



City of Buena Vista Planning Commission

Agenda for June 13th 2018

**CITY OF
BUENA VISTA**
Planning and Zoning
2039 Sycamore Avenue
Buena Vista VA 24416

Public Hearing

Conditional Use Permit for home used as rental property pursuant to Section 711 of the Land Development Regulations, John Chapman, 2354 Chestnut Avenue

Zoning text amendment to amend Mixed Use district regulations

Regular Meeting

Call to Order by Chairman

Roll Call

Public Comment

Review and Adoption of Minutes

Minutes of May 8th 2018

Report of Secretary

Report of Standing Committees

Report of Special Committees

New Business

None

Old Business

None

Adjournment

Members and Term Expirations:

Dennis Hawes, Chairman, *7/31/2020*
Mike Ohleger, Vice-Chairman, *6/30/2018*
Sandy Burke, *8/31/2021*
Lucy Ferrebee, *9/30/2019*
Melvin Henson, City Council
Representative, *9/30/2019*

Guy Holstein, *6/30/2020*
Preston Manuel, *12/31/2020*
Jay Scudder, Ex Officio member
Bradyn Tuttle, *12/31/2020*

Staff:

Tom Roberts, Director of Planning & Community Development, Secretary

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.

Please go to our website www.bvcity.org for more information on this and other issues and information about the City of Buena Vista including the Comprehensive Plan and Land Use Regulations. The Office of Planning and Zoning is open Monday through Friday, 9:00 AM to 5:00 PM and Tom Roberts can be reached at (540) 261-8607 or troberts@bvcity.org. Please call ahead to ensure availability.

Public Comments Or Suggestions

Name, Address, and Signature:



CITY OF BUENA VISTA
Planning & Community Development
2039 Sycamore Avenue
Buena Vista VA 24416

STAFF REPORT

DATE: 7 June 2018
TYPE: Conditional Use Permit
SUBJ: 2354 Chestnut Avenue, CUP for Home Used as Rental Property

Synopsis

Applicants John and Kathryn Chapman are applying for a Conditional Use Permit to allow occupancy by nine (9) unrelated adults in the single-family dwelling at 2354 Chestnut Avenue, pursuant to Section 711 Homes used as rental property.

Site Information

Address/Tax Map:		2354 Chestnut Avenue, TMID 28-1-5-49-4A	
Existing zoning:		R3 Residential Limited	
Existing land use:		Single-family Dwelling	
Proposed zoning:		R3 with CUP for Homes used as rental property	
Surrounding zoning and land use:			
North, East, and South: R3/single family dwellings West: R3/Parry McCluer Middle School			
Land Size:		Two and three-fifths (2.6) lots, or 16,250 square feet	
Building Size		2861 square feet	
Staff Recommendation:		Approve with amendments	
Tentative Timeline	Preliminary Commission Discussion		n/a
	Planning Commission Public Hearing		6/13/2018
	City Council Public Hearing		7/5/2018
	City Council Adoption		7/19/2018

Overview

Proposal

The applicant proposes to house up to nine (9) unrelated adult residents in this single-family dwelling. Property details:

- 2861 square feet
- 5 bedrooms, plus applicant proposes to convert existing sunroom to 6th bedroom
- 3 bathrooms (two with tubs, one with shower stall)
- Site improvements would create 9 off-street parking spaces, one in front of the house accessed from Chestnut Avenue and 8 behind the house accessed from the alley

Details

Purpose

The applicants seek a Conditional Use Permit (CUP) to allow more than four unrelated adults to reside in the house at 2354 Chestnut Avenue to maximize use of the rooms and square footage of the dwelling and increase rental revenue.

Comprehensive Plan Conformance

The subject property is located within the R3 Residential Limited zone. The future land use map recommends this neighborhood remaining medium-density residential, which it identifies as 4.65 to 11.15 dwelling units per acre. R3 is characterized by, and allows by right, single-family and two- to four-family dwellings.

The comprehensive plan offers the following policy for residential properties in the Land Use chapter: “When conversion of single-family houses to multifamily is permitted, appropriate off-street parking should be required. Converting front yard areas to parking lots is not in the best interests of the area.” While this CUP is not for multiple dwelling units, the occupancy will be similar to two dwelling units.

Surrounding Land Uses

The surrounding houses on the east side of Chestnut Avenue and the west side of Walnut Avenue (across the back alley from the subject property) are detached single-family dwellings. There are no existing legal duplexes on the 2300 block of Chestnut or the 2300 block of Walnut.

Across Chestnut from the subject house is Parry McCluer Middle School.

Infrastructure, Access, and Parking

Existing water and sewer provision appears adequate for the proposed occupancy.

The primary vehicular access to the property will be from the rear, via the alley. There are 8 proposed off-street parking spaces in the rear yard of the property to be accessed from the alley.

Recent Zoning Text Changes

On June 17th, 2018, amendments to Section 711 of the zoning code will take effect. These changes were intended to remove ambiguity in the application of the conditional use permit requirement and make application more consistent across housing types and occupancy scenarios. Because this application was submitted, and the first Public Hearing held, prior to the effective date of the amendments, the “old rules” apply to this application.

Analysis

Lot size, building size, and density

This property contains 2.6 lots (two standard lots plus 30 feet of another lot). Under R3 zoning, it could be developed with a four-family dwelling by right. Additionally, the existing house contains 2861 square feet, which is approximately three times the minimum dwelling unit square footage of R3. As such, the proposed number of occupants is less than the maximum by-right density of the property.

However, most of the surrounding properties do not achieve maximum permitted density. The other houses on the same block of Chestnut and the 2300 block of Walnut occupy between one and three lots each, and certainly not all are occupied by groups of unrelated adults.

All of the rooms meet or exceed building code requirements for their proposed uses (room dimensions, availability of bathrooms).

Access and Parking

It is presumed that each occupant will have his/her own vehicle, and will be coming and going on his or her own schedule. This is a key difference between a household of unrelated adults and a nuclear family household with children. Compared to a traditional two-adult family, the proposed occupancy could generate four times the amount of vehicular traffic.

On-street parking is available on Chestnut, but it is used by other residents and—importantly—by school visitors. Additionally, the street receives significant school-related traffic.

The site plan shows eight parking spaces in the rear yard and one in the front yard. The spaces at the rear are creatively located and the circulation is plausible although for certain spots awkward. The most challenging spots are the two spots at the south end of the property, on the far side of the storage barn, because those spots will have to back into/out of the narrow alley, with visibility hindered by the barn.

These eight spots would also represent a substantial increase in traffic through the alley. The alley appears in good condition and level but may require more maintenance if it receives additional traffic. The alley exits at 23rd and 24th are in good condition.

Other factors

There are other houses in the neighborhood which are occupied by groups of unrelated adults. In fact, the subject house was recently occupied by a group of unrelated adults as rental property prior to the current owners' purchase. However, the City seeks to promote a family-friendly neighborhood character and limit excessive density.

Another factor to be considered for the CUP is potential impact on property values (711.05-1). The impact of this proposal on property values is unclear.

Recommendation

Staff recommend approval of a CUP for occupancy of the subject house by up to nine (9) unrelated adults, as proposed. Staff wish to promote policies that maintain a single-family residential character in neighborhoods such as this and limit overcrowding, but this proposal addresses key issues of overall density and parking, and staff can find no basis for denial or modification.

2354 Chestnut Ave

R3 Building Zone

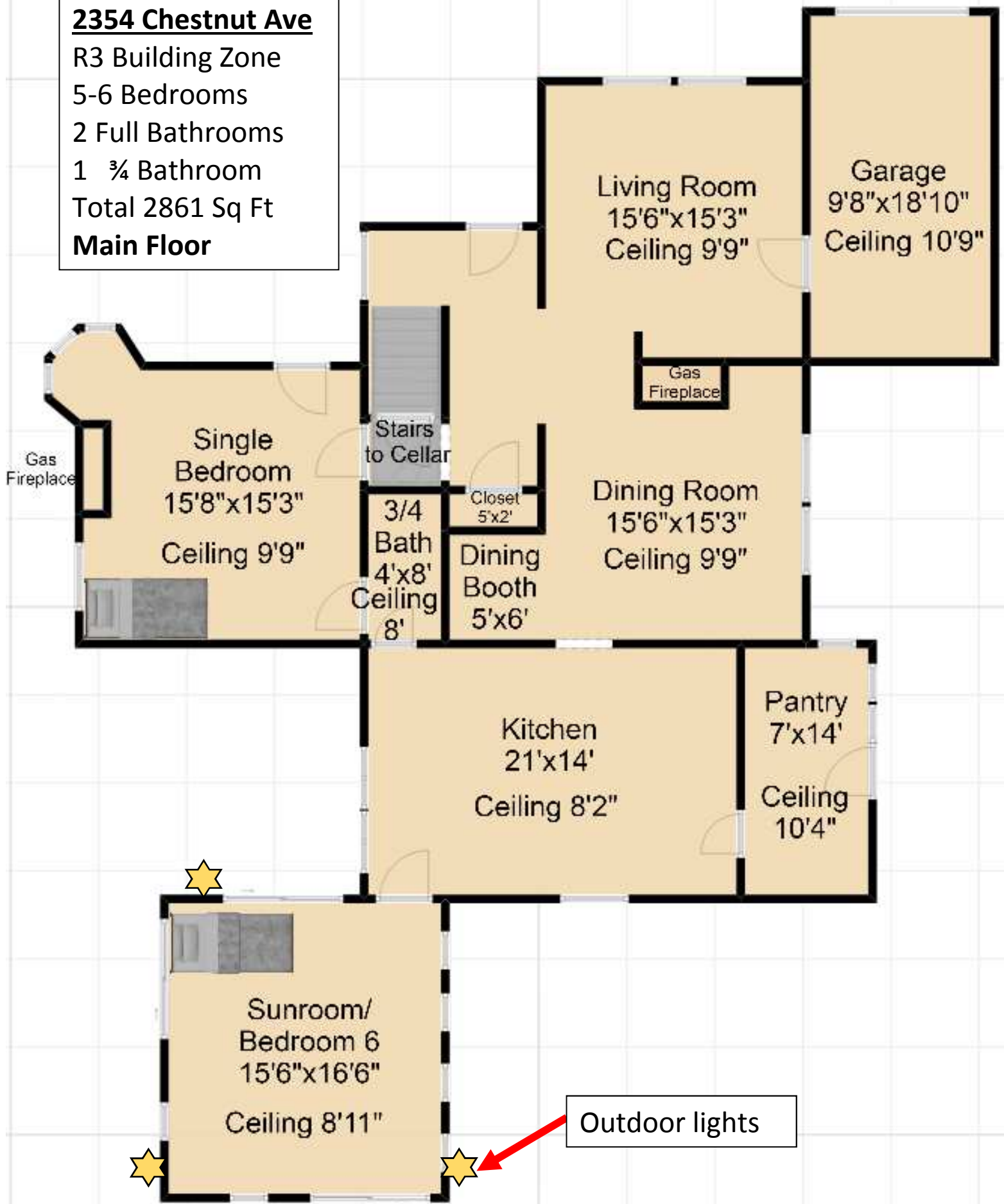
5-6 Bedrooms

2 Full Bathrooms

1 ¾ Bathroom

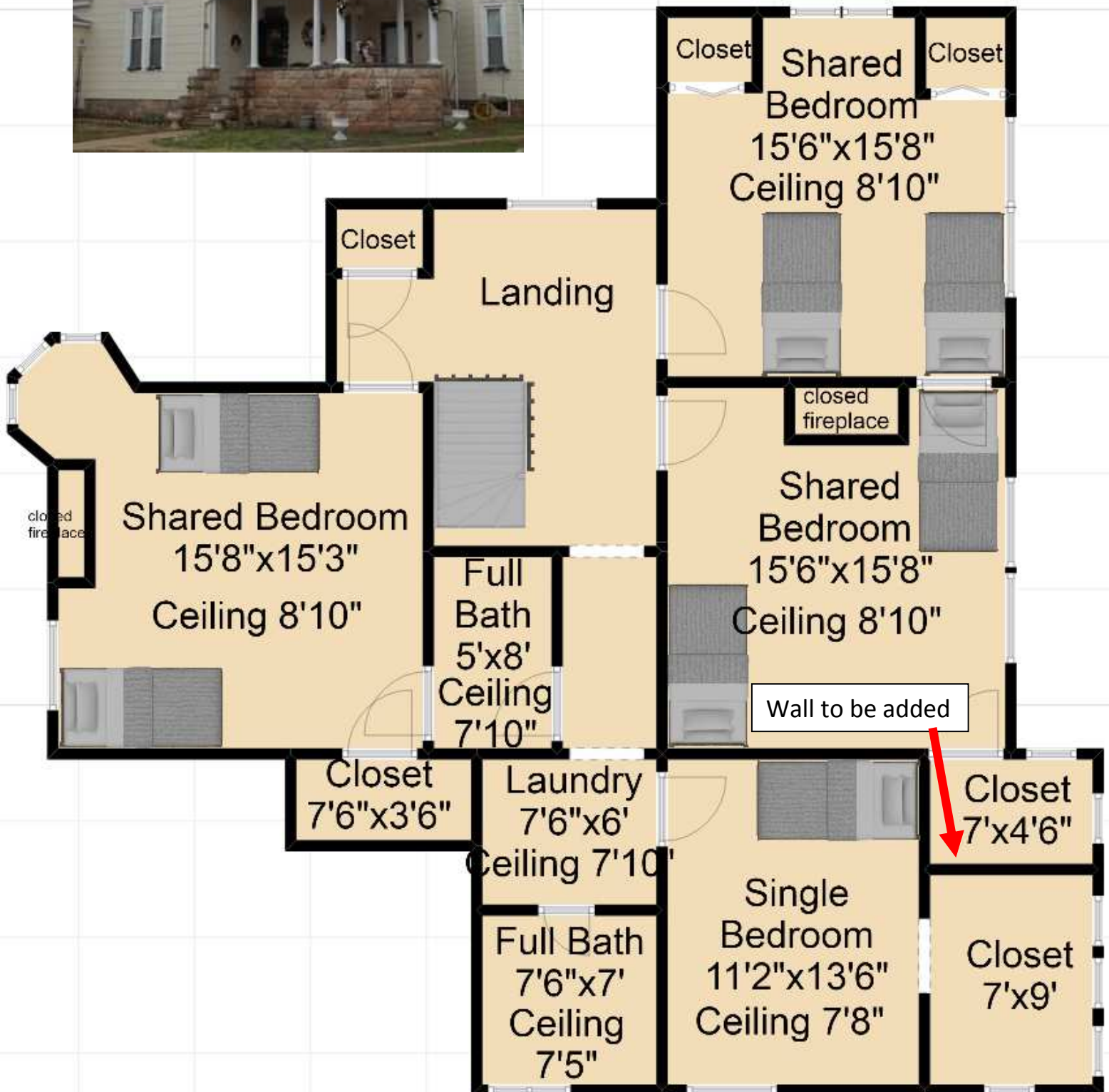
Total 2861 Sq Ft

Main Floor

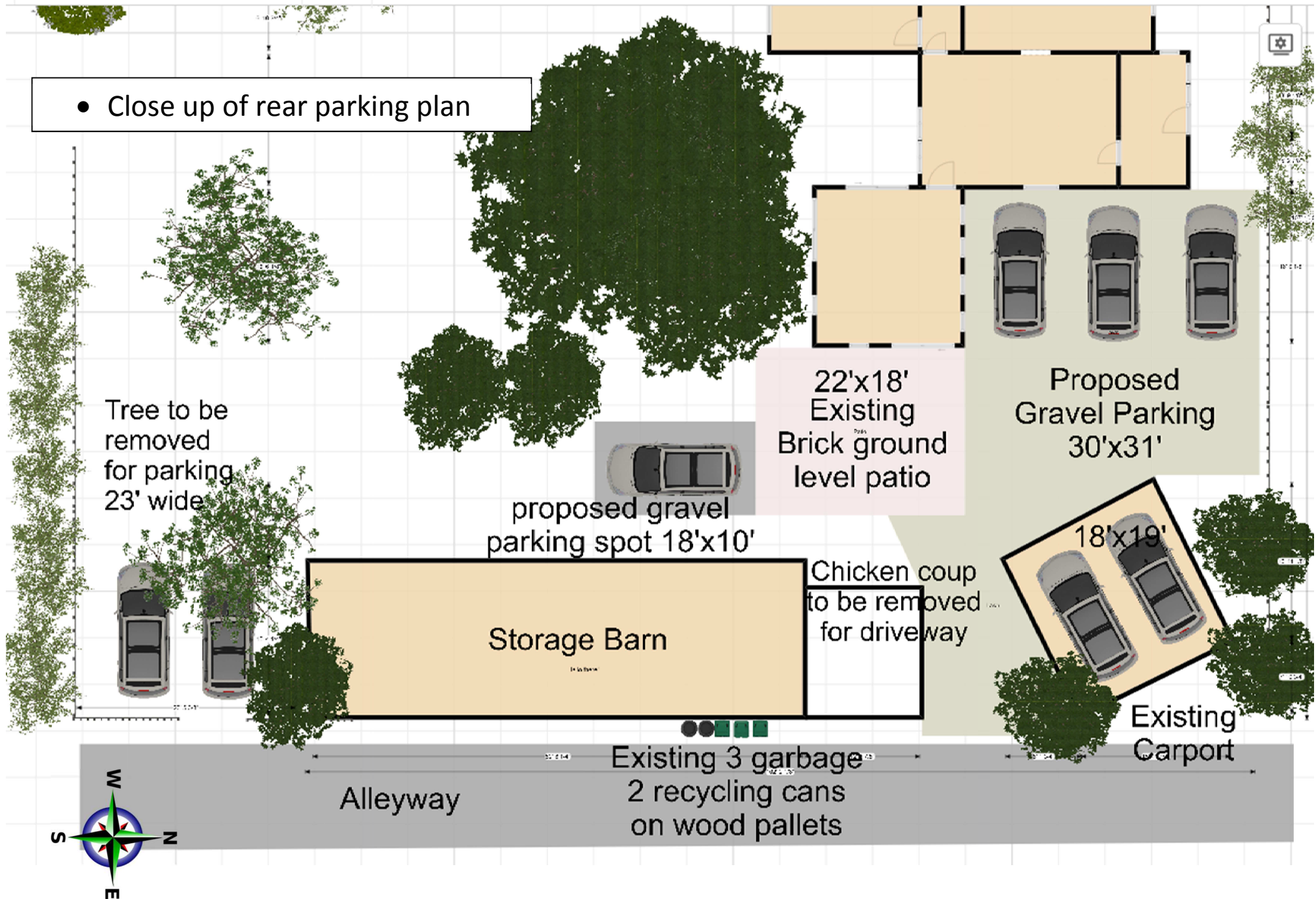




2354 Chestnut Ave
Upstairs

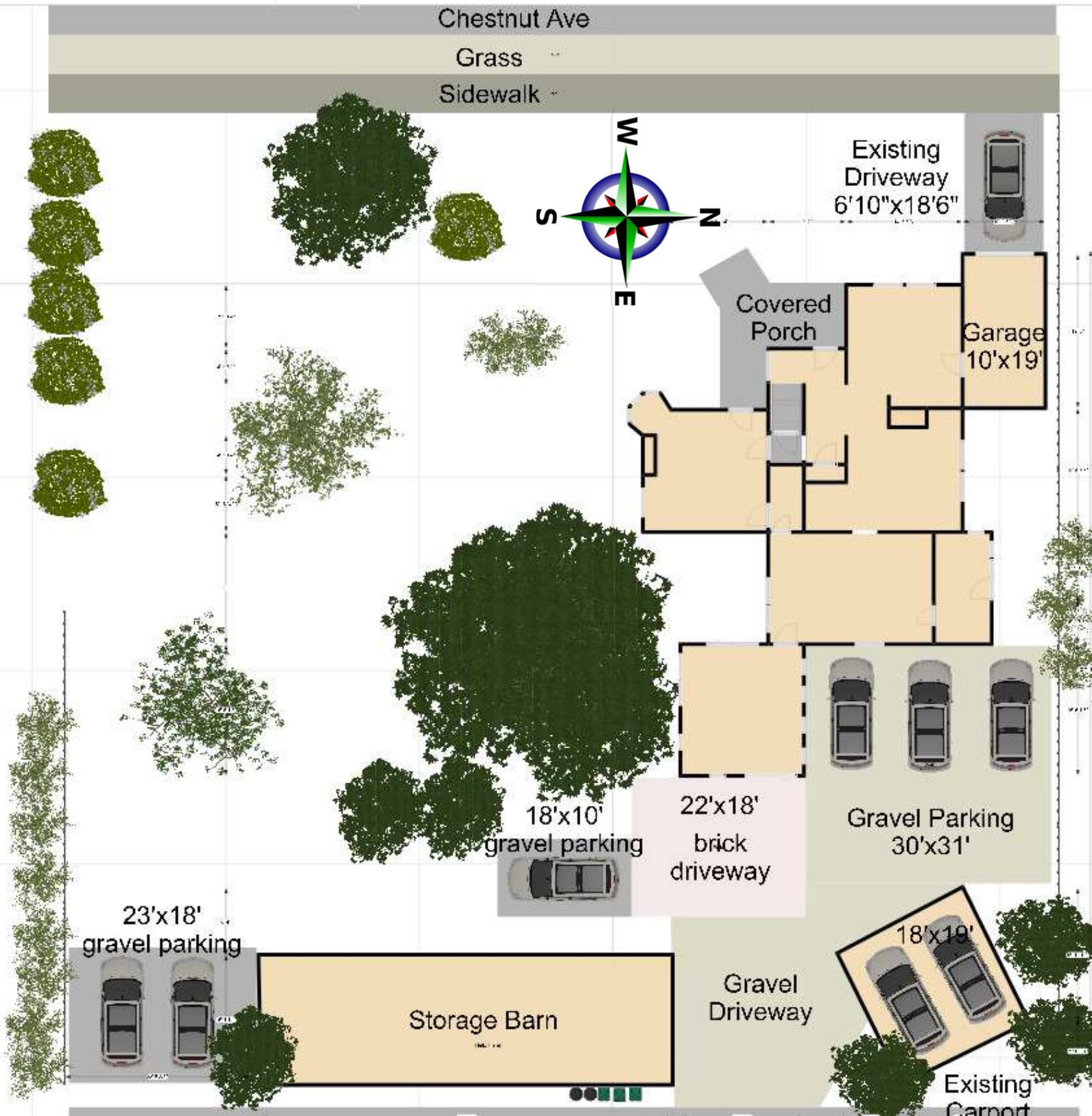


- Close up of rear parking plan



Lot & Parking overview including existing/proposed driveways, carport & trees

- 9 total parking spots, well tucked away within the lot.
- No street parking needed.
- Occupancy in the house will be decreasing from an 11 family members to 9 individual students, 3 persons per bathroom.
- Bushes, fence, 1 tree & 1 chicken coop removed for parking and gravel added





Chicken coop (north end addition to the barn) and fencing will be removed to make driveway for the rear parking





3 garbage cans and 2 recycling bins are available in the alley. This is plenty for our 11 member family each week.



Bushes in foreground and tree at center will be removed for 2 parking spots on south end of barn.



Alley used to get very muddy and had a large pothole but we added 2 tons of gravel and there is no more problem. Several of us neighbors use the alley daily.



Double carport in great condition.



Space between carport and house (31'x30')
to be made into parking area for 3 cars



Brick patio
facing south
with single
parking spot
beyond



Existing lighting on sunroom facing north. No new lighting needed for extra parking.



Light facing south



Light on west side of sunroom

These sliding doors and triple window set will be swapped to allow outside access to the kitchen from rear parking









CITY OF BUENA VISTA

Planning & Community Development
2039 Sycamore Avenue
Buena Vista VA 24416

STAFF REPORT

DATE: 7 June 2018
TYPE: Zoning text amendment
SUBJ: Mixed Use District amendments

Synopsis

Amend specific portions of the Mixed Use district regulations to address major concerns, with the intention of a future overhaul of the district regulations following a future master plan. No changes have been made to the proposed text since the May 8th, 2018 presentation to the Planning Commission.

Summary of concerns addressed:

- Makes multifamily residential a by right permitted use, not conditional, except for the first floor of mixed-use buildings
- Repeals confusing and conflicting language on setbacks, square footage, and lot size.
- Removes unnecessary and confusing sections for site plan review and conditional use permits
- Clarifies multiple minor uses and regulations

Analysis

Overview

As discussed at the February and March 2018 Commission meetings, several elements of the MU district are problematic, particularly as the City anticipates downtown revitalization. Staff believe an overhaul of the entire district regulations is needed, as well as a review of the district boundaries and consideration of dividing into two districts. However, staff believe that an overhaul should only be attempted after a master plan is developed for the downtown. Therefore, the bare minimum of amendments is proposed at this time.

Proposed Changes

614.03-1.4-4 Accessory Structures

This is a building type, not a use. It is listed among uses. Its inclusion adds confusion. Recommend repealing.

614.03-1.4-10 Clubs and lodges, fraternities, and meeting places of other organizations. Any residential or transient occupancy use related to such club, lodge, fraternity, or other organization shall be governed by provisions for residential or transient occupancy uses, respectively;

This permitted use needed expansion to clarify residential or transient occupancy uses that may be associated with a club or fraternity so there would be no question they had to meet the same regulations as a boardinghouse, hotel, bed & breakfast, apartment, or whatever appropriate use type. Additionally, this item prompted a definition for *fraternity*.

614.03-1.5.9 Multifamily homes, apartments, or efficiencies. Units located on the first floor of a building on a mixed-use property must obtain a conditional use permit.

This moves multifamily residential from a conditional use to a permitted use, and succinctly requires a conditional use permit for first-floor residential in a mixed-use building. It replaces 614.04-8 through 11B, which covered multifamily, two-family dwellings (which are the same thing as multifamily), and first-floor residential. It removes the requirements that first-floor residential be at the rear, be owner/proprietor occupied, and not be more than 50% of the floor area. All of these factors can be considered on a case-by-case basis in the CUP process without limiting a property owner and the Commission from arriving at a creative solution.

614.03-1.6-2 portable food stands

As previously discussed, regulation of temporary food service facilities is best handled in other parts of the City code. Recommend repealing.

614.03-1.7-4 Signs

This reference is to signs permitted as a primary (not accessory) use. Thus a billboard would be a permitted use for a property. It is not conducive to a vibrant downtown to have off-site signage as a primary use for a property. Recommend repealing.

614.05-2 Accessory uses shall be located behind the main building on a lot.

Removing this was discussed at a previous meeting. It is somewhat confusing because it refers to accessory uses, not accessory structures, and where the uses must take place. Also, it may limit creativity or optimal function of a site. Requiring accessory buildings (like sheds or garages) is better suited to a purely residential district, not a commercial or mixed-use district. Recommend repealing.

614.05-4 The manufacture or processing of goods and products provided that it is combined with retail sales of such products on the premises, and that no less than 50 percent of the square footage of the first floor shall be dedicated to retail sale of goods and products manufactured on premises (with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure);

Section 614.03-1.7-5, listed with permitted uses, gives the language above and then lists a number of retail/manufacturing uses (614-03-1.7-6 through 17 except for 10 and 11). Then, under Accessory Uses, “manufacture of goods to be sold on site”—much broader language—was listed. I consolidated and simplified these because it was unclear which would apply, and it was not necessary to list out multiple potential manufacturing uses. As proposed, any retail use can include a manufacturing component, subject to the 50% rule and the enclosed-structure rule.

614.06 Yard setbacks, minimum dwelling/building size, minimum lot size, parking requirements and maximum height.

This entire section is confusing and conflicts with three subsequent sections. It states that residential uses must comply with R3 regulations, but then it provides no option for multifamily units or efficiencies, which clearly are desirable in MU. It states that business uses must comply

with B1 dimensional regulations, but this directly conflicts with 614.09 which states that buildings may occupy 100% of the lot, as well as 614.11 regarding maximum height. It states that parking must be at the rear of the property, but per Section 703, almost the entire MU district is located within the zoned exempt from all off-street parking requirements. Efficiency apartment square footage minimums would still apply based on the table of dimensional regulations found in Section 2011. I recommend repealing the entire section and allowing any site configuration—which is essentially what is allowed now. However, dimensional regulations will be an important part of a future master plan and zoning code updates for the MU district.

614.07 Requirements for submittal of site plan to the planning commission

This section is copied from Section 711 which addresses homes used as rental property, so it is tailored to dwelling units. However, most of the site plans for properties in MU will be commercial or mixed-use. Additionally, Article 15 Site Plans thoroughly addresses all the requirements for submittal of site plans, so this section is duplicative and conflicting. Recommend repealing.

614.08 Items to be considered prior to granting a conditional use permit

Like 614.07, this was copied from Section 711 which addresses homes used as rental property, so it is tailored to dwelling units and specifically references Section 711. It is duplicative and conflicting. Recommend repealing.

614.10 Multiple buildings on a single lot.

I struggle to picture the site configuration described here: “A lot may have multiple buildings on a single lot as long as the aggregate areas of the buildings do not exceed 100 percent of the lot area.” How can you have buildings that exceed 100% of the lot area? Unless this means all stories of the buildings, which would be a heavy limitation on density—it would mean that a two story building may occupy only half of a lot. Recommend repealing.

614.12 Yards

This language appears to have been copied from the Mixed Business district and refers to an area that is not zoned Mixed Use. Recommend repealing.

614.13-2.1 Adult businesses

The term “sexually oriented businesses” should be replaced with “adult businesses,” which is the term used by Section 712 that governs them.

614.13-2.2 Wireless Communication Facilities

This unusual and broad prohibition on wireless facilities does not fit technology in 2018. In particular, it would prohibit the small-cell 5G cellular technology now being implemented. “Small-cell” cellular transmitters are mounted closer to the ground and are much smaller (often rectangular or cylindrical, a few feet tall) than traditional cell towers. They can be mounted on the upper stories of buildings or on top of utility poles, for example. 5G will provide more reliability and greater bandwidth for mobile data. I recommend repealing this prohibition.

At the May 8th 2018 meeting, the question was raised what the definition of “wireless communication facilities” are and what exactly was intended to be prohibited by the existing regulations. While the term is not defined by City of Buena Vista code, the term “wireless facility” is defined by Code of Virginia thus:

"Wireless facility" means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless services, such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services, such as microwave backhaul, and (ii) radio transceivers, antennas, coaxial, or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

This definition is found in Article 7.2 of Chapter 22, which governs zoning. Article 7.2 was adopted in 2017 and is focused on small cell wireless facilities. There is parallel legislation passed at the same time in Chapter 15.1 Wireless Communications Infrastructure. The bottom line is that localities are not allowed to prohibit or unduly burden companies that want to install small cell facilities in the public right-of-way or on private property. In other words, the existing text of the MU district conflicts with Code of Virginia.

614.14 Design guidelines

The existing design guidelines, which currently apply to the MB, MXB-HT, and RES PUD HT zones, would provide some dimensional and aesthetic parameters for the downtown. The guidelines are written for downtown-type development, though they are geared to new development rather than redevelopment or infill. A downtown master plan would replace, or amend, these design guidelines; applying the existing design guidelines is a short-term fix.



**CITY OF
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City of Buena Vista

Section 614 Mixed Use District MU

Sec. 614.00. - Mixed Use District (MU).

614.01 Mixed Use District.

614.01-1 The Mixed Use District is primarily a business and residential district that incorporates and promotes a wide variety and intensity of uses. This district is designed to have a high level of human and business activity and vibrancy where business people can live and work in the same building, where residents and visitors can freely gather for shopping, entertainment and recreation.

614.01-2 Insofar as allowed by the building codes, single structures may have multiple principal by-right uses.

614.02 Purpose. The Mixed Use District is established for the purpose of encouraging appropriate uses to occur within an area of the community where the predominant character has been and will continue to be historical, municipal, cultural, residential, and commercial. It is intended that the types of land use activities that would be allowed within the district would not have a severe detrimental impact on existing historical, residential uses, or traditional commercial, or cultural uses which continue to be maintained in the district in order to promote this purpose:

614.02-1 To attract environmentally acceptable commercial, recreational, institutional, and residential uses to the District;

614.02-2 To encourage diversity in the community tax base through appropriate flexibility in land use and land use development;

614.02-3 To optimize financial return on public infrastructure investments and expenditures, including municipal sewer, municipal water supply;

614.02-4 To minimize adverse traffic impacts on and surrounding local streets and roadways; and

614.02-5 To preserve valuable historical, cultural, and natural features within the District and to minimize adverse environmental impacts such as water, air, light.

614.03 Uses permitted by right.

614.03-1 All retail uses shall store tools, parts, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure and if not in a permanent enclosed structure shall be required to apply for and receive an approved conditional use permit. For the definition of an enclosed structure; a permanent structure that is enclosed by all sides and has an enclosed roof, the structure may have doors, windows and other openings that can be closed to public view from the street, avenue or alley.

614.03-1.1 Recreational uses:

614.03-1.1-1 Athletic/recreational facilities;

614.03-1.1-2 Public, nonprofit or institutional athletic facilities that offer a variety of programs such as karate, aerobic, dance, weight training, gymnasiums, etc., public parks, playgrounds, recreational buildings and grounds, tennis courts, swimming pools, and outdoor recreational activities.

614.03-1.2 Commercial uses:

614.03-1.2-1 Air conditioning contracting and Supplies with tools, goods, repairs, equipment, and/or supplies in a permanent enclosed structure;

614.03-1.2-2 Archery stores;

614.03-1.2-3 Art display stores;

614.03-1.2-4 Art supply stores;

614.03-1.2-5 Automobile service stations and public garages, (with tools, parts, goods, repairs, equipment and/or supplies in a permanent enclosed structure and major repair under cover) (no more than five vehicles without current state tags and current license allowed on each lot);

614.03-1.2-6 Automobile sales and/or parts with tools, goods, repairs, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-7 Banks and loan and finance offices;

614.03-1.2-8 Barber shops;

614.03-1.2-9 Beauty parlors;

614.03-1.2-10 Boat rental;

614.03-1.2-11 Boot and shoe repair;

614.03-1.2-12 Book lending;

614.03-1.2-13 Bowling alley;

614.03-1.2-14 Bridal shops;

614.03-1.2-15 Business schools;

614.03-1.2-16 Business office;

614.03-1.2-17 Building supply with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-18 Bus depots and/or office for the sale of travel accommodations;

614.03-1.2-19 Bicycles and their accessories with tools, goods, repair, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-20 Cameras and photographic supplies;

614.03-1.2-21 Cable companies and the like;

614.03-1.2-22 Candy and confections;

614.03-1.2-23 Car washes;

614.03-1.2-24 Circuses, carnivals, fairs, and sideshows;

614.03-1.2-25 Carpenter contractor with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-26 Carpet shops with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-27 Catering;

[614.03-1.2-27.1] Cement finishing contracting with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-28 Chiropractic offices;

614.03-1.2-29 Cigars, cigarettes, tobacco and smoking supplies;

614.03-1.2-30 Clothing and wearing apparel;

614.03-1.2-31 Coffee shops;

614.03-1.2-32 Coins and collectible stores;

614.03-1.2-33 Computer stores/sales and service;

614.03-1.2-34 Construction yards with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-35 Convenience stores;

614.03-1.2-36 Courier offices;

614.03-1.2-37 Credit unions;

614.03-1.2-38 Crematories;

614.03-1.2-39 Dairy products;

614.03-1.2-40 Dental offices;

614.03-1.2-41 Department stores with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-42 Discount shops with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-43 Drive thru businesses;

614.03-1.2-44 Dry cleaning shops;

614.03-1.2-45 Dry goods;

614.03-1.2-46 Dyeing shops;

614.03-1.2-47 Electrical supply and contracting with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-48 Electronic audio/visual devices and their accessories;

614.03-1.2-49 Express mail;

614.03-1.2-50 Fast food establishments;

614.03-1.2-51 Feed, grain and seeds with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-52 Fire stations;

614.03-1.2-53 Flowers and plants shops;

614.03-1.2-54 Food products;

614.03-1.2-55 Fruit and vegetables stands as long as the product is grown by the seller;

614.03-1.2-56 Furniture and household furnishings stores;

614.03-1.2-57 Funeral homes;

614.03-1.2-58 Gas stations with tools, goods, repairs, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-59 Glass blowing shop with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-60 Greenhouses;

614.03-1.2-61 Grocery stores;

614.03-1.2-62 Gunsmith;

614.03-1.2-63 Hardware stores with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-64 Hat cleaning, tailoring, dressmaking;

614.03-1.2-65 Healthcare facilities;

614.03-1.2-66 Heating supplies and/or contractor with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-67 Home occupation (approved application required);

614.03-1.2-67.1 Any single dwelling unit, whether as part of a multiunit residential structure or as a single-family residence, within this district in which both residential use and nonresidential use exists, shall be governed as a home occupation use with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure);

614.03-1.2-68 Horse and tack stores with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-69 Hospitals;

614.03-1.2-70 Hotels;

614.03-1.2-71 Hunting supply stores;

614.03-1.2-72 Inns;

614.03-1.2-73 Insurance offices;

614.03-1.2-74 Ice cream and soft drinks;
614.03-1.2-75 Jewelry, watches and clocks;
614.03-1.2-76 Kitchenware and crockery;
614.03-1.2-77 Lawn moving [mowing] equipment repair with tools, goods, repairs, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-78 Laundries and dry cleaning shops, and clothes dyeing establishments;
614.03-1.2-79 Leather, leather goods and luggage;
614.03-1.2-80 Libraries;
614.03-1.2-81 Lithographing;
614.03-1.2-82 Lumber and building supply with tools, goods, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-83 Masonry contracting with tools, goods, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-84 Meat and fish stores;
614.03-1.2-85 Medical offices;
614.03-1.2-86 Movie theatres (indoor);
614.03-1.2-87 Mortuaries;
614.03-1.2-88 Motels;
614.03-1.2-89 Moving company offices;
614.03-1.2-90 Museum;
614.03-1.2-91 Music and musical instruments;
614.03-1.2-92 Newspaper and magazine offices;
614.03-1.2-93 Novelties and variety goods;
614.03-1.2-94 Nursing homes;
614.03-1.2-95 Optical goods;
614.03-1.2-96 Paint, wallpaper and painter's and decorator's supplies with tools, goods, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-97 Pet stores, such as dogs, cats and birds and pet supplies with tools, goods, animals, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-98 Picture frame manufacturing, supplies and assembling with tools, goods, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-99 Pharmaceutical supplies including drugs and medicines;
614.03-1.2-100 Plumbing contractors with tools, goods, equipment and/or supplies in a permanent enclosed structure;

614.03-1.2-101	Police stations;
614.03-1.2-102	Post offices;
614.03-1.2-103	Printing shops;
614.03-1.2-104	Professional offices;
614.03-1.2-105	Public garages;
614.03-1.2-106	Publishing, printing and lithographing;
614.03-1.2-107	Public or private educational services;
614.03-1.2-108	Public parks;
614.03-1.2-109	Public playgrounds;
614.03-1.2-109[.1]	Public and private field and recreational facilities;
614.03-1.2-110	Public service organizations;
614.03-1.2-111	Real estate offices and other professional services;
614.03-1.2-112	Rescue squad stations;
614.03-1.2-113	Retail shops with tools, goods, repairs, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-114	Rental shops with tools, goods, repairs, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-115	Shoe stores;
614.03-1.2-116	Small engine repair with tools, goods, repairs, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-117	Specialty shops with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure;
614.03-1.2-118	Special care homes;
614.03-1.2-119	Specialty schools;
614.03-1.2-120	Sporting goods;
614.03-1.2-121	Stationary and greeting cards;
614.03-1.2-122	Tattoo parlors, shall follow all state regulations;
614.03-1.2-123	Theaters of the performing arts;
614.03-1.2-124	Therapeutic offices (therapy, psychology, mental health, etc.);
614.03-1.2-125	Towing;
614.03-1.2-126	Trailer rental stores;
614.03-1.2-127	Upholstering shops with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure;

- 614.03-1.2-128 Variety stores;
- 614.03-1.2-129 Veterans organizations;
- 614.03-1.2-130 Watch repair;
- 614.03-1.2-131 Wine shops.

614.03-1.3 Offices for the handling of:

- 614.03-1.3-1 Administrative functions;
- 614.03-1.3-2 Software development;
- 614.03-1.3-3 Computer sales and service;
- 614.03-1.3-4 Internet commerce and services.

614.03-1.4 Professional services:

- 614.03-1.4-1 Civic/institutional;
- 614.03-1.4-2 Activity halls;
- 614.03-1.4-3 Assembly halls;

~~614.03-1.4-4 Accessory structures;~~

614.03-1.4-5 Business, private, public and vocational schools and classrooms, academic facilities, administrative offices and associated support structures;

614.03-1.4-6 Business and professional offices, including, but not limited to, tax preparation, engineers, and architects;

614.03-1.4-7 Child care;

614.03-1.4-8 Child day care (group) (preschool);

614.03-1.4-9 Churches and other places of worship and church school buildings;

614.03-1.4-10 Clubs and lodges, fraternities, and meeting places of other organizations. Any residential or transient occupancy use related to such club, lodge, fraternity, or other organization shall be governed by provisions for residential or transient occupancy uses, respectively;

614.03-1.4-11 Community center;

614.03-1.4-12 Cultural buildings;

614.03-1.4-13 Curbs;

614.03-1.4-14 Dancehall or auditorium used primarily for entertainment or recreation;

614.03-1.4-15 Day care facility (adult);

614.03-1.4-16 Dinner theatre;

614.03-1.4-17 Gutters;

614.03-1.4-18 Hospitals;

Commented [TR1]: Not a use so should not be listed here. Multiple buildings already (implicitly) allowed.

- 614.03-1.4-19 Family day care;
 - 614.03-1.4-20 Fraternal organization (private);
 - 614.03-1.4-21 Funeral home and/or mortuary;
 - 614.03-1.4-22 Gym, dance, karate, art, pottery or similar schools or studios;
 - 614.03-1.4-23 Gutters;
 - 614.03-1.4-24 Libraries;
 - 614.03-1.4-25 Lodges;
 - 614.03-1.4-26 Manholes;
 - 614.03-1.4-27 Municipal building;
 - 614.03-1.4-2 Museums;
 - 614.03-1.4-29 Newspaper offices and printing shops;
 - 614.03-1.4-30 Parking lots;
 - 614.03-1.4-31 Playhouses;
 - 614.03-1.4-32 Police, fire, and rescue squad stations;
 - 614.03-1.4-33 Post offices;
 - 614.03-1.4-34 Professional services;
 - 614.03-1.4-35 Public buildings and properties of a cultural, administrative, or service type;
 - 614.03-1.4-36 Public service and storage buildings;
 - 614.03-1.4-37 Public utilities (water facilities, sewer facilities, pumping station facilities, cable facilities, communication cables and facilities, wastewater inlets, etc.);
 - 614.03-1.4-38 Radio and television broadcasting studios exclusive of transmitter facilities (upper levels only);
 - 614.03-1.4-39 Social organizations (private);
 - 614.03-1.4-40 Trade schools.
- 614.03-1.5 Residential/lodging:
- 614.03-1.5-1 Bed and breakfast home stays and inns in accordance with article 14;
 - 614.03-1.5-2 Boarding houses;
 - 614.03-1.5-3 Child care centers and family day care homes;
 - 614.03-1.5-4 Family care homes, foster homes or group homes serving the mentally retarded developmentally disabled or others, rest homes, homes for adults, or nursing homes, provided that licensing requirements are met;
 - 614.03-1.5-5 Hotels/motels;

614.03-1.5-6 Single-family detached dwellings;

614.03-1.5-7 Townhouses;

614.03-1.5-8 Tourist homes.

614.03-1.5-9 Multifamily homes, apartments, or efficiencies. Units located on the first floor of a building on a mixed-use property must obtain a conditional use permit.

614.03-1.6 Restaurant/food/entertainment:

614.03-1.6-1 Bakeries.

614.03-1.6-2 Restaurants, cafes, cafeterias, dairy product stores, lunch rooms, soda fountains, drive-in and retail sale of any goods normally associated with such establishments, ~~portable food stands (moved this from the general permitted use list).~~

614.03-1.7 Miscellaneous:

614.03-1.7-1 Bus/railroad stations and taxi stands;

614.03-1.7-2 Parking garages and parking lots;

614.03-1.7-3 Off-street parking as required by this ordinance;

~~614.03-1.7-4 Signs as provided in article 7;~~

~~614.03-1.7-5 The manufacture or processing of the following goods and products provided that it is combined with retail sales of such products on the premises, and that no less than 50 percent of the square footage of the first floor shall be dedicated to retail sale of the goods and products (with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure);~~

~~614.03-1.7-6 Artificial flowers;~~

~~614.03-1.7-7 Bakeries (not industrial type bakeries);~~

~~614.03-1.7-7.1 Industrial for bakeries shall mean wholesale on a large scale;~~

~~614.03-1.7-8 Chemical manufacturing associated with retail sale of drugs and medicines;~~

~~614.03-1.7-9 Clothing or wearing apparel and their accessories, except boots and shoes;~~

614.03-1.7-10 Commercial indoor recreation facilities;

~~614.03-1.7-11 Dental and orthopedic appliances and supplies;~~

~~614.03-1.7-12 Engraving, grinding and repair of optical products;~~

614.03-1.7-13 Indoor and outdoor concert facilities;

~~614.03-1.7-14 Packaging of feed, grain and seeds with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure);~~

Commented [TR2]: Confusing what “follows” that this would apply to

Commented [TR3]: Listing these is no longer necessary because manufacturing goods to be sold on premises is governed by accessory use regulation below

~~614.03-1.7-15 Printing and book publishing and binding;~~

~~614.03-1.7-16 Repair of watches and clocks and other small articles and appliances;~~

~~614.03-1.7-17 Repair of household furnishings with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure);~~

614.03-1.7-18 Any public uses or use by a semi-public agency whose activities are primarily nonprofit in nature.

614.04 Conditional uses. When after review of an application and hearing hereon, in accordance with [Article 8](#) herein, the Buena Vista City Council finds 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:

614.04-1 Athletic fields, stadiums, and arenas;

614.04-2 Beverage manufacturing, bottling or distribution stations and food processing, packaging, or distribution stations;

614.04-3 Commercial radio, television, and communication towers along with related buildings and equipment provided the requirements of article 13 are met;

614.04-4 Drive-in theaters provided all parts of such drive-in shall be distant at least 200 feet from any Residential District and provided that the screen shall be located as not to be visible from adjacent streets or highways and it shall be set back not less than 200 feet from the established right-of-way of said street or highway;

614.04-5 Dormitories;

614.04-6 Kennels and animal hospitals provided that any structure or premises used for such purposes shall be located at least 200 feet from any residential lot with tools, goods, animals, services, equipment and/or supplies in a permanent enclosed structure (animal enclosures shall be soundproof);

~~614.04-7 Any person (property owner or otherwise) shall obtain a conditional use permit when any single family home, building or other structure is altered, constructed or used to generate rental income and/or where five or more unrelated people (individually) pay rent. See section 711 of the Buena Vista Land Use Regulations concerning rental minimum requirements;~~

~~614.04-8 Multifamily homes/apartments/efficiencies;~~

~~614.04-9 Two family homes and rentals;~~

~~614.04-10 Multi-unit residential uses which may be in combination as a mixed use, with nonresidential uses permitted in this district, subject to the following limitations and this includes new construction;~~

~~614.04-11 Residential rental units shall be limited to the second or higher floor, unless an existing dwelling at the time of passage of this section (April 4, 2013) (in the Mixed Use Zoning District only);~~

~~614.04-11B— Residential use apartment, on the ground level floor, provided the dwelling is located at the rear of the structure and is occupied by the current property owner(s) or business owner(s) of a business operating in the structure. Furthermore, the ground floor residential area should not be visible from the commercial space and shall not occupy more than 50 percent of total ground floor area as shown in a floor plan provided to the city for review and the remaining ground level commercial area shall be a minimum of 500 square feet;~~

614.04-12 Public billiard parlors and pool rooms, bowling alleys, dance halls [halls], and similar forms of public amusement;

614.04-13 Public utilities limited to public service structures such as power plants or substations or such similar operations publicly or privately owned furnishing electricity, gas, rail transport, communications, or related services to the general public;

614.04-14 Radio and television broadcasting studios;

614.04-15 Swimming pools, skating rinks, miniature golf courses, or similar recreational use or facility if located at least 100 feet from any residential lot;

614.04-16 Wholesale business, storage or warehouse provided that any such use shall be distant at least 50 feet from any Residential District;

614.04-16.1 Wholesale and processing not objectionable because of dust, noise, or odors.

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

614.05-1 Accessory buildings and facilities such as garage, carport, tool shed, noncommercial greenhouse, workshop (private), tennis court, shed and portable structure;

~~614.05-2— Accessory uses shall be located behind the main building on a lot;~~

614.05-3 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;

614.05-4 The manufacture or processing of goods and products provided that it is combined with retail sales of such products on the premises, and that no less than 50 percent of the square footage of the first floor shall be dedicated to retail sale of goods and products manufactured on premises (with tools, goods, repairs, services, equipment and/or supplies in a permanent enclosed structure); Manufacture of goods to be sold as retail on site meeting the provisions of section 614.XXXXX [manufacture of goods on site above];

Commented [TR4]: Moved from permitted uses above so that these use regulations can apply to all types of retail uses

614.05-5 Parking as provided for in article 7;

614.05-6 Private parking garage;

614.05-7 Signs as provided for in article 7;

614.05-8 Temporary buildings for uses incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;

614.5-9 Travel trailers, which may be stored within the minimum yard requirements and shall be prohibited from occupancy.

614.06 ~~Repealed. Yard setbacks, minimum dwelling/building size, minimum lot size, parking requirements and maximum height.~~

614.06 1 ~~For residential purposes see the Residential Limited (R-3) Zoning District Regulations which is contained in the Land Use Regulations.~~

614.06 2 ~~For business purposes see the B-1 Zoning District in the Buena Vista Land Use Regulations.~~

614.06 3 ~~Parking shall be at the rear of the building (in this district) unless there is not adequate parking spaces available at the rear of the building to meet the requirements as set forth in the Land Use Regulations article 7, then other arrangements shall be made to meet the minimum requirements and presented to the planning commission on their site plan.~~

614.06 4 ~~Any conversion from one use to another shall use the regulations before the conversion for minimum requirements.~~

614.07 Requirements for submittal of site plan to the planning commission. ~~Repealed~~

614.07 1 ~~The site plan shall be submitted to the building inspector for his approval prior to the site plan being submitted to the office of planning and zoning.~~

614.07 1.1 ~~Building inspector shall only sign the site plan with his signature and the date only after the plan has met the appropriate building code requirements.~~

614.07 2 ~~The site plan may be required to be submitted to any city department for their respective approval prior to this being submitted to the office of planning and zoning if applicable.~~

614.07 3 ~~The office of planning and zoning may waive a department heads signature and date should such not be applicable.~~

614.07 4 ~~A formal application for a conditional use permit.~~

~~{614.07 5 Reserved.}~~

614.07 6 ~~All submittals shall be uniform in scale.~~

614.07 7 ~~A copy of the plat.~~

614.07 8 ~~A sketch of the general development is required for each rental covered under this article. The plans shall show the following information:~~

614.07 9 ~~Address location(s) of the rental unit(s) or efficiency/efficiencies.~~

614.07 10 ~~All existing and proposed streets.~~

614.07 11 ~~The distances to all lot lines and public rights of way.~~

614.07 12 ~~The location of all existing and proposed structures on the lot.~~

614.07 13 ~~Number of floors, floor area, height and location of each building and proposed general use for each building. If a multifamily residential building, the number, size and type of dwelling units.~~

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- 614.07-14 — Location of rental unit(s) or efficiencies: is it at the rear of building, first floor, second floor, etc.
- 614.07-15 — Location of proposed fencing.
- 614.07-16 — Number of rental units or efficiencies.
- 614.07-17 — Label each building and/or rooms as apartment, efficiency or otherwise.
- 614.07-18 — Show the size (length and width) of each room, including ceiling height of each room, and location of access to the unit(s) or efficiencies.
- 614.07-19 — Length and width of each room to be rented.
- 614.07-20 — Each room on the site plan shall be designated as a kitchen and location of sink, stove and cupboards, bedroom #1, bedroom #2, living room, hallway bathroom(s) and location of sink, bath and stool in each, and identify each additional room.
- 614.07-21 — Ceiling heights in each room.
- 614.07-22 — Door entrances to each room within the rental.
- 614.07-23 — Exterior entrance and location on floor plan.
- 614.07-24 — Dumpster location on lot or trash handling to be addressed with site plan for each tenant.
- 614.07-25 — All off-street parking shall be shown with size and width of each parking spot and its location (rear, side, front of building, elsewhere).
- 614.07-26 — If parking space(s) provided is not in the rear or side of the property, please show on site plan approximate location of parking spaces and distance from parking space(s) to the dwelling units or efficiencies. If owner is leasing this property, please provide name and phone number on site plan.
- 614.07-27 — Any additional items as deemed necessary by the office of planning and zoning and the planning commission.
- 614.08 Items to be considered prior to granting a conditional use permit.
- 614.08-1 — The impact on property values.
- 614.08-2 — Traffic generation.
- 614.08-3 — Parking.
- 614.08-4 — The population density of the neighborhood.
- 614.08-5 — The effect on the existing infrastructure.
- 614.08-6 — Number of occupants of each dwelling unit.
- 614.08-7 — Any of the above could cause this conditional use permit to be denied if not meeting the minimum requirements.
- 614.08-8 — Shall meet all the requirements of section 711 of the Buena Vista Land Use Regulations.

614.09 Maximum lot coverage.

~~614.09-1 Buildings may at a maximum take up 100 percent of lot area.~~

Commented [TR5]: Not necessary to state this—if no setbacks provided, then by default you may take 100% of lot

~~614.10 Multiple buildings on a single lot.~~

~~614.10-1 A lot may have multiple buildings on a single lot as long as the aggregate of the areas of the buildings do not exceed 100 percent of the lot area.~~

Commented [TR6]: Very confusing, unless this is essentially setting max FAR at 1.0, which we do not want

614.11 Building height.

614.11-1 Buildings shall be limited to 3 stories in height or one story greater than contiguous buildings, up to a maximum height of 40 feet, unless a conditional use for additional height is granted.

614.12 ~~Yards Repealed.~~

~~614.12-1 On in-fill lots in the district located on Beech Avenue and on 29th Street west of Ridge Avenue, new commercial and multifamily buildings shall be located at the front lot line maintaining the traditional downtown pattern of adjacency to the pedestrian way. New business buildings are required to abut adjacent structures. However, buildings requiring access to rear or side parking areas will be allowed a one travel lane width a maximum width of 18 feet.~~

Commented [TR7]: This area is not located within the MU district

614.13 Prohibited uses.

614.13-1 Any use of land, building, structure, or equipment which would be injurious noxious or offensive by way of the creation of adverse traffic impacts or conditions, odors, fumes, smoke, dust, vibration, noise or other objectionable features, or hazardous to the community on account of fire or explosion or any other cause shall be prohibited in this district.

614.13-2 Other land use activities which are specifically prohibited within this district include, but are not necessarily limited to, the following:

614.13-2.1 ~~Sexually oriented Adult businesses.~~

Commented [TR8]: "Sexually oriented business" is not defined in code; proper term is "adult business" as governed by Sec 712

614.13-2.2 ~~Wireless communication facilities.~~

614.13-2.3 Manufactured housing.

(Ord. No. 13-04, Att. B, 4-4-2013; Ord. No. 14-01, Exh. A, 3-6-2014)

614.14 Design guidelines.

614.14-1 Land uses, buildings, and structures shall follow the Buena Vista Design Guidelines found in Appendices A through F of the Land Development Regulations.

614.14-2 Land uses, buildings, and structures required to receive a conditional use permit in the Mixed Use district may deviate from the Buena Vista Design Guidelines at the discretion of the Planning Commission and City Council by means of the conditional use permit process, provided that the intent of the Guidelines is maintained.



**City of Buena Vista
Planning Commission
Minutes of May 8th 2018
Regular Meeting**

**CITY OF
BUENA VISTA**
Planning and Zoning
2039 Sycamore Avenue
Buena Vista VA 24416
troberts@bvcity.org
(540) 261-8607

Members of the Buena Vista Planning Commission met in Council Chambers, 2039 Sycamore Avenue, at 7:00 p.m. on May 8th 2018. Roll was called and a quorum was established.

Members Present:

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

Members Absent:

Guy Holstein
Preston Manuel
Jay Scudder, Ex Officio member
Bradyn Tuttle

Staff Present:

Tom Roberts, Director of Planning & Community Development

New Business

Site Plan Review, 524 West 29th Street, John Ruff applicant

Mr. Roberts explained that the proposal is for prefabricated building sales at this site, which is currently vacant. It requires a site plan because Mr. Ruff will use one of the buildings as an office with a temporary foundation and will be served with electricity, but will not have plumbing. There will be no water/sewer to the site. The intent of the proposal is to use the site but limit development costs and impact on the site to maintain flexibility for a different future use.

Mr. Roberts pointed out that the only changes he discussed with Mr. Ruff from the submitted site plan were the location of one of the buildings that appeared to cross the property line; and to remove a proposed car port in the middle of the driveway/parking lot.

Mr. Ruff rose to address the Commission. He said that he agreed with staff recommended changes to the location of two buildings. He provided the Commission with a copy of his flyers to show the type of buildings he sells.

Mr. Ohleger asked to clarify about restrooms, and Mr. Ruff responded that he had checked with several surrounding businesses and could use the restroom at the car lot next door or the Exxon down the street.

Mr. Henson asked about the development potential of the unopened Tannery Street that runs between the proposed site and the railroad. Mr. Roberts responded that yes, that street could be vacated and added to the subject parcel with additional survey and investigation to ensure it does not encroach on the rail road.

There was further discussion of the car port proposed in the middle of the driveway/parking lot. Mr. Roberts explained that he was most concerned with free flow of vehicles through the lot. Mr. Ruff said that he did not want people to cut through or turn around in his lot, and that the car port would discourage that but allow passage for customers. Mr. Ruff also pointed out that there are projecting pipes/conduit from the former gas pumps that he wanted to protect. Mr. Hawes suggested that he could use large planters. Mr. Ruff agreed to not place the car port there and look into planters.

Mrs. Burke motioned to approve the site plan, Mr. Ohleger seconded, and all approved.

Public Comment

None.

Review and Adoption of Minutes

Mr. Hawes noted an issue with the April public hearing minutes. The minutes indicated that Melissa Smith stated that she lived at the house at 171 E 31st Street. Mr. Roberts said that he understood that the Smiths lived at that house, but that he would go back and review the recording to confirm what Ms. Smith stated.

Mrs. Burke pointed out a typo on page 3 of he/she. Mr. Hawes called a vote to approve the minutes of the April 10th Public Hearing and regular meeting. Mr. Ohleger motioned to approve the minutes as corrected, Mr. Henson seconded, and the motion passed unanimously. Mrs. Burke abstained because she had been absent.

Report of Secretary

Mr. Roberts reported on several items.

- Preston Manuel was appointed to Planning Commission at the last City Council meeting, and Mr. Roberts will reach out to him and provide him with background information
- Mr. Roberts hopes to have a beginning draft of some occupancy regulation changes soon
- City Council public hearing for the Ramsey rezoning application was last week, Council did not have any questions

Committee Updates

None

New Business

None

Old Business

Zoning Text Amendments to Mixed Use zone

Mr. Hawes introduced this item, which is specific text amendment proposals for the Mixed Use district distilled from discussion at the previous meeting. Mr. Ohleger asked about 614.13-2.2

regarding wireless communication facilities. Mr. Ohleger is not sure that the term “wireless communication facilities” refers to cell phone antennas, but rather to other types of facilities. Mr. Roberts said that he would look into the definition of wireless communication facilities and what the intent of prohibiting them was at the time MU was originally passed.

Mr. Roberts noted that what he proposed is a minimal update to address critical issues in the district regulations, but that later on after a downtown master plan, the district regulations could be overhauled.

Mr. Roberts then pointed out and asked the Commission about the last item proposed, which is to adopt the Buena Vista Design Guidelines to apply to the MU district. He noted the ambiguous and wide-open dimensional regulations of district as written. Mr. Ohleger stated that he welcomed additional architectural regulations for the downtown. Mr. Roberts highlighted that the Design Guidelines largely would apply to new construction and less to existing buildings, and much of the Design Guidelines address construction of new streets or subdivisions, which would not happen in the MU district.

Mr. Henson asked to clarify whether the Design Guidelines would apply to the proposed rezoning between Rockbridge and Catalpa. Mr. Roberts answered that no, the Design Guidelines only apply to the zones west of the river and the Mixed Business and Institutional districts.

Mr. Hawes asked to clarify who reviews projects for compliance with these Guidelines, and Mr. Roberts replied that for by-right development it was staff (himself).

Hearing no objections or proposed changes to the MU amendments, Mr. Roberts said that the next step would be to place this text amendment on the agenda for the next Planning Commission Public Hearing.

Other Items

Mr. Hawes asked about zoning or property maintenance violations at Grace Automotive on Magnolia Avenue.

Adjournment

Mr. Hawes adjourned the meeting at 7:55 PM.

Approval

Chairman

Date