



## PLANNING COMMISSION

AGENDA for February 9<sup>th</sup> 2021

***This meeting will be held in a hybrid format both in-person and via Zoom.*** The meeting will take place in Council Chambers, City Hall, 2039 Sycamore Avenue. Participants must wear masks and practice social distancing. Two-way communication will be provided via Zoom for Planning Commission members and the public.

### *Zoom call details:*

***Time: Tuesday February 9<sup>th</sup> 2021 7:00 PM***

***<https://us02web.zoom.us/j/84235020293>***

***Meeting ID: 842 3502 0293***

***(646) 558-8656***

## AGENDA

### **PUBLIC HEARING**

- 1) Conditional Use Permit for efficiency apartments on the first floor of 2175 Magnolia Avenue.

### **REGULAR MEETING**

**Call to Order by Chairman and Roll Call**

**Public Comment**

**Review and Adoption of Minutes**

Minutes of January 12<sup>th</sup> meeting

**Report of Secretary**

**New Business**

- 1) Conditional Use Permit for efficiency apartments on the first floor of 2175 Magnolia Avenue.

**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~~

Timothy Petrie, 12/31/2024

Jay Scudder, Ex Officio member

**Staff**

Tom Roberts, Director of Community & Economic Development

City Hall, 2039 Sycamore Avenue, Buena Vista VA 24416

(540) 261-8607 | [troberts@bvcity.org](mailto:troberts@bvcity.org) | [buenvistava.org/planning](http://buenvistava.org/planning)

**Meetings**

Members of the Buena Vista Planning Commission meet in Council Chambers, 2039 Sycamore Avenue, at 7:00 p.m. on the 2<sup>nd</sup> 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 January 12<sup>th</sup> 2021

Members of the Buena Vista Planning Commission met via Zoom at 7:00 PM on Tuesday, January 12<sup>th</sup> 2021.

**Members Present:**

Dennis Hawes, Chairman  
Michael Ohleger, Vice-Chairman  
Marolyn Cash  
Melvin Henson, City Council Representative  
Timothy Petrie

**Members Absent:**

Sandy Burke  
Lucy Ferrebee  
Jay Scudder, Ex Officio member

**Staff Present:**

Tom Roberts, Director of Community & Economic Development

Meeting is called into order and roll was called. Mr. Hawes was having difficulty dialing in at the beginning so Mr. Ohleger began the meeting and opened the public hearing.

### PUBLIC HEARING

*Zoning Text Amendment to clarify permitted temporary buildings for uses incidental to construction;*

Mr. Roberts began his synopsis by acknowledging that in retrospect he made the wrong interpretation decision to allow the temporary dwelling at 708 E 25<sup>th</sup> St. This amendment would clarify that temporary buildings on a construction site may not be used as a dwelling. There were no public comments.

*Zoning Text Amendment to repeal the build-to line (zero setback requirement) in the Mixed Business Zone;*

Mr. Roberts summarized that this applies to commercial and multifamily buildings in the Mixed Business zone. Mr. Petrie mentioned that he recalled that the purpose of this provision was to help further SVU's master plan at the time, but that plan has not materialized and this provision is not as relevant. There were no public comments.

*Zoning Text Amendment creation Section 507, Frontage and Private Streets, to clarify street frontage requirements for new development, private streets, and street design standards;*

Mr. Hawes began by stating his agreement with the overall ordinance and pointed out the Board of Zoning Appeals Special Exception process for variances from the frontage requirement.

Mr. Roberts summarized the purposes of the ordinance as stated in the staff report.

Mr. Henson brought up 1610 and 1635 Spruce Ave. Mr. Roberts responded that those two houses are exceptions to the general policy in order to remediate the blight of the vacant houses.

Mr. Hawes brought up the importance of road maintenance and the gravel that washes down 17<sup>th</sup> Street from the unimproved east end of that road.

Mr. Henson asked about the requirement for HOAs to maintain the road, and Mr. Hawes responded that we do not have any or many of these. This led to the question of bonding projects to protect homeowners and the City if a developer goes bankrupt. Mr. Roberts added bonding to his notes for revising the text.

There was brief discussion of who pays for road construction. The City does not have enough money to pay for new roads; they are the developer's responsibility.

There was agreement that any road construction must be inspected carefully by Public Works to ensure it meets standards.

*Zoning Text Amendment to revise Section 706, Sign Regulations, simplifying the ordinance and reducing permitting requirements*

Mr. Hawes began by stating he was pleased we had finally gotten to this point and he agreed with the goal to reduce permitting requirements and simplify the code. He added that he was somewhat concerned that political signs could only be up for 30 days as temporary signs. Mr. Roberts responded that most political signs would be covered by the two permanent minor signs which do not require a permit. Mr. Petrie also brought up political signs in the public right of way, and Mr. Roberts explained that the City's position was that political signs are not permitting in the ROW except on election day and Labor Day, so that there is no appearance of government preference for a given candidate.

Mr. Henson asked about electronic message boards and Mr. Roberts responded that EMBs are permitted as long as they do not change messages more than once per minute. Mr. Roberts explained that animated or flashing signs can be dangerous to drivers and unattractive, and he asked the Commission their opinion. Mr. Hawes responded that he agreed with the safety concern.

There was no public comment.

Mr. Hawes closed the public hearing.

## **REGULAR MEETING**

### **Minutes**

Mr. Ohleger motioned to approve the minutes of December 8<sup>th</sup> 2020, Mrs. Cash seconded, and all voted to approve.

### **Secretary's Report**

Mr. Roberts explained that the downtown plan is almost complete and he would be in touch to schedule a presentation.

### **New Business**

Mr. Hawes asked for a motion to recommend approval the four text amendments from the public hearing. The Commission agreed that they did not need to discuss the amendments more. Mr. Ohleger motioned to recommend approval, Mrs. Cash seconded, and all voted yes.

**Adjournment 8:00 PM**

Approved: \_\_\_\_\_





## PLANNING COMMISSION Staff Report

Conditional Use Permit

2175 Magnolia Ave

2/2/2021

### Synopsis

Rehab existing one-story commercial building into multiple commercial spaces and two efficiency apartments.

### Site Information

Address/Tax Map:		2175 Magnolia Ave, Tax map 34- 1- 2-15- 32	
Existing zoning:		MU Mixed Use	
Existing land use:		Vacant commercial building	
Proposed zoning:		MU Mixed Use with CUP for first-floor residential	
Proposed land use:		Mixed use	
Surrounding zoning and land use: Mixed use			
Size:		4,560 sq ft lot; 2,900 sq ft building	
Staff Recommendation:		Approve residential spaces as presented	
Tentative Timeline	Preliminary Commission Discussion		
	Planning Commission Public Hearing		2/9/2021
	City Council Public Hearing		3/4/2021
	City Council Adoption		3/18/2021

### Overview

Applicant Tyson Cooper proposes to rehab existing vacant commercial building into several retail/office spaces and two efficiency apartments.

Section 614.04-8 of the Mixed Use zone requires that multifamily/apartments on the story closest to street level must receive a Conditional Use Permit.

#### *Background*

This building, constructed in 1968, served as the Value Mart furniture store for many years but has stood vacant for most of the last decade. A carpenter occupied the space during some of 2017-2018. The property was sold to Go BV in early 2018 and has just been purchased by the applicant.

### *Proposal*

The attached floor plan shows the proposed configuration of spaces. The front half of the building will be several retail/office spaces to be leased out, and the rear of the building has two efficiency apartments. The studio apartments measure 350 sq ft and 320 sq ft respectively. Each apartment has direct exterior access as well as access to a small rear hall with mechanical space.

The footprint of the building will remain unchanged. New window and door openings will be cut in some locations.

At the rear of the property four off-street parking spaces will be created between the building and the alley. These spaces could be used by residents. (No off-street parking spaces are required at this location.)

### *Comprehensive Plan Conformance*

This type of development is strongly supported by the City's Comprehensive Plan and fits very well with the City's community and economic development priorities.

The Comprehensive Plan explicitly supports development of new downtown housing and rehab of older and abandoned buildings. The Mixed Use downtown center area is intended to include housing to contribute to the vitality and customer base. These goals are also supported by the City's just-released Downtown Revitalization Plan.

This project effectively combines commercial and residential by placing the commercial spaces on the more visible street frontage areas of the building, while locating residential spaces at the rear. Additionally, the small commercial spaces are well-suited to current needs for businesses—few businesses seeking to locate in Buena Vista are looking for a large (2,900 sq ft) space, but prefer instead the smaller units proposed.

There are no infrastructure or environmental concerns.

### **Recommendation**

Staff recommend approval of first-floor apartments as presented. It should be clear that the CUP applies only to the location and configuration of the residential spaces, and the applicant should reserve the right to deviate from the design presented based on leaseholder needs during the development process, subject to approval by the Zoning Administrator.





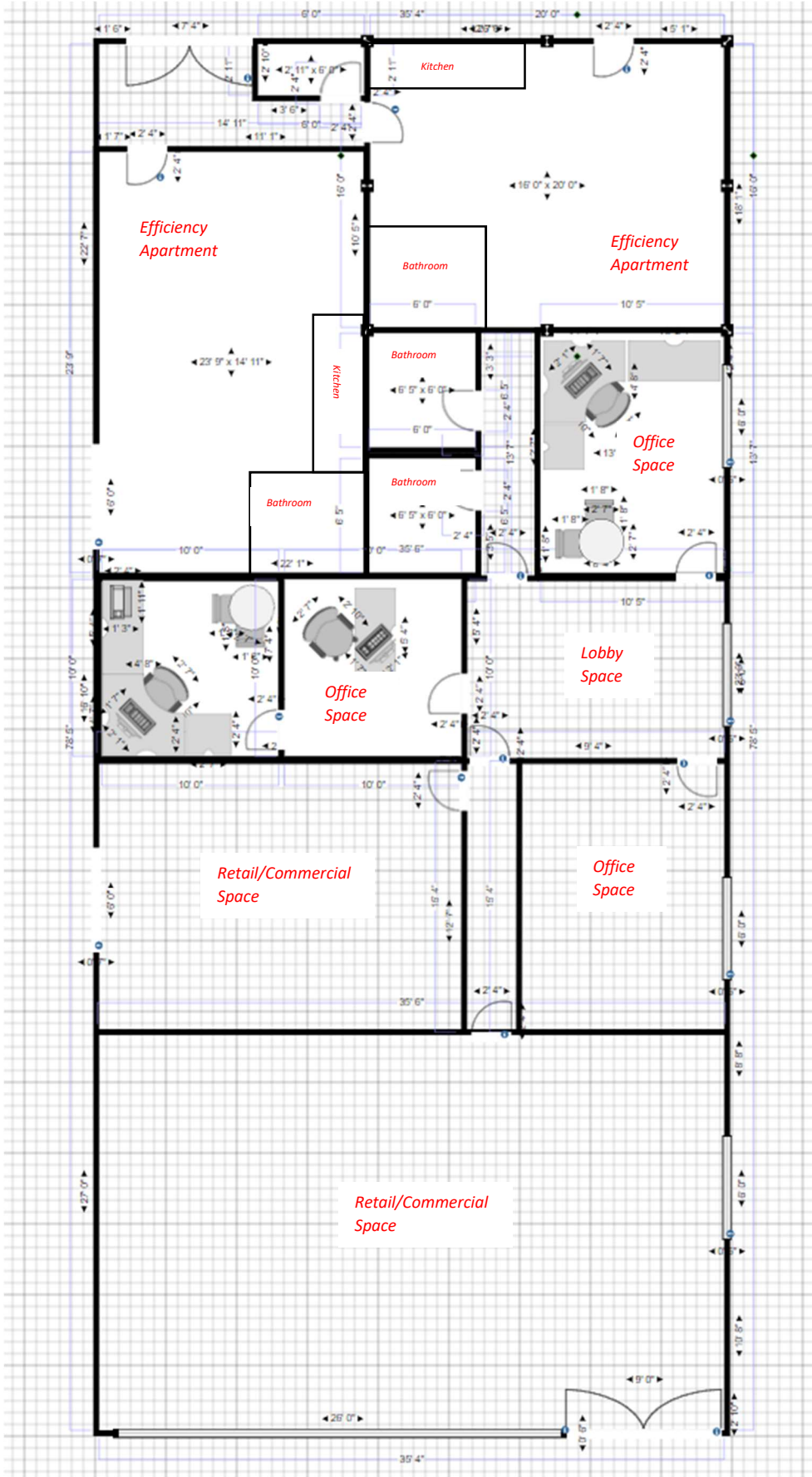








2175 Magnolia Avenue



2175 Magnolia Avenue

Alley

Parking Lot (4 spaces)

Empty Lot

2159 Magnolia

22nd Street

Magnolia Avenue