

Planning Commission

Public Hearing & Regular Session Agenda

Cape Charles Civic Center – 500 Tazewell Avenue
January 7, 2019 6:00 P.M.

1. Invocation and Pledge of Allegiance
2. Public Comments
3. Consent Agenda
 - a. Approval of Agenda Format
 - b. Approval of Minutes
 - c. Reports
4. Unfinished Business
 - a. Parking Joint Working Group update and recommendations.
5. New Business
6. Other business
7. Announcements
8. Adjourn



DRAFT
PLANNING COMMISSION
Joint Public Hearing with Town Council &
Regular Meeting
Cape Charles Civic Center
December 4, 2018
6:00 p.m.

At 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Public Hearing and Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Diane D'Amico, Paul Grossman, Dennis McCoy and Michael Strub. Commissioners Keith Kostek and Sandra Salopek were not in attendance. Also, in attendance were Town Manager Larry DiRe, Town Planner Zach Ponds, Deputy Clerk Tracy Outten, Cape Charles Main Street, Inc. Program Manager Shelly Gorman and the applicants. There were three members of the public in attendance.

Mayor William "Smitty" Dize, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Dize, present were Councilmen Bannon, Buchholz and Grossman, and Councilwomen Burge and Holloway. Vice Mayor Steve Bennett was not in attendance.

PUBLIC HEARING PUBLIC COMMENTS:

Mayor Dize read the Notice of Public Hearings and opened the floor for comments.

Tracy Outten read submitted comments into record regarding the Conditional Use Permit to operate a bed and breakfast\tourist home in the Residential - 1 District at 610 Washington Avenue. (Please see attached.)

There were no other comments.

Motion made by Michael Strub, seconded by Dennis McCoy, to close the public hearing portion of the Planning Commission meeting. The motion was approved by unanimous vote.

Motion made by Councilman Buchholz, seconded by Councilman Bannon, to adjourn the Town Council Public Hearing. The motion was approved by unanimous vote.

A moment of silence was observed which was followed by the recitation of the Pledge of Allegiance.

PUBLIC COMMENTS:

John Paffrath, 100 Bayshore Road

Mr. Paffrath informed the Commissioners that the next meeting for the NYP&N Railroad Resurrection, Limited would be on December 12, 2018 at 6:00 p.m. in the Cape Charles Civic Center.

CONSENT AGENDA

Motion made by Paul Grossman, seconded by Michael Strub, to approve the agenda format as presented. The motion was approved by unanimous vote.

The Commissioners reviewed the minutes from the November 6, 2018 Planning Commission Public Hearing and Regular Meeting.

Motion made by Paul Grossman, seconded by Diane D’Amico, to approve the minutes from the November 6, 2018 Planning Commission Public Hearing and Regular Meeting as submitted. The motion was approved by unanimous vote.

REPORTS

Tracy Outten read additions to the written report as follows: (i) the bike trail grant decision date would likely be April or May per Clara Vaughn from the Accomack-Northampton Planning District Commission (A-NPDC); (ii) Barbara Schwenk would likely be our A-NPDC staffer for the comprehensive plan update per Curt Smith from the A-NPDC; and (iii) staff contacted Christopher Newport University’s Public History Center to begin discussion about possible assistance in developing a new preservation plan.

UNFINISHED BUSINESS

A. *Application for conditional use permit: operate a bed and breakfast\tourist home in the Residential – 1 district at 610 Washington Avenue – review and make recommendation to Town Council.*

Bill Stramm stated this had been discussed at last’s months meeting and the public comment submitted was in favor of the permit. Larry DiRe said staff recommended approving this conditional use permit.

Motion made by Paul Grossman, seconded by Dennis McCoy, to recommend Town Council approval of the Conditional Use Permit for the operation of a bed and breakfast\tourist home in the Residential – 1 District at 610 Washington Avenue as submitted. The motion was approved by unanimous vote.

B. *Parking joint working group update.*

Bill Stramm said the parking joint working group met on November 27, 2018 and the following was discussed: (i) changing the reverse angle parking to front end parking on Mason Avenue; (ii) striping the North side of Mason Avenue for parallel parking from Harbor Avenue to Bay Avenue and from Peach Street to Fig Street; (iii) removing parking on East side of Pine Street and; (iv) adding handicapped parking spaces.

After some discussion, it was decided that Bill Stramm would inform the parking joint working group that a clearer plan was needed with statistics and all safety concerns addressed. Larry DiRe said a new parking pattern did not need to be rushed.

NEW BUSINESS

A. *January 1, 2019 regular meeting date – reschedule meeting.*

The Planning Commission Regular Meeting date scheduled for January 1, 2019 needed to be rescheduled due to it being a holiday. After some discussion, Tracy Outten would check the availability of the Cape Charles Civic Center for Monday, January 7, 2019.

B. *Harbor district conceptual development summary report.*

Bill Stramm stated that this was a very good report and hoped everyone read it. Also, he thanked Paul Grossman for being on the committee.

OTHER BUSINESS

- Bill Stramm introduced the new Town Planner Zach Ponds.

ANNOUNCEMENTS

- Paul Grossman attended the planning commissioner training.
- Some discussion on the comprehensive plan process ensued.

Motion made by Paul Grossman, seconded by Dennis McCoy, to adjourn the Planning Commission Public Hearing and Regular Meeting. The motion was approved by unanimous vote.

The meeting adjourned at 7:01 p.m.

Chairman Bill Stramm

Deputy Clerk

DRAFT

From: Cassada, Lindsay <CassadaL@chesterfield.gov>
Sent: Monday, November 26, 2018 11:25 AM
To: Larry DiRe <larry.dire@capecharles.org>
Cc: Kathleen Fraas <kathleen.fraas@capecharles.org>
Subject: Comment for Tuesday, 12/4/18 Public Hearing

Mr. DiRe,

I hope this email reaches you doing well. As it relates to the public meeting on Tuesday, 12/4/18, I'd like to provide a comment, but will be unable to attend the meeting. Therefore, I'm providing my comment to you via email, in hopes it may be taken into consideration.

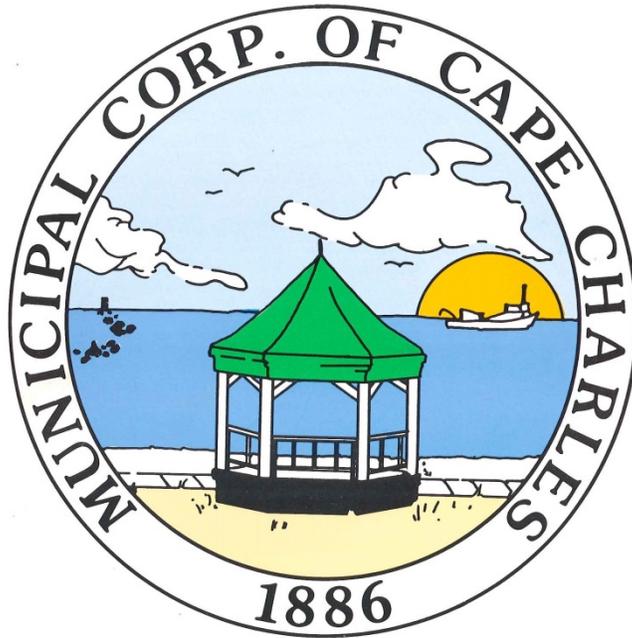
Regarding the application for conditional use permit to operate a bed and breakfast/tourist home at 610 Washington Avenue, I have no opposition to Mr. and Ms. Fraas' request. In fact, I **support their request**. My husband and I own the home under construction at 606 Washington Avenue, directly next door to 610 Washington Avenue. As we have acquainted ourselves with Mr. and Ms. Fraas, they have shown character, integrity, and general 'neighborliness'. We are happy to share a property line with them, and support them in their proposed venture. Please accept this **letter of support** for Mr. and Ms. Fraas' application for conditional use permit.

Thank you kindly,

Lindsay G. Cassada
804 306-2639
1400 Salisbury Drive
Midlothian, VA 23113

606 Washington Avenue
Cape Charles, VA 23310

DRAFT



Town of Cape Charles
Planning Commission

2018 Annual Report
(January 2018-December 2018)

Bill Stramm
Chairman

Zach Ponds, MPA
Town Planner

2018 Planning Commission Members

Bill Stramm, Chairman

Sandra Salopek, Vice Chair (November – December)

Paul Grossman, Town Council representative (August – December)

Joan Natali*, Vice Chair (January – July)

Dan Burke (January – March)

Diane D’Amico (August – December)

Dennis McCoy

Keith Kostek

Michael Strub

*Joan Natali was Town Council representative (January to July)

2018 Planning and Zoning Staff

Zach Ponds, Town Planner (November – December)

Lawrence DiRe, Town Planner (January – November)

Tracy Outten, Recording Secretary (July – December)

Libby Hume, Recording Secretary (January – June)

Introduction

Section 15.2-221, of the Code of Virginia, as amended, prescribes the duties of the local planning commission. The duties include a requirement to provide an annual report to the local governing body concerning the operation of the commission and the status of planning in its jurisdiction.

Development in Cape Charles

2018 saw both new development and redevelopment in Cape Charles. Notable projects included the renovations to several dozen residential and commercial properties in the historic district; Phase II of the Strawberry Street Station mixed –use development made significant progress, but was not completed by year’s end; and sixteen new single-family homes were permitted (six in Bay Creek, ten in the historic district). Site preparation work continued on the boat yard\terminal project in the Industrial M-2 District (south side of the town harbor); site clearance and required state and federal permitting was completed for the proposed yacht provisioning project on the Ferry Dock parcel (north side of the harbor); and required state stormwater permitting approval was received for the multi-family housing apartment project in the Residential – 3 District on Old Cape Charles Road. The brew-pub project in the Commercial – 3 District on Stone Road was completed. Design of Phase III of the community trail project was completed, but not put out to bid before year’s end. A dilapidated vacant commercial unit in the Commercial – 1 zoning district was demolished per the zoning ordinance in November. Staff received word on December 11 that the Virginia Marine Resources Commission has approved the permit for the fourth (northern) offshore breakwater. The Army Corps of Engineers completed their review process. Langley & McDonald is completing the plans, specifications and construction bid package. The Town should be able to put the project out for bid in mid to late January 2019.

Planning Commission and Staff Updates

There were Commission and staff updates in 2018. Paul Grossman replaced Joan Natali as Town Council representative in July. Dan Burke resigned effective March 22, 2018, and was replaced by Diane D’Amico, appointment effective August 3, 2018. At the September 4, 2018 meeting Diane D’Amico was appointed to serve on the Harbor Area Review Board. At the November 6 meeting Bill Stramm and Sandra Salopek were elected Chair and Vice Chair, respectively. Zach Ponds was hired as Town Planner effective November 29, 2018. As of that date, Larry DiRe ceased holding dual roles as Town Planner\Town Manager to become only

Town Manager. Deputy Town Clerk Tracy Outten, who serves as the Commission’s recording secretary, received the credential of Certified Municipal Clerk (CMC) effective December 2018.

2018 Summary of Permits and Projects Reviewed by Planning Department (to December 27):

Home Occupations	0
Site Plan Reviews	11
Violations	3
Zoning Clearance	22
Historic District Review	45
Harbor Area Review	2
Wetlands Board Review	2
Board of Zoning Appeals Review	6
Rezoning	0
Conditional Use Permits	4

The Commission held joint work sessions with the Historic District Review Board in January, and the Board of Zoning Appeals in May. At the March 15 regular Town Council meeting they revoked the conditional use permit for residential unit above commercial in the Commercial – 2 zoning district at 1 Fig Street (Kellogg Building) due to the applicant failing to act on the permit approval within twelve months.

Code Amendments

Approved, at the November 1, 2018 Town Council special meeting a number of text amendments approving accessory dwelling units as a conditional use in certain residential zoning districts. Please see staff report and minutes of the meeting.

<https://capecharles.municipalcms.com//files/documents/TownCouncilAgenda11-01-18033538102518PM1701.pdf>

<https://capecharles.municipalcms.com//files/documents/TownCouncilMinutes11-01-18012830111618PM1468.pdf>

Approved, at the August 16, 2018 Town Council meeting a number of text amendments to the process of appealing decisions of the zoning administrator, and to the historic district overlay. Please see staff report and minutes of the meeting.

<https://capecharles.municipalcms.com//files/documents/TownCouncilAgenda08-16-18111835080918AM1468.pdf>

<https://capecharles.municipalcms.com//files/documents/TownCouncilMinutes08-16-18091623092618AM1468.pdf>

Approved, at the April 19, 2018 Town Council meeting a number of text amendments regulating Industrial M-2 zoning district uses and maximum square footage for residential dwellings in the Residential -1 zoning district. Please see staff report and minutes of the meeting. <https://capecharles.municipalcms.com//files/documents/TownCouncilAgenda04-19-18042824041318PM1468.pdf>
<https://capecharles.municipalcms.com//files/documents/TownCouncilMinutes04-19-18055612060718PM1468.pdf>

Denied, none to date.

Considered without action, the Planning Commission forwarded draft text amendment recommending adding vinyl siding to the list of prohibited building materials in the Residential – 1 zoning district. As of December 31, 2018, no action was taken on this item, but Town Council did discuss the matter without reaching a consensus.

Northampton County Comprehensive Plan Update

As of December 31, 2018, Northampton County has not approved the proposed draft update of the county comprehensive plan, but the Board of Supervisors did direct the county planning commission to continue working on the revised draft document. The town edge zoning districts were included in later drafts of the plan.



PLANNING COMMISSION STAFF REPORT

Meeting Date: January 7, 2019

Prepared By: Zach Ponds – Town Planner

CAPITAL PROJECTS COMPLETED SINCE 2016 COMPREHENSIVE PLAN

- Phase Two of Multi-Use Trail
 - Has not been closed out, but work on the trail is complete
- Phase Three of Multi-Use Trail design work
- Fourth Breakwater design
 - Corp of Engineers has completed their review
 - Estimated to go out for bid in January 2019
- Harbor access road completed by VDOT
 - Not a Town capital project



PLANNING COMMISSION

STAFF REPORT

Meeting Date: January 7 2019

Item #: 4A

Prepared By:

Zach Ponds – Town Planner

Proposed Development:

A recommendation from the Parking Ad Hoc Committee for consideration of the following five items:

1. Replace reverse angle parking with front end parking where reverse angle parking is currently located, and change the angle from a 60-degree angle to a 45-degree angle
2. Add parallel parking stripes on the north side of Mason Avenue between Fig Street and Peach Street
3. Add parallel parking stripes on the north side of Mason Avenue from Harbor Street to Bay Avenue
4. Install better directional signage for the Strawberry Plaza parking lot
5. Add one handicapped parking space each in the zero block and 100 block of Mason Avenue

Staff Recommendation:

APPROVAL

Description of Proposed Project:

At the Parking Working Group meeting held on December 10, 2018, the Committee discussed the possibility of proposing parking recommendations for the Planning Commission and Town Council to take into consideration in Phases, with this proposal considered Phase One.

Reverse angle parking has been in place for a few years, and there have been many complaints about its user-friendliness compared to the benefits it offers. The intent of reverse angle parking is to provide a safer method of parking by having the parked car pull out instead of back out of the spot. The Comprehensive Plan specifically states that reverse angle parking should be used in conjunction with complete street design, however Mason Avenue is not a complete street design (a bike path is not provided between the parking spots and the driving lane). The reason behind the Town providing reverse angled parking was not a response to safety concerns (relative to the then-existing parallel parking), but a response to the desire for more parking located in the downtown area. The Committee proposes changing the reverse angle parking where it is currently located to front end

parking to increase user-friendliness. Jim Pruitt, Police Chief for the Town, stated that there is no evidence that reverse angle parking has decreased traffic accidents related to parking on Mason Avenue.

The Committee also proposes to change the angle of the parking spaces from 60 degrees to 45 degrees, which should provide more visibility when backing out of the parking space. The Town will lose approximately seven to nine parking spaces by changing to 45-degree, pull-in angled parking where there currently exists 60-degree reverse-angle parking. The lane width would not see a significant increase, approximately one foot.

The Committee recommends providing parallel parking stripes on the north side of Mason Avenue between Fig Street and Peach Street and between Harbor Street and Bay Avenue, which is what previously existed prior to the resurfacing of Mason Avenue a few years ago. There are many existing curb cuts between Peach Street and Fig Street that are not currently in use. Staff contacted the Virginia Department of Transportation (VDOT), and VDOT suggested the parking striping plan submitted to them should show the existing curb cuts and, if parking is shown blocking the curb cuts, the plan should show how access to the adjacent private properties will be maintained. Based off of this information from VDOT, it seems the Town may be able to provide parallel parking that blocks the curb cuts that are not currently in use. However, Google Map imagery shows the parallel parking that existed in 2014 did not block the curb cuts. VDOT may have changed their policy since then, or perhaps an effort to show where access would be to adjacent private properties was not provided with the application, but since they had to work around the curb cuts in 2014, which is the most recent parallel parking in the subject area, is worth noting. If the Town provides parallel parking spots that do not cover the curb cuts between Peach Street and Fig Street, the Town would add approximately 38 spaces. If the Town does cover the curb cuts, the Town would add approximately eight additional parking spaces, which would total 46 parallel parking spaces between Peach Street and Fig Street. The number of parallel parking spaces from Harbor Street to Bay Avenue on the north side would add approximately 18 spaces.

The Committee also recommends providing better directional signage for the Strawberry Street Plaza parking lot. The Committee feels the current signage is hard to read and identify.

Staff reached out to Dale Pusey, the Area Land Use Engineer for VDOT, who stated that VDOT's Traffic Engineering Division will provide comments (if any) regarding the need for handicap spaces once the plan is submitted to VDOT for a Land Use Permit. Mr. Pusey also mentioned that it is typical to provide four percent of the total number of parking spaces as handicap accessible spaces. With the additional parking provided from the recommendations in this report, four percent of the total number of parking spaces along Mason Avenue would come to roughly four spaces.

For future phases, the Committee will identify all parking resources and potential parking sources in the Town, including parallel parking along curbs and shoulders, golf cart parking, bicycle racks, and reduced speed limits. The Committee will also investigate the use of current available parking during

different seasons, days, hours, and events. The Committee will continue to seek public opinion through community input meetings.

Staff Recommendation:

Staff recommends **APPROVAL** of the recommendations for Item 4A and for the Planning Commission to make recommendations to Town Council following discussion.

Attachments:

Attachment 1 – Email with Dale Pusey

From: Pusey, Dale
To: zach.ponds@capecharles.org
Cc: larry.dire@capecharles.org; Christopher Isdell
Subject: Re: ADA Requirements for On-street Parking
Date: Thursday, December 13, 2018 1:02:05 PM

Zach,

Congratulations on your new position. I look forward to working with you.

I am not aware of any VDOT requirements for handicap spaces related to onstreet parking other than to say that we generally refer to ADA guidelines. A VDOT Land Use Permit will be required before doing any striping within the public right of way so I suggest that, along with the completed permit application, the Town provide a drawing of the proposed striping layout to the Accomac Residency office for review. Any comments provided by VDOT's Traffic Engineering Division regarding the need for handicap spaces will then be forwarded to the Town. I think an approximate figure of four percent handicap accessible spaces of the total number of spaces provided is typical.

Regarding your second question, it is again recommended that a drawing of the proposed striping layout be submitted for review. This drawing should show the existing curb cuts and, if parking is shown blocking curb cuts, the drawing should show how access to the adjacent private property will be maintained. Please contact me with any additional questions.

Dale Pusey, P. E.
Area Land Use Engineer
Hampton Roads District
Accomac Residency

Virginia Department of Transportation
23096 Courthouse Avenue
Accomac, VA 23301
Office: (757) 787-5932
Email: dale.pusey@vdot.virginia.gov

On Wed, Dec 12, 2018 at 10:55 AM <zach.ponds@capecharles.org> wrote:

Dale,

First, I would like to introduce myself. I'm the new Planner for the Town of Cape Charles. I'm sure you've worked with Larry DiRe a lot in the past. He is now the Town Manager.

I'm reaching out to you for help answering two questions the Town has regarding on-street parking. I will be out of town all next week until the 26th, so I have copied Larry on this email in case I don't hear from you before Friday.

1. Do you/VDOT have any resources you could provide that discuss requirements for handicap accessible parking spaces for on-street parking? If there are not any requirements for handicap accessible on-street parking, does VDOT have any recommendations for how many spaces to provide, or is that left up to the Town's discretion?
2. The Town is proposing striping parallel parking spaces along Mason Avenue from Peach Street to Fig Street. There are multiple curb cuts along this stretch of Mason that are not used anymore (houses being rebuilt without driveways over the years, etc.). If we were to stripe Mason Avenue from Peach Street to Fig Street, would we be able to stripe in front of these curb cuts that are no longer being used?

Please let me know if you have any questions or need any more information from me. Thank you for your help in this, and I look forward to working with you.

Thanks,

Zach

Zach Ponds

Town of Cape Charles | Town Planner

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Direct: 757-331-2036

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