



PLANNING COMMISSION/TOWN COUNCIL
Joint Public Hearing &
PLANNING COMMISSION
Regular Meeting
Cape Charles Civic Center
April 4, 2017
6:00 p.m.

At 6:00 p.m., Chairman Dennis McCoy, having established a quorum, called to order the Joint Public Hearing with the Town Council and Regular Meeting of the Planning Commission. In addition to Chairman McCoy, present were Commissioners Andy Buchholz, Dan Burke, Sandra Salopek, Bill Stramm and Michael Strub. Commissioner Keith Kostek was not in attendance. Also in attendance were Town Planner Larry DiRe and Town Clerk Libby Hume. There were no members of the public in attendance.

Mayor George Proto, having established a quorum, called to order the Joint Public Hearing with the Planning Commission. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilman Buchholz, and Councilwomen Natali and Sullivan. Councilmen Bennett and Brown were not in attendance. Also in attendance was Town Manager Brent Manuel.

PUBLIC HEARING COMMENTS – PROPOSED TEXT AMENDMENTS TO CAPE CHARLES ZONING ORDINANCE:

Mayor Proto read the Notice of Public Hearing which was advertised in the Eastern Shore News, Eastern Shore Post and posted on the town's website, www.capecharles.org.

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

Motion made by Councilwoman Natali, seconded by Vice Mayor Bannon, to adjourn the Town Council Public Hearing. The motion was approved by unanimous vote.

Dennis McCoy closed the Planning Commission Public Hearing.

The Joint Public Hearing adjourned at 6:10 p.m.

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

REGULAR MEETING PUBLIC COMMENTS:

Town Clerk Libby Hume read a letter submitted by Mr. John Huchler of IES Holdings, LLC which owned property located at 712 and 718 Randolph Avenue. (Please see attached.)

After much discussion regarding Mr. Huchler's request, the Commissioners agreed that the issue could possibly be handled through the conditional use process and were in agreement that no further action was necessary until an application was received.

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

CONSENT AGENDA

Motion made by Andy Buchholz, seconded by Bill Stramm, to approve the agenda format as presented. The motion was approved by unanimous vote.

The Commissioners reviewed the minutes from the March 7, 2017 Planning Commission Regular Meeting.

Michael Strub noted that at the top of page 3, the comma after the word “Although” was unnecessary. Libby Hume also noted a typographical error under Item C of Old Business.

Motion made by Andy Buchholz, seconded by Dan Burke, to approve the minutes from the March 7, 2017 Planning Commission Regular Meeting as amended. The motion was approved by unanimous vote.

REPORTS

Larry DiRe reported the following: i) The Harbor Area Review Board scheduled a meeting for April 11 to review an application for the Strawberry Street Plaza; ii) The Wetlands and Coastal Dunes Board would be meeting on April 5; iii) The conditional use permit for residential units above ground floor commercial use for 207 Mason Avenue would expire on April 7. Code Official Jeb Brady discussed the issue with the owners but, as of this date, no additional permit requests or plans for review had been submitted; and iv) After more thorough review of last month’s request from Pastor Russell Goodrich, staff determined that the request was similar to a playground facility on the church property where basketball hoops could be installed. No further action was needed.

OLD BUSINESS

A. *Proposed Text Amendments to Several Sections of the Town Zoning Ordinance – Review and Make Recommendations to Town Council:*

Larry DiRe stated that he highly encouraged the Commissioners to consider a simple geometric measure of signage area vs. the current calculation.

Motion made by Bill Stramm, seconded by Michael Strub, to recommend Town Council approval of all amendments to the Cape Charles Zoning Ordinance as presented with the recommended definition of sign area meaning the simple geometric measure of the sign material substrate. The motion was approved by unanimous vote.

B. *Update on Reference Documents for the Comprehensive Planning Process:*

Larry DiRe stated that the review of reference documents for the Comprehensive Planning process began in December 2016 and he appreciated the Commissioners’ hard work. To date the 1996 Preservation Plan, 2020 Transportation drafted in 1999, 2006 Sidewalk Plan, 2006 Accessory Unity Study and 2006 Master Tree Plan had been reviewed. In May, a review of various documents related to the harbor area planning from 2006 would begin. The Harbor Area Review Board (HARB) would first review the Harbor Area Design Guidelines, Harbor Area Conceptual Master Plan and sections of the Cape Charles Zoning Ordinance related to the harbor development certificate process. Larry DiRe would be recommending that the HARB work with the Planning Commission on several of the documents. The Planning Commission needed to consider the merit of the Master Plan which was drafted in 2006 after much input from the public and area stakeholders. Larry DiRe would provide the comments from the HARB April 11, 2017 meeting to the Commissioners in May.

C. *Selection of Planning Commission member to the Community Enhancement Board – Term Concurrent with Planning Commission Term:*

Larry DiRe stated the selection committee for the Community Enhancement Board (CEB) had been named and the CEB members would be selected at some point in the near future. The CEB would have nine members – six citizen/business members and one representative each from the Town Council, Planning Commission and Historic District Review Board.

Bill Stramm stated that he had submitted an email last month expressing his interest in serving as the Planning Commission representative on the CEB.

Motion made by Michael Strub, seconded by Dan Burke, to nominate Bill Stramm to serve as the Planning Commission representative to the Community Enhancement Board for a term concurrent with his Planning Commission term. The motion was approved by unanimous vote.

NEW BUSINESS

There was no New Business to review.

ANNOUNCEMENTS

There were no Announcements.

Motion made by Bill Stramm, seconded by Andy Buchholz, to adjourn the Planning Commission Public Hearing and Regular Meeting. The motion was approved by unanimous vote.

The meeting adjourned at 6:39 p.m.

Chairman Dennis McCoy

Mayor Proto

Town Clerk

**Planning Commission/Town Council Joint Public Hearing &
Planning Commission Regular Meeting
Comments Submitted in Writing
April 4, 2017**

IES Holdings, LLC

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Fax: 509-351-5503 • E-mail: huchlerj@verizon.net

4 April 2017

Ms Libby Hume
Clerk
Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310

Subject: Correspondence to the Town of Cape Charles Planning Board – April Meeting: 718 Randolph Avenue, Cape Charles, VA – Consideration for First Floor Apartment

Dear Ms Hume,

During the past ten years, the demand for apartments has significantly increased at our two properties (712 & 718 Randolph Avenue). Of particular concern is that we receive numerous inquiries for apartments that are accessible for tenants who have mobility problems and cannot use the stairs to reach our second floor apartments. These prospective tenants indicate that it's difficult for them to find "first-floor" apartments.

We are requesting that the town's planning board consider allowing a conditional use or other relief with respect to the zoning requirements to allow street-level apartments that conforms to the requirements of the commercial district for storefronts, separate access and minimal visibility of street-level apartments behind the storefronts.

Our prospective project in the rear section of our property at 718 Randolph is a perfect way of meeting the demands for 1st floor apartments. Further comments about the proposed back building are:

- The property is zoned "C-1" that does not allow any apartments at grade level – storefront or street-level.
- We have received the town's approval to build a two-story building with two (2) apartments on the second floor and office space on the first floor.
- Our building permit application is pending; we have delayed starting this building project to determine if there is an option to have a 1st floor easily accessible apartment at grade (not storefront) that maintains the commercial façade, has a side entrance that is separate from the businesses in the storefronts, is not visible from the street and has off-street parking.

Your consideration of this matter is greatly appreciated. As recommended by the town's planner, we respectfully request that this correspondence be entered into record at this meeting and action be taken for further consideration and approval.

John F. Huchler
Managing Partner
IES Holdings, LLC
huchlerj@verizon.net

cc: Mr. Larry DiRe, Planner, Town of Cape Charles, VA, planner@capecharles.org