



## PLANNING COMMISSION

AGENDA for October 11<sup>th</sup> 2022

AGENDA

### REGULAR MEETING

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

**Public Comment**

**Review and Adoption of Minutes**

September 13<sup>th</sup> meeting

**Report of Secretary**

- 507 road standards ZTA
- Dickinson property rezoning
- Professional Development: Virginia Municipal League conference, VDOT Local Programs Workshop, Virginia Governor's Housing Conference
- GAP Technical Assistance program application for Rt 60 transportation study
- Hazard Mitigation Grant Program application
- Aspen Ave Pedestrian Bridge study

**New Business**

- 1) Zoning Text Amendments related to Manufactured Homes
- 2) Request to abandon City ROW surrounding Section 6 Blocks 49 and 50

**Old Business**

None

**Adjournment**

**Members and Term Expirations**

Dennis Hawes, Chairman, 7/31/2024

Harold Kidd, 6/30/2026

Justin Wiseman, 8/31/2025

Marolyn Cash, 6/30/2024

Lucy Ferrebee, 9/30/2023

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

Kristie Gibbons, 12/31/2024

Timothy Petrie, 12/31/2024

Jason Tyree, Ex Officio member

**Staff**

Tom Roberts, Director of Community & Economic Development  
City Hall, 2039 Sycamore Avenue, Buena Vista VA 24416  
(540) 261-8607 | [troberts@bvcity.org](mailto:troberts@bvcity.org) | [buenvistava.org/planning](http://buenvistava.org/planning)

**Meetings**

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



## PLANNING COMMISSION

MINUTES of September 13<sup>th</sup> 2022

Members of the Buena Vista Planning Commission met in Council Chambers at 7:00 PM on Tuesday, September 13<sup>th</sup> 2022.

### **Members Present:**

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

### **Members Absent:**

Jason Tyree, Ex Officio member

### **Staff Present:**

Tom Roberts, Director of Community & Economic Development

Meeting is called into order and roll was called.

### **Minutes**

Mr. Wiseman noted two spelling typos in the minutes which Mr. Roberts will correct. Mr. Petrie moved to approve the minutes as amended, Mrs. Ferrebee seconded, and all voted yes. Mr. Kidd abstained because he had not been present.

### **Secretary's Report**

Mr. Roberts reported that in the next few weeks the landscaping at the Hardees' island should be installed.

### **New Business**

*Manufactured Home zoning text amendment and request from Andrew King*

Mr. Roberts introduced that Mr. King wishes to install a manufactured home, but it is not currently allowed where he owns property.

Mr. King spoke. He explained that he owns seven lots in the 1200 block of Pine Ave. and wants to place a double-wide manufactured home there to live in. His current home is old, in poor condition, and hard to heat. Last year he priced out Clayton homes and a manufactured home was \$40,000 whereas a modular was \$150,000.

Mr. Petrie asked if he was going to make any modifications to it. Mr. King responded that he would build decks on the front and back and put it on a permanent foundation. Mr. Hawes

asked if there was curb and gutter along the lots, and Mr. King responded that no, there was no c & g on the whole block of Pine Ave. Mr. King also noted that there were multiple double-wide manufactured homes in the neighborhood, including across the alley, and that they predated the prohibition on manufactured homes.

Cheryl Hickman spoke to the Commission in support of Mr. King's request. She explained that she thought he was applying for a conditional use permit, and there was some back and forth discussion of the status of permitted uses and process to change the zoning text to allow conditional use permit applications. Then she showed photos of Mr. King's property and stated that she thought a manufactured home would fit into the neighborhood and not bring down the value of surrounding homes. Mr. Hawes noted that a zoning text change would apply to the whole R3 Residential Limited zone, not just this neighborhood.

Next, Mr. Roberts discussed the background research in the staff report. He began by acknowledging that Mr. King's position needing an affordable housing solution is very understandable, and in general housing affordability is an important issue the City needs to pay attention to.

Mr. Roberts then reviewed the history of manufactured home regulation in the City, beginning with inclusion of the R5 zone in the 1985 zoning code for manufactured home parks, and continuing in the early 2000's with the prohibition of them in most residential zones. He paused to explain some about the C1 Conservation zone and R4 Residential, both of which allowed manufactured homes at that time. The C1 zone is mostly City-owned property including Green Hill Cemetery, land along the river, and the forested buffer between Enderly Heights and the industrial park. R4 is used for apartment complexes.

Finally, Mr. Roberts highlighted the policy question stated in the staff report: whether provision of affordable housing is more important than the various downsides of manufactured housing.

Mr. Petrie asked more about the state requirement to address manufactured homes in the City's comprehensive plan. Then he posed the question whether it would be detrimental to the City or future zoning regulations if we allowed manufactured homes by conditional use in the meantime before the regional housing study is completed. After the study is completed with recommendations, the City could update its zoning. Mr. Petrie stated that he did not think it would be good to allow manufactured homes by right in R3, but that allowing by conditional use permit at this time was a good solution.

Mr. Wiseman agreed with Mr. Petrie about this approach. Mr. Wiseman then stated that while he initially did not support allowing manufactured home, he reconsidered when he thought about the appearance of some of the site-built homes in Buena Vista versus the quality of some of the manufactured homes he has seen.

Mr. Gibbons noted a distinction between manufactured homes on a permanent foundation and with decks versus ones that are not and look less permanent. Mr. Petrie stated that based on his understanding of how property assessments are done using comparables, manufactured homes would have an impact on property values.

Mr. Hawes made several comments based on his real estate experience. The foundation seen around manufactured homes is not load-bearing because all manufactured homes structurally rest on piers. He then discussed the limited types of mortgages available and the difficulty of

financing and selling older manufactured homes, in particular those predating the HUD regulations of 1976.

Mr. Kidd stated that some years back, he had toured a factory building manufactured homes and observed that the quality of the materials and construction was much less than site-built homes. He believes this is the main concern with allowing or prohibiting manufactured homes.

Mr. Roberts stated that when considering quality of construction and appearance relative to existing homes in the City, we should be aspiring to elevate the overall quality of housing in the City, not just match it. He also noted that manufactured housing is one form of affordable housing, but there are others, such as apartments. Additionally, there are programs that can help low-income homeowners repair their homes, and he is working on assembling resources for that.

Mr. Petrie brought up safety in addition to quality and asked about the safety of manufactured homes. Mr. Roberts responded that based on his research, manufactured homes are just as safe if not safer than site-built homes because of the performance-based HUD codes. Mr. Henson stated that a manufactured home could be burned down much quicker than a site built home.

Mr. Petrie raised the question that if manufactured homes are hard to repair and lose their value after 20-30 years, what happens if the owner just walks away and abandons the house? Would this create a vacant property problem for the City?

Mr. Roberts explained that whatever policy changes come out of this decision, he will bring a zoning text amendment forward. The existing text and definitions need to be updated whether or not the prohibitions remain in place. Mr. Petrie motioned to draft a text amendment to allow manufactured homes by conditional use permit in R3, and to research regulations in other jurisdictions. Mr. Wiseman seconded and all voted yes.

#### *Election Day*

Mr. Hawes noted that the November meeting will be on election day, so should be rescheduled.

#### *Request to abandon portion of Pine Avenue adjacent to 1125 Pine Ave*

Mr. Roberts pointed out the clip of the original City plat showing the truncated lots across the street from 1125 Pine Ave that do not have owners. Mr. Petrie asked if the vacation would interfere with Reservoir Hollow Rd, and Mr. Roberts confirmed it would not.

Mrs. Cash motioned to recommend approval to City Council, Mr. Henson seconded, and all voted yes.

#### *Labor Day*

Mr. Hawes raised two items about Labor Day. First, he asked why cars had been prohibited along Magnolia Avenue. Mr. Roberts said he would inquire. Secondly, he suggested the City petition General Assembly to make Buena Vista's Labor Day festival the official start of the election season.

*Officer Elections*

After a few minutes of discussion, Mr. Kidd motioned to nominate Mr. Hawes for chairman, Mrs. Gibbons seconded, and all voted yes. Mr. Kidd motioned to nominate Mrs. Cash for vice-chairman, Mrs. Gibbons seconded, and all voted yes.

**Adjournment 8:15 PM**

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



## **PLANNING COMMISSION Staff Report**

Zoning Text Amendment  
Manufactured Home Provisions  
9/30/2022

### **Synopsis**

Update multiple sections of the zoning code regarding manufactured homes to clarify language and process, and to make manufactured homes a conditional use in R3 Residential Limited.

### **Summary:**

- Refresh language in R5 Manufactured Home District, including clarifying procedures
- Refresh language in Section 707 Manufactured Homes, including updating design requirements for manufactured home parks
- Update setbacks and dimensional requirements, and fold into Table 1 of Section 630 instead of a separate table
- Add individual manufactured homes as a conditional use in R3 Residential Limited
- Update definitions related to manufactured homes

### **Analysis**

I reviewed zoning text related to manufactured homes in other Virginia localities as well as some best practices and pro-manufactured home zoning articles. Although the recommended text amendments sweep across multiple sections and appear extensive, the policy change is minimal. Text amendments are in three categories:

- 1) Wording updates and housekeeping changes with no impact on policy: primarily replacing the word “mobile” with “manufactured” in multiple sections. Also adopting clearer definitions of words. In R5 I reorganized the uses permitted by right as separately-listed uses rather than lumped together. Clarified the review process for manufactured home subdivisions.
- 2) Updates and improvements to development standards and dimensional regulations for manufactured homes. This applies some best practices to manufactured home parks, and tweaks the setback requirements to allow a slightly higher density, but this would only come into play if someone developed a new mobile home park or subdivision.
  - a. Expanding the intent statement of R5
  - b. Relaxed setback and density requirements in Section 707
  - c. Simplified table of dimensional regulations (Table 2 from Section 630)—some of it was already duplicated in Section 707; the rest of reworked and incorporated into the main table of dimensional regulations
  - d. Added design standards for manufactured home parks related to road standards, open space, and pedestrian circulation
- 3) Actual policy change about where manufactured homes may be built: Added manufactured homes as conditional use in R3 Residential Limited zone.



## Section 606 Residential | Multiple Code Sections related to Manufactured Housing

Draft text  
9/19/2022

### Sec. 606.00. Manufactured Home District R-5.

606.01 *Intent of the Residential District R-5.* The intent of the Residential District R-5 is to allow development of manufactured home parks and subdivisions. Manufactured home developments can provide affordable, detached single-family housing at a density greater than traditional site-built neighborhoods. Developments are encouraged to cluster homes and make creative use of lot arrangement and open space for attractive, efficient, cost-effective, and environmentally sensitive design. Developments must integrate harmoniously with surrounding development patterns.

606.02 *Permitted uses.* Within Residential District R-5 the following uses are permitted:

606.02-1 Manufactured home parks in accordance with article 7;

606.02-2 Single manufactured homes on individual lots

606.02-3 Bed and breakfast homestays in accordance with Section 714.

606.02-4. Child care centers and family day care homes

606.02-5 Places of religious assembly

606.02-6 Professional offices for management of specific manufactured home developments

606.02-7 Indoor and outdoor recreation facilities primarily for use by residents of specific manufactured home developments

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

606.03-1 Neighborhood commercial uses provided they are designed and intended to meet the service needs of persons residing in the park or subdivision and its immediate neighborhood;

606.03-2 Commercial radio, television, and communication towers along with related buildings and equipment provided the requirements of article 13 are met;

606.03-3 Bed and breakfast inns in accordance with article 14.

606.04 *Accessory uses.* Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized. The following rules are applicable:

606.04-1 Living quarters in main structure of persons employed on the premises;

606.04-2 Temporary office or storage building for use during construction, which shall be removed upon completion or abandonment of the construction work;

606.04-3 Signs as provided for in article 7;

606.04-4 Parking as provided for in article 7;

606.04-5 Existing structures to include towers, power towers, water tanks, telephone poles, commercial buildings and rooftops, may be used to affix commercial radio, television, and communication antennas provided the requirements of article 13 are met.

606.05 *Development standards.*

606.05-1 New manufactured home subdivision must adhere to Article 9, except where required improvements conflict with provisions of this zone.

**Sec. 707.00. - Manufactured homes.**

Any manufactured home placed in the City of Buena Vista after the date of enactment or amendment of this ordinance, shall meet the requirements of this section as applicable.

*707.01 Individual manufactured home requirements*

707.01-1 All mobile homes shall meet the plumbing requirements and the electrical wiring and connection, construction, blocking, and anchoring requirements of the Virginia State Building Code and shall display the seal of a testing laboratory approved by the State of Virginia;

707.01-2 All manufactured homes shall be completely skirted; such that no part of the undercarriage shall be visible to a casual observer, in accordance with methods and materials approved by the building official;

707.01-3 All manufactured homes shall be supplied with public water and wastewater disposal where it is available; or such individual service evidenced by permits from the health department.

*707.02 Manufactured home park dimensional requirements.* All manufactured home parks shall have a minimum area of at least three acres. A minimum of three spaces shall be completed and ready for occupancy before the first occupancy is permitted;

*707.03 Manufactured home stand requirements.* All manufactured home stands shall meet the following requirements:

707.03-1 The area of any manufactured home stand shall not be less than 3,400 square feet;

707.03-2 Required side setback is 15 feet on both sides combined, with no side less than five feet.

707.03-3 The minimum length of a manufactured home stand shall be 85 feet. The minimum width shall be 40 feet;

707.03-4 The rear yard of each manufactured home stand may be provided with a clothesline which shall be exempt from setback and other requirements of manufactured home accessory structures.

*707.04 Manufactured home accessory structures.* All manufactured home accessory structures erected or constructed after the date of enactment or amendment of this ordinance must meet the following requirements:

707.04-1 All manufactured home accessory structures must meet the plumbing, electrical connection, wiring, construction, and other applicable requirements of the Building Code;

707.04-2 Except in the case of an awning, ramada, or other shade structure, where a manufactured home accessory structure is attached to the manufactured home unit, a substantial part of one wall of the accessory structure shall be flush with part of the manufactured home unit, or such accessory structure shall be attached to the manufactured home unit in a substantial manner by means of a roof. All manufactured

home accessory structures, whether attached or detached, shall be designed and constructed as freestanding structures. No detached manufactured home accessory structure, except ramadas, shall be erected closer than 7½ feet to a manufactured home;

707.04-3 Manufactured home accessory structures, except ramadas, shall not exceed the height of the manufactured home;

707.04-4 No manufactured home accessory structure shall be erected or constructed on any manufactured home lot or stand except as an accessory to a manufactured home.

707.05 *Manufactured home park application and site plan.* Applicants for manufactured home parks shall meet the following special requirements:

707.05-1 Site plans shall be legibly drawn at a scale consistent with its purpose;

707.05-2 The following information shall be required of site plans:

- a. The date of the site plan, the name of the surveyor and the number of sheets comprising the site plan;
- b. The scale and the north designation;
- c. The name and signature of the owner, and the name of the proposed park; said name shall not closely approximate that of any existing manufactured home park or subdivision in the City of Buena Vista;
- d. A vicinity map showing the location and area of the proposed park;
- e. The boundary lines, area, and dimensions of the proposed park, with the locations of property line monuments shown;
- f. The names of all adjoining property owners;
- g. Proposed layout, including interior streets with dimensions and such typical street cross sections and centerline profiles as may be required in evaluating the street layout; water, sewer, drainage, and utility lines, facilities and connections, with dimensions shown; location and type of solid waste collection facilities; interior monuments and lot lines, dimensions, and areas of manufactured home lots, common open space and recreation areas, common parking areas, and other common areas; locations and dimensions of manufactured home stands and parking spaces, managements offices, laundry facilities, recreation buildings, and other permanent structures; location and nature of fire-fighting facilities, including hydrants, fire extinguishers, and other fire fighting equipment; location of fuel storage facilities and structure of high flammability; and location and dimensions of landscaping amenities, including street lights, sidewalks, planted areas, significant natural features to be retained, and fencing and screening;

707.05-3 The site plan shall be accompanied by a narrative statement describing how the standards and requirements set forth herein are to be met; a statement from the health official certifying approval of the proposed site plan; and where appropriate, statements from the highway engineer certifying approval of the street and drainage; water and sewer, or utility system layouts by the owner/operator.

*707.06 Manufactured home park design standards.*

**707.06-1 Streets.** An internal street system shall be provided to furnish convenient access to manufactured home stands and other facilities in the park, shall be designed such that connection to existing drainage and utility systems is convenient, and shall meet the following requirements; in addition to such other reasonable standards and requirements as may be established by the city council;

- a. Private streets shall be constructed, at a minimum, using the VDOT GS-4 Geometric Design Standards for Rural Local Road System or VDOT GS-8 Geometric Design Standards for Urban Local Street System. The Zoning Administrator must approve which standard is used.
- b. Public streets shall be constructed, at a minimum, using the applicable standard from the VDOT Road Design Manual Appendix B(1) Subdivision Street Design Guide or current equivalent. Acceptance of public streets is at the discretion of City Council.
- c. All internal streets shall be permanently paved with a durable, dust-proof, hard surface. Gravel, crushed stone, or similar is not permitted.
- d. Dead end streets shall be limited in length to 600 feet, shall be provided with cul-de-sacs with turning areas of not less than 40 feet in radius;
- e. Driveway entrances to manufactured home parks from any public street or road shall conform to the current geometric design and construction standards of the department of highways and transportation, unless otherwise approved by the City.

**707.06-2 Vehicle parking.** Off-street parking shall be provided for the use of occupants at the minimum ratio of 2.0 car spaces for each manufactured home. Each off-street parking space shall be paved or graveled and have unobstructed access to either a public or private street. On street parking is prohibited unless the paved street on which the manufactured home fronts is expanded to accommodate additional parking lanes or parking bays.

**707.06-3 Lighting.** All streets and walkways within the manufactured home development shall be lighted.

**707.06-4 Disposition of garbage and rubbish.** It shall be the responsibility of the manufactured home park to collect or cause to be collected and disposed of garbage and rubbish as frequently as may be necessary. Dumpsters may be used with the approval of the health department, but shall be so located as to not be more than 150 feet from any manufactured home.

**707.06-5 Installation of storage tanks.** Gasoline, liquefied petroleum, gas, or oil storage tanks shall be so installed as to comply with all city, state and federal fire prevention and protection regulations.

**707.06-6 Open spaces.** Open and green space shall be provided for community and recreational use by residents, protection of natural features and watercourses, and

stormwater management. A minimum of ten percent (10%) of the gross area of the manufactured home park shall be open space, exclusive of roads.

*707.06-7 Pedestrian Circulation.* Adequate provision for pedestrians is required. All stands must be serviced by a sidewalk, pedestrian path, or roadway designed for safe shared use by vehicles and pedestrians. The park must connect to adjacent external pedestrian infrastructure wherever possible.

*707.07 Record of tenants for manufactured home parks.* The operator of a manufactured home park shall keep an accurate register of all tenants occupying manufactured homes located in the park. The register shall show the name and permanent residence address of the owner and occupants of any manufactured home located in the park; the make and registration of any manufactured home; the time and date of arrival and departure; and such other information as might be necessary to provide information about the occupants of the manufactured home. These records shall be open to the law enforcement officers and public officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of three years following the date of departure of the registrant from the park.

*707.08 Certificate of use and occupancy required.* No manufactured home or accessory structure shall be occupied in any manufactured home park until a certificate of occupancy shall have been issued by the city building inspector to the effect that the manufactured home park or the portion thereof for which such certificate is requested is in compliance with all applicable provisions of this chapter and the Uniform Building Code. Such certificate shall not be issued until after the same has been approved by the health department, zoning administrator and other agencies concerned.

### **Sec. 604.00. - Residential Limited District R-3.**

*604.01 Intent of Residential Limited District R-3.* The R-3 district is established to encourage and protect neighborhoods that are a mix of single-family detached homes and two-family dwellings. It also accommodates limited educational, religious, recreational, and utility uses that support those neighborhoods.

*604.02 Permitted uses.* Within the Residential Limited District R-3 the following uses are permitted:

604.02-1 Single-family dwellings;

604.02-2 Repealed.

604.02-3 Schools;

604.02-4 Churches and other places of worship with attendant educational and recreational facilities. No recreational facility shall be located closer than 100 feet from any residential lot;

604.02-5 Public parks, playgrounds, recreational buildings and grounds, tennis courts, swimming pools and outdoor recreational activities, all of a noncommercial nature. No

public swimming pool or structure shall be located closer than 100 feet from any residential lot;

604.02-6 Bed and breakfast homestay in accordance with [article 14](#).

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

604.03-1 Child care centers and family day care homes. The main structure shall not be located closer than 50 feet from any residential lot;

604.03-2 Public utilities;

604.03-3 Public water and sewage facilities;

604.03-4 Public service or storage buildings;

604.03-5 Commercial radio, television, and communication towers along with related buildings and equipment provided the requirements of [article 13](#) are met;

604.03-6 Bed and breakfast inns in accordance with [article 14](#);

604.03-7 Single-family homes used as rental property in accordance with section 711 of the Buena Vista Land Development Regulations.

603.03-8 Two-family dwellings.

603.03-9 Single manufactured homes on individual lots.

...

[REPEAL TABLE 2]

**[EXCERPT OF TABLE 1]**

District	Permitted Use	Minimum Structure Requirement (see k below)	Public Water and Sewer	Other	Setback (see i below)	Frontage at the Setback Line	One Side	Two Sides	Rear	Max. Height	Main Building	Side Lot Line	Rear Lot Line	Height (a,b,c,d,e)	
R-5 Residential	Manufactured home subdivision individual lots	N/A	3200	20,000	20	40	5	15	20	35	1	1	1	35	Maximum density 10.5 units per acre

### **Article 3 Definitions of Terms Used in This Ordinance**

302.04-7 Dwelling, single-family, means a building designed for, or occupied exclusively by, one family, other than a manufactured home or mobile home.

302.13-4 *Manufactured home* means a structure subject to federal regulation which is transportable in one or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in the traveling mode, or is three hundred twenty (321) or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure..

302.13-5 *Mobile home* means A structure, transportable in one (1) or more sections, not subject to federal regulations and constructed prior to June 15, 1976, which is constructed on a chassis for towing to the point of use and designed to be used, with or without permanent foundation, for continuous year-round occupancy as a single-family dwelling when connected to the required utilities. A camping vehicle or travel trailer shall not be considered a mobile home.

302.13-6 *Manufactured home park* means any development in which space is leased providing for three or more manufactured homes intended for residential use for a period of time longer than 30 days.

302.13-7 *Manufactured home stand* means a plot of ground within a manufactured home park designed to accommodate one manufactured home.

302.13-8 *Manufactured home subdivision* means any area designated to accommodate three or more manufactured homes intended for residential use on lots owned by the manufactured home owner.



## **PLANNING COMMISSION Staff Report**

City ROW Abandonment

Rehl Property (Section 6 Blocks 49 & 50)

10/5/2022

### **Synopsis**

Applicant Austin Rehl requests the City vacate and abandon certain street and alley rights of way within and surrounding blocks 49 and 50 of Section 6 (bound by 32<sup>nd</sup> Street, Juniper Ave, 34<sup>th</sup> Street, and Woodbine Ave) to consolidate parcels under his ownership and to allow construction of a new private road.

### **Analysis**

#### **Background**

Mr. Rehl has purchased the large tract of land at the north end of the City, currently addressed as 774 Longhollow Rd. In March 2022, City Council approved a plan of development for one single-family home on this property. The property is currently served by an access driveway off of Longhollow Road. Mr. Rehl plans a new private road connecting to the east end of 32<sup>nd</sup> Street to provide access to his already-approved home. In the future, this road is expected to serve as the primary entrance to the development. The road alignment crosses several paper streets and alleys which border parcels owned by Mr. Rehl.

#### **Requested Abandonment**

The total area requested for abandonment is 154,500 sq ft (3.55 acres). It includes two blocks of Juniper Ave, two blocks of Woodbine Ave, one block of 33<sup>rd</sup> St, one block of 32<sup>nd</sup> Street (only half the width of 32<sup>nd</sup> St), and the alley through blocks 49 and 50.

None of these rights-of-way are developed or paved, with the exception of a very small section at the east end of 32<sup>nd</sup> St. Mr. Rehl owns the property on both sides of all the proposed ROW to be abandoned except for the block of 32<sup>nd</sup> St, although Mr. Rehl's property is fragmented in multiple parcels. The land to be abandoned is wooded and hilly.

Abandonment of this ROW is necessary for construction of the proposed private road. Additionally, abandonment will let him consolidate multiple adjacent parcels under his ownership, allowing future construction in this area.

Because of the terrain and nearby property ownership, it is very unlikely these roads and alleys would ever be developed as platted. Any future development of this area, whether by Mr. Rehl or others, would be best suited by abandonment of existing ROW and replatting.

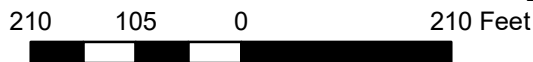
Mr. Rehl will be requesting City Council adjust or waive the price charged for abandoned ROW because of the scale of the abandonment, planned improvements to City infrastructure, and future economic development activity.

#### **Recommendation**

Staff recommend approving the vacation and abandonment as presented.



Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.



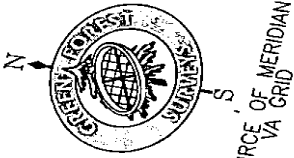
## Section 6 Blocks 49 & 50 Proposed Abandonment

6/20/2022

Virginia Geographic Information Network (VGIN) 5

PC-1-193 Stage 2

**SUBDIVISION SURVEY FOR  
BLOCK 45 AND 46  
SECTION 6  
CITY OF BUENA VISTA  
ROCKBRIDGE COUNTY, VIRGINIA  
GREEN FOREST JOB # GFO1848  
REVISION 3, MARCH 4, 2022  
SHEET 1 OF 1**

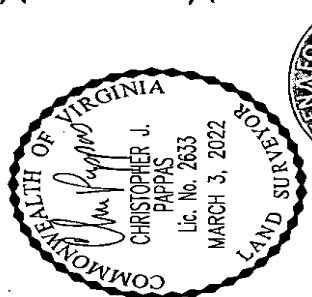


IT IS THE INTENT OF THIS SURVEY TO CREATE LOTS 1 AND 2 FROM EXISTING PARCEL CONTAINING 8.127 ACRES

PORTIONS OF THIS PROPERTY LIE WITHIN OR ADJACENT TO THE TRAVELED WAYS OF LOCUST AVENUE, 32ND STREET, JUNIPER AVENUE AND 33RD STREET, AND ARE SUBJECT TO ANY PUBLIC OR DEEDED RIGHTS NORMALLY ASSOCIATED WITH A ROAD AND, OTHER RIGHTS OR RESTRICTIONS REVEALED BY A TITLE REPORT.

THIS PROPERTY LIES IN FLOOD ZONE "X" ("AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN") AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKBRIDGE COUNTY, VIRGINIA AND INCORPORATED AREAS. MAP NUMBER 5163C0401 C; EFFECTIVE DATE: APRIL 6, 2000.

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



**GREEN FOREST SURVEYS, LLC**  
WWW.GREENFORESTSURVEYS.COM  
P.O. BOX 121, FAIRFIELD, VA 24435 (540) 261-1077

34th STREET  
60' R/W GRAVED ROAD N 78°52'28" E  
400.00' N 78°52'28" E  
200.00' TOP PIPE FOUND

**LOT 1  
1.086 ACRES**

New or Formerly  
**BRANDT TECHNOLOGIES, L.L.C.**  
DEED BOOK 104 PAGE 854  
ALL OF BLOCK 45 AND 46, SECTION 6, INCLUDING VACATED PORTION OF 33RD STREET AND VACATED ALLEYS IN SAID BLOCKS AS SHOWN IN DEED BOOK 2 PAGE 107 "CITY OF BUENA VISTA" PLAT  
TAX MAP #'S 11-1-6-45-A, 11-1-6-45-B, 11-1-6-46-A, 11-1-6-46-B AND 11-1-6-46-C  
8.127 ACRES ORIGINAL

LOCUST AVENUE  
60' R/W  
590.00' N 11°07'32" W  
IRON ROD FOUND

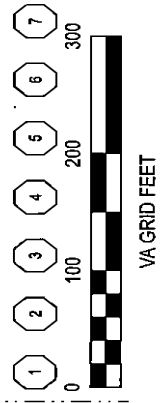
**LOT 2  
7.041 ACRES**

JUNIPER AVENUE  
60' R/W (UNIMPROVED)  
590.00' S 11°07'32" E  
PINCHED TOP PIPE FOUND

N: 3,796.639.9'  
E: 11,238.078.3'

32ND STREET  
60' R/W  
450.00' S 78°52'28" W  
IRON ROD FOUND

LINE	BEARING	DISTANCE
L1	S 30°35'33" E	15.91'
L2	S 16°58'27" E	125.65'
L3	S 11°07'32" E	60.00'
L4	S 11°07'32" E	125.00'
L5	S 11°07'32" E	15.00'
L6	S 78°52'28" W	150.00'



49 SOURCE OF MERIDIAN VA GRID  
ALLEY 15' R/W UNIMPROVED

50 ALLEY 15' R/W UNIMPROVED

32ND STREET  
60' R/W (UNIMPROVED)

- 13
- 14
- 15
- 16
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- 18
- 19
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- 23
- 24

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