits their impact when viewed from the street. Attached garages may set no closer to the street than the front wall of the main structure. Rear-loading garages are encouraged. – N/A*

Recommendation

Staff recommend approval as presented of this project. It represents quality architecture and positive investment in the community.



123 E 29th Street Site

11/10/2023

Lot 16
29th Street
Buena Vista, VA

Joel and Melissa Rackham
Proposed Development
October 29, 2023



About Us

Joel and Melissa Rackham

Family: 5 Children

Hometown: Pleasant View, Utah

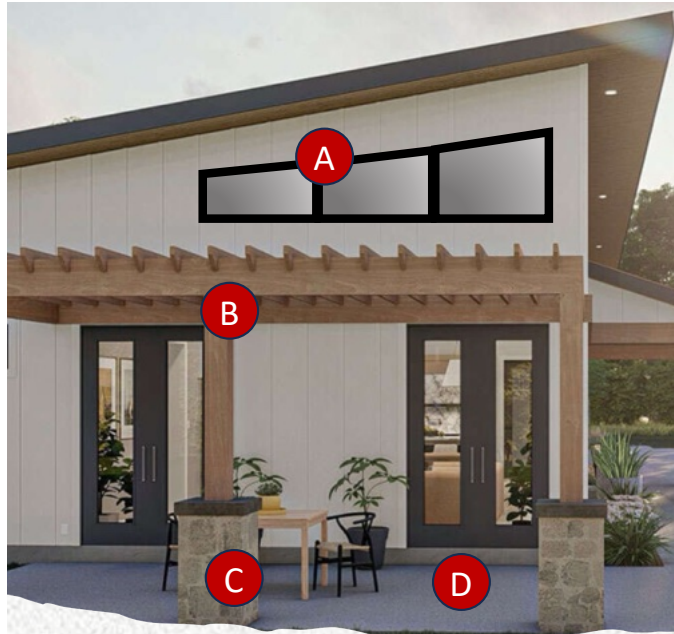
What attracted us to Buena Vista?

We did a visit to Southern Virginia with our daughter and fell in love with the city and surrounding area. Our daughter is now playing soccer for the University, and we visit one to two times per month. So, we would like a place for her to live and somewhere to stay when we visit.

Favorite season?

Fall is by far our favorite time to visit. The changing of colors combined with the winding roads are unlike anywhere in the world.





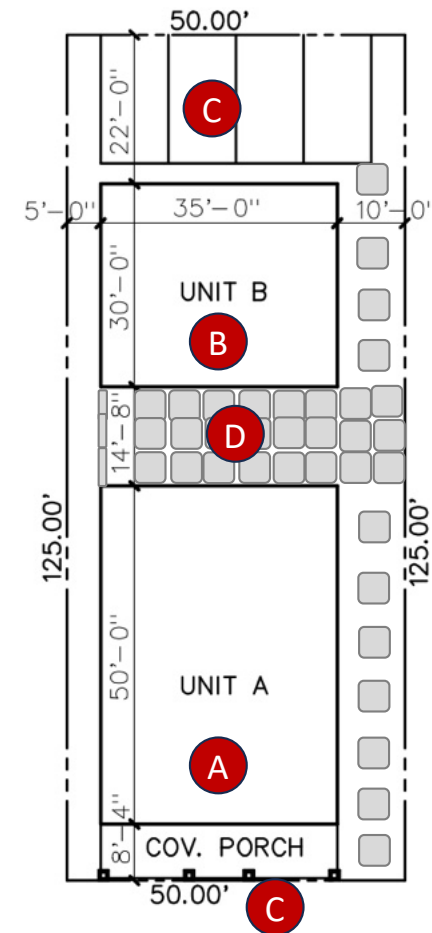
Front Conceptual Design & Exterior Material View

Historical Considerations:

- A) Windows on the front to aesthetically improve front view.
- B) Natural wood pergola porch leveraging local timber to honor the logging industry in the area.
- C) Rock base on pergola porch pillars as a tribute to the many rock foundations found on many of Buena Vista's historical houses.
- D) Porch to sidewalk to match the look throughout 29th Street.
- E) White clapboard, rock, wood planking, and timber exterior finishes to match look and feel for the area.

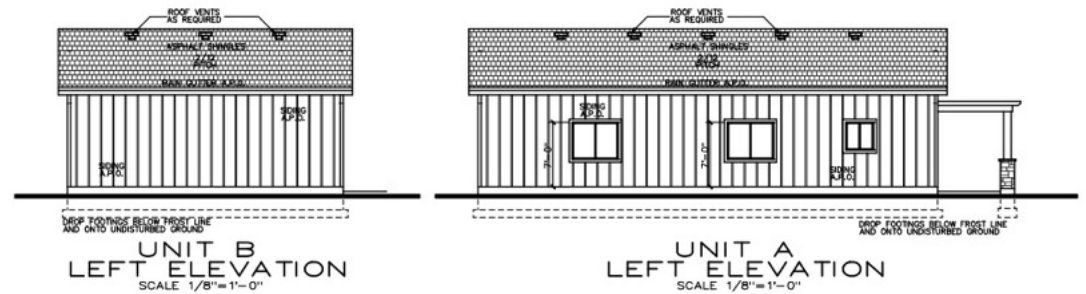
Lot 16 Plat Plan Summary and Visual

- A) Unit A is a 1,750 ft² home with 4 bedroom and two baths.
- B) Unit B is a 1,050 ft² home with 2 bedrooms and two baths
- C) Off-street parking for four vehicles (meeting the two spaces per structure requirement).
- D) ~15' breezeway patio with pavers and a pergola structure to serve as a rear entrance for Unit A and a front entrance to Unit B.
- E) 8'X35' Front Porch with natural timber pergola with rock bases.
- F) Setbacks of 15' (5' on west side and 10' on the east side) of the property to meet required setback requirements.



East and West View of Unit A and Unit B

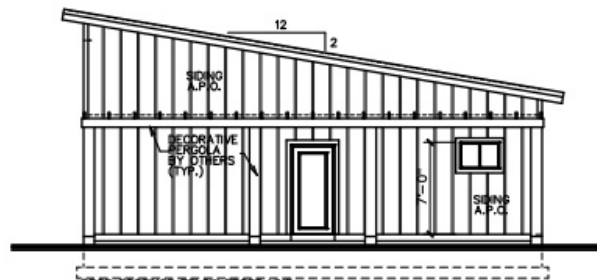
SCALE: 1/8"=1'-0"



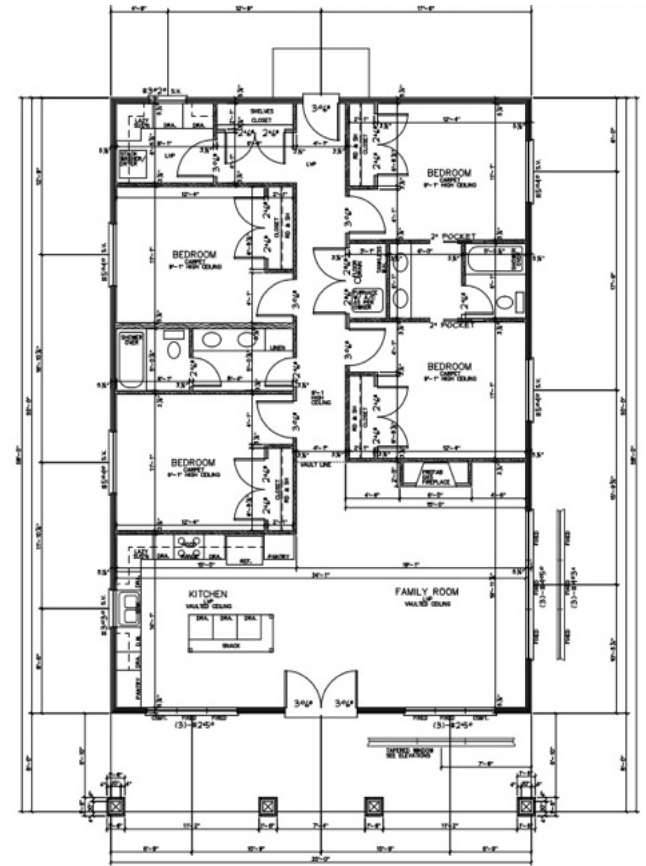
Unit A
(Front Unit)
Detail



UNIT A
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

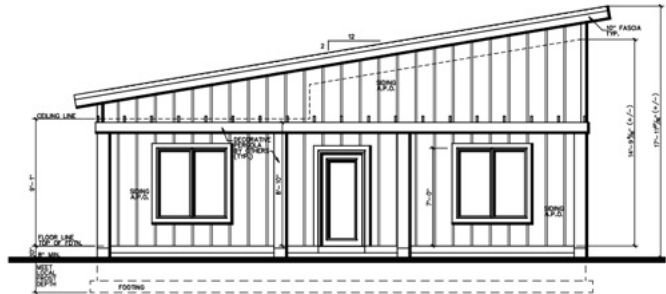


UNIT A
REAR ELEVATION
SCALE: 1/8" = 1'-0"

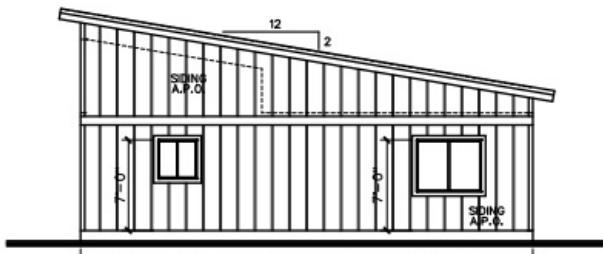


UNIT A - MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
MAIN FLOOR AREA = 1280 SQ. FT.
COV. PORCH AREA = 1280 SQ. FT.

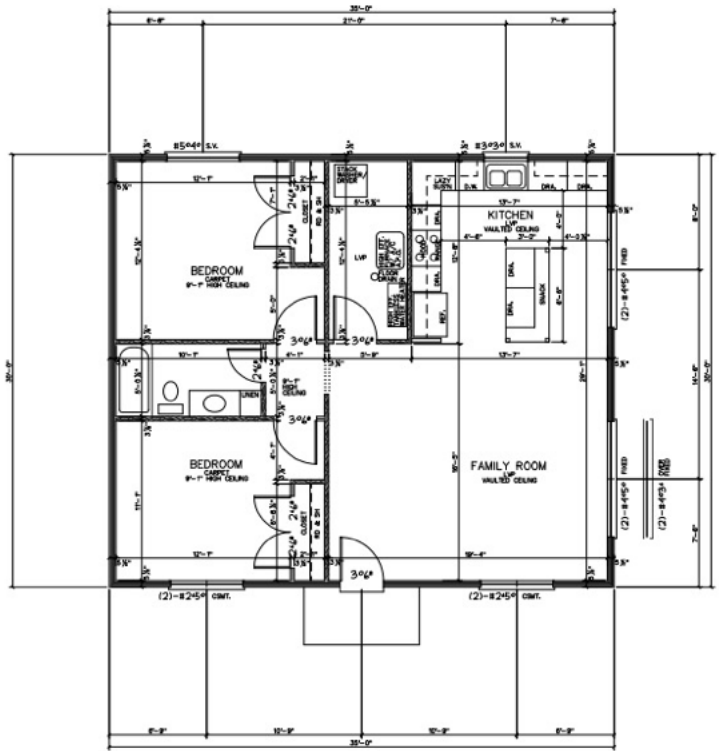
Unit B
(Back Unit)
Detail



UNIT B
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



UNIT B
REAR ELEVATION
SCALE: 1/8" = 1'-0"



UNIT B - MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
MAIN FLOOR AREA = 1050 SQ. FT.



Interior Conceptual Designs



PLANNING COMMISSION Staff Report

Zoning Text Amendment

CUP for Dimensional Regulations in Multiple Zones

11/9/2023

Synopsis

Amend the Table of Setbacks to allow modification of dimensional regulations by means of a Conditional Use Permit, and to simplify and clarify the table and additional provisions.

Summary

- Add new text addressing the applicability of the table, and allowing flexibility in dimensional regulations by CUP
- Streamlined minimum square footage for efficiency apartments to a single minimum, rather than scaled by number of bedrooms
- Did not make any other meaningful changes to any dimensional regulations (other than the CUP flexibility)
- Reformatted the footnotes of the table into standalone text
- Removed several zones from the table that the table did not control dimensional regulations
- Reformatted other columns for simplicity

Analysis

The substantive change in this proposal is to allow dimensional regulations to be adjusted or even waived by means of a conditional use permit. Staff took this opportunity to make a number of non-substantive housekeeping changes.

Background

A couple months ago staff discussed the setback challenges of several recent proposed developments using the R4 zone. The R4 zone requires a 30' front setback and 25' rear setbacks, and when that is applied to 125' deep standard lots, it significantly limits site design options for apartment buildings. The R4 zone is the only medium or high density residential zone the City has; other zones that allow multifamily also allow commercial uses (e.g. Mixed Use, Mixed Business, Institutional, etc.).

Conditional Use Permit

Although this challenge is acute in the R4 zone, it could arise in other zones such as General or Light Manufacturing. Staff propose to allow flexibility for dimensional regulations with a conditional use permit. Through this process, the Planning Commission and City Council would be able to review shallower setbacks or height limits on a case by case basis for suitability in R1, R2, R3, R4, B1, LM, and GM. This process is already in place for height limits in the Mixed Use, Mixed Business, Mixed Use Corridor, and Institutional zones: the by-right height of buildings is capped, but can be exceeded with a Conditional Use Permit.

Adding this flexibility will make the City more development-friendly without having to analyze the various dimensional regulations for each zone to determine optimal parameters and change each zone individually. For example, currently in the Light and General Manufacturing zone there is a 25' minimum side setback. The theory was probably to prevent industrial uses from being too close to adjacent properties, but in some cases this deep setback may cause site design obstacles. As the regulations stand, this setback is firm and cannot be altered except through the modification or variance process, each of which has specific statutory criteria and requires action by the Board of Zoning Appeals. The CUP process will allow relaxed setbacks to be reviewed on a case-by-case basis and allowed for any reason, not certain specific ones only.

Detailed Analysis of Other Proposed Changes

1. Applicability section added
 - This section gives the table of dimensional regulations more context. It also clarifies that if something in a zone's text conflicts with the table, then the zone's text controls.
 - This section lays out the process and criteria to be considered for dimensional regulation change CUPs.
2. Streamlined minimum square footage for efficiency apartments to a single minimum, rather than scaled by number of bedrooms
 - Current text specifies 320 for 1 bedroom, 390 for 2 bedroom, and 460 for 3 bedroom. This scaling and specificity is unnecessary. For units this small, building code minimum room sizes will govern.
3. Reformatted the footnotes of the table into standalone text
 - Currently, there are twelve footnotes to the table labeled a through l. Structuring as footnotes is somewhat confusing. I reworded these as separate text sections listing additional provisions for height and for lot area and setbacks.
 - Footnote e was repetitive of footnote c so was removed.
 - Footnote f was no longer needed because zones requiring a Plan of Development were removed from the table.
4. Table formatting changes
 - Removed the column for Permitted Use. This column is unnecessary because permitted uses are listed in the zone text. Additionally, it seems to indicate that the specified dimensional regulations only apply to the specific uses listed, which would be problematic—it would mean that non-residential buildings in the B1 zone have no height or setback requirements.
 - Removed the column for Other minimum lot requirements. This minimum lot size would apply for developments not on public water or sewer. These developments are very rare. When public water and sewer connections are available, they are required. Therefore by definition well and septic development

will be on large lots at the outskirts of the City and these lot sizes will be moot. Additionally, most of the land where public water and sewer is not available is zoned in such a way as to require a Plan of Development or rezoning in order to develop, during which process Planning Commission and City Council could review the proposed lot size, density, etc.

- Combined the columns for Accessory Building Rear Lot Line setback and Side Lot Line setback. The side and rear setbacks for accessory buildings are exactly the same for all zones except for B1, which had a larger rear setback. The proposed accessory building rear setback for B1 would be 15', the same as the side setback. This reduced setback is consistent with the small property sizes in the B1 zone (29th St corridor from Brook Street to Beech Ave).
- Removed the C1 and REC zones because they list "N/A" across all columns.
- Removed the R5, R6, and B2 zones because each of those requires a Plan of Development approved by Planning Commission and City Council. R5 and R6 have dimensional regulations within their zone text.

Sec. 630.00. - Table of setbacks.

District	Permitted Use	Minimum Structure Requirement Dwelling Unit Area (see k below)	Minimum Lot Requirements				Minimum Yard Requirements (see l below)				Accessory Buildings				Other Requirements
			Public Water and Sewer	Other	Setback (see i below)	Frontage at the Setback Line	On Side	Two Sides	Rear	Max. Height	Main Building	Side and Rear Lot Line	Height (a,b,c,d,e)		
C-1 Conservation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
R-1 Low Density Residential	Single-family residential	1,200 sf single-family	12,500	21,780	35	100	15	30	35	35	10	5	5	35	N/A
R-2 Residential	Single-, two-family residential	1,200 sf single-family	9,375 sf	20,000	30	75	15	30	25	35	10	5	5	35	N/A
		2,400 sf two-family (1,200 each)	6,250 sf for each additional unit												
R-3 Residential Limited	Single-, two and four family residential (960 sf per unit)	960 sf single-family	6,250 sf	20,000	30	50	5	15	25	35	5	1	±	35	N/A
		960 sf per dwelling 2-4 family dwelling	3,125 sf for each additional unit												
R-4 Medium Density Residential	Single-family, multifamily	960 sf single-family	6,250 sf	20,000	30	50' for single-and	10	20	25	35	20	10	10	35	Maximum density 15

District	Permitted Use	Minimum Structure Requirement Dwelling Unit Area (see k below)	Minimum Lot Requirements				Minimum Yard Requirements (see l below)				Accessory Buildings				Other Requirements	
			Public Water and Sewer	Other	Setback (see i below)	Frontage at the Setback Line	One Side	Two Sides	Rear	Max. Height	Main Building	Side and Rear Lot Line	Rear Lot Line	Height (a,b,c,d,e)		
						two-family										units per acre
		1,920 sf two-family (960 sf per unit)	3,125 sf for each additional unit			75' for three-family and greater										
		(see j below for efficiencies) 320 sf for efficiencies														
R-5 Residential	Mobile home parks and subdivision	N/A	See table 2													
R-6 Planned Unit Development	Residential	N/A	Detailed plan required (see f below)													
B-1 General Business	N/A except for res. structures which are	None	g	N/A	N/A	h	h	N/A	35'	20'	20'	15'	35'	N/A		

District	Permitted Use	Minimum Structure Requirement Dwelling Unit Area (see k below)	Minimum Lot Requirements				Minimum Yard Requirements (see l below)				Accessory Buildings				Other Requirements
			Public Water and Sewer	Other	Setback (see i below)	Frontage at the Setback Line	On Side	Two Sides	Rear	Max. Height	Main Building	Side and Rear Lot Line	Rear Lot Line	Height (a,b,c,d,e)	
	as shown for R-4														
B-2 Planned Business	Commercial development	See B-1	None	g	N/A	N/A	h	h	N/A	35'	20'	20'	15'	35'	Detailed plan required (see f below)
LM Light Manufacturing	Light industrial	N/A	None	g	N/A	N/A	25'	50'	N/A	45'	40'	20'	20'	45'	N/A
GM General Manufacturing	Industrial	N/A	None	g	N/A	N/A	25'	50'	N/A	45'	40'	20'	20'	45'	N/A
REC Recreational	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

630.01 Applicability

630.01-1 The dimensional regulations found in the table herein shall apply to the specified zoning districts listed in this table.

630.01-2 For zoning districts not listed in this table, the text of the respective zoning district shall control dimensional regulations. In cases where the text of the respective zoning district conflicts with the table herein, the text of the zoning district shall control.

630.01-3 All dimensional regulations listed in the table herein may be modified by a conditional use permit. Dimensional regulations not listed in this table may not be modified by conditional use permit, unless otherwise specified. Planning Commission shall consider the following factors when making a recommendation on granting a conditional use permit to modify dimensional regulations:

630.01-3.1 Impact of the development on the health and safety of the subject and surrounding properties

630.01-3.2 Adequate pedestrian and vehicular circulation, and provision of parking if required

630.01-3.3 Density and intensity in reference to infrastructure, pedestrian and vehicular access, provision of emergency services, and other factors.

630.01-3.4 The intent of the given zoning district

630.01-3.5 The impact of the development on surrounding property uses and surrounding property values, and on economic impact to the City as a whole.

630.01-3.6 Well ordered and harmonious urban design

630.02 Additional regulations for height of structures

630.02-1 a. The height limit for ~~dwelling-residential structures~~ may be increased ~~by~~ up to 45 feet and by up to three stories provided each side yard is 20 feet, plus one foot or more of side yard for each additional foot of building height over 35 feet.

630.02-2b. A public or semi-public building such as a school, church, or library may be erected to a height of 60 feet from grade provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.

630.02-3 c. Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antenna and radio aerials are exempt. Parapet walls may be up to four feet above height of the building on which the walls rest.

d. 630.02-4 Accessory buildings over one story in height shall be at least ten feet from any lot line, and ~~All~~ accessory buildings shall not exceed the main building in height, unless either of these provisions is modified by a conditional use permit pursuant to Section 630.01-3.

~~e. For buildings over 45 feet in height, approval shall be obtained from the administration. Chimneys, flues, cooling towers, flagpoles, radio or communication towers, or their accessory facilities, not normally occupied by workmen are excluded from this limitation. Parapet walls are permitted up to four feet above the limited height of the building on which the walls rest.~~

~~f. Densities and use variations are approvable based upon the plan submitted for the proposed development.~~

630.03 Additional regulations for lot area and setbacks

630.03-1g. ~~Minimum dwelling unit area shall be considered the heated living area, excluding garages, cellars, patios, porches, etc.~~

~~For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The administrator shall require greater area as considered necessary by the health official.~~

~~h. Property located in a business district, which adjoins any residential district, or is separated from any residential district only by a public street or way, shall have a ten-foot side yard on the side or sides adjoining or adjacent to the residential district.~~

~~i. 630.03-2~~ Minimum setback requirements of this ordinance, for yards facing streets, shall not apply to any lot where the average setback on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the setback on such lot may be less than the required setback, but not less than the average of the existing setbacks on the existing developed lots.

~~j. 630.03-3~~ For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The administrator shall require greater area as considered necessary by the health official. ~~Multifamily efficiencies: 1-bedroom—320 square feet; 2-bedroom—390 square feet; 3-bedroom—460 square feet.~~

~~k. 630.03-4~~ Heated living area, excludes garages, basements, patios, porches, etc.

~~l.~~ On lots with frontage on two or more streets, the minimum setback on any side with street frontage is 10 feet for all primary and accessory buildings. This shall not apply to master planned developments in B2 Planned Business, MUC Mixed Use Corridor, and R6 Residential Planned Unit Development.