



PLANNING COMMISSION
Joint Public Hearing with Town Council & Special Meeting
Cape Charles Civic Center
April 6, 2021
6:00 p.m.

This Joint Public Hearing with Town Council and Special Meeting of the Planning Commission was held by video conference in accordance with Code of Virginia § 2.2-3708.2, subsection A.3, resulting from Governor Northam's March 12, 2020 declaration of a state of emergency for the Commonwealth of Virginia arising from the Novel Coronavirus (COVID-19) pandemic. It was deemed impractical and unsafe to assemble physically due to the highly contagious nature of COVID-19.

The purpose of this meeting was to hear public comment on two applications for conditional use permits, to review an application for a zoning map amendment to rezone properties from residential to commercial, and to review two applications for conditional use permits. An audio recording was made of the meeting, and the meeting was also live-streamed on Facebook, as well as video-taped for viewing from the Town's website after processing. Public comments were accepted in writing prior to the meeting. Viewers could also submit their comments via Facebook Live, emails to the clerk, town planner, and by calling the clerk's office and leaving a voicemail during the public hearing.

At approximately 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Public Hearing and Special Meeting of the Planning Commission. In addition to Chairman Stramm, physically present at the Civic Center were Jim Holloway, Paul Grossman, and Planning Technician Tracy Outten. In attendance via Zoom were Commissioners, Diane D'Amico, Dennis McCoy, Michael Strub, Interim Town Planner/Zoning Administrator Katie Nunez, Town Clerk Libby Hume, and the applicants. Kenneth Butta was not in attendance. There were no members of the public physically in attendance, but there were 9 viewers on Facebook Live.

Vice-Mayor Steve Bennett, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Vice-Mayor Bennett, physically present at the Civic Center Councilman Grossman and Councilwoman Holloway. In attendance via Zoom were Councilmen Buchholz, and Follmer. Mayor Dize was not in attendance. There was one vacancy on council.

PUBLIC HEARING COMMENTS:

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

There were no public comments received in writing prior to the meeting or during the public comments period.

Motion made by Paul Grossman, seconded by Jim Holloway, to close the public hearing portion of the Planning Commission meeting. The motion was approved by unanimous vote. Roll call vote: Dennis McCoy, yes; Michael Strub, yes; Diane D'Amico, yes; Paul Grossman, yes; Jim Holloway, yes; Bill Stramm; yes.

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

PUBLIC COMMENTS RE: Agenda Items Only

There were no public comments received in writing prior to the meeting or during the public comments period.

AGENDA

Katie Nunez informed the commissioners that the rezoning application had been withdrawn so, item "A" under Unfinished Business was no longer an agenda action item.

Motion made by Michael Strub, seconded by Paul Grossman, to approve the agenda as amended. The motion was approved by unanimous vote. Roll call vote: Diane D'Amico, yes; Paul Grossman, yes; Jim Holloway, yes; Dennis McCoy, yes; Bill Stramm, yes; Michael Strub, yes.

Motion made by Paul Grossman, seconded by Jim Holloway, to approve the minutes from the December 1, 2020 Planning Commission Regular Meeting and the February 2, 2021 Planning Commission Special Meeting as presented. The motion was approved by unanimous vote. Roll call vote: Dennis McCoy, yes; Diane D'Amico, yes; Michael Strub, yes; Jim Holloway, yes; Paul Grossman, yes; Bill Stramm, yes.

UNFINISHED BUSINESS

- A. *Conditional Use Permit to allow a second-floor residential dwelling unit above the first floor commercial at 1 Fig Street (tax map #83A3-1-534) – review and make recommendation to Town Council.*

Katie Nunez summarized the staff report and added that the application meets the comprehensive plan requirements.

Discussion and questions were as followed: (i) Dennis McCoy asked if there were parking requirements. Katie Nunez answered yes, and a previous owner was granted a parking variance by the Board of Zoning Appeals; and (ii) Paul Grossman wanted to know if there was a separate exterior entrance for the apartment; yes.

Motion made by Dennis McCoy, seconded by Paul Grossman, to recommend Town Council approve the Conditional Use Permit to allow a second-floor residential dwelling unit above the first floor commercial at 1 Fig Street. The motion was approved by unanimous vote. Roll call vote: Michael Strub, yes; Dennis McCoy, yes; Diane D'Amico, yes; Paul Grossman, yes; Jim Holloway, yes; Bill Stramm, yes.

- B. *Conditional Use Permit to allow two second-floor residential dwelling units above the first floor commercial at 301 Mason Avenue (tax map #83A3-1-615B) – review and make recommendation to Town Council.*

Katie Nunez briefly read through the staff report and said this application was consistent with the comprehensive plan.

Diane D'Amico wanted to know the definition for a residential dwelling unit. Katie Nunez read the definition provided in the zoning ordinance. Diane D'Amico asked if that definition concluded the proposed apartments were not a single-family dwelling. Katie Nunez answered no, it depended on how the apartments would be leased.

Motion made by Paul Grossman, seconded by Jim Holloway, to recommend Town Council approve the Conditional Use Permit to allow two second-floor residential dwelling units above the first floor commercial at 301 Mason Avenue. The motion was approved by unanimous vote. Roll call vote: Dennis McCoy, yes; Michael Strub, yes; Diane D'Amico, yes; Paul Grossman, yes; Jim Holloway, yes; Bill Stramm, yes.

NEW BUSINESS

There was no new business.

Motion made by Jim Holloway, seconded by Dennis McCoy, to adjourn the Planning Commission Public Hearing and Special Meeting. The motion was approved by unanimous vote. Roll call vote: Dennis McCoy, yes; Michael Strub, yes; Diane D'Amico, yes; Paul Grossman; yes, Jim Holloway; yes; Bill Stramm; yes.

The meeting adjourned at 6:25 p.m.

Chairman Bill Stramm

Planning Technician