



## **PLANNING COMMISSION**

AGENDA for February 8<sup>th</sup> 2022

### **AGENDA**

#### **PUBLIC HEARING**

- 1) Rehl Property (774 Longhollow Rd) R6 Residential Planned Unit Development (PUD) Plan of Development for one single-family house
- 2) Zoning Text Amendment to repeal Article 14 Bed and Breakfast Establishments and replace with a new Section 714 Residential Transient Occupancy. This section will update existing regulations of bed and breakfasts and address short-rentals (STR).

#### **REGULAR MEETING**

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

##### **Public Comment**

##### **Review and Adoption of Minutes**

Minutes of January 11<sup>th</sup> meeting

##### **Report of Secretary**

##### **New Business**

- 1) Request to abandon portion of 6<sup>th</sup> Street between Woodland Ave and Magnolia Ave
- 2) Subdivision review for Greenwood Cemetery parcel boundary adjustment

##### **Old Business**

- 1) Rehl Property (774 Longhollow Rd) R6 Residential Planned Unit Development (PUD) Plan of Development for one single-family house
- 2) Zoning Text Amendment to repeal Article 14 Bed and Breakfast Establishments and replace with a new Section 714 Residential Transient Occupancy

##### **Adjournment**

**Members and Term Expirations**

Dennis Hawes, Chairman, 7/31/2024

Mike Ohleger, Vice-Chairman, 6/30/2022

Justin Wiseman, 8/31/2025

Marolyn Cash, 6/30/2024

Lucy Ferrebee, 9/30/2023

Melvin Henson, City Council Representative,  
9/30/2023

Kristie Gibbons, 12/31/2024

Timothy Petrie, 12/31/2024

Jason Tyree, Ex Officio member

**Staff**

Tom Roberts, Director of Community & Economic Development

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**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 11<sup>th</sup> 2021

Members of the Buena Vista Planning Commission met in Council Chambers at 7:00 PM on Tuesday, January 11<sup>th</sup> 2021.

### **Members Present:**

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

### **Members Absent:**

Jason Tyree, Ex Officio member  
Kristie Gibbons

### **Staff Present:**

Tom Roberts, Director of Community & Economic Development

Meeting is called into order and roll was called.

### **Minutes**

Mr. Ohleger moved to adopt the minutes of December 14<sup>th</sup> 2021 as presented. Mrs. Cash seconded, and all voted yes.

### **Public Hearing and Commission Discussion**

*Conditional Use Permit for 2350 Beech Avenue. A four-family dwelling is proposed at this vacant site.*

Mr. Roberts began by noting that there were no changes to the application. He has talked with Public Works more and after reviewing several options they want to do two residential taps in the existing 2" water line in the alley.

Mr. Ohleger asked whether the lot line vacation had been done, and Mr. Roberts replied that it was in progress and would be completed before the zoning permit was issued.

Mr. Adams, the applicant, spoke briefly and reiterated the discussion of water service options.

No members of the public spoke.

Mr. Hawes called for a motion. Mr. Ohleger made a motion to recommend approval of the project to City Council. Mrs. Cash seconded and all voted yes.

*Zoning Text Amendment to repeal Article 14 Bed and Breakfast Establishments and replace with a new Section 714 Residential Transient Occupancy. This section will update existing regulations of bed and breakfasts and address short-rentals (STR).*

Mr. Roberts began by quickly summarizing the new regulations for the benefit of the public, and noting that there had been no substantive changes since the last time the Planning Commission had last seen it. He continued that he had received some feedback from the public already and had identified two areas that need revision/clarification.

The first is 714.03-8 Concurrent Residential Transient Occupancy uses. It is confusing whether this means that you can only have one advertised listing/booking in dwelling. It is common for a single dwelling to have multiple rooms listed separately on STR platforms.

The second is specifics of classification of Type A and Type B. For instance, if a property owner had a long-term renter they wanted to be a caretaker for an on-premise STR. Both this and the concurrent-use provision are related to defining STR units versus dwelling units. There was some discussion about allowing owners versus renters as hosts, and Mr. Roberts emphasized that it was important for the City to have accountability in case there were issues.

Mrs. Abby Hanson, 210 Vista Links, spoke in the public hearing. She stated that supports allowing a long-term renter to operate an STR, and supports the approach of the STR being in the name of the property owner when he/she has a business relationship with the long-term renter.

Ms. Johanna Shiraki, 2070 Forest Avenue, spoke in the public hearing. She explained that she is confused about how the rules would apply to the White Tree Inn, where she lives, and where they have 7 bedrooms, some of which are long-term renters and some of which are short term transients. Mr. Roberts responded that he is aware of the White Tree Inn and has considered them in writing the rules in order to accommodate them. He also noted that they are in the Mixed Use zone and are a boarding house. The long-term rooms are the boarding house, the short term rooms are an STR.

Mr. Bryson Adams, 2505 Laurel Ave spoke in the public hearing. He began by noting that the terminology does not align with terminology on the AirBnB platform, leading to confusion. He said that there wasn't anything wrong per se with the City's policies, but the terms seem to conflict with AirBnB. He continued by stating his support for the overall ordinance. He feels it is important for the Building Official to inspect units as part of the rental inspection program.

Ms. Shiraki spoke again and asked what off-street parking would be required for her business. Mr. Roberts responded that based on the issue raised tonight of classification and counting of units, he would need to consider and get back to her about the number of required spaces. The parking requirements depend on how many units there are.

Mr. Hawes closed the public hearing, and opened Planning Commission discussion.

There was some discussion among the Commission of whether to send the text to Council with Mr. Roberts's edits, but ultimately they decided to table discussion of the text amendment for Mr. Roberts to continue work on it. He specified that the items he would be editing were classification of units and how that interacts with number of rooms, number of guests, presence of owner, etc.;

Mr. Petrie also asked about cabins and cottages, which Mr. Roberts recommends repealing. Mr. Roberts explained that this use is only defined, and only permitted, within the Recreation zone. Eliminating this use will streamline the terminology and eliminate confusing, similar terms. However, Mr. Roberts noted that he forgot to replace that use within the Recreational zone so that short term rentals could still be done in that zone.

Mr. Ohleger asked if this ordinance would “grandfather” in any converted garages or other accessory units. Mr. Hawes replied no, and Mr. Roberts agreed. Mr. Roberts explained that any new units have to follow current requirements for dwelling units.

Mr. Henson moved that the Commission table the item, and Mr. Petrie seconded. All voted yes.

*Zoning Text Amendment to reduce the addition setback required for structures on corner lots, and to clarify lot area regulations.*

Mr. Hawes began by pointing out an example of a house built recently on a corner lot that would have been impossible if it had to adhere to the code as currently written because it would have needed a 25’ side setback. Although Mr. Roberts was able to resolve that with a modification, the purpose of this amendment is to clarify and reduce the minimum setback.

Mr. Roberts noted that he has added to this text amendment repeal of Section 701, a hodgepodge of items related to setbacks which are addressed elsewhere in the code or are poorly conceived.

No members of the public spoke. Mr. Ohleger moved to recommend approval to City Council, Mr. Henson seconded, and all voted yes.

*Zoning Text Amendment to change the name of the Seminary Hill Historic District to the Seminary Hill District. No other changes to the district are proposed.*

Mr. Hawes began by explaining the purpose is to make the district more enticing to developers. Mr. Roberts added that there is no cost or downside to changing the name. Mr. Petrie chimed in on some of the history of the district and that it was implemented to help prevent historic buildings being demolished.

Mr. Roberts noted that the legal authority for architectural review is because the district has been declared historic, but that the City does not have to have “historic” in the title. Mr. Henson brought up changing the boundaries potentially, and Mr. Roberts responded that no changes to the boundaries are proposed. Mr. Roberts continued that the City has had a strategic focus on the downtown for the last several years and for the next several years, but after that, he plans to focus on the 29<sup>th</sup> Street corridor. That focus will include a small area plan to consider the land use and all other needs and what the long term vision for the corridor is. At that time, they could consider changes to the historic district.

Mrs. Cash moved recommend approval of the text amendment, Mr. Petrie seconded, and all voted yes.

## **New Business**

*Preliminary presentation of R6 Plan of Development for Rehl Property*

Mr. Roberts began by orienting the Commission to the location of the property and summarizing the staff report.

Mr. Petrie brought up the question of whether the approval of this one house on a 17-acre site would impact the future development of a mixed-use planned development on the site. The Commission and Mr. Roberts discussed the tension of the future land use designation in the comprehensive plan of mixed use planned development versus a property owner (of a large tract) seeking to build a single house. Does approval of this single house align with the comprehensive plan or not? How does the Planning Commission ensure that a denser planned development is ultimately built? Mr. Roberts pointed out that the owner, Mr. Rehl, was going to considerable expense to engineer public water and sewer connections sufficient for future development of the whole site. Should the Commission/City require that the whole site be master planned before approving this single house as phase 1?

Mr. Henson brought up infrastructure and fire protection concerns, specifically whether the water supply will be adequate for fire hydrants or fire suppression systems and whether roads would be built to standards. Mr. Hunter Young, the engineer for the project, spoke to assure that all utilities would be built to public standards, but that other than the section of sewer to go in the 39<sup>th</sup> Street ROW, all the utilities and roads would remain private. He also reiterated that the owner's plan at this time is to keep the entire property under private ownership and not to subdivide. There was some discussion of how a leak in this water connection could quickly drain the 34<sup>th</sup> Street tank, and Mr. Young assured the Commission that there would be a meter and could be sensors to catch such a leak before it became a problem.

Mr. Roberts and others pointed out that these infrastructure questions would be dealt with when the owner seeks future phases of development. The driveway and utilities shown on the plan are more than sufficient for the single house. The master plan for full buildout is in the early stages but not fleshed out enough to share. Mr. Ohleger brought up that full buildout of this parcel would have significant implications for City services ranging from utilities to EMS to schools.

#### **Secretary's Report**

Mr. Roberts updated the Commission that Council has approved the sale of City lots through the RFP as discussed at the last meeting.

#### **Adjournment 8:45 PM**

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



## **PLANNING COMMISSION Staff Report**

Zoning Text Amendment

Residential Transient Occupancy Regulations

2/2/2022

### **Summary of Updates**

The discussion at the January Planning Commission meeting revolved around clarifying several interrelated issues around classification of particular short-term rental situations. Additionally, I found a few housekeeping/omissions. Below is a breakdown of all changes, not including minor wording changes or typos.

- 1) Sec 714.02 Table of RTO Use Regulations – struck the subtype descriptions for Type A and B STRs because they are not always true.
- 2) 714.03-7 Maximum duration of stay – I struck all the extra words because they refer to a dwelling unit offering guest accommodation. You can have a transient guest sharing the same dwelling unit with a permanent resident.
- 3) 714.03-8 Concurrent Residential Transient Occupancy uses – This line was causing a lot of confusion. If you rent out rooms in a single dwelling unit, you have one STR, regardless of how you advertise or book it. This is because the occupancy limits and parking requirements are based on the dwelling unit.
- 4) 714.03-9 Occupancy – this is a new provision, pairing with the one right above, clarifying how we count STR uses and units and occupancy. It clears up any confusion when there are a mix of permanent residents and transients.
- 5) 302.04-5 Dwelling definition – this makes it clear that anywhere a dwelling unit is permitted as a use in the City, it can be used for short term rental. The current definition explicitly excludes transient occupancy uses.
- 6) 302.04-8 Duplex definition – the current text is too specific and excludes things we want to permit.
- 7) 302.22-1 Use, Accessory is a duplicate definition.
- 8) 613.04 Accessory uses in the Recreational zone – we are repealing Cabins/cottages in the Recreation zone so that we don't have "cabins/cottages" as yet another transient dwelling type for which we have to specify regulations. I am replacing that permitted use with single and two-family dwellings as uses accessory to a recreational use. This means you could have rental cabins at Glen Maury Park, but you could not go build a subdivision of regular houses in the Recreational zone without rezoning.

### **Next Steps**

Staff would like to bring text to City Council public hearing on March 3<sup>rd</sup> 2022.



## Section 714 Residential Transient Occupancy

DRAFT text

2/1/2022

### Section 714. Residential Transient Occupancy

714.01 Purpose. The intent of this section is to regulate the operation of establishments which provide short-term accommodations. The objectives of this regulations are the following:

714.01-1 To ensure the health and safety of guests

714.01-2 To ensure adequate provision of infrastructure to guest accommodations, including utilities and vehicular access and parking

714.01-3 To encourage tourism and the visitor experience of Buena Vista

714.01-4 To maintain and enhance the quality and character of commercial and residential neighborhoods

714.02 Table of Residential Transient Occupancy Use Regulations. In this section, acronyms used shall have the following meanings:

RTO shall mean Residential Transient Occupancy

STR shall mean Short-Term Rental

CUP shall mean Conditional Use Permit

VDH shall mean Virginia Department of Health

Use Type	Bed & Breakfast	Bed & Breakfast	STR Type A	STR Type B
Subtype	Homestay	Inn (CUP required)	<del>Room Rental</del>	<del>Whole unit</del>
Duration	Less than 30 days	Less than 30 days	Less than 30 days	Less than 30 days
Host present?	Yes	Yes	Yes	Yes or No
Occupancy	1 to 2 guest rooms	3 to 5 guest rooms	Residents plus <i>family</i> (as defined herein) by right, or per CUP	Building code occupancy of all bedrooms, or per CUP
Cooking facilities in rooms?	No	No	Yes or No	Yes or No
Meals provided?	Yes	Yes	No	No



<b>Parking Requirements</b>	1 space per guest room	1 space per guest room	2 spaces for dwelling + 1 for STR	2 spaces, or per CUP
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#### 714.03 Residential Transient Occupancy uses Generally

714.03-1 *Registration*. The host shall comply with all registration, filing and taxation requirements with applicable City departments prior to offering guest accommodations.

714.03-2 *Authorization to enter premises*. By submitting an application for a Residential Transient Occupancy use, an applicant authorizes the Administrator or designee to enter the subject property, upon reasonable advance written notice to the applicant, at least one time during the calendar year to verify that the transient occupancy use is being operated in accordance with the regulations set forth within this section.

714.03-3 *Building code compliance*. Prior to offering guest accommodation, all **units with** Residential Transient Occupancy **uses units** shall meet applicable building and property maintenance codes. Property owners shall obtain a Rental Inspection Certificate, and are subject to the requirements and remedies of the Rental Inspection Program.

714.03-4 *Fire safety*. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code; and a carbon monoxide detector must be installed on each floor in every dwelling.

714.03-5 *Integration into neighborhood*. Residential Transient Occupancy uses typically occur in single-family homes in existing neighborhoods. No alterations to the house to accommodate the transient occupancy use are permitted which would compromise the residential character of the property.

714.03-6 *Limitations of use*. Residential Transient Occupancy establishments are permitted solely to provide lodging and, if applicable, meals. Additional activities including receptions, parties and other events are not permitted unless specifically authorized by a conditional use permit. Authorization for additional activities will be based on the suitability of the house and property for hosting such events. Specific consideration will be given to the floor plan of the house, the proximity of the house to neighboring houses, the size of the lot, provisions to buffer the effects of such activities from adjacent property and the ability to provide parking for such events.

714.03-7 *Maximum duration of stay*. **The maximum stay for a transient guest is 30 days.** ~~The maximum stay for a Residential Transient Occupancy unit is 30 days. Any dwelling unit offering guest accommodations for more than 30 consecutive days shall be considered a residential use and shall comply with all applicable zoning regulations, including occupancy restrictions.~~

714.03-8 *Concurrent Residential Transient Occupancy uses.* Only one Residential Transient Occupancy use shall be permitted within a single dwelling unit **at any given time, regardless of how rooms are advertised or booked.**

714.03-9 *Occupancy.* **When a dwelling unit contains a Residential Transient Occupancy use, the maximum occupancy permitted for that Residential Transient Occupancy use shall govern the entire unit, and shall include any residents of the unit who are not transient.**

714.03-9 *Parking.* Hosts should provide off-street parking spaces if possible. No more than ~~three~~ **two** on-street public parking spaces may count toward the required number of spaces.

#### 714.04 Bed and Breakfast Homestay additional regulations

714.04-1 *Description.* A Bed and Breakfast Homestay is a single-family dwelling unit occupied by the owner which is used and regulated primarily as a private residence, but which provides up to five bedroom accommodations and meals to transients.

714.04-2 *Residency.* The host of a Bed and Breakfast Homestay shall only be an owner who utilizes and resides at the dwelling as his or her primary residence. The host may be required to submit acceptable proof to the Zoning Administrator that the dwelling is the host's primary residence. Acceptable proof of permanent residence may include: applicant's driver's license, voter registration card, or United States passport showing the address of the property, or other document(s) which the Administrator determines provides proof of permanent residence by the host.

714.04-3 *Licensure and taxation.* The host shall hold a valid business license from the city and a permit from the Virginia Department of Health, and shall report all registrations to the City for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

714.04-4 *Registration book.* A registration log must be maintained for one year and be made available for review by the city upon request.

714.04-5 *Landscaping.* Landscaping, buffers and/or fences may be required as a permit condition in order to mitigate potentially negative impacts on adjoining properties and to maintain the appearance of the district.

714.04-6 *Cooking facilities.* Guestrooms in bed and breakfast establishments shall not have cooking facilities.

#### 714.05 Bed and Breakfast Inn additional regulations

714.04-1 *Description.* A Bed and Breakfast Inn is a single-family dwelling unit occupied by the owner which is used and regulated primarily as a private residence, but which provides more than two, but no more than five bedroom accommodations and meals to transients.

714.04-2 *Residency.* The host of a Bed and Breakfast Inn shall only be an owner who utilizes and resides at the dwelling as his or her primary residence. The host may be

required to submit acceptable proof to the Zoning Administrator that the dwelling is the host's primary residence. Acceptable proof of permanent residence may include: applicant's driver's license, voter registration card, or United States passport showing the address of the property, or other document(s) which the Administrator determines provides proof of permanent residence by the host.

714.04-3 *Licensure and taxation*. The host shall hold a valid business license from the city and a permit from the Virginia Department of Health, and shall report all registrations to the City for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

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714.04-5 *Landscaping*. Landscaping, buffers and/or fences may be required as a permit condition in order to mitigate potentially negative impacts on adjoining properties and to maintain the appearance of the district.

714.04-6 *Cooking facilities*. Guestrooms in bed and breakfast establishments shall not have cooking facilities.

#### 714.06 Type A Short Term Rental additional regulations

714.06-1 *Description*. A Type A Short Term Rental is a portion of a single-family dwelling unit where the host is the permanent resident of the dwelling, and the host is present during the short term rental.

714.06-2 *Residency*. The host of a Type A Short Term Rental shall only be an owner who utilizes and resides at the dwelling as his or her primary residence. The host may be required to submit acceptable proof to the Zoning Administrator that the dwelling is the host's primary residence. Acceptable proof of permanent residence may include: applicant's driver's license, voter registration card, or United States passport showing the address of the property, or other document(s) which the Administrator determines provides proof of permanent residence by the host.

714.06-3 *Licensure and taxation*. The host shall register with the Department of Community and Economic Development pursuant to Code of Virginia 15.2-983, and shall report all registrations to the City of Buena Vista for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

714.06-4 *Registration book*. A registration log must be maintained for one year and be made available for review by the city upon request.

714.06-5 *Meals*. No food shall be prepared for or served to guests.

#### 714.07 Type B Short Term Rental additional regulation

714.07-1 Description. A Type B Short Term Rental is a single-family dwelling unit where the host is not the permanent resident of the dwelling, or where the permanent resident of the dwelling is not present during the guest stay.

714.07-2 *Licensure and taxation*. The host shall register with the Department of Community and Economic Development pursuant to Code of Virginia 15.2-983, and shall report all registrations to the City of Buena Vista for the collection of transient lodging tax. Hosts may utilize a third party to report, collect, and remit some or all transient lodging tax in accordance with Code of Virginia and other applicable laws.

714.07-2 *Meals*. No food shall be prepared for or served to guests.

714.07-2 *Waste*. The dates and information for trash collection shall be posted prominently in the short term rental unit.

714.07-2 *Principal guest*. During each stay at the short term rental unit, a principal guest at least 18 years of age shall be designated as the contact person for City officials in the event of safety or behavioral issues at the unit. The host shall provide this information upon request to authorized City officials.

714.07-2 *Host contact*. The name and telephone number of the host or the host's designee shall be conspicuously posted within the short term rental unit. The host shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short term rental to address any problems associated with the short term rental unit.

#### 714.08 Conditional Use Permit.

714.08-1 The following uses are permitted by Conditional Use Permit:

714.08-1.1 Bed and Breakfast Inns

714.08-1.2 Type A or Type B Short Term Rental with an occupancy greater than the maximum occupancy listed in the table in 714.02.

714.08-1.3 Uses accessory to a Residential Transient Occupancy, including but not limited to receptions, weddings, meetings, or concerts.

714.08-2 In reviewing an application for a conditional use permit, the Planning Commission and the governing body may consider the following factors for Residential Transient Occupancy uses:

714.08-2.1 On- and off-street parking available

714.08-2.2 Suitability of the buildings and grounds for the proposed use

714.08-2.3 Impact of vehicular and pedestrian traffic

714.08-2.4 Impact on visual and functional character of the neighborhood

714.08-2.5 Availability of similar establishments in the neighborhood and the area

## 714.09 Enforcement

714.09-1. A registration may be suspended or cancelled for the following reasons:

714.09-1.1 Failure to collect and/or remit the transient occupancy tax

714.09-1.2 Three (3) or more substantiated complaints (including, but not limited to, parking on grass, noise, excess trash) within a twelve-month period

714.09-1.3 The failure of any Type A Short Term Rental host to maintain his or her principal place of residence or domicile at the dwelling unit

714.09-1.4 The violation of any other provision of the zoning code, or of the Nuisance and Public Health and Safety Code found in Chapter 14 of the City code,

714.09-2. Before any suspension or cancellation can be effective, the Zoning Administrator shall give written notice to the property owner. The notice of suspension or cancellation issued under the provisions of this chapter shall contain: A description of the violation(s) constituting the basis of the suspension or cancellation; If applicable, a statement of acts necessary to correct the violation; and a statement that if no written response by the host is received by the City within thirty (30) days from the date of the notice, the registration will be suspended or cancelled.

714.09-3. The notice shall be sent to the address of record by regular mail, and by e-mail or phone to the addresses in the registration form.

714.09-4. A copy of the notice will be provided to other relevant City departments to advise the registration may be revoked.

714.09-5. Any determination made by the Zoning Administrator may be appealed to the Board of Zoning Appeals.

714.09-6. Penalty. It shall be unlawful to operate a short term rental:

714.09-6.1. without obtaining a registration as required by this article,

714.09-6.2. after a registration has been suspended or cancelled, or

714.09-6.3. in violation of any other requirement of this article.

714.09-6.4. The penalty shall be a fine of five hundred dollars (\$500.00) per occurrence in accordance with Sec. 15.2-983 of the Code of Virginia for a host required to register who offers for short-term rental a property that is not registered.

714.09-7 Phased Effective Date. For any Residential Transient Occupancy use which was not in operation at any point in 2021 and which begins operation on or after March 1 2022, this section shall apply immediately. For any Residential Transient Occupancy use which was in operation at any point in 2021 and which continues operation on or after January 1 2022, this section shall apply beginning June 1 2022.

## Definitions

~~302.01-1: Accessory use means or building means a structure subordinate or incidental to the principal structure on a lot in square footage and primary use. Accessory structures and uses include detached garages, storage buildings, pool houses, swimming pools, storage bins and material storage areas.- a use that is incidental and subordinate to that of the main building or use of land and that is located on the same lot and under the same ownership in all respects.~~

~~302.02-5 Building, accessory~~ means a subordinate building located on the same lot as the main building, the use of which is incidental and accessory to that of the main building or use. No such accessory structure shall be used for housekeeping purposes as a dwelling.

~~302.02-3: Boarding house (rooming house)~~ means a building or part thereof, other than a hotel, motel, or restaurant, where meals and/or residential lodging are provided for compensation for three to ten unrelated persons and where no cooking or dining facilities are provided in individual rooms. If the duration of stay of any guest is less than thirty (30) days, then the establishment must be registered or licensed as a Residential Transient Occupancy use pursuant to Section 714. ~~And in which the length of stay usually exceeds one week in duration. A lodging house is also included in this definition.~~

~~302.04-5 Dwelling~~ means any building or portion thereof which is designed for or used primarily for residential purposes, except hotels, ~~boarding houses, lodging houses, tourist cabins,~~ dormitories, and automobile trailers. ~~Dwellings may be used for transient occupancy pursuant to Section 714 Residential Transient Occupancy.~~

~~302.04-8 Dwelling, two-family (duplex). Also referred to as a duplex. The use of an individual lot for two dwelling units which share at least one common wall, each occupied by one family, that separates living space (i.e., living room, kitchen, bedroom, bathroom, etc.). Each dwelling unit may be vertically stacked. The exterior appearance of the whole resembles a single structure.~~ means a residential building designed for, or occupied exclusively by, two families living independently of each other.

~~302.22-1 Use, accessory, means a subordinate use, customarily incidental to and located upon the same lot occupied by the main use.~~

*Bed and breakfast homestay* means a single-family dwelling unit occupied by the owner which is used and regulated primarily as a private residence, but which provides up to two bedroom accommodations and meals to transients.

*Bed and breakfast inn* means a single-family dwelling occupied by the owner which provides more than two, but no more than five bedroom accommodations and meals to transients.

*Bed and breakfast establishment* means a bed and breakfast homestay or inn.

*Short-term rental* means a dwelling, or portion of a dwelling, used or advertised for transient ~~rental~~ **occupancy** in increments of 30 or fewer consecutive days. This use type does not include bed and breakfast establishments and does not apply to month to month extensions following completion of a year's lease.

*Host* means the person who is owner and operator of the Residential Transient Occupancy premises.

*Transient* means for a period of 30 days or less in the context of a guest accommodation unit, or means a guest occupying such a unit.

*Residential Transient Occupancy* means a Bed and Breakfast Homestay, a Bed and Breakfast Inn, a Type A Short Term Rental, or a Type B Short Term Rental. The term does not include hotels.

*Type A Short Term Rental* means a short term rental where the host is the permanent resident of the dwelling, and the host is present during the short term rental.

*Type B Short Term Rental* means a short term rental where the host is not the permanent resident of the dwelling, or where the permanent resident of the dwelling is not present during the guest stay.

~~302.21.2: [Repealed] Tourist court, auto court, motel, hotel, cabin or motor lodge means building or buildings containing individual sleeping rooms, designed for, or used temporarily by, automobile tourists or transients, with garage or parking space conveniently located to each unit. Cooking facilities may be provided for each unit.~~

~~302.21-3: [Repealed] Tourist home means a dwelling where only lodging is provided for compensation for up to five persons (in contrast to hotels and boarding houses) and open to transients.~~

~~613.03-2: [Repealed] Cabins/cottages; 613.03-2.1 Cabins/cottages. For definition purposes for this section: Cabins/cottages is a building or a group of buildings, whether detached or in connected units, designed primarily for transient travelers catering to the needs of the traveling public by furnishing sleeping accommodations with or without supplying food.~~

[613.04 Accessory uses...] in the Recreational District

613.04-2 Single-family dwellings accessory to an outdoor recreation primary use. Accessory dwellings in the Recreational District may be on a separate lot from the primary use.

613.04-3 Two-family dwellings accessory to an outdoor recreation primary use. Accessory dwellings in the Recreational District may be on a separate lot from the primary use.







## PLANNING COMMISSION Staff Report

R6 PUD Plan of Development

Rehl Property (774 Longhollow Rd)

2/5/2022

### Synopsis

Applicant Austin Rehl proposes one single-family home on a 17-acre portion of property zoned R6 Residential PUD. This requires approval of a plan of development

### Site Information

<b>Address/Tax Map:</b>	774 Longhollow Rd, 8-1---2	
<b>Existing zoning:</b>	R6 Residential Planned Unit Development (PUD)	
<b>Existing land use:</b>	Undeveloped agricultural/silvicultural	
<b>Proposed zoning:</b>	same	
<b>Proposed land use:</b>	Single-family residential, one house	
<b>Surrounding zoning and land use:</b> Overall property is large so other uses are not close by.		
West: single family residential and light commercial along Longhollow Rd		
East: Manufacturing, forest		
South: Single-family residential neighborhoods		
North: Single-family, agricultural, forest		
<b>Size:</b>	17 acre portion of 277 acre tract	
<b>Staff Recommendation:</b>	Approve	
<b>Project Engineer:</b>	Hunter Young	
<b>Tentative Timeline</b>	Preliminary Commission Discussion	1/11/2022
	Planning Commission Public Hearing	<b>2/8/2022</b>
	City Council Public Hearing	3/3/2022
	City Council Adoption	3/17/2022

### Overview

Property owner Austin Rehl proposes construction of a single-family home and garage/barn. This is hoped to be phase 1 of further land development (uses yet to be determined). The R6 Residential PUD zoning requires Council approval of plan of development for and construction.

#### *Site Details*

The 277+ acre tract owned by Mr. Rehl was logged about 2011-2014 by the previous owners. At that time, road location and grading and field clearing was done to facilitate future

development. The property is characterized by steep wooded slopes and cleared ridges with excellent views. Mr. Rehl plans to site his house on one of the ridges.

#### *Current Zoning and Project Phasing*

The 277+ acre tract is divided into four tax parcels. Three of the four are zoned R6 Residential Planned Unit Development. The southeast parcel is zoned General Manufacturing. The R6 Residential PUD, all development must be within an approved plan of development. The General Manufacturing zone has multiple by right uses, but this portion of the property is not easily accessible because it is separated from Green Forest Avenue by Chalk Mine Run. To construct a crossing of Chalk Mine Run, especially one adequate for industrial use, would be very expensive.

In 2020, Council approved construction of one single-family home through a plan of development in R6 Residential PUD at 404 Beverly Hollow Rd.

Mr. Rehl's intention is to begin construction of the house as soon as possible, while developing a master plan for the whole property. Once the master plan is ready, he would return to the Planning Commission for approval of a plan of development and/or rezoning. Included are plans and renderings of a house similar to what he plans, except his house would be larger.

#### *Comprehensive Plan Conformance*

The future land use designation for this property is Mixed Use Planned Development, explained as follows:

*...[these] 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.*

While this does not describe this proposal for one single-family home, Mr. Rehl has legitimate intentions of future development of the property with a mix of uses, as demonstrated by his significant investment in utilities sized for future development. Additionally, construction of this house at this location in no way impairs or precludes future development of the remainder of the property with a mix of uses and/or greater density.

#### *Environmental Characteristics*

Because the site is forest and field and has so much topography change, managing land disturbance is important. For this proposal, land disturbance will be minimal and limited to construction of the house and outbuilding and trenching the utility lines.

City staff met with Mr. Young and Joe Howard with AMT Engineers, the City's Erosion & Sediment Control/Storm Water Management consultant, to discuss ESC/SWM for the site overall as well as for phase 1 (the current proposed single-family residence). The house will only require erosion & sediment control measures through an agreement-in-lieu-of-plan. Additionally, the house site has only a gentle slope so no special engineering is required for hillside development.

When timber was harvested on the site and roads were graded, the owners went through the Erosion & Sediment Control (ESC) permitting process. Trina Mastran, at that time the City's

ESC/SWM program administrator, worked with them to approve a plan of erosion & sediment control measures for the site. These were all implemented and the permit was approved for termination in 2014.

The larger property does include the floodway of Chalk Mine Run on its eastern edge, but this is not anywhere near the 17 acre house site.

### *Surrounding Land Uses*

This site is not remote, but it is secluded and not easily visible from nearby properties. Located on a ridge, it will be visible from afar. As a single-family home, it will be in keeping with nearby uses, which are primarily also single-family homes. It is not far from industrial facilities on Green Forest Avenue but separated by thousands of feet of forest and over a hundred feet of elevation change.

### *Access*

The only access to the property currently is from Longhollow Rd. The property is separated from Longhollow Rd by a strip of lots fronting on Longhollow, all of which are in the County. Currently, the lot across which the access driveway runs belongs to the former owners Mr. Rehl's property, and he has full rights to use it. Mr. Rehl is in the process of purchasing those lots. The address 774 Longhollow was assigned to a mobile home which shared the lot with the access driveway, though the mobile home has been removed.

The existing internal roads on the site are generally in good condition, properly graded with drainage ditches etc. Additional gravel is proposed on the main access road to the house.

### *Infrastructure*

The site does not have water or sewer currently. Mr. Young has met with City staff multiple times to discuss options for water and sewer delivery to the site and developed a plan shown on the drawings. A new booster station and water line would be run from the City's 34<sup>th</sup> Street water tank about 1800' to the house site. This water line would be oversized (6"? TBD) so that it could support future development on the site. A new 8" sewer line would be run down the hill from the house site and connect to an existing manhole at the east end of 39<sup>th</sup> Street. This line is sized to handle future development also.

A portion of the sewer line will be in an undeveloped portion of 39<sup>th</sup> Street and will be public sewer. Other than this, all the proposed utilities will be privately owned and maintained and installed at the property owners expense.

A well was not considered as an option because, based on information from VDH and other parties, it is extremely difficult to drill a productive well in this area. Further, municipal water will be better able to serve future full buildout of the property.

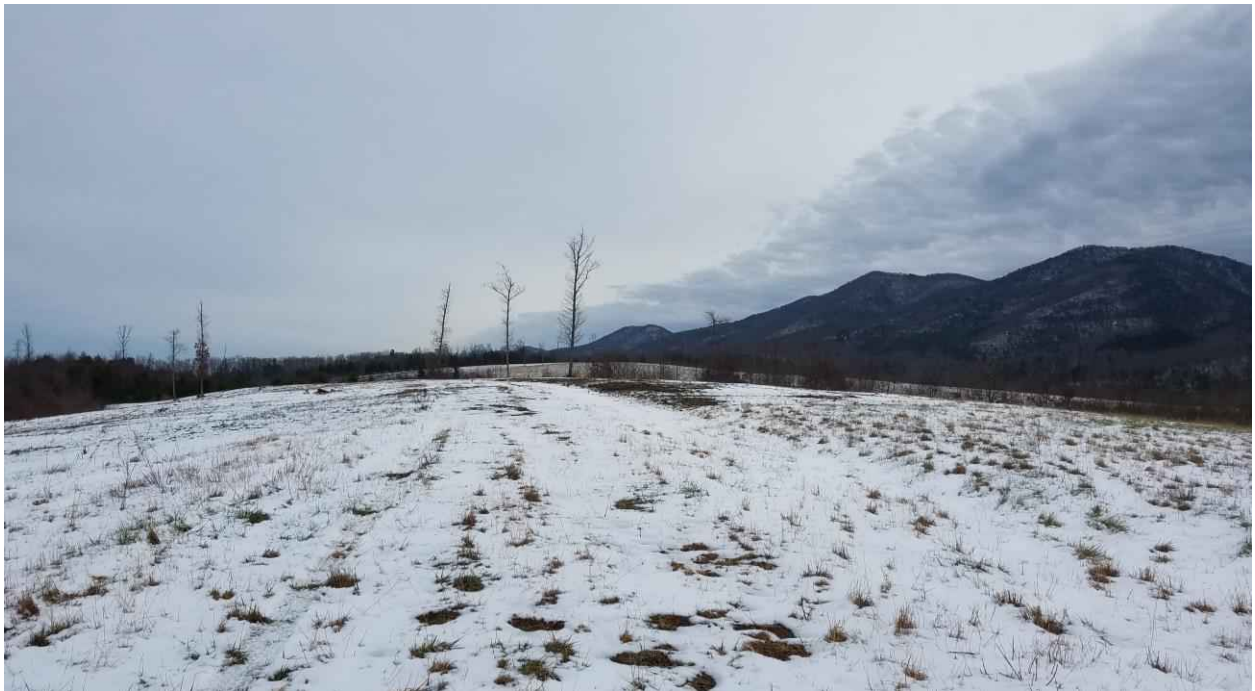
Electricity, communications, and gas services for the house will be coordinated with the respective utility companies. Exact service lines and locations are not yet known.

## **Recommendation**

Staff continue to recommend approval as presented.



View from proposed house site looking south toward heart of the City. Cell tower at left is located next to 34<sup>th</sup> Street water tank.



View from proposed house site looking northeast.



0 360 720 1440  
SCALE IN FEET

APPROXIMATE OVERALL  
PROPERTY LINE FOR  
277 ACRES

SVU ATHLETIC FACILITY



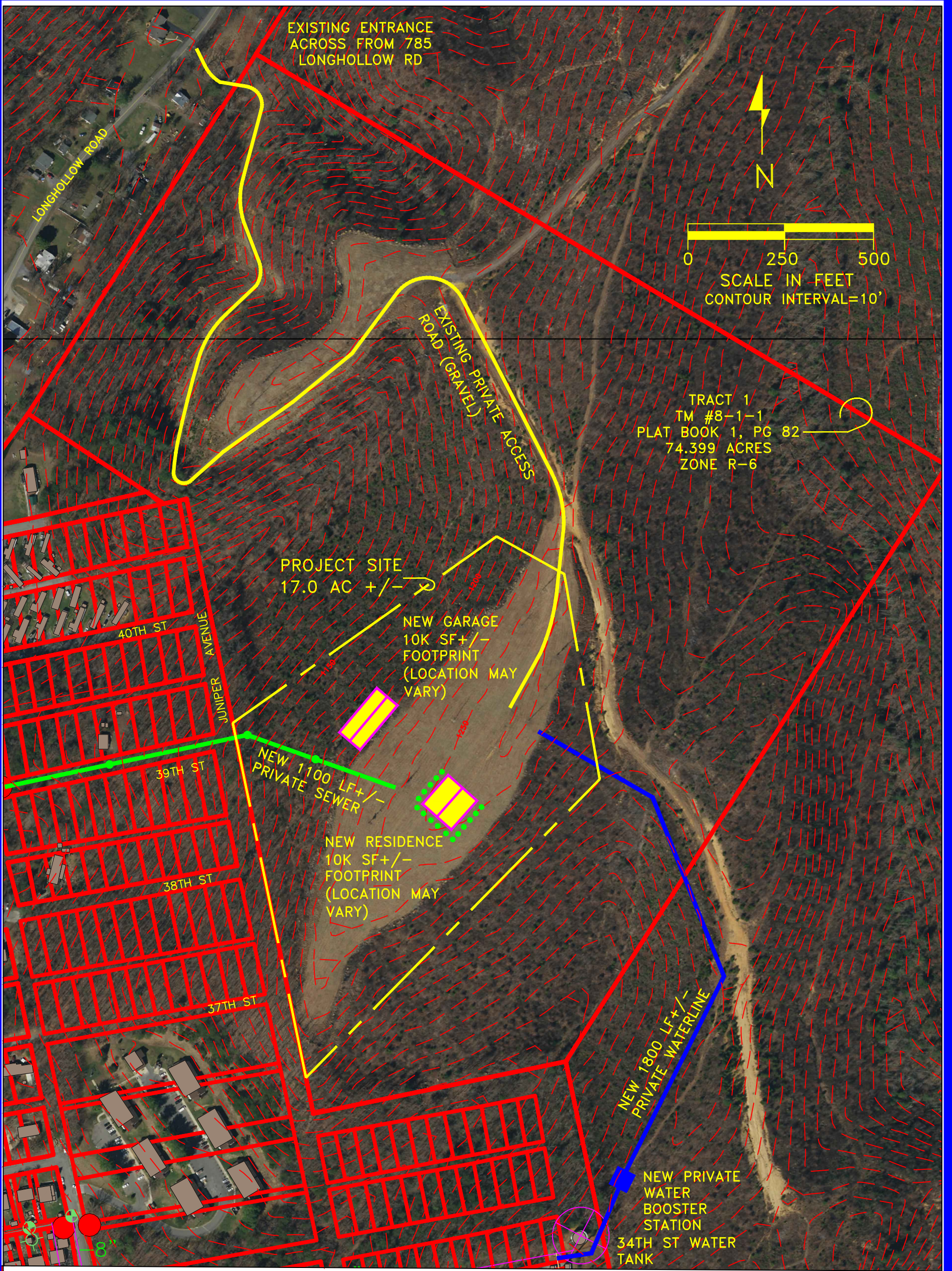
Civil Consulting  
Group, P.C.  
ENGINEERING  
DESIGN & ANALYSIS

3988 Country Club Road 340-992-2242 Voice  
Trenton, VA 24175 340-992-1463 Fax

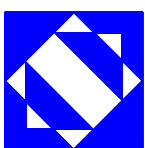
REHL PROPERTY  
BUENA VISTA, VA

ALL DATA SHOWN HEREON IS  
APPROXIMATE AND IS BASED UPON  
PAST MAPPING PROVIDED BY THE CITY  
AND ADAPTED FROM ROCKBRIDGE  
COUNTY GIS..





REHL PROPERTY  
RESIDENTIAL MASTER PLAN  
OVERALL BOUNDARIES  
BUENA VISTA, VA

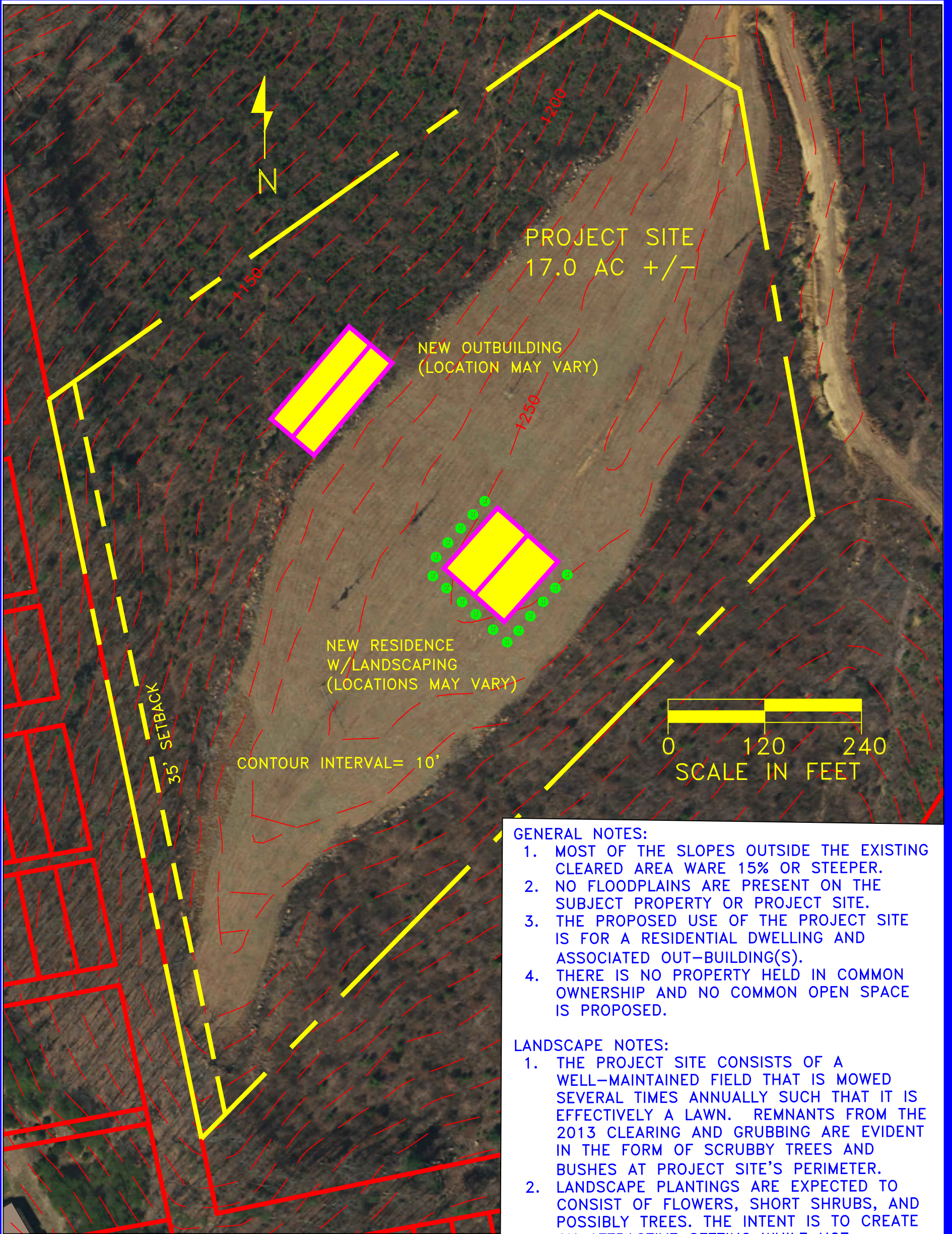


Civil Consulting  
Group, P.C.  
ENGINEERING  
DESIGN & ANALYSIS

SHEET 1 OF 2







GENERAL NOTES:

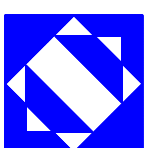
1. MOST OF THE SLOPES OUTSIDE THE EXISTING CLEARED AREA WARE 15% OR STEEPER.
2. NO FLOODPLAINS ARE PRESENT ON THE SUBJECT PROPERTY OR PROJECT SITE.
3. THE PROPOSED USE OF THE PROJECT SITE IS FOR A RESIDENTIAL DWELLING AND ASSOCIATED OUT-BUILDING(S).
4. THERE IS NO PROPERTY HELD IN COMMON OWNERSHIP AND NO COMMON OPEN SPACE IS PROPOSED.

LANDSCAPE NOTES:

1. THE PROJECT SITE CONSISTS OF A WELL-MAINTAINED FIELD THAT IS MOWED SEVERAL TIMES ANNUALLY SUCH THAT IT IS EFFECTIVELY A LAWN. REMNANTS FROM THE 2013 CLEARING AND GRUBBING ARE EVIDENT IN THE FORM OF SCRUBBY TREES AND BUSHES AT PROJECT SITE'S PERIMETER.
2. LANDSCAPE PLANTINGS ARE EXPECTED TO CONSIST OF FLOWERS, SHORT SHRUBS, AND POSSIBLY TREES. THE INTENT IS TO CREATE AN ATTRACTIVE SETTING WHILE NOT OBSTRUCTING THE NATURAL VIEWS.

REHL PROPERTY  
RESIDENTIAL MASTER PLAN  
PROJECT SITE  
BUENA VISTA, VA

SHEET 2 OF 2



Civil Consulting  
Group, P.C.  
ENGINEERING  
DESIGN & ANALYSIS











## **PLANNING COMMISSION Staff Report**

City ROW Abandonment

139 E 6<sup>th</sup> Street

1/31/2022

### **Synopsis**

Applicant Joseph Gearhart requests the City vacate and abandon the portion of 6<sup>th</sup> Street, between Woodland Ave and Magnolia Ave, that is adjacent to his property at 139 E 6<sup>th</sup> Street.

### **Analysis**

The applicant has purchased 139 E 6<sup>th</sup> Street, a single-family home in poor condition which he plans to renovate. Located on a single 50' x 125' lot, the building was placed very close to the south (6<sup>th</sup> Street) boundary. Annexing his half of the street would add 25' to the side of the lot, allowing for a reasonable side yard for the house and ensuring off-street parking space is available.

This half-block section of 6<sup>th</sup> Street has a very steep drop-off going down to Woodland Ave. Pedlar Gap Run goes underneath Woodland Ave at this point. Because of the topography, this section of 6<sup>th</sup> Street is impractical to develop as a public street. The City will retain a utility easement through the abandoned street for any existing and future utilities.

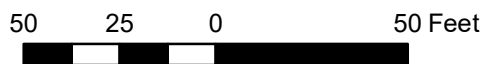
The price of the half of the street to be vacated and abandoned, calculated from assessed land values of adjacent parcels, is \$5,500.62. Mr. Gearhart is aware of the price and wishes to proceed. Neighboring property owners have been notified and a City Council public hearing is scheduled for March 3<sup>rd</sup> 2022.

### **Recommendation**

Staff recommend that the Planning Commission recommend to City Council approval of this vacation and abandonment. It will add significant value to the applicants property and does not impair the connectivity of the City's street grid.



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 Street Vacation 6th Street

12/16/2021



## **PLANNING COMMISSION Staff Report**

Subdivision

Greenwood Cemetery

2/2/2022

### **Synopsis**

Reconfigure parcel boundaries around the City-owned Greenwood Cemetery, including abandonment of small portion of South Woodland Avenue.

### **Summary**

- Reconfigure boundaries of City-owned Greenwood Cemetery parcel so that it encompasses all known graves
- Divide remainder of surrounding land into parcels suitable for residential development
- Abandon irregular sliver of South Woodland Avenue and add to adjacent parcels

### **Analysis**

#### **Background**

Earlier in 2021, the Friends of Greenwood Cemetery organized to fix up the cemetery. Their goals include cleaning out underbrush, building a fence and parking area, and erecting a monument and interpretive signage. At the February 3<sup>rd</sup> City Council meeting, Council approved a memorandum of understanding with the Friends outlining the agreed-on objectives and giving the Friends the green light to raise funds and do the work.

Greenwood Cemetery is owned by the City and surrounded by land historically owned by the Dickinson family and now owned by Steve Douty. The Friends and Mr. Douty have mapped the locations of all known graves based on markers, depressions, and other surface features. It appears that there are graves outside the cemetery boundaries, and there are areas within the boundaries with no graves.

#### **Proposal Elements**

##### Parcel Boundary Adjustment

The subdivision would change the boundaries of the existing cemetery parcel.

- 1) All known graves would be on City-owned cemetery land;
- 2) The road frontage of the cemetery parcel would be increased, improving access (the Friends plan on a small parking area, fence, gate, etc.)
- 3) By cutting out small sections of the cemetery that have no graves, more logical remnant lots are created

The subdivision approval process is required because this action creates more than two parcels with areas of less than two acres. It will be made clear in the deeds for the new adjacent parcels that if any graves are found during development, they must be properly dealt with and construction should stop.

### Division of remaining land into new lots

In addition to the new parcels created by adjusting the cemetery boundaries, this subdivision further divides the remaining land into lots suitable for residential development. Four of the lots front on South Woodland Avenue and two on First Street. It is hoped that after subdivision approval, these lots can be marketed and developed.

### Abandonment of sliver of South Woodland Ave

In the original Savernake subdivision that created South Woodland Ave, a wedge-shaped portion of land between the cemetery parcel and the roadway was retained for construction of a water pump station. This sliver is outside the parallel edges of the road right-of-way. Retaining the sliver as part of the City ROW also avoided an odd and unusable piece of land right between the street and the cemetery parcel.

Abandoning this sliver will add a small bit of land to the City's cemetery parcel, but will add about 30' to the front of Parcel 3, making it easier to build on and meet setbacks. Put differently, it will avoid having a 30' no-man's land plus a 30' setback between a house on Parcel 3 and the street. Additionally, adding this unnecessary City ROW to the parcel will put a little more land back on the tax rolls.

Abandoning this sliver will have no impact on the use or maintenance of Woodland Ave, or on utilities.

### **Recommendation**

This subdivision was spurred by the Friends of Greenwood Cemetery's interest in fixing up the cemetery, but will accomplish much more than expanding the cemetery's legal boundaries. It will clean up some "messy" and irregular parcel boundaries and tee up this area for development. With strong demand for housing right now, it is quite possible that new houses could be built on some of these lots in the next few years.

Staff recommend that the Planning Commission recommend approval of this proposal.







FIRST STREET (OPEN)

FIRST STREET (UNDEVELOPED)

GREENWOOD CEMETERY

WOODLAND AVENUE

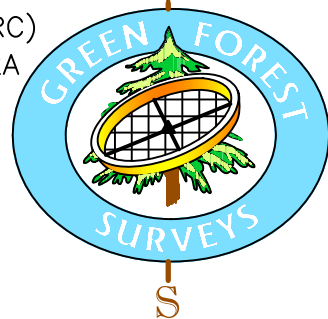
PEDLAR GAP RUN (ROBINSON CREEK)

EVERGREEN AVENUE (UNDEVELOPED)

- 6 DENOTES NEW LOT NUMBER  
See below for Area, Street # & Tax ID #
- DENOTES CORNER MONUMENT  
SET OR FOUND
- DENOTES BOUNDARY  
TO BE VACATED
- (X) DENOTES STREET INFORMATION  
SEE SHEET 3
- DENOTES FLOW & LOCATION  
PEDLAR GAP RUN (ROBINSON CREEK)

A2  
N/F  
DELMAS AND JESSICA BEVERLY  
PLAT BOOK 1, PAGE 27 (BV)  
TM# 58-A --- 3

A3  
N/F  
C.A. BEVERLY, ET. UX.  
DB 387 PG 594 (RC)  
TM# 58-A --- 2A



0 120 240 360

VA GRID FEET & NORTH

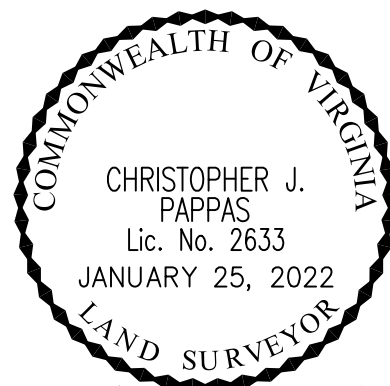
## GREENWOOD SUBDIVISION

BUENA VISTA, VIRGINIA

GREEN FOREST JOB # GF01846

REVISION 4, JANUARY 29, 2022

SHEET 1 OF 3



## GREEN FOREST SURVEYS, LLC

WWW.GREENFORESTSURVEYS.COM

P.O. BOX 121, FAIRFIELD, VA 24435 (540) 261-1077



- 1 111,936 Sq. Ft.  
2.570 Acres  
160 South Woodland Ave.  
58-B---1
- 2 162,238 Sq. Ft.  
3.724 Acres  
150 South Woodland Ave.  
58-B---2
- 3 15,509 Sq. Ft.  
0.356 Acres  
120 South Woodland Ave.  
58-B---3
- 4 14,574 Sq. Ft.  
0.335 Acres  
110 South Woodland Ave.  
58-B---4
- 5 15,448 Sq. Ft.  
0.355 Acres  
264 1st. Street  
58-B---5
- 6 139,387 Sq. Ft.  
3.200 Acres  
300 1st. Street  
58-B---6
- 7 134,593 Sq. Ft.  
3.090 Acres  
344 1st. Street  
58-B---7

EXTERIOR BOUNDARIES LOTS 1, 2 & 7 408,767 Sq. Ft.  
9.384 Acres

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	799.47'	222.77'	222.05'	N 47°45'18" W	15°57'54"

LINE	BEARING	DISTANCE
L1	N 55°43'56" W	387.97'
L2	N 34°16'04" E	9.52'
L3	S 86°33'50" E	316.37'
L4	N 34°16'04" E	91.57'
L5	N 58°17'34" W	267.77'
L6	N 34°29'17" W	280.43'
L7	N 06°56'03" E	33.17'
L8	S 81°30'20" E	653.36'
L9	S 28°17'18" E	666.70'
L10	S 61°18'34" W	131.95'
L11	N 29°02'54" W	190.10'
L12	S 45°19'05" W	364.59'

1

111,936 Sq. Ft.  
2.570 Acres

160 South Woodland Ave.  
58-B---1

2

162,238 Sq. Ft.  
3.724 Acres

150 South Woodland Ave.  
58-B---2

7

134,593 Sq. Ft.  
3.090 Acres

344 1st. Street  
58-B---7

3

15,509 Sq. Ft.  
0.356 Acres

120 S Woodland Ave.  
58-B---3

LINE	BEARING	DISTANCE
L13	S 34°16'04" W	28.51'
L14	N 55°43'56" W	99.48'
L15	N 03°44'02" E	75.52'
L16	N 23°58'44" E	57.56'
L17	S 54°07'32" E	148.19'
L18	S 34°16'04" W	89.02'

4

14,574 Sq. Ft.  
0.335 Acres

110 South Woodland Ave.  
58-B---4

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	300.00'	162.07'	160.11'	N 40°15'18" W	30°57'14"

LINE	BEARING	DISTANCE
L19	N 24°46'54" W	35.06'
L20	N 57°54'21" E	117.01'
L21	S 18°31'14" E	10.00'
L22	S 08°58'10" E	132.72'
L23	S 03°39'43" W	75.77'

5

15,448 Sq. Ft.  
0.355 Acres

264 1st. Street  
58-B---5

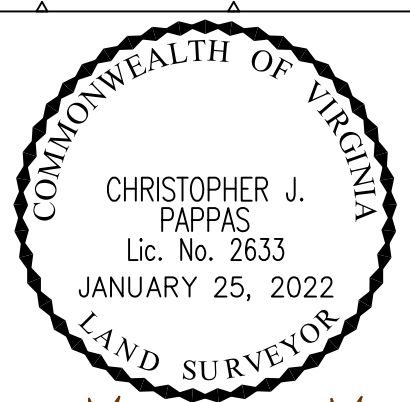
LINE	BEARING	DISTANCE
L24	N 69°46'05" W	114.55'
L25	N 23°00'19" E	115.78'
L26	N 07°00'22" E	26.07'
L27	S 83°03'57" E	95.15'
L28	S 12°25'59" W	164.43'

6

139,387 Sq. Ft.  
3.200 Acres

300 1st. Street  
58-B---6

LINE	BEARING	DISTANCE
L29	N 12°25'59" E	164.43'
L30	S 82°34'41" E	80.16'
L31	S 06°56'03" W	33.17'
L32	S 34°29'17" E	280.43'
L33	S 58°17'34" E	267.77'
L34	S 34°16'04" W	91.57'
L35	N 86°33'50" W	316.37'
L36	S 34°16'04" W	9.52'
L37	N 55°43'56" W	237.69'
L38	N 34°16'04" E	117.53'
L39	N 54°07'32" W	148.19'
L40	N 23°48'43" E	44.80'
L41	S 69°46'05" E	114.55'



- P1
- PRIOR TO THIS RECONFIGURATION, ADJUSTMENT, VACATION AND SUBDIVISION, THE PROPERTY STANDING IN THE NAME OF PB&GT, LLC CONTAINED A TOTAL OF 10.736 ACRES.
- AFTER THIS RECONFIGURATION, ADJUSTMENT, VACATION AND SUBDIVISION, THE PROPERTY STANDING IN THE NAME OF PB&GT, LLC WILL CONTAIN A TOTAL OF 10.430 ACRES. THIS IS A NET LOSS OF 0.306 ACRES.
- P2
- PRIOR TO THIS RECONFIGURATION, ADJUSTMENT, VACATION AND SUBDIVISION, THE PROPERTY STANDING IN THE NAME OF THE CITY OF BUENA VISTA, KNOWN AS GREENWOOD CEMETERY CONTAINED A TOTAL OF 2.712 ACRES.
- AFTER THIS RECONFIGURATION, ADJUSTMENT, VACATION AND SUBDIVISION, THE PROPERTY STANDING IN THE NAME OF THE CITY OF BUENA VISTA, KNOWN AS GREENWOOD CEMETERY WILL CONTAIN A TOTAL OF 3.200 ACRES. THIS IS A NET GAIN OF 0.488 ACRES.
- P3
- THE TOTAL AREA OF WOODLAND AVENUE BEING VACATED IS 0.182 ACRES.

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

PORTIONS OF THIS PROPERTY LIE IN THE VARIOUS "SPECIAL FLOOD HAZARD AREAS" AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKBRIDGE COUNTY, VIRGINIA AND INCORPORATED AREAS. MAP NUMBER 51163C0405 C; EFFECTIVE DATE: APRIL 6, 2000.

ZONE A, "SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD; NO BASE FLOOD ELEVATIONS DETERMINED."

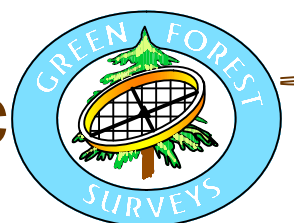
ZONE X / NOT SHADED, "AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN"

THE LOCATION OF THESE VARIOUS FLOODPLAINS CAN BE DETERMINED BY AN EXAMINATION OF THE FIRM REFERENCED ABOVE, OR BY A FLOOD ELEVATION SURVEY.

**GREENWOOD SUBDIVISION**  
BUENA VISTA, VIRGINIA  
GREEN FOREST JOB # GF01846  
REVISION 4, JANUARY 29, 2022  
SHEET 2 OF 3

**GREEN FOREST SURVEYS, LLC**

WWW.GREENFORESTSURVEYS.COM  
P.O. BOX 121, FAIRFIELD, VA 24435 (540) 261-1077



## SOURCE OF DESCRIPTION

- P1** THE PROPERTY SHOWN ON THIS SURVEY AS NOW OR FORMERLY (N/F) STANDING IN THE NAME OF PB&GT, LLC IS DESCRIBED AT INSTRUMENT NUMBER 202000127.
- P2** THE PROPERTY SHOWN ON THIS SURVEY AS GREENWOOD CEMETERY IS DESCRIBED AT DEED BOOK 126 PAGE 217.
- P3** THE PROPERTY SHOWN ON THIS SURVEY AS A PORTION OF WOODLAND AVENUE IS DESCRIBED AT PLAT BOOK 1 PAGE 46, PLAT BOOK 1 PAGE 106 AND DEED BOOK 87 PAGE 692.

### APPROVED BY:

\_\_\_\_\_  
BUENA VISTA (CITY) SUBDIVISION AGENT      DATE

THE PROPERTY SHOWN HEREON IS ZONED R-2  
THE FOLLOWING MINIMUM BUILDING SETBACK LINES APPLY  
FRONT 30 FEET  
SIDE 15 FEET  
REAR 25 FEET

PORTIONS OF THIS PROPERTY LIE WITHIN OR ADJACENT TO THE TRAVELED WAYS OF FIRST STREET, WOODLAND AVENUE AND EVERGREEN AVENUE, AND ARE SUBJECT TO ANY PUBLIC OR DEEDED RIGHTS NORMALLY ASSOCIATED WITH A ROAD AND OTHER RIGHTS OR RESTRICTIONS REVEALED BY A TITLE REPORT.

### NOTARY'S STATEMENT

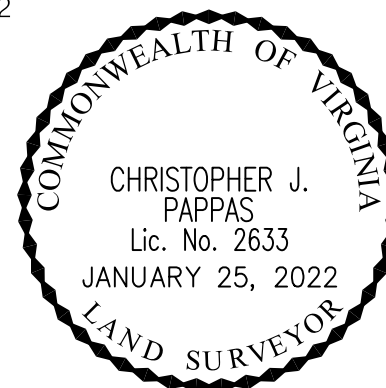
COMMONWEALTH OF VIRGINIA, COUNTY/CITY OF \_\_\_\_\_,  
TO WIT:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, BY

\_\_\_\_\_  
MY COMMISSION EXPIRES:

\_\_\_\_\_  
NOTARY PUBLIC

ALL STREETS AND AVENUES ARE DESIGNATED AS FIFTY FEET IN WIDTH AS PER DEED BOOK 2 PAGE 107.

- A** POPLAR AVENUE (OPEN)
- B** LARCH AVENUE (OPEN)
- C** BRIAR AVENUE (UNDEVELOPED)
- D** EVERGREEN AVENUE (OPEN)
- E** FIRST STREET (OPEN)
- F** EVERGREEN AVENUE (UNDEVELOPED)
- G** ANDERSON AVENUE (UNDEVELOPED)



### OWNER'S STATEMENT

THIS IS TO CERTIFY THAT THE PROPERTY EMBRACED ON THE HEREON PLAT HAS BEEN PREPARED IN STRICT ACCORDANCE WITH THE WISHES AND DESIRES OF THE UNDERSIGNED OWNER / OWNERS. GIVEN UNDER MY / OUR HAND AND SEAL.

\_\_\_\_\_  
STEVEN P. DOUTY FOR PB&GT, LLC      DATE

\_\_\_\_\_  
CITY OF BUENA VISTA      DATE

### NOTARY'S STATEMENT

COMMONWEALTH OF VIRGINIA, COUNTY/CITY OF \_\_\_\_\_,  
TO WIT:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, BY  
STEVEN P. DOUTY  
MY COMMISSION EXPIRES:

\_\_\_\_\_  
NOTARY PUBLIC

- 1** 111,936 Sq. Ft.  
2.570 Acres  
160 South Woodland Ave.  
58-B---1
- 2** 162,238 Sq. Ft.  
3.724 Acres  
150 South Woodland Ave.  
58-B---2
- 3** 15,509 Sq. Ft.  
0.356 Acres  
120 South Woodland Ave.  
58-B---3
- 4** 14,574 Sq. Ft.  
0.335 Acres  
110 South Woodland Ave.  
58-B---4
- 5** 15,448 Sq. Ft.  
0.355 Acres  
264 1st. Street  
58-B---5
- 6** 139,387 Sq. Ft.  
3.200 Acres  
300 1st. Street  
58-B---6
- 7** 134,593 Sq. Ft.  
3.090 Acres  
344 1st. Street  
58-B---7

## GREENWOOD SUBDIVISION

BUENA VISTA, VIRGINIA  
GREEN FOREST JOB # GF01846  
REVISION 4, JANUARY 29, 2022  
SHEET 3 OF 3

## GREEN FOREST SURVEYS, LLC

WWW.GREENFORESTSURVEYS.COM  
P.O. BOX 121, FAIRFIELD, VA 24435 (540) 261-1077

