PLANNING COMMISSION

AGENDA for August 11th 2020

Note: this meeting will be in-person at the Oyler Pavilion, Glen Maury Park. Please observe social distancing and wear a mask if able.

PUBLIC HEARING

Plan of development approval for single family home in the 400 block of Beverly Hollow Lane

REGULAR MEETING

Call to Order by Chairman

Roll Call

Public Comment

Review and Adoption of Minutes

Minutes of July 14th 2020 meeting

Report of Secretary

• Connect BV downtown revitalization planning proceeds – Studio Ammons under contract as consultant for plan. Kickoff in coming weeks.
• Former TnT’s Restaurant building will soon be an outpatient clinic for Augusta Health. Renovations are currently underway; opening date not known.

Old Business

None

New Business

1. 404 Beverly Hollow Lane Plan of Development

Adjournment
Members and Term Expirations
Dennis Hawes, Chairman, 7/31/2024
Mike Ohleger, Vice-Chairman, 6/30/2022
Sandy Burke, 8/31/2021
Marolyn Cash, 6/30/2024
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 July 14th 2020

Members of the Buena Vista Planning Commission met in Council Chambers, City Hall at 7:00 PM on July 14th, 2020. Roll was called and a quorum was established.

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

Members Absent:
Sandy Burke
Lucy Ferrebee
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

Mr. Ohleger motioned to approve as presented, Mr. Manuel seconded, and all voted to approve.

Secretary’s Report

- Connect BV downtown revitalization planning proceeds
  - Consultant working with team on Opportunity Zone marketing project to create and actively market high-potential properties in BV
  - Finalizing consultant who will conduct public visioning sessions, perform economic analysis, and develop recommendations for downtown

Old Business
None

New Business

Sign Certificate of Appropriateness for 2511 Beech Avenue
Mr. Hawes explained that he had been involved in helping the business owner of the new hair salon find this building. There was brief discussion of the sign material and size being 3’ x 5’ and aluminum. No concerns were raised.

Mr. Ohleger motioned to approve the sign as presented, Mrs. Cash seconded, and all voted to approve.

Adjournment 7:15 PM

Approved: ____________________________________________________________
PLANNING COMMISSION Staff Report
Planned Unit Development – Master Plan
404 Beverly Hollow Lane
5 August 2020

Synopsis
Applicant Dylan Smith proposes to build one single-family home on a 3 acre site at the end of Beverly Hollow Lane. A Plan of Development is required because the site is zoned R6 Residential Planned Unit Development.

Site Information

<table>
<thead>
<tr>
<th>Address/Tax Map:</th>
<th>66-1---1A, proposed address 404 Beverly Hollow Lane</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing zoning:</td>
<td>R6 Residential Planned Unit Development (PUD)</td>
</tr>
<tr>
<td>Existing land use:</td>
<td>Vacant/agricultural</td>
</tr>
<tr>
<td>Proposed zoning:</td>
<td>No change</td>
</tr>
<tr>
<td>Proposed land use:</td>
<td>Single-family residential</td>
</tr>
<tr>
<td>Surrounding zoning and land use:</td>
<td>Single-family residential and agricultural/forest</td>
</tr>
<tr>
<td>Size:</td>
<td>3 acres</td>
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<tr>
<td>Staff Recommendation:</td>
<td>Approve as presented</td>
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</table>

Tentative Timeline

<table>
<thead>
<tr>
<th>Tentative Timeline</th>
<th>Preliminary Commission Discussion</th>
<th>n/a</th>
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</thead>
<tbody>
<tr>
<td>Planning Commission Public Hearing</td>
<td>August 11th 2020</td>
<td></td>
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<tr>
<td>City Council Public Hearing</td>
<td>September 1st 2020</td>
<td></td>
</tr>
<tr>
<td>City Council Adoption</td>
<td>September 15th 2020</td>
<td></td>
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</tbody>
</table>

Overview & Analysis
The applicant seeks to build a new house on land adjacent to homes of relatives who have lived on Beverly Hollow Lane for many years.

Zoning and Comprehensive Plan Conformance
The land is zoned R6 Residential PUD. This zone is intended for large-scale residential development, such as a housing subdivision. All development, regardless of the scale, requires approval by City Council of a master plan of development. In this case, the “master plan of development” is for one single-family house. The boundaries of the master plan are coincident with the boundaries of the tax parcel.

Single-family residential development is a permitted use in R6. While a master plan for only one house may unusual and not exactly what was intended for this zone, in the 2019 revision of the
R6 text this type of application was anticipated. The proposed house does not conflict with the intent of the zone, and in fact the clustering of houses at the end of Beverly Hollow Ln clearly ties into several of the design objectives of R6:

607.01-1 A mix of residential lot and dwelling unit sizes and configurations is provided so as to offer a variety of housing opportunities, yet create a cohesive neighborhood that enhances social interaction.

607.01-2 Housing is clustered to preserve valuable environmental resources and provide usable recreational open space.

The full text of the R6 zone is included with this packet.

The Comprehensive Plan designates this area for “Mixed Use Planned Development,” which is described thus:

The areas are intended for a mixture of land uses, housing types, and densities within a comprehensive site design concept. The area could possibly include single-family residential with attached commercial and multifamily with neighborhood-oriented retail commercial or intermixed office commercial.

Staff believe that this proposal is consistent with the Comprehensive Plan.

Background and Environmental Characteristics

This site has been identified for several decades as a home site. In 1992, existing land was divided to create the current 3 acre parcel designated 66-1---1A. In 1993 a house was planned and a septic drain field installed. Around 2000, excavation for a foundation was done, but a house was never built. The road access on Beverly Hollow Lane to the site has been maintained.

The site is rolling but not steeply sloped (more than 15%). Currently the land is a grassy field. Less than 10,000 sq ft will be disturbed during construction so no Erosion & Sediment Control plan will be required.

Infrastructure

This location is distant from existing City water and sewer mains, separated by thousands of feet of rolling topography and forest. City code requires connection to public water and sewer when it is available, but it is not available at this location. Well and septic must be approved by the Virginia Department of Health.

The septic system installed in 1993 was inspected and approved by the Virginia Department of Health for a 3 bedroom house on June 4th 2020. A well has never been dug, but sketches submitted to the Health Department in 1993 and 2000 propose locating the well to the north or northwest of the house.

Access

The site is accessed by Beverly Hollow Lane, a private gravel road accessed from Route 501 south. Beverly Hollow Ln has existed since at least the 1940s and served as a Forest Service access route. Multiple property deeds refer to access rights on Beverly Hollow Ln and it seems that it has a 30’ right-of-way across multiple land parcels.
Maintenance of the road is done by current residents of the road. An exhaustive legal analysis of the roadway has not been performed, but there do not appear to be any explicit references to maintenance of the road. The road is gravel and is roughly 10’ wide. It is in generally good condition but does not appear to meet any one of the VDOT road design standards for width, curvature, surface, etc. Photographs included.

PUD Design and Development Requirements

Section 607.07 of R6 provides Site Design and Development Requirements. Many of these requirements do not apply when translated to a 3-acre project of one single-family home, but each one is satisfied to the letter or intent. I can provide more details if desired.

Recommendation

Staff recommend approval of this plan of development as presented.
MASTER PLAN FOR
AMBER N. & DYLAN S. SMITH
BEVERLY HOLLOW LANE
BUENA VISTA, VIRGINIA
GREEN FOREST JOB # GF01579A
REVISED JULY 30, 2020
SHEET 1 OF 3

NOTES

THE PROPERTY THAT IS THE SUBJECT OF THIS MASTER PLAN (THE SITE) IS KNOWN AS TAX PARCEL 66-1-1A, STANDING IN THE NAME OF DYLAN SCOTT SMITH AND AMBER NICOLE SMITH AS PER INSTRUMENT NUMBER 202000190.


THE DISTANCE FROM THE SITE TO U.S. ROUTE 50 (GLASGOW HIGHWAY, MAGNOLIA AVENUE) ALONG BEVERLY HOLLOW LANE IS APPROXIMATELY 5,400 FEET.

BEVERLY HOLLOW LANE IS A PRIVATE ROADWAY, MAINTENANCE AND RIGHT OF WAY IS ASSURED BY DOCUMENTS FOUND AT, DEED BOOK 96 PAGE 605 (BV), DEED BOOK 207 PAGE 200 (ROCKBRIDGE), INSTRUMENT NUMBER 202000190, DEED BOOK 101 PAGE 748, DEED BOOK 259 PAGE 314 (RC), AND PLAT BOOK 1 PAGE 81 (RC, R&G).

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 5093000385C; EFFECTIVE DATE: APRIL 6, 2000.

COMMONWEALTH OF VIRGINIA
STEVEN P. DOUTY
Lic. No. 1308
JULY 27, 2020

GREEN FOREST SURVEYS, LLC
P.O. BOX 429
BUENA VISTA, VA 24416
(540) 261-1077

GF01579A  2 30 JUL 2020  ACCESS 1 OF 3
JOB NO. REV REV. DATE NAME SHEET
MASTER PLAN FOR
AMBER N. & DYLAN S. SMITH
BEVERLY HOLLOW LANE
BUENA VISTA, VIRGINIA
GREEN FOREST JOB # GF01579A
REVISED JULY 30, 2020
SHEET 2 OF 3

SOURCE OF DESCRIPTION

N/F
DYLAN S. & AMBER N. SMITH
INSTRUMENT # 202000180
TM# 66-1-1A

THIS PROPERTY LIES IN FLOOD ZONE "X" (AREA DETERMINED TO BE OUTSIDE 50-YEAR FLOODPLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKBRIDGE COUNTY, VIRGINIA AND INCORPORATED AREAS. MAP NUMBER 3183C3885C; EFFECTIVE DATE: APRIL 6, 2000.

BEVERLY HOLLOW LANE
(30 FT R-O-W)

THE PROPOSED HOME WILL BE A 1503 FINISHED SQUARE FOOT HOME WITH A GABLE TYPE FRONT PORCH AND A 6X12 REAR DECK.

THE HOME IS TO SET ON THE EXISTING PAD OF A HOME THAT WAS STARTED IN 1993.

THIS PROPERTY IS SUBJECT TO A MINIMUM SET BACK ON ALL SIDES OF THIRTY FIVE (35) FEET FOR THE PRIMARY STRUCTURE. ALL ACCESSORY STRUCTURES SHALL BE AT LEAST TEN (10) FEET FROM ANY EXTERIOR PROPERTY LINE.

N/F
JEFFERY N. & LORI A. DOREY
DEED BOOK 110 PAGE 336
DEED BOOK 128 PAGE 296
TM# 66-A-1 & 2

HOME WILL BE SERVED BY AN EXISTING DRAINFIELD, PERMITTED FOR A THREE BEDROOM HOME.

WATER WILL BE PROVIDED BY A WELL TO BE LOCATED IN COMPLIANCE WITH HEALTH DEPARTMENT RULES.

LESS THAN 10,000 SQUARE FEET OF EXCAVATION AND EARTH DISTURBANCE WILL BE REQUIRED FOR THIS PROJECT.

STEVEN P. DOUTY
Lic. No. 1308
JULY 27, 2020

COMMONWEALTH OF VIRGINIA
LAND SURVEYORS

GREEN FOREST SURVEYS, LLC
WWW.GREENFORESTSURVEYS.COM
Beverly Hollow Ln entrance looking toward Rt 501

Beverly Hollow Ln road surface
Beverly Hollow Ln showing typical road width

Beverly Hollow Ln cul de sac. House shown is 402. Project is accessed straight ahead.
407 Beverly Hollow Ln

440 Beverly Hollow Ln (at end of driveway)
Beverly Hollow Ln continuation past house at 402, project site ahead.

Project site from end of Beverly Hollow Ln, looking west.
House location showing excavation for footer, looking north.

Existing car port and overhead power lines on western edge of site, looking west.
House site, looking south
July 27, 2020

Thomas Roberts, Director
Community & Economic Development
City of Buena Vista, Virginia
(540) 261-8607
Thomas Roberts troberts@bvcity.org

RE: Proposed house on Beverly Hollow Lane

Mr. Roberts,

I am representing Dylan S. & Amber N. Smith as the design professional preparing and submitting the master plan for their proposed home on Beverly Hollow Lane in Buena Vista. It is my understanding that the property in question lies in planning zone R6 and therefore requires a master plan and narrative as per your letter to Mr. Smith dated July 13, 2020.

This letter is intended to serve as the Project Narrative for the proposed project. I am offering the following items in support of the approval of their project.

1) The property in question is known as Tax Parcel 66-1-1A.
2) The property is standing in the name of Dylan S. & Amber N. (Dorey) Smith as per Instrument Number 202000190.
3) Beverly Hollow Lane is documented as an existing road since 1943.
4) There are documents addressing the right to use this road at DB 96 P 695 (BV), DB 207 P 200 (RC), Instrument 202000190 (BV), DB 101 P 748 (BV), DB 259 P 314 (RC), PB 1 P 81 (RC) and DB 110 P 336 (BV). The legal status of Beverly Hollow Lane was not determined as a part of this survey.
5) The property known as Tax Parcel 66-1-1A was established in 1992 in DB 81 P 137 (Instrument 930000776).
6) A septic permit was obtained for a three-bedroom home and said drainfield was installed in the early 1990’s.
7) Construction was started on the home in the early 1990’s, however the construction was not completed.
8) The present owner is proposing to construct a finished 1503 square foot home with gable type front porch and rear deck on the footprint of the previously started home.
9) The existing septic system will be used.
10) A new well will be established on the property.
11) Existing electric and communication service serves the property.
12) The proposed home will share a neighborhood with three existing homes, thereby continuing the use and nature of the neighborhood.

Dylan and Amber respectfully request your favorable consideration of their request to continue the tradition of their family in this area.

Please feel free to contact me if you have any questions.

Respectfully Submitted,

[Signature]

Steven P. Douty, L.S.
Schematic drawing of sewage disposal and/or water supply system and topographic features.

Show the lot lines of the building site, sketch of property showing any topographic features which may impact on the design of the well or sewage disposal system, including existing and/or proposed structures and sewage disposal systems and wells within 200 feet. The schematic drawing of the well site or area and/or sewage disposal system shall show sewer lines, pretreatment unit, pump station, conveyance system, and subsurface soil absorption system, reserve area, etc. When a nonpublic drinking water supply is to be permitted, show all sources of pollution within 200 feet.

The information required above has been drawn on the attached copy of the sketch submitted with the application. Attach additional sheets as necessary to illustrate the design.

This sewage disposal system and/or water supply is to be constructed as specified by the permit or attached plans and specifications.

This sewage disposal system and/or well construction permit is null and void if (a) conditions are changed from those shown on the application; (b) conditions are changed from those shown on the construction permit.

No part of any installation shall be covered or used until inspected, corrections made if necessary, and approved, by the local health department or unless expressly authorized by the local health dept. Any part of any installation which has been covered prior to approval shall be uncovered, if necessary, upon the direction of the Department.

Date: 2-22-2000  Issued by: Michael R. Sythme  Sanitarian

Date:  Reviewed by: Supervisory Sanitarian

If FHA or VA financing

Reviewed by Date ___________________________ Date ___________________________ Supervisory Sanitarian

Regional Sanitarian
Schematic drawing of sewage disposal system and topographic features.

Show the lot lines of the building lot and building site, sketch of property showing any topographic features which may impact on the design of the sewage disposal system. All existing and/or proposed structures including sewage disposal systems and walls within 100 feet of sewage disposal system and reserve area. The schematic drawing of the sewage disposal system shall show sewer lines, pretreatment unit, pump station, conveyance system, reserve area, etc. Where a nonpublic drinking water supply is to be located on the same lot show all sources of pollution within 100 feet.

The information required above has been drawn on the attached copy of the sketch submitted with the application. Attach additional sheets as necessary to illustrate the design.

The sewage disposal system is to be constructed as specified by the permit(s) or attached plans and specifications.

This sewage disposal system construction permit is null and void if (a) conditions are changed from those shown on the application (b) conditions are changed from those shown on the construction permit.

No part of any installation shall be covered or used until inspected, corrections made if necessary, and approved by the local health department or unless expressly authorized by the local health department. Any part of any installation which is not so covered prior to approval shall be uncovered, if necessary, upon the direction of the Department.

Date: March 02, 1992
Issued by: [Signature]
Supervisory Sanitarian

Date: 3/4/92
Reviewed by: [Signature]
Supervisory Sanitarian

If FHA or VA financing

Reviewed by: Date ____________________________ Supervisory Sanitarian ____________________________ Date ____________________________ Regional Sanitarian ____________________________

D.H.S. 2020 Revised 6/84

II.-2A

ORIGINAL

SR Page 17
Request for Health Department Safe, Adequate, and Proper Review
Building/Zoning Department Use Only:

The Rockbridge County Building Department hereby requests that the Virginia Department of Health evaluate the onsite sewage system and/or water supply on the property described below to determine whether the existing onsite sewage disposal system is safe, adequate and proper for the proposed use.

Building Official Signature: ___________________________ Date: ___________________________

To be completed by property owner or agent:

Owner Name (required): Smith, Dylan and Amber
Mailing Address: 402 Beverly Hollow Rd, Buena Vista, Va.
Home Telephone: n/a
Agent Name: Chris Hegmann
Mailing Address: 11996 Ward Rd, Rustburg, Va 24588
Home Telephone: 434-326-5023
Office Telephone: 434-316-2886
Cell Phone: 540-570-8921

Directions to Property: approx. 1 mile to end of prvrt rd. Past White DW on left. Continue past 100 yds to home site

Owner’s Name at time system was installed: Teresa & Robert Leech Jr.
Date Installed: 8-17-93?
Date of most recent Septic Tank pumping: never used, as new installed

Is there a well on this property? no
Will you be using this Well or Public Water? (Please circle one) Other (describe) Water

Tax Map #: 100-(1)-4
Subdivision Name (if applicable): 
Lot #: 22

Current Use (Include # of Bedrooms): 2-bed single family
Proposed Use (Include # of Bedrooms): 3 bedroom single family
Reason for evaluation: new construction, 3 bedroom design was revised for a two bedroom

Applicant is building 3 bedroom home.

The sewage disposal system, property boundaries and building locations are clearly marked. I give permission to the Virginia Department of Health to enter the property described for the purpose of processing this application. An accurate sketch/plat of the property including shape of the property, length of property lines, existing and proposed structures, wells, sewage disposal systems, and proposed driveways is attached.

Owner/Agent Signature: Chris Hegmann AGNT
Date: 05-26-2020

Health Department Use Only: 181-92-0037 revised

Do records exist for the system? YES / NO
Designed for: # of Bedrooms 2 Gallons per day 300 Installation Date 8-17-93 permit signed
X

The existing sewage disposal system is safe, adequate and proper for the proposed use and is approved.

The request is denied (see Comments below). This decision may be appealed within 30 days.

Comments: Actual installation is verified in the field to be correct. See attache findings.

Health Official Signature: ___________________________ Date: ___________________________

HEALTH DEPARTMENT
AFFIDAVIT TO RECOGNIZE AND AFFIRM
COMPLIANCE WITH APPLICABLE LAW AND REGULATION

STATE OF VIRGINIA

Rockbridge (City/County):

On the 27th day of May (month), 2020 (year), the owner of TBD Beverly Hollow Lane (property address), personally appeared before the undersigned Notary Public and, having first been duly sworn, states as follows:

a. That on the 27th (day) of May (month), 2020 (year) there is no evidence that the installed onsite sewage disposal system for the above referenced property is malfunctioning or failing. Specifically, there is no raw or partially treated sewage on the ground surface or in adjacent ditches or waterways. The onsite sewage disposal system is not known to be contaminating groundwater and sewage is not backing-up into the plumbing fixtures.

AND

b. The proposed building, addition, or use described in the Request for Health Department Safe, Adequate, and Proper Review will not encroach upon the existing onsite sewage disposal system or cause a violation of the setback distances provided in the Sewage Handling and Disposal Regulations. I have been advised to have the septic tank located, uncovered and pumped out. I have adequately determined the boundaries of the sewage system and reserve area (the footprint) as well as all system components. I understand that any adverse encroachment upon the sewage system could result in system failure and upon such discovery I will make all effort to correct any future defects found and brought to my attention. I have taken into account the age of the sewage disposal system and the local health department's suggestion to establish a future reserve area at this time if none has previously been established and understand that an application and fee is required in order to establish the suggested reserve area.

5/27/20
DATE

OWNER SIGNATURE

Subscribed, acknowledged, and sworn to before me this 27th day of May 2020 in the City/County of Buena Vista, Commonwealth of Virginia:

Danielle Lee
NOTARY PUBLIC

My commission expires: 8/31/23.
Findings:
Review pursuant to Va. Code § 32.1-165

Dylan and Amber Smith
402 Beverly Hollow Rd.
Buena Vista, VA 24416

Tax Map#: 100-(1) 1-4
Subdivision: Section: Lot:
Physical Address: 501S to Beverley Hollow Rd. private road on right just west of old drive in.

Is the existing onsite sewage system safe, adequate and proper or approvable as nonconforming for the proposed use?

(YES) Comments: The existing sewage system is safe, adequate, and proper for the proposed use for a three bedroom residence. The residence shall be placed constructed in a manner that meets required setbacks to the existing sewage system components. See the attached sketch for further explanation.

Office records did not reflect the exact observations made in the field. The records indicated a two bedroom system was installed consisting of 4 75 foot lines. This was change made from a three bedroom permit consisting of five 90 foot lines. The inspection documented four seventy foot trenches.

Owner uncovered the distribution box and five lines are present. I observed the five lines on June 1, 2020. I assume there are five lines at least seventy five feet in length. This would be square footage greater than the two bedroom design and less than the three bedroom design. This is also a design difference of plus or minus 10 mpi for estimated percolation rate.

Based on the observation made and records reviewed. The system is expected to be safe, adequate, and proper for the intended use.

Please note that each evaluation is based on a case by case basis and may or may not include a Department site visit. There is no guarantee given or implied that this sewage disposal system will continue to function properly in the future. In the event of a sewage disposal system malfunction, the owner will be responsible for any repairs or other actions deemed necessary by the Department to correct the situation.

See page 2 for Site Sketch and Signature.
House to be located in a manner that will maintain at least ten feet from the sewage system.

Sewage system consists of five absorption trenches at least seventy-five feet in length.

Parcel located within City of Buena Vista. Beverley Hollow Rd to the end of road.

NAME: Eric Royer, Environmental Health Specialist

DATE: June 2, 2020

An owner may challenge a denial by requesting an Informal Fact-Finding Conference (IFFC) within 30 days of receipt of a decision. All requests for an IFFC must be sent in writing to the District Health Director and cite the reason or reasons for the request.