



City of Buena Vista Planning Commission

Agenda for November 12th 2019

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

Regular Meeting

Call to Order by Chairman

Roll Call

Public Comment

Review and Adoption of Minutes

Minutes of September 10th 2019 meeting

Report of Secretary

Report of Standing Committees

Report of Special Committees

New Business

- 1) 274 E 41st Street Greater Vision Pentecostal Site Plan Review
- 2) 245 W 21st St Mundet-Hermetite Preliminary Rezoning Presentation
- 3) 2615 Hawthorne Avenue street abandonment request
- 4) Update on Dog Park at "Glen Maury South"

Old Business

Adjournment

Members and Term Expirations:

Dennis Hawes, Chairman, *7/31/2020*
Mike Ohleger, Vice-Chairman, *6/30/2022*
Sandy Burke, *8/31/2021*
Marolyn Cash, *6/30/2020*
Lucy Ferrebee, *9/30/2023*

Melvin Henson, City Council
Representative, *9/30/2023*
Preston Manuel, *12/31/2020*
Jay Scudder, Ex Officio member
Bradyn Tuttle, *12/31/2020*

Staff:

Tom Roberts, Director of Community & Economic 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 Department of Community & Economic Development 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

SECRETARY'S REPORT

DATE: 12 November 2019

SUBJ: Secretary's Report

Connect BV Downtown Revitalization Planning

We met with DHCD staff last week and they went over the project plan with us. Staff & the management team are finalizing that, after which point we will move forward with the actual planning grant activities such as community meetings and economic development analysis.

City Land Analysis

I have mapped and analyzed all City-owned parcels of land (excluding those owned by school board, because Council does not exercise authority over their purchases). Further, I have identified 14 parcels that I believe have value or development potential for sale or other disposal. I will be finalizing this memo and will share with the Planning Commission and with Council.

Ordinance Updates

Event Permitting Process

I mentioned this at the last meeting. Kristina is meeting with Parks & Recreation, Police, and Public Works staff to develop a comprehensive permitting process. This will likely not be part of the zoning code.

Temporary Use Regulations

The summer intern returned to a full class schedule in the fall but did produce draft text. I will be working through this text and presenting it to the PC later.

Short Term Rental Regulations

I have been working with a student intern to develop these—to replace current Bed & Breakfast regulations and address AirBnB rentals as well. I expect to circulate a draft of the new ordinance in the next couple weeks. As currently drafted, we take a permissive approach—short term rentals are allowed anywhere residential uses are allowed—but you have to obtain a business license and pay the appropriate lodging tax. There would be no maximum number of nights, nor are we differentiating between “room” rentals and “whole house” rentals. There are a few more details we are nailing down.

Sign Regulations

I have been working with a student intern to develop new sign regulations and are currently working on a rough draft. The new draft is a complete rewrite. The goals are to bring the regulations into compliance with recent court cases regarding signs and free speech, and to make the regulations simpler and more permissive.



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

STAFF REPORT

DATE: 11/7/2019
TYPE: Site Plan Review
SUBJ: 274 E 41st Street Greater Vision Pentecostal Holiness Church

Synopsis

Greater Vision Pentecostal Holiness Church proposes to demolish an existing single-family home and construct a new 4200 sq ft sanctuary adjacent to its current church site.

Summary:

- Two 50' wide lots located in R3 zone at corner of 41st Street and Locust Ave
- Existing home to be demolished
- Have issued Modification of setbacks
- Existing church parking lots provide required minimum off-street parking
- 45 degree angle parking on 41st Street to be built, creating about 6 new spaces

Analysis

The Greater Vision church currently occupies a brick church structure at 258 E 41st Street. They have acquired the house to the east of this property, at the corner of 41st and Locust, and propose a new building to house a worship space. The existing building will be repurposed as a fellowship hall.

Site Design and Setbacks

The setbacks in the R3 Residential Limited zone are designed for single- and two-family homes, not for institutional buildings. While the setback envelope of these two lots combined could contain the proposed building, it would have imposed some site design hardships because of the rolling topography of the site and relationship to other buildings. Therefore, the Zoning Administrator issued a Modification, which is an administrative relaxation of a specific dimensional regulation on the basis of hardship and uniqueness of circumstance, which can be appealed by an adjacent property owner. At this point no objections have been received.

The proposed building location retains a 15' rear setback and a 5' side setback on Locust Avenue. On Locust Ave, there will be an additional ~6 feet between the property line and the curb and edge of pavement, so the building will still be set back from the roadway. For reference with the photos of the existing buildings, the sanctuary wall will align with the existing garage side wall. Additionally, the front setback will be 40', so there will not be sight line issues making the turn at Locust Ave and 41st Street. The alley ROW is not open to vehicles so there are no

sight line issues at the rear. Lastly, the church building will only be 20' tall at the gable peak, so will not create a hulking mass near the road.

A concrete sidewalk will connect the new building to the street parking and will extend down (west) to the existing church building also.

Parking

The existing church parking lots contain about 35 spaces. The requirement for new churches is 1 space for every 10 seats in the main sanctuary OR 1 space for every 200 square feet of floor area, depending on whether there is fixed seating such as pews. Based on the square footage of 4200 sq ft, that represents 21 spaces. According to real estate records, the existing church building is about 2400 sq ft, which would represent 12 spaces. Thus, no additional parking is required for the combined church property.

Although off-street parking is not required, staff and the church developed a plan for angled on-street parking in front of the new site. This will be completed in conjunction with the curb and gutter and will create handicap-accessible parking spaces very close to the door to the building and supplement existing parking spots.

Storm water management

Less than 10,000 sq ft of land will be disturbed in this project, so no formal erosion & sediment control (ESC) is required. Less than one acre of land will be disturbed, so no formal storm water management (SWM) plan is required.

There is some existing surface flow of runoff on the site, but some of this will be redirected via new curb and gutter to existing drop inlets on 41st Street in front of the existing church building. There is an existing storm drain at the southwest corner of the new building site, which receives runoff from Heavner's Trailer Park and beyond, and which discharges into a 24" pipe going through existing church property to the City's storm sewer system. Little to no flow from the new building site will enter this because of site topography.

Utilities

Because of the limited number of plumbing fixtures in the new building, the existing water tap and meter and the existing sewer tap will be re-used. This has been reviewed by Public Works and the Building Official.

Staff Recommendation

Staff recommend approval of the site plan as presented.

BOUNDARY LINE VACATION & SITE PLAN FOR GREATER VISION PENTECOSTAL ASSEMBLY

CITY OF BUENA VISTA, VIRGINIA
GREEN FOREST JOB # GF00776C

REVISÉ NOVEMBER 4, 2019

SHEET 1 OF 1

LOTS 19-24, BLOCK 25
N/F
MVF HILLSIDE, LLC
Instrument# 190000380
TM# 6-1-6-25-19

PROPOSED
OPEN SPACE

HEVENER'S LANE 15' R/W

S 78°53'38" W 50.00'

S 78°53'38" W 50.00'

15.0' LOT 12
SETBACK TM# 6-1-6-25-12

WATER
METER

A diagram illustrating surface flow. It shows a flat horizontal surface with a wavy line representing a water surface. The text "SURFACE FLOW" is written above the wavy line.

24" CAST IRON
PIPE

LOT 11
6-1-6-25-11

35.0' |
TO FACE OF BLDG.

PROPOSED
BUILDING 60' x 70'

NEW LOI 12

12,500 SQUARE FEET (0.287 AC.)

N/F
TRUSTEES OF THE
PENTECOSTAL OUTREACH
CHURCH

DEED BOOK 57 PAGE 307
TM# 6-1-6-25-9 & 10
CURRENT USE: CHURCH
ZONED R-3

OWNER OF RECORD
"NEW LOT 12"
TRUSTEES OF THE PENTECOSTAL
OUTREACH CHURCH
 INSTRUMENT # 110000693
 TM# 6-1-6-25-11 & 12
 ZONED R-3

TOTAL DISTURBED AREA FOR THIS SITE PLAN SHALL BE UNDER 10,000 SQUARE FEET. THIS INCLUDES DEMOLITION OF EXISTING STRUCTURE AND PLACEMENT OF PROPOSED BUILDING.

PROPOSED BUILDING SHALL BE SERVED FROM
EXISTING WATER METER AND SEWER CLEAN OUT

NEW CURB AND GUTTER TO BE INSTALLED
ACCORDING TO CITY OF BUENA VISTA STANDARDS.

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

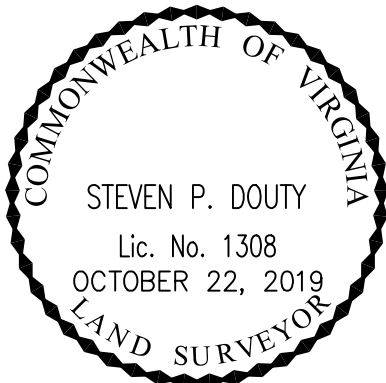
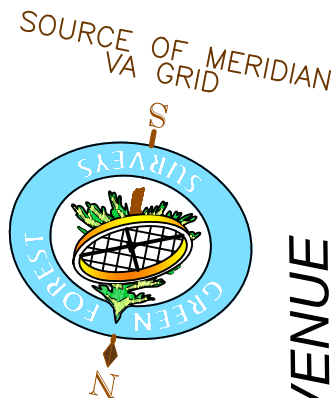
THIS PROPERTY LIES IN FLOOD ZONE "X" ("AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKBRIDGE COUNTY, VIRGINIA AND INCORPORATED AREAS. MAP NUMBER 51163C0290 C; EFFECTIVE DATE: APRIL 6, 2000.

GREEN FOREST SURVEYS

WWW.GREENFORESTSURVEYS.COM

P.O. BOX 428
BUENA VISTA, VA 24416
(540) 261-1077

GF00776C	3	04 NOV 2019	GREATER VISION	1 OF 1
JOB NO.	REV	REV. DATE	NAME	SHEET







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

STAFF REPORT

DATE: 11/7/2019
TYPE: Zoning Map Amendment, Conditional Use Permit
SUBJ: 245 W 21st Street former Mundet-Hermetite plant rezoning

Synopsis

Gavin Fox proposes to create a business incubator space at the former Mundet-Hermetite plant at the western terminus of 21st Street. The variety of proposed uses requires rezoning from LM Light Manufacturing to MU Mixed Use.

Procedural Notes

This is a preliminary presentation of the rezoning concept. Planning Com

Site Information

Address/Tax Map:	26-1---C, 245 W 21 st St	
Existing zoning:	LM Light Manufacturing	
Existing land use:	Manufacturing building	
Proposed zoning:	MU Mixed Use	
Proposed land use:	Mixed-use business incubator	
Surrounding zoning and land use: All surrounding parcels zoned LM		
North: ADS (Advanced Drainage Systems) industrial use East: Railroad; mixed commercial uses on 200 block of W 21 st St South: Riverwalk park land West: Riverwalk park land		
Size:	Approximately 3 acres to be rezoned	
Staff Recommendation:	Approve	
Tentative Timeline	Preliminary Commission Discussion	11/12/2019
	Planning Commission Public Hearing	12/10/2019
	City Council Public Hearing	1/2/2020
	City Council Adoption	1/16/2020

Overview

Applicant Gavin Fox proposes a multi-use space to incubate businesses and house community groups and facilities. Presentation will provide additional details on uses and tenants, but the use will be a combination of commercial, office, retail, assembly, recreation, and industrial.

The full property is 6+ acres, but the applicant intends to sell about 3 acres of undeveloped land on the north end of the site to ADS (Advanced Drainage Systems). ADS will expand their material storage areas on this land. This area would remain zoned LM and is not part of the rezoning request.

Character of uses

Uses will be characterized by

- Little to no environmental impacts or nuisances in contrast to industrial uses; e.g. noise, fumes, exhaust, etc.
- Public-facing character with some tenants receiving walk-in or appointment visitors
- Potential assembly uses including performance venue, meeting space, or indoor recreational facility

Comprehensive Plan Conformance

The future land use plan shows this site remaining light industrial. However, the plan supports transition from one use type to another as opportunities arise.

The City's comprehensive plan acknowledges that, "As the City grows and changes, some lands become better suited for uses other than those originally developed on the site. Over the long term it is likely that these properties will be redeveloped for other purposes. An example includes commercial uses in areas that were predominantly industrial." (page 9-10).

Additionally, there is support in the Economic Development chapter for the proposed use type. Objective 5.1U "Identify incubator space for small businesses in the City of Buena Vista" and Objective 5.2A "Develop policies and incentives to stimulate redevelopment of older, vacant, or blighted non-residential uses..."

Lastly, rezoning to Mixed Use will enhance the Riverwalk, which is identified in the plan as an important recreation asset. MU zoning right at the 21st Street entrance to the Riverwalk will help draw people to the Riverwalk; reduces the likelihood of objectionable sights, sounds, and smells from industrial uses; and opens the door to businesses that relate directly to recreational activities.

Environmental Characteristics

The site is in the 500 Year flood plain because it is protected by the levee wall. No site development is proposed at this time.

Surrounding Land Uses

The site has industrial uses to the north and east (ADS and railroad), and conservation/recreational uses to the west and south (Riverwalk). The railroad is a linear use and will remain in place for the foreseeable future, but if necessary landscaping and fencing can buffer the site from the railroad. A fence and buffer area could be installed on the north side of

the site to buffer it from ADS. The MU zone fits well with the recreational uses on the Riverwalk because it fosters high pedestrian activity.

Infrastructure and Access

The prior industrial use provided ample electric, water, sewer, gas, etc. infrastructure for the proposed uses.

Access to the site is via 21st Street. There is ample existing parking on site with the opportunity to expand parking area.

The tight turn at the intersection of 21st and Sycamore Avenue, in addition to the raised railroad crossing, make this site less than optimal for industrial uses requiring frequent truck traffic.

Conditional Use Permit

One of the proposed uses for the space is warehousing. Leasing warehouse space will facilitate in the startup phase of the business incubator, and will likely be phased out over time and replaced with more intense (and profitable) uses.

Warehousing is a conditional use in MU: “614.04-16 Wholesale business, storage or warehouse provided that any such use shall be distant at least 50 feet from any residential district;”

Warehousing would be permitted by right on the site currently under the LM zoning, and the building and site are somewhat conducive to this use, except for the access constraint on 21st Street noted above. Warehousing would not typically be encouraged in the MU zone because it lacks the public-facing character that encourages pedestrian activity, and warehousing buildings typically do not blend with pedestrian-oriented mixed use buildings. However, in this case very little potential pedestrian activity is sacrificed by permitting the warehouse use, and the existing building is already industrial in character.

For the final rezoning presentation and public hearing, additional details on the conditional use would be discussed and included, potentially including a maximum percentage of floor area etc.

Recommendation

Staff support the zoning map amendment from LM Light Manufacturing to MU Mixed Use, with the Conditional Use Permit to allow warehouse uses in a portion of the space. Staff believe that this redevelopment opportunity will open up space for “21st century uses” that tap into emerging economic development and revitalization trends, and will improve the connection between downtown and the Riverwalk.



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

STAFF REPORT

DATE: 11/7/2019
TYPE: City ROW Abandonment Request
SUBJ: Abandon portion of 26th Street

Synopsis

Michael Ohleger requests to abandon a portion of 26th Street measuring 67.5' x 30' adjacent to his property at 2615 Hawthorne Avenue.

Summary:

- Ohleger already owns a portion of 26th Street adjacent to his property
- The proposed area to be abandoned is a “stub” that does not go anywhere and won’t be used as future road
- Calculated cost for Ohleger is \$3,037.86.

Analysis

Because this portion of the City was annexed and re-subdivided several times over the decades, the configuration of lots and streets is less regular than much of the City. The portion of 26th Street that would run between Cedar Avenue and Hawthorne Avenue has been abandoned for the whole block except for the remaining 67.5' closest to Hawthorne Avenue, adjacent to Ohleger’s property.

This remaining “stub” is not necessary to provide access to any property, because the property opposite 26th Street from Ohleger (owned by Coretta Thurman) is accessed from the other side (near 25th Street). Further, only the 30' portion on Ohleger’s side of 26th St is under consideration for abandonment, retaining a 30' City ROW on Thurman’s side.

Under the City’s 2006 policy on abandonment, the price of ROW land to be abandoned is based on the average assessed land values of adjacent parcels, on a per-square-foot basis. The average per-square-foot assessed land value of the adjacent parcels is \$1.56. The portion of street to be abandoned is 2025 sq ft, thus the price is \$3,037.86 based on a simple average.

The attached table also shows a weighted average. Per square foot values are weighted based on the size of the parcel, thus the assessed value of the Matheson’s property 2554 Cedar (with 48,645 sq ft) is weighted higher than the assessed value of the existing abandoned portion of 26th Street owned by Ohleger (with 2,025 sq ft).

Staff Recommendation

Staff recommend approval of this abandonment request because it will not compromise access to any properties. City policy on ROW abandonments does not give the Planning Commission an official role, but the PC may issue a resolution in support or opposition of the abandonment for City Council’s consideration.

MAPNUM	OWNER1	sq ft	LANDVALUE	Value per squ:	ADDRESS	STREET
29- 1- -58- 9A	OHLEGER MICHAEL P ET UX	2025	\$ 2,500.00	\$ 1.23		
29- 1- -58- 9	OHLEGER MICHAEL P ET UX	13250	\$ 28,000.00	\$ 2.11	2615	HAWTHORNE
28- 1- 4- A- 7	THURMAN CORETTA L SPECIAL	20000	\$ 37,000.00	\$ 1.85	2575	HAWTHORNE
29- 1- 4- A- 8	DAVIS STEVEN T	17750	\$ 32,500.00	\$ 1.83	906	26TH
28- 7- 4- A- 5	MATHESON R REVOCABLE TRUST	48645	\$ 37,000.00	\$ 0.76	2554	CEDAR
		1950	\$ 3,037.86	\$ 1.56	Simple average	
		1950	\$ 2,627.62	\$ 1.35	Weighted average	

SOURCE OF DESCRIPTION

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

GREEN FOREST SURVEYS

P.O. BOX 428
BUENA VISTA, VA 24416
(540) 261-1077

GF00646A	1	9 JULY 2014	LOTS 9 & 10	1 OF 1
JOB NO.	REV	REV. DATE	NAME	SHEET

TOTAL AREA
14900.0 Sq. Feet

Existing Property

2615 Hawthorne

LOT 9

LOT 10

LOT 11

HAWTHORN AVENUE

REQUESTED
'ABANDONMENT'

N/F
BRIAN and AMANDA ANKEN
Instrument# 130000120
TM# 28-7-4-5

TM# 28-7-4-A-5

Lot 7
2575 Hawthorne
Coretta Thurman

COMMONWEALTH OF VIRGINIA

STEVEN P. DOUTY

Lic. No. 1308

JULY 9, 2014

LAND SURVEYOR

906 E 26th - Steven Davis



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

STAFF REPORT

DATE: 11/8/2019
TYPE: Certificate of Appropriateness (COA)
SUBJ: 2535 Beech Avenue 7-Eleven Preliminary COA

Synopsis

7-Eleven proposes to construct a new convenience store/gas station facility at the corner of Factory Street and Beech Avenue. Site design requires demolition of existing buildings at 2535 Beech Avenue and at 424 Factory Street.

Procedure Notes

The *only* item under preliminary consideration presently is a COA for demolition of the existing buildings. The actual COA consideration and vote requires a public hearing with notification of adjacent property owners and the public. Site Plan review and COA for new construction will also be considered at future meetings.

Summary:

- Property located within the Seminary Hill Historic District
- Existing buildings are late 19th Century commercial buildings and a single-family dwelling
- Existing commercial buildings have been vacant for 10+ years, residence currently vacant
- Proposed development would be significant economic development opportunity

Overview

7-Eleven has selected this site at the corner of Factory St and Beech Avenue for a convenience store and gas station. To accommodate the proposed uses, the existing buildings must be demolished. For these reasons, the item under consideration at this meeting is whether to allow demolition of the existing buildings. The site plan for the new construction, and the COA for the new site and building, are not finalized at this time and are not under consideration.

The COA for demolition would be contingent upon approval of a new site plan and COA for new construction, to prevent demolition of the buildings without something meaningful in their place.

Analysis

The site is located within the Seminary Hill Historic District (SHHD). The City's comprehensive plan, in its Historic Resources chapter, states

As a means to protect historic resources, the City has designated the Seminary Hill Design Overlay District. The zoning overlay district was established to protect and enhance the historic nature of the district and to establish standards to maintain the unique historical, architectural, cultural and archaeological resources in this portion of the city generally surrounding Southern Virginia University. Furthermore, the standards are intended to strengthen the city's economy by promoting and enhancing business and tourism.

Additionally, the SHHD section provides the following purpose statement:

615.02. Purpose . The Seminary Hill Neighborhood District regulations have been developed to facilitate the efficient production and delivery of public services and to sustain and enhance this economically viable and livable neighborhood within Buena Vista. These regulations are designed to:

- (1)Protect and enhance the historic nature of the district;*
- (2)Continue to encourage mixed use within the neighborhood and within structures;*
- (3)Establish strong design standards to maintain the unique nature of the neighborhood and provide a measure of protection to current and future residents and property owners;*
- (4)To create balance between the natural environment and the neighborhood.*

The following matters are to be considered when reviewing an application for demolition or construction:

615.09. Matters to be considered in acting on application. In reviewing applications, the committee shall base its decision on whether the proposals therein are compatible with the existing building or structure, if any, and with the surrounding design district. Interior arrangement or features not subject to any public view shall not be considered. The following shall be considered by the committee in acting on the appropriateness of the proposed erection, reconstruction, alteration, restoration, or demolition of buildings or structures:

- (a)Exterior architectural features, which are subject to public view from a public street, way or place.*
- (b)Design, arrangement and relative size or mass.*
- (c)The relation of the proposed construction to buildings and structures in the immediate surroundings.*
- (d)The extent to which the building or structure would be harmonious with or obviously incongruous to the historic aspect of the surroundings.*
- (e)In the case of a building to be razed or moved, a primary consideration shall be the extent to which its continued existence would tend to protect irreplaceable historic places and preserve the general historic atmosphere of the city.*
- (f)The extent to which the proposed construction or demolition will promote the general welfare by maintaining and increasing real estate values, generating*

business, creating new positions, attracting tourists, and making the city a more attractive and desirable place in which to live.

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

The existing commercial buildings clearly date from the early days of the City and are good examples of the early commercial buildings of the “boom” years. The buildings have had few modifications and retain much of their original materials and architectural features. The buildings could be rehabilitated, but the cost of this is unknown, and the applicant and 7-Eleven are not able to reuse the existing buildings as part of their project.

The two commercial buildings are similar in character to three other buildings on this block, 2511 Beech; 2522 Beech; and 2574 Beech, each of which is a two-story frame commercial building with glass storefronts. 2511 Beech is currently a thrift shop; 2522 Beech is vacant; and 2574 Beech is apartments on the first and second floors. Together these buildings preserve some of the sense of the historic streetscape of multi-story commercial buildings built close to the sidewalk; however, to the south of this site is a late 20th Century concrete block mini-storage facility, and to the north across Factory street is a mid-20th Century commercial building. There is not a uniform historic architectural character to this or nearby blocks of Beech Avenue.

The single-family residence at the corner of Factory and 25th Street, near the railroad tracks, is appears to date from the late 19th or early 20th Century and is an example of historic worker housing in Buena Vista. However, it is in poor condition and does not exhibit any unique architectural features. Its proximity to the railroad, heavily-traveled roads, and commercial uses makes the site poorly suited to a single-family detached home. Demolition of this house can be viewed as removal of blight.

Economic Development

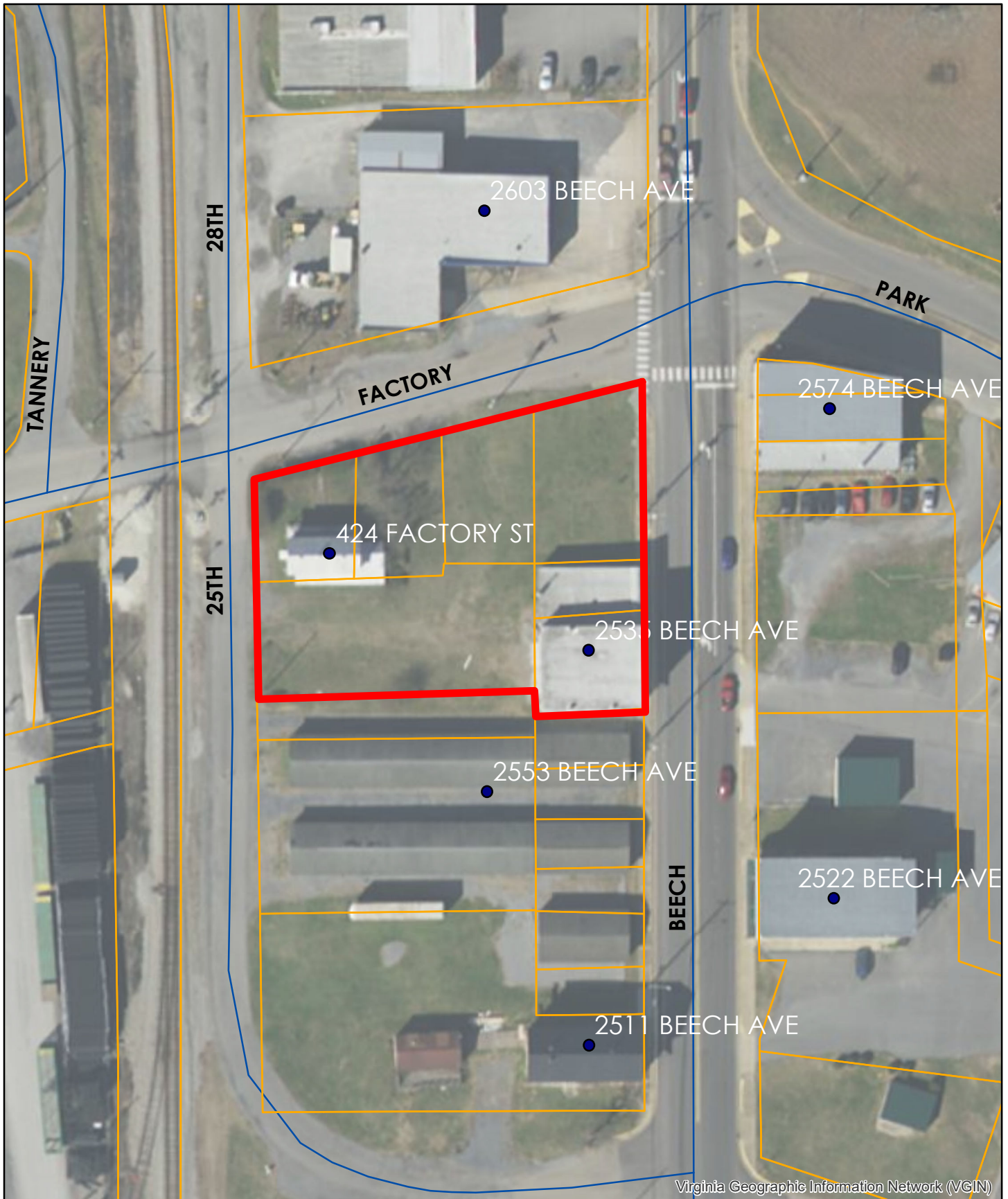
Review criterion (f) addresses potential economic impact on proposed construction or demolition, and is a very important consideration for this project.

This project represents very significant initial investment in site redevelopment and construction, and a significant economic activity generator in the future. The proposed convenience store would sell prepared foods and beverages, general merchandise, and gasoline. These would provide an additional shopping and dining option for residents and visitors, while generating jobs and tax revenue.

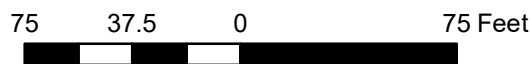
This specific location on Beech Avenue, while not in the center of downtown, is close in the City (in contrast, for example, to Hilltop near the Food Lion) and will serve to pull motorists and shoppers into downtown. Additionally, it is within easy walking distance of Southern Virginia University.







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.



Proposed 7-Eleven Site



MEMORANDUM

TO: Sam Crickenberger
FROM: Tom Roberts
DATE: 10/16/2019
SUBJ: Dog Park Zoning

A private nonprofit group proposes to partner with the City of Buena Vista to construct a dog park on City-owned, located within Rockbridge County, adjacent to Glen Maury Park. Project map attached. The proposed dog park will consist of a chain-link fence enclosure of less than one acre, encompassing an area of grass and trees. There will be a water fountain or faucet, benches, trashcans, and signage.

This memo seeks to identify and request opinions on potential zoning issues for this project.

Comprehensive Plan Conformance

This project appears to conform to the County's comprehensive plan, which supports creation of new recreation areas in cooperation with adjacent localities, as well as preservation of open space. Below are objectives and strategies that support this:

Objective: Ensure that large areas of the County are maintained as open space for future local, State and national needs for agricultural and wood products, recreation, water supply and quality of life. (RCP, p.78)

Objective: Conserve and enhance the natural and recreational resources that provide the foundation of the county's retirement, recreation and tourist based economic sectors, and continue to improve recreational facilities with emphasis on balancing recreational improvements and opportunities over the entire county for all age groups.

Strategy

4. The County should cooperate with Lexington and Buena Vista to jointly sponsor recreation programs whenever feasible. (RCP, p. 232-233)

Objective: Promote the conservation of open space within the County and actively promote the long-term preservation and maintenance of valuable natural resource areas through public acquisition, continued support for and implementation of use-value taxation, increased regulatory control over and fees associated with new development and other cooperative efforts.

Strategy

9. Identify specific measures to aid the County in its ongoing efforts to preserve rivers and streams for the purpose of preserving their natural beauty and environmental attributes, while maximizing recreation potential and conservation opportunities, and locate specific geographic areas where these measures may be applied. (RCP, p.246)

Appropriate Zoning District

Currently, this property is zoned R1. R1 is primarily a low-density residential zone in which recreational primary uses are permitted by Special Exception (except as part of approved subdivision). "Parks and playgrounds" are defined thus:

302.152 Parks, Playgrounds, and Outdoor Recreation Areas. Land publicly or privately owned devoted to recreational pursuits, usually an open area reserved for outdoor activities such as play, hiking, exercise, or competitive sport not requiring structures for habitation.

This definition appears appropriate for a dog park. One option to permit the dog park is to obtain a Special Exception and retain the existing zoning.

The City of Buena Vista has for many years operated a soccer field adjacent to the proposed dog park, and has only acquired the land for the proposed dog park in the last couple years. Future concepts for this land the City has discussed include additional river access or camping facilities.

Because of this context, rezoning the whole City-owned area to Conservation may be an option. Conservation zone "...covers portions of the County which are occupied by various open uses, such as National Forests and Parks, State-owned forest and park lands, and local government-owned lands. This District is established for the specific purpose of providing recreation and open space uses, conservation of water and other natural resources, reducing soil erosion, protecting watersheds, and reducing hazards from flood and fire..." (601.01) Parks and recreation uses are permitted by right. Conservation zoning would recognize that the area will remain parkland (and not residential) far into the future, as well as recognizing that the majority of this land is located in the Flood way.

Location in Flood way

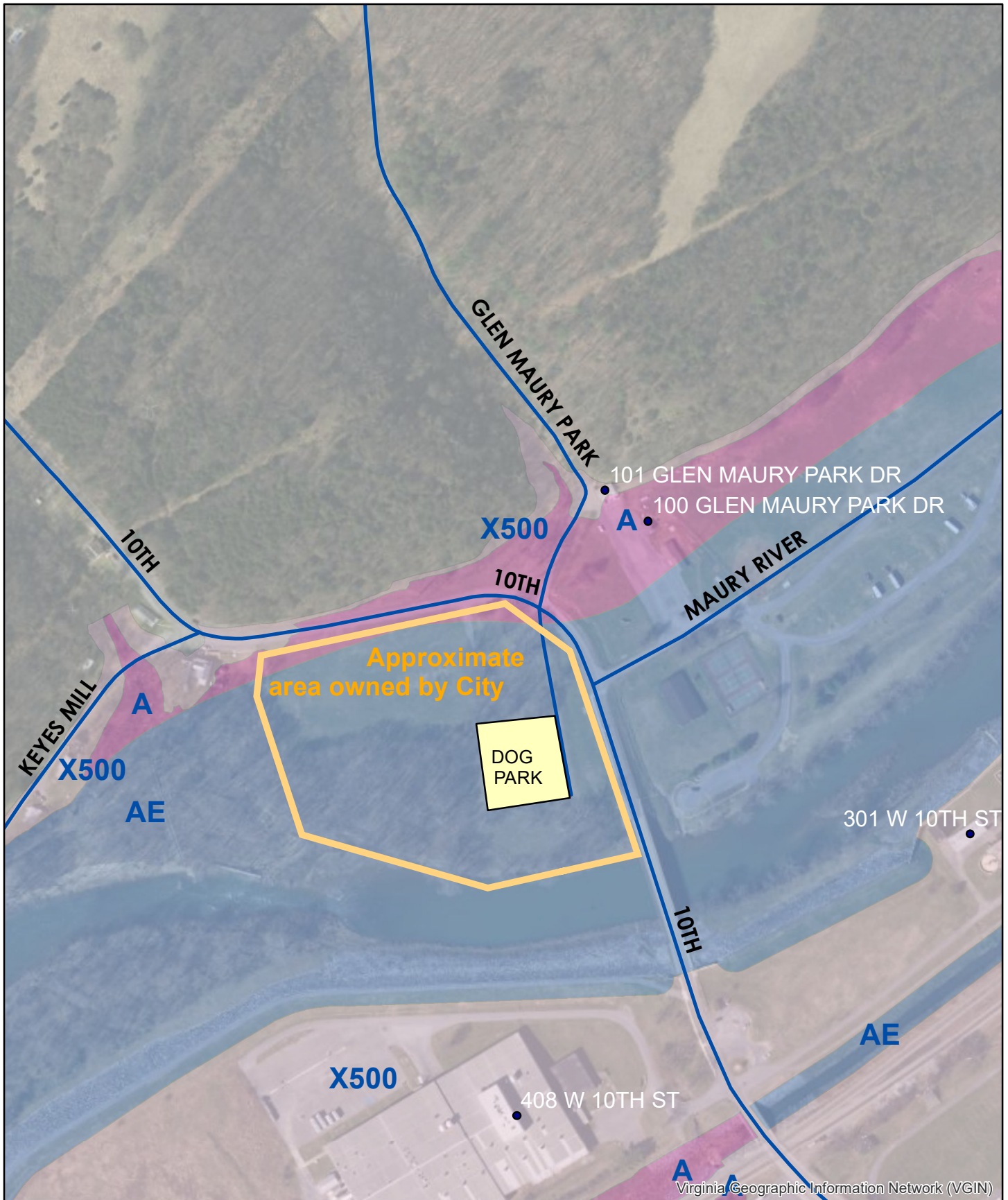
The attached map shows the flood way in blue. This location may limit some uses of the dog park, but it appears that recreational uses such as the dog park are permitted by right:

608.11-1 Permitted Uses. In the Flood way District the following uses and activities are permitted provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other Ordinance, and provided that they do not require structures, fill, or storage of materials and equipment:

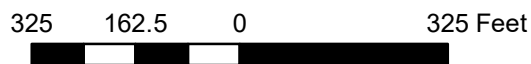
(2) Public and private recreational uses and activities such as parks, day camps, picnic grounds, golf courses, boat launching and swimming areas, hiking, and horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, trap and skeet game ranges, and hunting and fishing areas. (page 6-24)

Key questions:

- Does the proposed dog park conform to the comprehensive plan?
- Is conservation the appropriate zone for this use and the surrounding City-owned land?
- Is there a problem from a floodplain zoning or building code perspective with the dog park?



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.



Proposed Dog Park

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