

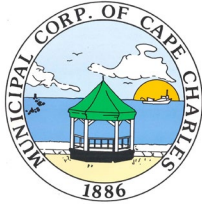
Planning Commission

Regular Session Agenda

Cape Charles Civic Center – 500 Tazewell Avenue

March 3, 2020 6:00 P.M.

1. Call to Order
 - a. Roll call and establish a quorum
2. Invocation and Pledge of Allegiance
3. Public Comments
4. Consent Agenda
 - a. Approval of agenda format
 - b. Approval of minutes
 - c. Reports
5. Unfinished Business
 - a. None
6. New Business
 - a. Application for a conditional use permit to allow a residential dwelling unit above a commercial use in the C-1 zoning district located at 325 Mason Avenue – tax map #83A3-1-610.
7. Other Business
8. Announcements
9. Adjourn



DRAFT
PLANNING COMMISSION
Work Session
Cape Charles Civic Center
January 27, 2020
3:00 p.m.

At 3:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Work Session of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Diane D'Amico, Paul Grossman, Dennis McCoy and Michael Strub. Jim Holloway was not in attendance and there was one vacancy on the commission. Also, in attendance were Town Planner Zach Ponds and Deputy Clerk Tracy Outten. There were no members of the public in attendance.

APPROVAL OF AGENDA

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

ORDER OF BUSINESS

A. Comprehensive Plan Update

Discussion was as follows: (i) Bill Stramm said the goals for this work session were to find any missing information that needed to be included in each section and to identify stakeholder groups and think of the best approach for the meetings; (ii) Zach Ponds informed the commissioners that the only item for February's regular meeting was the comprehensive plan update; (iii) Paul Grossman volunteered to take the priorities table and sort them based on which comprehensive plan chapter covered them. Zach Ponds would help; (iv) Michael Strub thought stakeholders were high ranking individuals who reviewed the final plan and wanted to know how the stakeholders would be used. Dennis McCoy responded to get more input for areas that were not covered in the survey; (v) Dennis McCoy said priorities were needed before any stakeholder meetings were held. Diane D'Amico agreed adding each stakeholder group would have different goals; (vi) Some discussion ensued on what direction the Town was headed whether it would continue as a tourist spot or be a retirement community; (vii) There was much discussion on parking issues; (viii) Dennis McCoy said that when writing the comprehensive plan chapters each should have a goal and overall focus; (ix) Michael Strub wanted to make sure internet would be included within the comprehensive plan. Dennis McCoy agreed and would do some research; (x) Diane D'Amico expressed the need for continuous sidewalks throughout the town; (xi) Dennis McCoy reached out to Cape Charles Police Chief Jim Pruitt about a few results from the survey and that did not go well. He thought more input was needed on safety; and (xii) Bill Stramm read through the priority topics that had been compiled.

Bill Stramm listed the stakeholder groups as follows: (i) Civic Groups; (ii) Builders, Realtors, Rental Agents and Rental Homeowners; (iii) Business Owners and Restaurants; (iv) Long-term Citizens and Full-time Residents; (v) Part-time Residents; (vi) Hotels and Bed and Breakfasts; (vii) Town Boards and Commissions; (viii) Town Employees; and (ix) Churches.

Bill Stramm reminded the commissioners to send any goals they might have to Paul Grossman and next Tuesday the goal was to go over the content of the priorities.

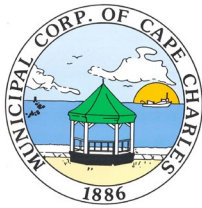
Motion made by Dennis McCoy, seconded by Paul Grossman, to adjourn the Planning Commission Work Session. The motion was approved by unanimous vote.

The meeting adjourned at 4:56 p.m.

Chairman Bill Stramm

Deputy Clerk

DRAFT



DRAFT
PLANNING COMMISSION
Regular Meeting
Cape Charles Civic Center
February 4, 2020
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 Diane D'Amico, Paul Grossman, Jim Holloway, Dennis McCoy and Michael Strub. There was one vacancy on the commission. Also, in attendance were Town Planner Zach Ponds and Deputy Clerk Tracy Outten. There were no members of the public in attendance.

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 Michael Strub, seconded by Jim Holloway, to approve the agenda format as presented. The motion was approved by unanimous vote.

The Commissioners reviewed the minutes from the January 7, 2020 Public Hearing and Regular Meeting.

Bill Stramm said the word tip on page 2, under Unfinished Business F. Comprehensive Plan Update roman numeral ii needed to be changed to top.

Motion made by Paul Grossman, seconded by Jim Holloway, to approve the minutes from the January 7, 2020 Planning Commission Public Hearing and Regular Meeting as amended. The motion was approved by unanimous vote.

REPORTS

Zach Ponds had nothing to add.

Discussion was as follows: (i) Bill Stramm asked if the Historic District Review Board (HDRB) Commission Assistance and Mentoring Program was open to the Planning Commission. Zach Ponds said yes if there were any openings left after mandatory sign-ups; (ii) Diane D'Amico asked if any planning commissioners were invited to meet with Amber Foster. Zach Ponds said no and if any commissioners had questions, they could talk to him; (iii) Bill Stramm asked if the Coastal Adaptation Working Group would be helpful to the Planning Commission. Zach Ponds responded not at this time; (iv) Diane D'Amico would like the HDRB application addresses included in the staff report; and (v) There was some discussion about the University of Virginia Transportation Training Academy/VA LTAP Transportation Infrastructure Funding Strategies Workshop that Paul Grossman and Zach Ponds attended.

UNFINISHED BUSINESS

A. *Comprehensive Plan Update.*

Bill Stramm thanked the commissioners for their hard work getting their top priorities to Paul Grossman and thanked Paul Grossman for compiling them.

Bill Stramm mentioned that dates needed to be finalized so please let Tracy Outten know your availability. Jim Holloway and Paul Grossman would reply to the email with the dates that best fit in their schedules.

Discussion was as follows: (i) Paul Grossman said the priority was a work in progress and suggestions were welcome. (ii) Diane D'Amico asked if the stakeholder meetings were open to the public. Bill Stramm said yes, no one would be turned away but, the topics would be relevant to the stakeholder group. Paul Grossman agreed that questions should be tailored to the stakeholders; (iii) Paul Grossman thought that housing topic should be closed because Northampton County held input meetings; (iv) The commissioners agreed that certain concerns could be addressed by directing them to where they could find an answer; (v) Diane D'Amico asked what could be done about the derelict houses in town. Jim Holloway suggested including language that covered sustaining a property. Paul Grossman wanted to know how this issue would be resolved and added public input was needed. After some examples of derelict homes were given, Paul Grossman informed the commission that Code Official Jeb Brady was aware and would handle any issues; (vi) Michael Strub thought nine priorities were needed to let the public know they were being heard; (v) Bill Stramm said a list of meetings for each group needed to be made; (vii) Diane D'Amico wanted an explanation about what the discussion was supposed to be about. Bill Stramm responded that that the nine groups needed to have specific priorities or questions catered to them; (viii) Dennis McCoy was concerned that they were getting into the weeds about what the community expressed interest about on the survey and now discussion was all over the place. He added that the commissioners should have the same objective; (ix) Bill Stramm said the medical facility concern could not be solved by them; (x) Paul Grossman volunteered to put a list together of priorities tailored to each of the stakeholder groups. All commissioners agreed that the importance of these meetings was to get information; (xi) Diane D'Amico said the Town Council should be making sure some safety rules were enforced; (xii) There was some discussion on contacting citizens individually. Michael Strub did not agree and was worried that someone would be excluded; (xiii) Diane D'Amico asked if Paul Grossman would be deciding on the question. Paul Grossman answered he would try. Michael Strub could help; (xiv) Jim Holloway asked which group the Cape Charles Main Street, Inc. fit in. Paul Grossman thought business owners and restaurants; (xv) Diane D'Amico was concerned that the commission was rushing to get the meetings done and suggested holding off until they had more discussion; (xvi) Bill Stramm informed the commissioners that draft review was on the timeline after stakeholder meetings. Diane D'Amico thought it would be helpful to do draft reviews first. Dennis McCoy disagreed he wanted the input received to be raw; (xvii) There was some discussion on the workforce housing issues; and (xviii) Bill Stramm would draft an email that would be sent to the stakeholders.

Bill Stramm said Paul Grossman's list would be discussed at the February 24, 2020 Work Session.

NEW BUSINESS

There was no new business.

OTHER BUSINESS

There was no other business.

ANNOUNCEMENTS

There were no announcements.

Motion made by Dennis McCoy, seconded by Jim Holloway, to adjourn the Planning Commission Regular Meeting. The motion was approved by unanimous vote.

The meeting adjourned at 7:15 p.m.

Chairman Bill Stramm

Deputy Clerk

DRAFT



PLANNING AND ZONING DEPARTMENT MONTHLY REPORT

Prepared By: Tracy Outten – Deputy Clerk
Date: February 25, 2020
Subject: February 2020 Monthly Report
Attachments: None

Historic District Review Board:

The Historic District Review Board work session and regular meeting was held on February 18 to review and discuss possible updates to the Historic District Guidelines and to hear four applications for Certificates of Appropriateness. There were two pre-application meetings scheduled for a possible Certificate of Appropriateness application this month. There was currently one opening for a Board member on this Board.

Harbor Area Review Board:

The Harbor Area Review Board did not meet.

Board of Zoning Appeals:

The Board of Zoning Appeals did not meet.

Wetlands and Coastal Dune Board:

The Wetlands and Coastal Dune Board public hearing and meeting was held on February 25 to hear an application and to elect a Chair and Vice-Chair.

Items of Interest:

- The Town Planner/Zoning Administrator submitted his resignation and his last day was February 19. Ads for a replacement have been placed
- Sidewalk Committee – The committee (P Grossman, Dianne Davis, Rob Smithwick, Zach Ponds) appointed by the Mayor met on February 6 and 11. The final report and recommendations were submitted to the Mayor on February 25,2020.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: March 3, 2020

Item #: 6A

Prepared By: Zach Ponds – Town Planner

Site Address: 325 Mason Avenue (tax map #83A3-1-610)

Applicant: Ann Hayward Walker

Owner: Willian and Ann Hayward Walker

Proposed Development: A conditional use permit to allow a residential dwelling unit above a commercial use in the C-1 zoning district

Current Zoning: Commercial District C-1: This zoning district is intended to preserve and enhance the traditional mixed use urban nature of Cape Charles commercial districts, to encourage the location of regional and local business and professional activities, to facilitate the development of buildings in keeping with its largely National Historic District character, and to protect against destruction of or undesirable encroachment on these areas.

Historic District Overlay: The purpose of this district is to provide for protection against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of recognized architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is the purpose of the district to preserve the designated historic areas and historic landmarks and other historic or architectural features, and their surroundings within a reasonable distance, from destruction, damage, defacement, and obvious incongruous development or uses of land and to ensure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the general area in which they are located and with the historic buildings or structures within the district.

Description of Proposed Project:

The subject property is an existing commercial building on Mason Avenue with a commercial space on the first floor and a storage space on the second floor. The front door of the second story will be from the alley on the east side. An original staircase will remain behind the wall on the first floor, which will be used for interior access to the second floor.

Staff Analysis:

Section 4.3 of the zoning ordinance states “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town. In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.

The proposed project meets all of these provisions.

Section III-A.5.1.2 of the Comprehensive Plan discusses the overall policies for Cape Charles neighborhoods, specifically promoting mixed uses as the preferred form of development in the Commercial, Harbor, and Village Districts. The Comprehensive Plan states to “encourage the principle of incorporating mixed land uses, similar to the current land use patterns in the town such as: 1) allowing residential and retail/commercial uses within the same building; and 2) promoting residences within close proximity to commercial and retail centers.” The Comprehensive Plan goes on to state “combined live-work structures should be encouraged in new development and in the Mason Avenue districts to better integrate housing with the shops and businesses of the new and existing centers.”

The proposed project meets the goal of promoting mixed use as the preferred form of development in the commercial districts along Mason Avenue. The proposed project also meets the intent of the C-1 zoning district by enhancing the traditional mixed-use urban nature of Cape Charles commercial districts.

Section 4.5.B of the zoning ordinance states “new or change of use second and third floor units [in the Commercial District C-1] shall be required to conform to parking requirements as set forth herein.” Section 4.5.1.E.6 requires one space per one-bedroom dwelling unit, plus one additional space per 200 square feet of commercial gross floor area for mixed-use developments.

The proposed development has to meet the parking regulations for the second-floor change of use, which is one space per one-bedroom dwelling unit. The proposed project meets this requirement by providing one off-street parking space in the rear of the property.

Staff Recommendation:

Staff recommends Planning Commission recommend **APPROVAL** to Town Council for a conditional use permit to allow a residential dwelling unit above a commercial use in the C-1 zoning district at 325 Mason Avenue as proposed.

Attachments:

Attachment 1 – Application and Documents

Attachment 2 – Location Map



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☐ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☐ Letter of intent clearly explaining project
- ☐ Existing site plan or survey
- ☐ Proposed site plan or survey (if applicable)
- ☐ Names and addresses of adjacent property owners
- ☐ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: _____

Property Address: _____

Brief Description of Project: _____

Zoning District: _____ Current Use: _____ Proposed Use: _____

OWNER INFORMATION

Name and Company: _____

Mailing Address: _____

Phone Number: _____ Email: _____

APPLICANT INFORMATION

☐ check here if applicant is owner

Name: _____

Mailing Address: _____

Phone Number: _____ Email: _____

CERTIFICATION OF APPLICANT

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Signature of Applicant: _____ Date: _____

Town of Cape Charles Planning & Zoning Department

2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org

306 Bay Avenue
Cape Charles, VA 23310
31 January 2020

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310

Attention: Planning Commission
Subject: Conditional Use Permit Letter of Intent

Dear Town of Cape Charles:

This letter describes our intent to renovate the 2nd floor of 325 Mason Ave., which we have owned since December 1996, to return it to its original residential use. The 2nd floor was built as an above-store apartment; it was left unimproved from the time when it was last inhabited. We have used the 2nd floor for storing excess family belongings until now.

There are two enclosures to this letter:

1. Photos of the front façade. The top photo shows the current building appearance and the bottom is an old photo of buildings on this block on Mason Avenue (estimated to be in the late 1930s, based on one of the automobiles).
2. Site map of the building and property lines.
 - a. Parking - There is room in the rear of the site (outlined in orange) for parking 1-2 vehicles on the property.
 - a. Exterior access to the 2nd floor - Our property has deeded access 3.5 feet of the alley between the building to the east, i.e., 327 Mason Ave. Exterior access to the 2nd floor currently exists from an exterior steel door which opens on the alley on the east side of the building.

The adjacent building owners are:

1. West side 321 Mason Ave. – we are the owners.
 - a. The owners purchased both 321 Mason (1 story) and 325 Mason (2 story) as a single property (both were formerly the Sea Bell Gallery with an open wall between them)
 - b. A wooden awning extends along the front of both the 321 and 325 Mason buildings, which we believe was added in the 1970s.
2. East side 327 Mason Ave. (Bailey's Bait and Tackle) – Donny and Marie Brady. We have discussed our renovation plans in some detail with Donny Brady, our neighbor since we purchased the building, who has stated verbally that he has no issues with our plans.

About the building:

- The county tax map indicates that the 325 Mason was built in 1920.
- 1st floor will remain commercial. It has been in continuous commercial use. Moonrise Jewelry will relocate there spring 2020. Some renovations will occur on the 1st floor prior to Moonrise occupancy.

Renovation specifics:

1. Renovations include bringing the property to current building code, including fireproofing, new HVAC, insulation, plumbing and electrical.
2. Renovations will be carried out by QS LLC (Sean Ingram).
3. The existing layout has the living room across the front with three windows looking on to Mason Ave., 2 bedrooms in the center, 1 bath, and a kitchen and dining room in the back. New floor plans have been drawn by the architect, Leon Parham, and are being submitted with this Letter of Intent.
 - a. The renovation floor plan includes an open living, dining and kitchen area in the front plus two bedrooms and two baths.
 - b. Both baths will be located in same area as the original bath.
 - c. The owners are not applying for historic tax credit. New energy efficient windows will be purchased to resemble the windows on the front of the building in the old photo.
 - d. The existing living room wall adjacent to 1 of the original 2 bedrooms will be removed (it is not load bearing) to create the open and combined living/kitchen space.
4. The front-door entrance will be from the alley on the east side, which is 6 feet wide, of which 3.5 feet is on our property and 2.5 feet belongs to the Bradys as verified from the plat.
 - a. A new external door (to code) will installed in the alley entrance, with some roof protection, similar to the entrance to the home of Cela Burge and John Burdiss in the alley west of Kelly's Pub.
5. The original staircase remains behind the wall on the 1st floor, is structurally sound, and will be used for interior access the 2nd floor.
6. A new roof surface will be installed.
7. Occupancy of the new 2nd floor apartment has yet to be determined (may be Mrs. Walker's mother and sister).

If you have any questions, please either email ahwalker@seaconsulting.com or text/call Bill Walker's cell 757-331-0545.

Thank you for your kind consideration.

Sincerely,

Ann-Hayward and Bill Walker

Enclosures (2)

Enclosure 1: Property Photos

Below: 2020 View of 321 (left) and 325 (right) Mason. Ave.



Below: Early 20th Century View of 325 Mason Ave. is to the far right.



ORIGINAL DEED
D.B. XXXX P. XXXX

SOURCE PLAT
D.B. 41 P. 484 (PLAT)

LOT
612

LOT
609

LOT
608

PROPERTY CORNER
ON BUILDING LINE

ENC
0.3

ENC
0.2

DETAIL

REMAINDER OF
LOT
611

LOT 610

1 ST. METAL
BUILDING

12" OUTLET
P.D. 4 P. 171

LOT
607

BLOCK
COMMERCIAL
BUILDING OF OTHERS

2 ST. BRICK
COMMERCIAL
BUILDING
321

BRICK
COMMERCIAL
BUILDING OF OTHERS

STRAWBERRY ST.

PEACH STREET

DRILL HOLE (S)

DRILL HOLE (S)

DRILL HOLE (S) S 88°00'00" W

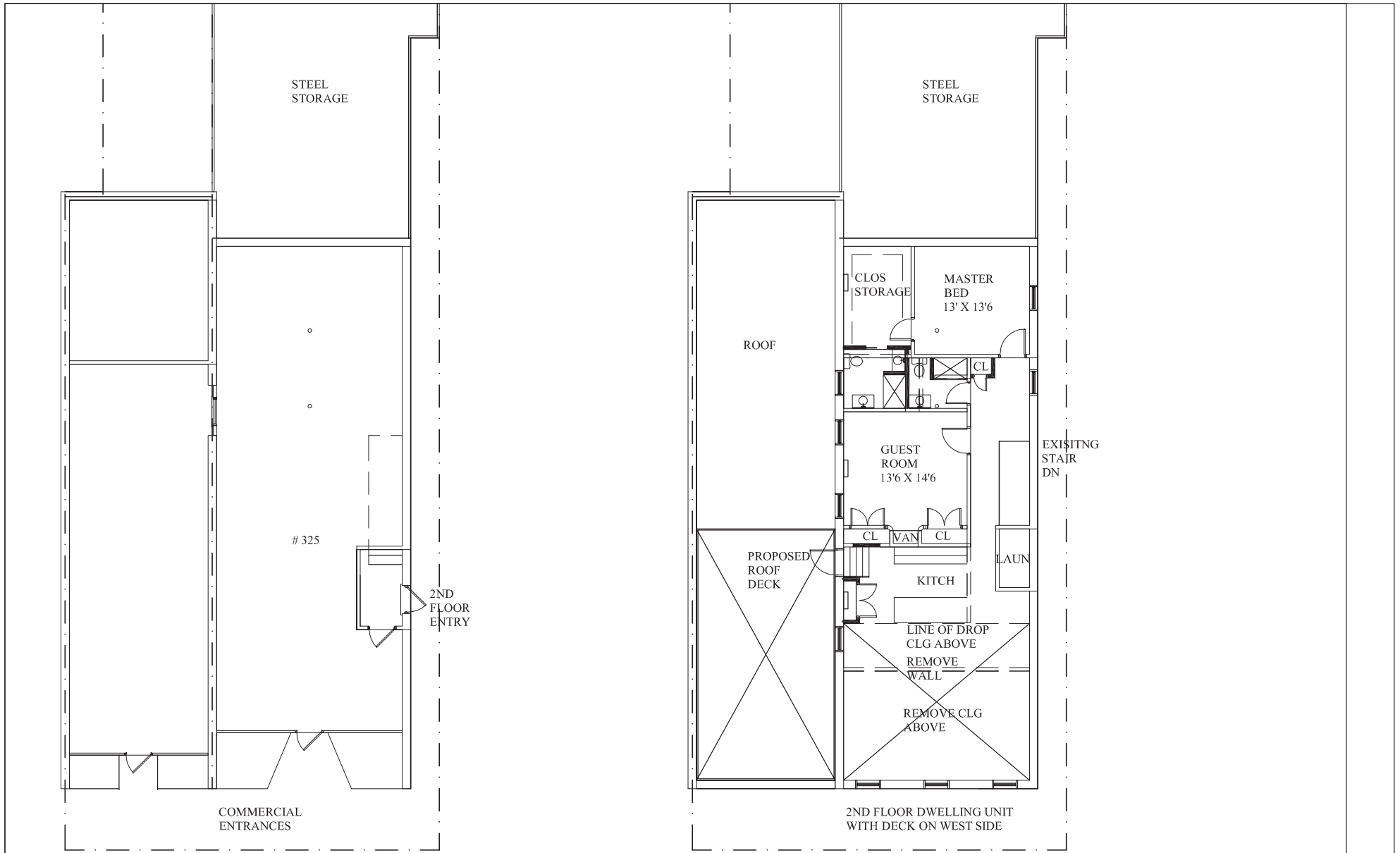
DRILL HOLE (S)

MASON AVENUE (70' R/W)

NAP
"CAP"

D.B.

CA



PARHAM

210 HARBOR AVENUE, CAPE CHARLES VIRGINIA 23310-3217
757.331.8133 ... rktck@icloud.com
PARHAM ARCHITECT, R.A., NCARB

Walker Office/Apartment
325 MASON AVE, CAPE CHARLES, VA

STUDY

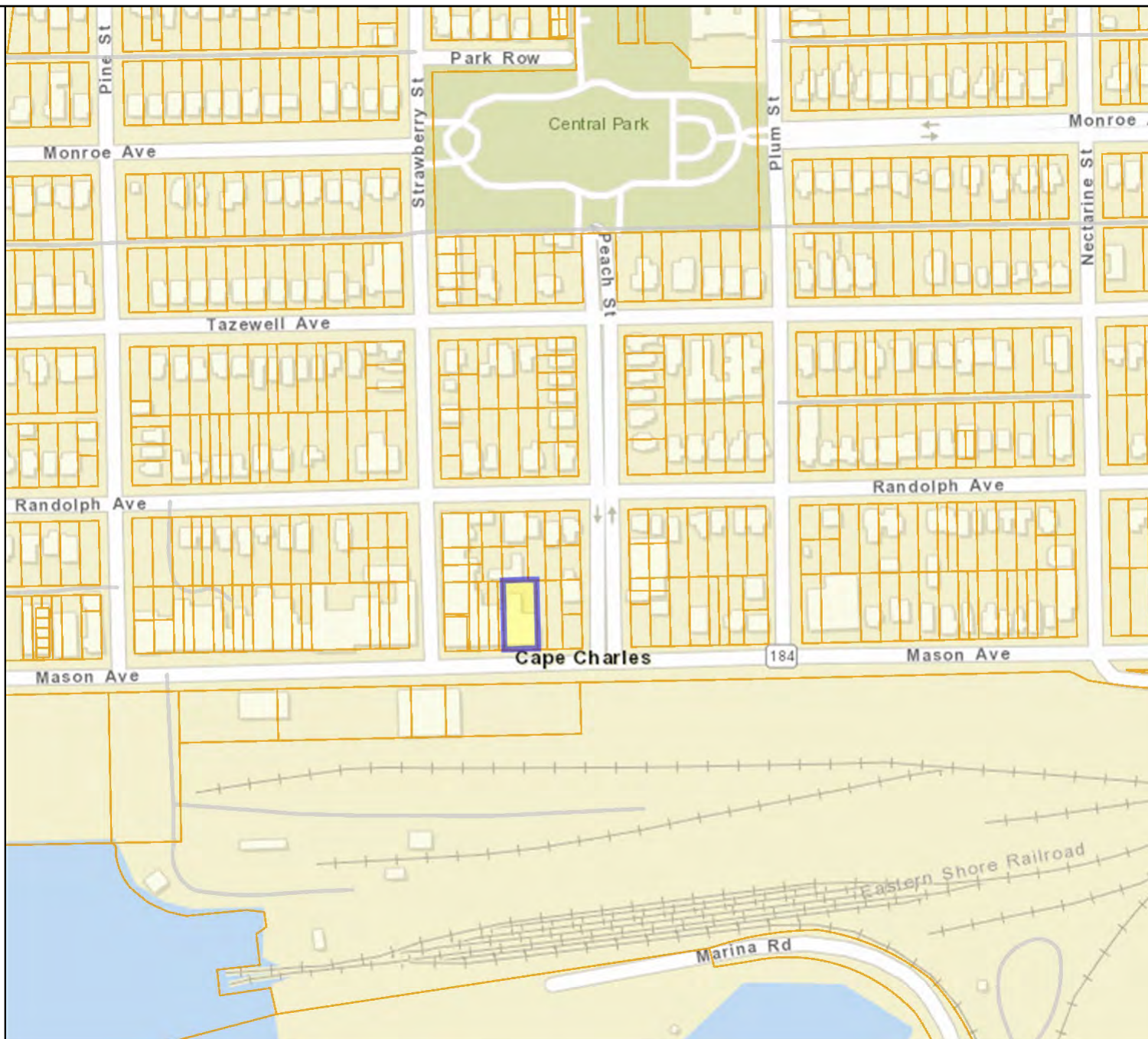
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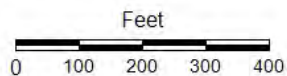
Northampton County, Virginia

Legend

- Parcels
- Driveways



Map Printed from Northampton
<http://northampton.mapsdirect.net/>



Title: 325 Mason Ave

Date: 2/11/2020

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton County is not responsible for its accuracy or how current it may be.