Planning Commission Meeting 5/12/2020 7:00 PM

To Join the Zoom Meeting click the link below and enter the Meeting ID:

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OR Dial in:

+1 253 215 8782 US
+1 301 715 8592 US

Meeting ID: 827 3416 2790

Current state law limits virtual meetings of governing bodies to conducting “essential” business. The only item of business on the agenda is review and approval of a time-sensitive property development. As such, all meeting participants except Commission members may be muted by the host except for two periods: during the general public comment time at the beginning of the meeting; and following the staff presentation on the development proposal, for applicant presentation and public comment on this item.

Comments and feedback may be submitted in writing prior to the meeting at troberts@bvcity.org.

The meeting packet can be found at https://www.buenavistava.org/business/planning-zoning/.

The chat function will not be considered public comment for this meeting. Please provide audio input.

The meeting will be recorded to facilitate preparation of minutes.
Call to Order by Chairman
Roll Call
Public Comment
Review and Adoption of Minutes
Report of Secretary
Old Business
  1. Site Plan Review and Certificate of Appropriateness for River Rock Village, 200 block of E 29th St
New Business
None
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
City Hall, 2039 Sycamore Avenue, Buena Vista VA 24416
(540) 261-8607 | troberts@bvcity.org | bvcity.org/planning

Meetings

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

MINUTES of April 21st 2020

Members of the Buena Vista Planning Commission met virtually via ZOOM at 7:00 p.m. on April 21st 2020. Roll was called and a quorum was established.

Members Present:
Dennis Hawes, Chairman
Marolyn Cash
Lucy Ferrebee
Melvin Henson, City Council Representative
Preston Manuel
Michael Ohleger, Vice-Chairman

Members Absent:
Sandy Burke
Jay Scudder, Ex Officio member
Bradyn Tuttle

Staff Present:
Tom Roberts, Director of Community & Economic Development

Meeting is called into order.

REGULAR MEETING

Public Comment
None

Review and Adoption of Minutes
Mrs. Cash motioned to approve as presented, Mr. Manual seconded, and all voted to approve. Mr. Ohleger abstained because he was absent.

New Business

River Rock Village Phase 2 Site Plan and Certificate of Appropriateness

Mr. Roberts began by explaining that he had missed reviewing in the staff report that the applicant had also obtained a boundary line adjustment to create three parcels instead of two. He also gave more details on the water and sewer and explained that the staff report was an oversimplification, and affirmed that there is adequate capacity as proposed. Mr. Ohleger chimed in that he had spoken with Public Works and agreed.

Mike Bowling spoke on behalf of the applicant to sum up the project.

Mr. Hawes raised several concerns with the parking shown on the plan. He noted that with the new parcel configuration, there is not sufficient parking on each parcel for the dwelling units on that parcel. He also noted that based on his observation, in the parking areas established for
phase 1, cars are not parking where the designated spaces should be. Further, the parking area was generally messy and did not have a clear edge. Mr. Hawes also found the total number of spaces for the project unclear because the site plan did not show the parking spaces from phase 1.

Mr. Roberts responded by clarifying that all of parking spaces from phase 1 would remain, and that the eight proposed for phase 1 were in addition to those.

Mr. Bowling explained that the parking area and the landscape is incomplete and that they had not put lines and indicated where tenants should park. Until very recently, construction vehicles have been at the site blocking tenant parking areas.

Mr. Roberts also explained that the owner, Darlene Stoddard, has deeded an access, parking, and utility easement across all three parcels so that they function as a single unit. Mr. Hawes stated that if this is the case, he felt that the site plan should be updated and the proposal presented again with all of this information.

Mrs. Cash shared her opinion of the project and stated that she was not impressed by the phase 1 project and felt that the exterior of the buildings and the existing parking area were not impressive. She asked if drainage was being considered.

Mr. Bowling responded that they are not finished with the landscaping and gravel, and Mrs. Stoddard agreed, stating that she plans to do extensive attractive landscaping to the site. She pointed to the sign surrounded by boulders as indicative of her efforts, but that she is waiting until all the buildings are built.

Mr. Manual, Mrs. Ferrebee, and Mr. Ohleger agreed with Mrs. Cash and Mr. Hawes that the phase 1 buildings and landscape were messy and were not what they anticipated when initially approved in 2019.

Mr. Henson suggested that the City delay installing curb and gutter until after these buildings are constructed. He also discussed concern about site distances with the tree shown at the corner of the property with the alley at Aspen Avenue. Lastly, he mentioned the location of the trash area. Mr. Roberts responded that he had already discussed moving the trash area to the alley way, and Mr. Bowing said this was fine.

Mr. Manual voted to not approve the site plan as presented and send it back to the applicant for revision. Mr. Henson seconded and all voted yes. The proposal was denied.

Mr. Hawes stated that because they were sending the site plan back for revision, they would not discuss the certificate of appropriateness.

Report of Secretary
None

Old Business
None

Adjournment 7:52 PM
Approved: ________________________________________________________________
Synopsis

Two additional duplexes in the River Rock Village complex, for a total of 12 units.

Site Information

<table>
<thead>
<tr>
<th>Address/Tax Map:</th>
<th>202 through 208 W 29th St 18-1-5-21-11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size:</td>
<td>Two new ~1,800 sq ft two-family dwellings (~868 sq ft per unit) 25,000 sq ft total property</td>
</tr>
<tr>
<td>Staff Recommendation:</td>
<td>Approve as presented</td>
</tr>
</tbody>
</table>

Site Plan Revisions

Per discussion at the last meeting, the site plan has been updated as follows:

- All parking spaces in phase 1 and phase 2 are shown, totaling 20 spaces. This is two more spaces than the required 1.5 spaces/unit for the 12 units in the project.
- Internal lot lines are not shown to reduce confusion.
- Landscaping is modified.

Access, Parking, & Utility Easements

The applicant completed a boundary line adjustment that changed the boundaries of the parcels for the purpose of establishing no more than four dwelling units on a parcel. This will facilitate financing for the applicant. The parking areas as well as multiple underground utilities cross property boundaries after the adjustment, so staff required the applicant to deed easements across the properties for access, parking, and utilities. Attached is a copy of the deed granting an easement for access, parking, and utilities across the three parcels that comprise this project.

Site Landscaping and Parking Area

The Planning Commission expressed concern about compliance of the project site with the 2019 site plan, especially in regard to the parking area. Since the 4/21/2020 meeting there appear to have been some improvements as seen in attached photos, specifically:

- Edges of gravel neatened
- Parking spaces marked with paint (more to “train” tenants as paint will wash off gravel)
- Concrete stop bars at each parking spot
- Decorative stone border of parking area at exit onto Aspen

**Certificate of Appropriateness**

At the 4/21/2020 meeting, the Certificate of Appropriateness was not presented/reviewed because the site plan was deemed not in compliance. The proposed buildings will be the same floorplan as the three approved in 2019. The elevation facing Aspen Avenue will feature a porch and other aspects of visual interest and interaction with the street that meet the requirements of the Design Guidelines. While Phase 2 will make the site denser, the separation of units into detached two-unit buildings and the architectural style reduce the appearance of density and blend the project into the existing neighborhood.

Staff reviewed the site on 5/5/2020. In staff’s opinion, Phase 1 is in compliance with the Certificate of Appropriateness from 2019:

- The structures built follow the rendering shown at the 6/11/2019 meeting except for the roofline, which was discussed at the meeting; and the color of the front porch.
- The new structures mimic the architectural rhythm of this block in their height, roofline, setbacks, and fenestration
- The new structures’ materials are similar to houses in the same block and neighborhood
- Each new structure has a different shade of siding, per Planning Commission discussion 6/25/2019
- The concrete stoops mentioned at the 4/21/2020 meeting are crisply painted in different colors for each building and complement the buildings
- Grass is established across most of the site, the buildings have foundation shrubs, flowers, and mulch, and there is a dogwood sapling planted on the east edge of the site.

While compliance with the 2019 Certificate of Appropriateness for Phase 1 of River Rock Village is not the purview of the Planning Commission, as-built features of phase 1 can be considered indicative of the applicant’s execution of phase 2.

**Erosion & Sediment Control**

Although the total land disturbance for phase 2 is less than 10,000 square feet, this project is considered a common plan of development. The ESC law considers the whole of a project regardless of phase of development. As such, the applicants have submitted an ESC plan.

**Recommendation**

Staff recommend approval of the revised site plan and Certificate of Appropriateness as presented.
THIS DEED OF CONFIRMATION AND BOUNDARY ADJUSTMENT,
made and entered into this the 20\textsuperscript{th} day of April, 2020, by and between DARLENE J. STODDARD, GRANTOR; and DARLENE J. STODDARD, whose address is 216 West 29\textsuperscript{th} Street, Buena Vista, Virginia 24416, GRANTEE.

WITNESSETH

That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Grantor does hereby CONFIRM, GRANT, and CONVEY, unto the said Grantee, the following real estate:

All those certain lots or parcels of ground, together with the buildings and improvements thereon, if any, situate, lying and being in the City of Buena Vista, Virginia, shown and designated upon a plat entitled, “Subdivision of the Lands of the Buena Vista Company into Lots”, which plat is of record in the Clerk’s Office of the Circuit Court for the City of Buena Vista, Virginia, in Deed Book 2, at page 107; and also being shown and designated upon a plat prepared by Steven P. Douty, L.S dated April 1, 2020, revised April 20, 2020, entitled “Boundary Adjustment for River Rock Village, Block 21, Section 5, Buena Vista, Virginia”, attached hereto and made a part hereof, to-wit:
Parcel 1. Lot 9, as designated on said boundary adjustment plat measuring 100 feet by 62.50 feet and being a portion of “New Lot 9” as shown and designated upon a plat prepared by Steven P. Douty, L.S dated June 13, 2019, and revised June 18, 2019, entitled “Site Plan of Lots 9 & 11, Block 21, Section 5”, which plat is of record in the aforesaid Clerk’s Office in Plat Cabinet 1, Slide 184.

Parcel 2. Lot 11, as designated on said boundary adjustment plat measuring 100 feet by 62.50 feet and being a portion of “New Lot 11” as shown and designated upon a plat prepared by Steven P. Douty, L.S dated June 13, 2019, and revised June 18, 2019, entitled “Site Plan of Lots 9 & 11, Block 21, Section 5”, which plat is of record in the aforesaid Clerk’s Office in Plat Cabinet 1, Slide 184.

Parcel 3. Lot 10 as designated on said boundary adjustment plat, measuring 200 feet by 62.50 feet and being the remaining portions of both “New Lot 9” and “New Lot 11” as referenced above.

New Lot 9 was the same identical property conveyed to Darlene J. Stoddard by Deed dated July 9, 2013 from Joanne Tripp, as Lots 9 and 10, Block 21, Section 5, of record in the aforesaid Clerk’s Office as Instrument Number 130000448. They were combined into a single lot by Deed of Boundary Vacation dated June 19, 2019 and of record in said Clerk’s Office as Instrument Number 190000284.

New Lot 11 was the same identical property conveyed to Darlene J. Stoddard by Deed dated June 18, 2019 from Pamela W. Lydick, Trustee, as Lots 11, and 12, Block 21, Section 5, of record in the aforesaid Clerk’s Office as Instrument Number 190000282. They were combined into a single lot by Deed of Boundary Vacation dated June 19, 2019 and of record in said Clerk’s Office as Instrument Number 190000285.

It is the intention of this Deed of Confirmation and Boundary Adjustment to establish the three parcels described above and shown on the aforesaid April 1, 2020 Douty boundary adjustment plat attached hereto.

The aforesaid Douty plat also shows rights of way for access and parking appurtenant to all three parcels. Each parcel shall be subject to same as shown. In
addition there may be existing utilities crossing one or more of the parcels for which an easement is hereby reserved and granted.

Reference is here made to the aforesaid Deeds, The Deeds therein mentioned and the aforesaid plats for a more particular description of the property herein affected.

WITNESS the following signature and seal:

__________________________ (SEAL)
DARLENE J. STODDARD

STATE OF VIRGINIA

CITY OF BUENA VISTA, to-wit:

The foregoing instrument was acknowledged before me this 21st day of April, 2020 by Darlene J. Stoddard, in the aforesaid jurisdiction.

My commission expires: 2/3/2023

Notary Registration Number: 333400

__________________________
JANE E. AUSTIN
NOTARY PUBLIC
BOUNDARY ADJUSTMENT FOR
RIVER ROCK VILLAGE
BLOCK 21, SECTION 5
BUENA VISTA, VIRGINIA
GREEN FOREST JOB # GF01533A
REVISED APRIL 20, 2020
SHEET 1 OF 1

LOT 9
18-1-521-9
D. J. STODDARD
190000285
12,500 Sq. Ft.

LOT 10
18-1-521-10
D. J. STODDARD
190000285 & 284
12,500 Sq. Ft.

LOT 11
18-1-521-11
D. J. STODDARD
190000284
12,500 Sq. Ft.

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 OF 500-YEAR FLOOD AND AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN*) AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF BUENA VISTA, VIRGINIA. MAP NUMBER 51163C0401C; EFFECTIVE DATE: APRIL 6, 2000.

LEGEND

MBL
PROPOSED MINIMUM SET BACK

●
FOUND OR SET IRON ROD

DARLA KAY TOPLEY and RICHARD DREW FAINTER
DB 83 PG 269
TMF 18-1-5-21-8

APPROVED BY:

STEVEN P. DOUTY
Lic. No. 1308
APRIL 1, 2020

COMMONWEALTH OF VIRGINIA
LAND SURVEYOR

CITY OF BUENA VISTA
DATE

GREEN FOREST SURVEYS, LLC
WWW.GREEN-FORESTSURVEYS.COM
P.O. BOX 428
BUENA VISTA, VA 24416
(540) 261-1077

GF01533A 3 20 APR 2020 STODDARD 1 OF 1
JOB NO. REV. REV. DATE NAME SHEET