



**City of Buena Vista
Planning Commission
Minutes of October 9th 2018
Regular Meeting**

**CITY OF
BUENA VISTA**
Planning and Zoning
2039 Sycamore Avenue
Buena Vista VA 24416
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Members of the Buena Vista Planning Commission met in Council Chambers, 2039 Sycamore Avenue, at 7:00 p.m. on October 9th 2018. Roll was called and a quorum was established.

Members Present:

Dennis Hawes, Chairman
Sandy Burke
Melvin Henson, City Council Representative
Lucy Ferrebee
Guy Holstein
Preston Manuel
Michael Ohleger, Vice-Chairman
Bradyn Tuttle

Members Absent:

Jay Scudder, Ex Officio member

Staff Present:

Tom Roberts, Director of Planning & Community Development

Public Hearing

Mr. Hawes opened the public hearing.

Zoning Map Amendment to rezone 2574, 2638, and 2656 Chestnut Avenue, Tax Map numbers 28-1-5-47-8, 28-1-5-46-3, 28-3-5---2, from R2 Residential to INST Institutional for the purpose of using the buildings at 2574 and 2638 Chestnut Avenue for offices.

Mr. Roberts opened with a brief summary of the proposal by SVU. He highlighted the adding of an additional property to the proposal, 2574 Chestnut Ave, also known as the Fawson House. Spoke about limiting the use of the property to academic offices and residential uses, as well as the maintenance and allowed remodeling of the property. The proposal draft states the property will only be used for offices, classrooms, and residences.

Mr. Hawes then opened the open comment period.

Bill Braddy, SVU, 274 Walnut Avenue

- Seeking rezoning of the three properties for school's 50%+ growth

- Wishes to align the properties with correct zoning
- Outgrowing current academic space, needs more room for expansion

Kathryn Janiczek, 349 E 26th Street

- Buena Vista is beautiful, wishes to cherish the neighborhoods and community
- Points out the homes SVU has abandoned and torn down
- Brick home on Chestnut was rezoned as institutional, being used for storage. Is ugly and not conducive to the look of the neighborhood
- Houses are in poor shape because SVU hasn't maintained them
- Claims this has devalued her own home
- Asks the Planning Commission to protect the neighborhood

Russell Tompkins, 2614 Walnut Avenue

- Asks about dorm use and about residential uses
- Refers to letter from Hutch, claims the character of the neighborhood has changed
Would like a more long-term housing plan from SVU
- River Crossing insufficient water pressure
- Concerned about traffic and parking

Mr. Roberts explained that dormitories are a separate use from residential multi-family and single-family residential, where you wouldn't have the same zoning code limitations on the number living there. Mr. Roberts clarified that there would be building code and fire code regulations, such as the square footage per person, sleeping areas and bathrooms per person. There would be no zoning code limitations on occupancy.

Mr. Roberts also defined the draft language of the proposal due to some confusion from Mr. Tompkins, listing all the allowed uses. These uses include dormitories, single-family and multi-family residential, and tourist homes. A tourist home would be a guest home, allowing short term occupancy, if the university wanted guests staying there for a short time. According to the draft language, Roberts explains that it is SVU's intent for further negotiation of the proffer language down the road.

Sheryl Peterson, 2629 Walnut Avenue

- Shares worries about code enforcement
- Concerned with property values, traffic safety
- Asks if the properties could remain R2, be given variances/exceptions short term

Bill Braddy (again), 2748 Walnut Avenue

- Clarifies the history of property owned by SVU
- Chestnut house vacancy due to city sewers not working, hopes to eventually use it as classrooms or something other than storage
- Wants to cut dormitory use from proffer, not schools intention
- Open to protecting existing home owners

Tom Peterson, 2629 Walnut Avenue:

- How will rezoning affect property value? Why do we need to change zoning for SVU?

Mr. Braddy responded to the question concerning property value and zoning change. Claimed the main issue is protecting properties and maintaining properties, and the school is working with the City to maintain and care for properties. Rezoning would allow the use of the properties, which leads to better maintenance. If the properties are maintained, Mr. Braddy believes property values will not be negatively affected. Agreed with Mr. Tompkins about enforcing parking on one side of the road and not both, and although they can't make those decisions as a university, supports and encourages it.

Mr. Henson explained there used to be signs for no parking on one side, they were put up and taken back down. There should be no parking on Russell Tompkins side of the street, main concern is snow removal and access for emergency vehicles.

Mr. Hawes asked Mr. Braddy if rezoning would create more traffic issues. Mr. Braddy responded saying that traffic is a different issue, and that rezoning the properties has nothing to do with it.

Sue Brandt, 2632 Walnut Avenue

- Concerned about speeding cars on Walnut, suggests a stop sign at 26th and Walnut
- Concerns with the sewer and water
- Has no problems with Walnut Apartments next to them

Ms. Janiczek comes up again, asks that if the properties are rezoned that the city continues to review the use of the buildings in a year or two.

Zoning Text Amendment to update definitions and regulations pertaining to dwelling units.

Mr. Hawes opened the hearing for comments.

Danta Thompson, Sycamore Avenue

- Asks for clarity on the changes being proposed in R2, R3, and R4.
- Important to preserve the integrity of the neighborhood

Mr. Roberts explained that according to the current proposal there can be no four-unit dwellings, and must come obtain a conditional use permit for a two-unit dwelling.

Public hearing is closed.

Public Comment - None

Review and Adoption of Minutes

The Commission reviewed the September 11th 2018 public hearing minutes. The only change was to note the absence of Bradyn Tuttle. Mr. Ohleger motioned, Mr. Holstein seconded, all approved. Ms. Ferreebe abstained because she had been absent.

Report of Secretary

Mr. Roberts reported on several items.

- The commission is aware of traffic issues, parking is an issue
- SVU will be bringing forward a plan for a new building. The handout shows two alternative design options.
 - Plans will come to planning commission for the preliminary site plan, certificate of appropriateness, conditional use permit.
 - Needs a conditional use permit because it is over 25,000 square feet, there is a clause in the design guidelines about single large buildings over a certain square footage
- Dwelling Unit Information
 - Close to mapping out the locations of all duplexes across the city, both legal and illegal. Data is good.
 - Building square footage and date of construction along with the duplex data
- Jay Scudder voting issue
 - Consulted with the city attorney, Scudder can't vote
 - Jay Scudder can be appointed a member of the planning commission and he could vote, bylaws allow it.

Ms. Burke questions whether Mr. Scudder's vote the previous month affected the outcome any motions. Asked if the commission should revote. Mr. Roberts explained that the votes were unanimous, and that the previous vote was okay, there just needs to be clarification in the bylaws. Mr. Roberts said he would review the minutes and count the votes to make sure.

Mr. Hawes, Ms. Burke, and Mr. Roberts discussed informing the public that the public hearing isn't for questions, should clarify in letters that are sent out to ask questions beforehand.

The issue with low water pressure at different streets and houses was further discussed, Ms. Burke said there is no water pressure at her home, although public works claims there is enough water going out.

Committee Updates

Old Business

Zoning Map Amendment for SVU, 2574, 2638, and 2656 Chestnut Avenue

Mr. Hawes opened the discussion by discussing the width of the road, saying if it were wider it would help with a lot of the traffic problems. Having a one-way street may help, but that

decision is more of a City Council decision than a Planning Commission one. In regards to the question of conditional uses under R2, he doesn't see that as an option because it would require adding conditional use to all of R2 zoning. Supports another layer of review.

Mrs. Burke asked about the definition for "limited educational". Questioned why this proposal could not fall under limited educational and still be considered R2 zoning. Mr. Roberts pointed out the R2 Zone information in the packet given to the committee, and although schools are listed under permitted use it is more for K-12 possibilities, a university is not considered to be included under the definition of schools. If that were so, SVU could have put the stadium anywhere in the city.

Mrs. Burke suggests expanding the limited educational definition to cover what SVU is wanting, while keeping the R2 zoning. It might keep the integrity of the neighborhood intact. Asks if we are already updating what R2 means, why not include under limited educational in the expansion of the term to meet not only the needs of the university but also the community. Especially if the intent is short term. Mr. Roberts stated he is hesitant to redefine schools to include a wide range of university-type facilities. If we redefine the definition of all residential zoning areas, the university could build almost anything in 75% of the city.

Mrs. Burke said not to redefine school, but to redefine limited educational to include office spaces. Mr. Roberts explained that "limited educational" as Mrs. Burke was quoting is in the intent statement, not permitted use section, simply providing descriptive language of the intent and the district. The operative word is schools, thinks it would be very dangerous going down the road that any university facility could build on residential.

Mr. Holstein asked if it is creating further issues if the school does gain more property. Would it not be best to go ahead and zone both blocks like zoning all properties?

Mr. Roberts described the advantage to only rezoning properties for a particular proposal, rather than rezoning the whole block. Explains that this would give the city the greatest degree of control, it wouldn't be piece here, piece there. It is better to have larger chunks to rezone but want to balance the control over the development of the property and the timing of the property.

Mr. Holstein motioned to approve the rezoning as presented with the draft proffer. Mr. Tuttle seconded and the motion passed. Mrs. Burke dissented.

Mr. Holstein stated that it would benefit the commission to take a tour of SVU to understand where they are going and where they want to expand, to see their vision.

Zoning Text Amendment to update definitions and regulations pertaining to dwelling units.

Mr. Roberts opened the discussion by recapping the changes made to the proposal. Everything about the number of square footage was taken out after further discussion of the staff. He felt it was complicating things and was better to focus the amendment. The issue pertaining to the minimum square footage can be revisited later, for the most important thing is the conditional use permit for two-family dwellings. There is also no more mention of the accessory dwelling

units. Roberts addressed Mr. Hawes being in favor of the conditional uses of three- and four-family dwelling units, but the Commission's consensus was no.

Mr. Hawes stated that he did not see anything to change in the draft. Mr. Ohleger moved to recommend approval of the zoning text amendment, Mr. Holstein seconded the motion. All present approved and the motion passed.

New Business

None.

Adjournment

Mr. Hawes adjourned the meeting at 8:40 PM.

Approval

Chairman

Date