



PLANNING COMMISSION
Public Hearing & Regular Meeting
Cape Charles Civic Center
October 1, 2019
6:00 p.m.

At 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Paul Grossman, Jim Holloway, Dennis McCoy, Sandra Salopek and Michael Strub. Diane D'Amico arrived after roll call. Also, in attendance were Town Planner Zach Ponds, Deputy Clerk Tracy Outten and the applicants. There were two members of the public in attendance.

PUBLIC HEARING PUBLIC COMMENTS:

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

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

Motion made by Michael Strub, seconded by Paul Grossman, to close the public hearing portion of the Planning Commission meeting. 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:

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

CONSENT AGENDA

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

The Commissioners reviewed the minutes from the September 3, 2019 Planning Commission Regular Meeting.

Bill Stramm said that under agenda item B. Comprehensive Plan Update he and Diane D'Amico were working on the "vision" statement and Paul Grossman and Dennis McCoy were working on the goals for the scope topic areas.

Motion made by Paul Grossman, seconded by Jim Holloway, to approve the minutes from the September 3, 2019 Planning Commission Regular Meeting as amended. The motion was approved by unanimous vote.

REPORTS

Zach Ponds reported that he had nothing to add to his written report.

UNFINISHED BUSINESS

A. Comprehensive Plan Update

The commissioners discussed the following updates: (i) Sandra Salopek handed out the survey that would be distributed. (Please see attached.) Bill Stramm thanked her and went through a list of places and ways to distribute the survey. (ii) Dennis McCoy said Citizens for Central Park was not getting support from the town. Staff informed him that was not

accurate and to contact Town Manager Larry DiRe or Community Relations Manager Jen Lewis. Dennis McCoy suggested that the town manager address this misconception in a public forum. (iii) Paul Grossman and Dennis McCoy gave an update on the goals for the scope topic areas. Michael Strub said he thought the executive summary was the same as the outline. (iv) Sandra Salopek and Michael Strub said they were continuing to work on the comprehensive plan scope and outline. (v) Diane D'Amico said she and Jim Holloway worked on a list of stakeholders. Bill Stramm asked her to email the list to Tracy Outten. (vi) Bill Stramm and Diane D'Amico would be speaking about their assignment.

Bill Stramm said there would be a work session on Monday, October 21, 2019 at 6:00 p.m. in the Civic Center.

Motion made by Paul Grossman, seconded by Dennis McCoy, to approve the Comprehensive Plan Community Survey with the addition of a line for return addresses. The motion was approved by unanimous vote.

NEW BUSINESS

- A. *Proposed Text Amendments to Zoning Ordinance Article II, Section 2.9, adding two definitions – Review and Make Recommendations to Town Council.*

Bill Stramm asked why there were definitions for hardship and variance in Section 2.9. Zach Ponds answered that hardship needed a definition and he was trying to simplify the definition for variance. Bill Stramm said the variance definition was from the Virginia Code. Dennis McCoy explained that they could only do what the State allowed them to do.

After discussing if whether the definition for variance needed to be changed, the commissioners decided to defer this item so Zach Ponds could do some research.

- B. *Conditional Use Permit to allow an accessory dwelling unit at 9 Park Row – Review and Make recommendation to Town Council.*

Bill Stramm said this conditional use permit was reviewed last month and asked if there were any questions. Hearing no questions Bill Stramm asked for a motion.

Motion made by Paul Grossman, seconded by Jim Holloway, to recommend Town Council approval of the conditional use permit to allow an accessory dwelling unit at 9 Park Row. The motion was approved by unanimous vote.

- C. *Conditional Use Permit to allow a residential dwelling unit above a commercial use in the C-1 zoning district at 316B Mason avenue – Set Public Hearing Date.*

Bill Stramm briefly read through the staff report and said the town was trying to get more affordable housing like this.

Discussion was as follows: (i) Bill Stramm said this property was located above Bailey's Bait & Tackle and the only access was through the back of the building so, the tenant would not have to walk through the business. (ii) Paul Grossman asked if the one stairwell was adequate for code. Zach Ponds had spoken with the code official about the one access and the apartment would need an egress window. Paul Grossman would like the ingress and egress easement to be provided at the next meeting.

Motion made by Paul Grossman, seconded by Diane D'Amico, to schedule a public hearing on November 5, 2019 for the Conditional Use Permit to allow a residential dwelling unit above a commercial use in the C-1 zoning district at 316B Mason Avenue. The motion was approved by unanimous vote.

- D. *Conditional Use Permit to allow an accessory dwelling unit at 501 Tazewell Avenue – Set Public Hearing Date.*

Zach Ponds provided an amended staff report. (Please see attached.) Diane D'Amico wanted a summary of regulations for accessory dwellings to be included on future staff reports.

Motion made by Dennis McCoy, seconded by Paul Grossman, to schedule a public hearing on November 5, 2019 for the Conditional Use Permit to convert an existing two-story detached garage to an accessory dwelling unit on the first floor and storage on the second floor at 501 Tazewell Avenue. The motion was approved by unanimous vote.

E. *Proposed Text Amendments to Zoning Ordinance Article IV, Section 4.5 and Section 4.6 – Review.*

Zach Ponds read through his staff report and said he would go through each section. Diane D'Amico would like a hard copy of proposed text amendments in the future.

Discussion on the proposed text amendments to Article IV, Section 4.5.C Shared Parking was as follows: (i) Diane D'Amico thought a shared parking agreement needed to be completed before a building permit was issued. (ii) Paul Grossman said this was a study and would be an alternative to the existing shared parking. He suggested keeping the shared parking contractual and let it be an alternate to getting a variance. (iii) Diane D'Amico wanted to make sure that both the off and busy seasons would be considered. Paul Grossman confirmed that surveys would be done at slow and peak times.

Discussion on the proposed text amendments to Article IV, Section 4.5.G.1.F Parking in non-single-family zoning districts - Parking spaces was as follows: (i) Diane D'Amico asked what would happen when the parking spaces were not maintained. Zach Ponds said the town would step in per the ordinance. Diane D'Amico then asked how the town would be reimbursed if we took care of it and added that this needed to be spelled out in the text. Zach Ponds said having penalty, maintenance and performance bonds would help with this issue. Paul Grossman agreed that violations needed to be standard and added to the text.

Discussion on the proposed text amendments to Article IV, Section 4.5.G.1.G Parking in non-single-family zoning districts - Parking spaces was as follows: (i) Diane D'Amico asked what an infiltration swale was. Zach Ponds explained it was a drainage system that helped treat storm water and, with adequate landscaping you would not even know they were there. (ii) Dennis McCoy said this was used when dealing with impervious services.

After some discussion on the proposed text amendments to Article IV, Section 4.5.I.1 On-street parking, the commissioners decided to remove this section.

Diane D'Amico asked if Zach Ponds would meet with her to discuss Article IV, Section 4.5.K. Bill Stramm said that was a good idea.

Bill Stramm asked where the Town Council was on recreational vehicle parking. Paul Grossman said Councilwoman Burge was working on the wording for this. Diane D'Amico would like to remove Article IV, Section 4.5.L from the ordinance for now, since the Council was working on it.

OTHER BUSINESS

- Dennis McCoy mentioned that the November meeting would be on Election Day. Bill Stramm said the Planning Commission would still meet.
- Zach Ponds was researching grant opportunities through the Eastern Shore Healthy Communities to make the trail walk more interesting.

ANNOUNCEMENTS

- October 21, 2019 – Planning Commission Comprehensive Plan Work Session, 6:00 p.m.

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 7:33 p.m.

Chairman Bill Stramm

Deputy Clerk

Cape Charles Comprehensive Plan 2019

Your Voice: Community Survey

What is a Comprehensive Plan?

- It is the framework for the policies that will impact your day-to-day experience in the community.
- The Comprehensive Plan is Cape Charles' most important document regarding growth, development and change.
- It establishes government policy to help guide public and private activities as they relate to land use and resources.
- It is the basis for land development regulations and decisions regarding rezoning, conditional use permits, capital improvements such as parks and community trails, transportation, and environmental and historic resources protection initiatives.

Your Voice: The goal of the Planning Commission is to gather as much community input as possible. The Community Survey is an important first step. This survey was created based on issues and concerns talked about during a Comprehensive Plan Kickoff Workshop held on July 25, 2019.

Section 1: How long have you lived in Cape Charles: (Please check one)

- Less than 5 years
- 6 to 10 years
- 11 to 15 years
- More than 16 years
- I do not live here

Residency (Please check all that apply)

- I own a home in Cape Charles
- I rent a home in Cape Charles
- I live in Cape Charles full time
- I live in Cape Charles part-time
- I only vacation in Cape Charles
- I own a business in Cape Charles
- I live in Cape Charles but work elsewhere
- I am registered to vote in Cape Charles
- I work in Cape Charles.

Which group below includes your age: Please check

- 17 or younger
- 18-20
- 21-29
- 30-39
- 40-49
- 50-59
- 60 or older

Section 2:

The Comprehensive Plan will address many topics that affect the quality of life of those living in and visiting Cape Charles. What is important to you?

On a scale of 1 to 5 with 1 indicating little or no importance and 5 indicating the highest importance please rate the following.

Preservation

Preservation of the town's image as a "family centered" beach town community

1 2 3 4 5

Preservation of the town's image as a historic railroad town

1 2 3 4 5

Preservation and enhancement of the Historic District

1 2 3 4 5

Preservation and enhancement of the town's Central Park

1 2 3 4 5

Preservation and enhancement of the town's public beach

1 2 3 4 5

Preservation and enhancement of the town's Welcome Center

1 2 3 4 5

Preservation and enhancement of the town's deep-water harbor

1 2 3 4 5

Preservation and enhancement of the town's retail center

1 2 3 4 5

Preservation and enhancement of the town's open spaces

1 2 3 4 5

Other: Comments/Suggestions _____

Development

Cape Charles has grown in many ways since the last needs assessment. Where do you feel the town should be focusing its resources in terms of development?

On a scale of 1 to 5 with 1 indicating little or no importance and 5 indicating the highest importance please rate the following.

The new Comprehensive Plan should:

Encourage development of affordable workforce housing (apartments, condominiums, single family dwellings)

1 2 3 4 5

Explore feasibility of expanding the Cape Charles town limits to Lankford highway (Route 13)

1 2 3 4 5

Explore options and sites for the development of off-street parking

1 2 3 4 5

Explore options and sites for the development of public restrooms

1 2 3 4 5

Explore options and sites for the development of a Community Center

1 2 3 4 5

Explore options and sites for the development of a town recycling site

1 2 3 4 5

Explore options and sites for the development of designated golf cart pathways in an effort to reduce congestion and enhance safety in town

1 2 3 4 5

Explore ways to bring more tourists into Cape Charles throughout the year

1 2 3 4 5

Explore ways to reduce the number of Vacation Rentals by Owner

1 2 3 4 5

Explore ways to enhance access to medical services. (Helipad, Non-emergency medical access etc.)

1 2 3 4 5

Explore feasibility of developing a permanent Welcome Center

1 2 3 4 5

Other: Comments/Suggestions _____

Wastewater and Storm Water

On a scale of 1 to 5 with 1 indicating little or no importance and 5 indicating the highest importance please rate the following.

Explore ways to ensure fees for new construction and connection to water and wastewater treatment are supported by the development company, not existing customers.

1 2 3 4 5

Explore ways to maintain, enhance and improve, the Storm Water management system in Cape Charles

1 2 3 4 5

General Concerns: Please only check your top 5 concerns

1. What concerns you most about Cape Charles's future?

- Lack of employment opportunities
 - Lack of sustainable workforce
 - Development and population growth
 - The growing number of tourists
 - The increase of Vacation Rentals by Owner
 - Lack of enforcement of laws pertaining to Golf Cart usage
 - Lack of affordable workforce housing
 - Timely access to medical care
 - Traffic and road maintenance
 - Environmental sustainability (wells, septic systems, water treatment, waste management, etc)
 - The current quality of drinking water
 - Other: Please include any concern not listed above. (Must be considered as part of your top 5 concerns)
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2. As it plans for the future, Cape Charles Comprehensive Plan should focus on:

- Encouraging economic development
 - Controlling growth
 - Promoting tourism
 - Developing a permanent "Welcome Center"
 - Preserving its history and architectural quality
 - Enhancing public safety
 - Increasing law enforcement presence in the summer months
 - Focusing less on tourism and more on the needs of residents.
 - Other: Please include any concern not listed above. (Must be considered as part of your top 5 concerns)
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Your Voice

Throughout the planning process our goal is to gain input from as many citizens as possible. Please look for our public announcements in local papers, flyers, and social media. Copies of the survey can be obtained at the Cape Charles Library, the Town Office.

In your opinion, what is the best way to gain access to our diverse population?

- Small Group forums on site at schools, churches, civic and social organizations
- Social Media Groups such as Facebook
- Online electronic survey options
- Other (Please List)

Would you be willing to help us set up a meeting at your church, business, civic group or business?

If so, please provide your contact information: _____

Thank you for your time and input. Please use the space below to comment on your personal concerns and vision for Cape Charles.

Name (PRINTED): _____

Address (PRINTED): _____