



PLANNING COMMISSION
Public Hearing & Regular Meeting
Cape Charles Civic Center
April 2, 2019
6:00 p.m.

At 6:01 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, Keith Kostek, Dennis McCoy, Sandra Salopek and Michael Strub. Also, in attendance were Town Manager Larry DiRe, Town Planner Zach Ponds, Deputy Clerk Tracy Outten and the applicants. There were four members of the public in attendance.

PUBLIC HEARING PUBLIC COMMENTS:

Bill Stramm read the Notice of Public Hearings and opened the floor for comments.

Barrett Cree, License Realtor

Mr. Cree read his letter of support for 209 Mason Avenue. (Please see attached.)

There were no other public comments to be heard nor any written comments submitted prior to the meeting.

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

The public hearing was closed at 6:04 p.m.

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

PUBLIC COMMENTS:

There were no public comments.

CONSENT AGENDA

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

The Commissioners reviewed the minutes from the March 5, 2019 Planning Commission Public Hearing and Regular Meeting.

Bill Stramm said under New Business Item D the word Overlay was misspelled.

Motion made by Paul Grossman, seconded by Michael Strub, to approve the minutes from the March 5, 2019 Planning Commission Public Hearing and Regular Meeting as amended. The motion was approved by unanimous vote.

REPORTS

Zach Ponds stated that he had nothing to add to the written report.

UNFINISHED BUSINESS

- A. *Application for conditional use permit: residential units above first floor commercial in the Commercial – 1 district at 209 Mason Avenue – review and make recommendations to Town Council.*

Larry DiRe presented this application due to the applicant being Zach Ponds' landlord. Paul Grossman and Diane D'Amico wanted to be sure the alley would be repaired. Larry DiRe said the recommendations would be in the staff report to Town Council.

Motion made by Paul Grossman, seconded by Diane D'Amico, to recommend Town Council approval of the Conditional Use Permit for a residential unit above first floor commercial in the Commercial – 1 District at 209 Mason Avenue as presented. The motion was approved by unanimous vote.

- B. *Application for conditional use permit: convert an existing two-and-one-half story detached garage to a garage on the first floor and an accessory dwelling unit on the second floor at 649 Randolph Avenue – review and make recommendations to Town Council.*

Bill Stramm gave a brief overview of the application and asked if there was any other questions.

Motion made by Paul Grossman, seconded by Michael Strub, to recommend Town Council approval of the Conditional Use Permit to convert an existing two-and-half story detached garage to a garage on the first floor and an accessory dwelling unit on the second floor at 649 Randolph Avenue as presented. The motion was approved by unanimous vote.

- C. *Application for zoning map amendment and text amendments: request to add a Cottage Overlay District to the Harbor District tax map parcels #83A3-A-17, #83A3-A-19, #83A3-A-20 and #83A3-11-1 – make recommendation.*

Bill Stramm gave a recap of last month's discussion about this application and informed the commissioners that a group consisting of Harbor Area Review Board and Town Council members had been formed and had a meeting to go over the possible changes to the harbor district. There was some discussion about the group.

Zach Ponds said this application was still open and a motion needed to be made to defer the approval or to deny the application.

Motion made by Paul Grossman, seconded by Michael Strub, to defer the review of the application for a zoning map amendment and text amendments to the Harbor District for three months. The motion was approved by majority vote with Diane D'Amico opposed.

- D. *Proposed text amendments to Town Zoning Ordinance Article IV, Section 4.5 and Section 4.6, subsections A-f – review.*

Discussion and changes were as follows: (i) The word non-conforming was discussed at length in Article IV, Section 4.5.A.2; (ii) Diane D'Amico suggested adding the words "or established" after the word "constructed" in Article IV, Section 4.5.A.3. (iii) The words "prepared by the department and" need to be removed from the "Regulation" definition. (iv) Parking lot definition would read Parking lot and Parking garage and the word "motor" would be removed. (v) After much discussion, Article IV, Section 4.5.A.5 would be revisited. (vi) Dennis McCoy said when defining a word do not use the word in the definition. (vii) Remove Commercial District C-2 from Article IV, Section 4.5.B.1.b; (viii) After much discussion on the minimum and maximum percentages, the commissioners decided to revisit Article IV, Section 4.5.B.2 at a later time. (ix) Bill Stramm would like a semi-colon instead of a comma between restricted and plus in Table 3. (x) Remove parking from the definition of Home Occupation.

The commissioners decided to stop for the night and to continue review of the proposed text amendments not covered at the next regular meeting.

NEW BUSINESS

There was no new business to discuss.

OTHER BUSINESS

There was no other business.

ANNOUNCEMENTS

There were no announcements.

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 8:07 p.m.

Chairman Bill Stramm

Deputy Clerk

February 28, 2019

Larry DeRi
Town Manager
2 Plum Street
Cape Charles, VA 23310

Ref: Parsons Building
209 Mason Ave
Cape Charles, VA 23310

Dear Mr. DeRi,

Thank you for the opportunity to comment on the conditional use permit for the above referenced property. As an active Real Estate professional, specializing in sales of Cape Charles's Town properties, we are in favor of this conditional use permit being *approved, as submitted*.

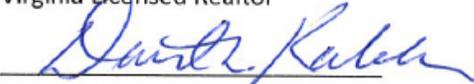
As we understand it, the benefits of the restoration of the Parsons Building as planned, are diverse and in keeping with the historical character of Cape Charles. First, approving the mixed use of the building for residential and commercial would be compatible with many other of the Town's buildings and will add to the economic strength of Cape Charles. Second, plans for the handicap accessible units will serve the special needs of future residents, by providing units offering the capability of an "aging in place lifestyle" much needed in Town. Thirdly, as one of our most prominent historical buildings, it will finally be faithfully restored, returning to service one of the town's grandest buildings that has long been in a state of dilapidation and vacancy.

Please give this conditional use permit your approval. We ask that this letter be read into the public record. Thank you, for your consideration in this matter.

Sincerely,



Barrett Cree
Virginia Licensed Realtor



David Kabler
Virginia Licensed Realtor-Broker