

TOWN COUNCIL
Special Meeting
Town Hall
July 31, 2012
6:00 PM


1. Call to Order: Roll Call

2. Order of Business

*A. Review recommendation from Planning Commission regarding the proposed rezoning from Open Space (O-S) to Residential (R-1) of the area bounded on the north by Madison Avenue, on the east by Plum Street, on the south by parcel 83A3-1-23 and on the west by parcel 83A3-1-287 (lot 287) – the area contains parcels 83A3-1-281, 83A3-1-282, 83A3-1-283, 83A3-1-284, 83A3-1-285, 83A3-1-286 (lots 281 through 286), a portion of the area that was originally North Park Row, and the old Cape Charles High School building (collectively, the “Old School Area”). Schedule a public hearing as appropriate.

*B. Review recommendation from Planning Commission regarding the Conditional Use Permit submitted by Echelon Resources, Inc. to rehabilitate and use the Old School Area for an Adaptive Reuse. The proposed Adaptive Reuse includes the historic rehabilitation of the Old School Area for use as 17 residential apartments in accordance with applicable guidelines. Schedule a public hearing as appropriate.

3. Motion to Adjourn

 TOWN OF CAPE CHARLES	AGENDA TITLE: Planning Commission Recommendation on Rezoning Old School Area		AGENDA DATE: July 31, 2012
	SUBJECT/PROPOSAL/REQUEST: Review the Planning Commission's recommendation re: rezoning of the Old School Area and schedule a public hearing if appropriate		ITEM NUMBER: 2A
	ATTACHMENTS: Exhibit A, Resolution 20120628		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Town Council of Cape Charles, by Ordinance 20120614, approved the sale of certain property owned by the Town, collectively called the "Old School Area", to Echelon Resources, Inc. ("Echelon"). Echelon intends by adaptive reuse to rehabilitate the Old School Area and convert it to seventeen residential apartment units and surrounding grounds (the "Old School Rehabilitation").

The Old School Area is defined as the area bounded on the north by Madison Avenue, on the east by Plum Street, on the south by parcel 83A3-1-23 and on the west by parcel 83A3-1-287 (lot 287) - the area contains parcels 83A3-1-281, 83A3-1-282, 83A3-1-283, 83A3-1-284, 83A3-1-285, 83A3-1-286 (lots 281 through 286), a portion of the area that was originally North Park Row, and the Old Cape Charles High School building (Exhibit A).

The Town Council adopted Resolution 20120628 to refer to the Planning Commission the proposed amendment of the zoning map for public necessity, convenience, general welfare, and good zoning practice and for consideration of the rezoning of the Old School Area from Open Space (O-S) to Residential (R-1).

The current zoning of the Old School Area as O-S does not allow for the Old School Rehabilitation (Section 3.15.B). The zoning district R-1 allows, by conditional use permit, for the Old School Rehabilitation as an Adaptive Reuse.

DISCUSSION:

The Open Space zoning district does not allow for adaptive reuse. The open space zone is intended for open air types of activities.

The Old School Area was originally part of a street (North Park Row) and residential lots (281-287). A former Town Council bought the residential lots and built a school when space ran out of the Monroe Avenue building. The park, as designed by Bauman and Scott, was made into the school yard area for football, baseball and other activities.

An earlier Planning Commission zoned the school yard and school area Open Space and the school was allowed to continue as a non-conforming use (grandfathered). When a non-conforming use ceases for four years the "grandfathering" ceases and the subsequent use must conform to the zoning ordinance. The TEA - 21 Grant Project restored the Park as Phase I of the project.

The R-1 zone requires a CUP for Adaptive Reuse of existing structures within the R-1 zone.

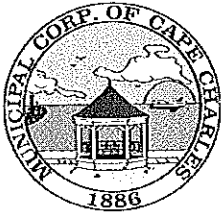
These permitted uses, conditional uses and definitions, as well as public necessity, convenience, general welfare, and good zoning practice require consideration of rezoning of the Old School Area from Open Space to R-1.

On July 26, 2012, the Planning Commission held a public hearing followed by a special meeting. Ten citizens spoke during the public hearing. After some discussion, the Commissioners were in agreement that the rezoning was necessary for anything to be done to the former school building, other than demolition.

The Planning Commission recommended by unanimous vote that the Town Council rezone the Old School Area from Open Space to R-1. Roll call vote: Hayward, yes; McCoy, yes; Natali, yes; Strub, yes.

RECOMMENDATION:

Review and discuss the recommendation from the Planning Commission. If appropriate, schedule a public hearing for Thursday, August 23, 2012 at 6:00 p.m.



*Municipal Corp. of
Cape Charles*

The undersigned Clerk of the Council of the Town of Cape Charles, Virginia (the "Town"), hereby certifies that:

1. A meeting of the Council of the Town (the "Council") was duly called and held on June 28, 2012 (the "Meeting").
2. Attached hereto is a true, correct and complete copy of Resolution 20120628 (the "Resolution") of the Town entitled as recorded in full in the minutes of the Meeting, duly adopted by a majority of the members of the Council present and voting during the Meeting.
3. A summary of the members of the Council present or absent at the Meeting and the recorded vote with respect to the foregoing Resolution as set forth below:

<u>Member Name</u>	<u>Present</u>	<u>Absent</u>	<u>Voting</u>		
			<u>Yes</u>	<u>No</u>	<u>Abstaining</u>
Dora Sullivan, Mayor	X				
Chris Bannon	X		X		
Steve Bennett		X			
Bruce Evans	X		X		
Joan Natali	X		X		
Mike Sullivan	X		X		
Larry Veber	X		X		

4. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

Witness my signature and the seal of the Town of Cape Charles, Virginia this 29th day of June 2012.

Clerk of the Council
Town of Cape Charles, Virginia

(Seal)

RESOLUTION 20120628
RESOLUTION TO REFER TO PLANNING COMMISSION THE
PROPOSED AMENDMENT OF THE ZONING MAP AND RELATED CONDITIONAL
USE PERMITS AS TO THE PROPERTY GENERALLY LOCATED AT THE CORNER
OF MADISON AVENUE AND PLUM STREET

WHEREAS, the Town Council of Cape Charles, by Ordinance No. 20120614, approved the sale of certain real property owned by the Town, described below, to Echelon Resources, Inc. (“Echelon”) substantially in accordance with the form of the contract attached to such Ordinance; and

WHEREAS, that the real property to be sold pursuant to the contract is the south west corner of Madison Avenue and Plum Street, the area being bounded on the north by Madison Avenue, on the east by Plum Street, on the south by parcel 83A3-1-23 and on the west by lot 287—the area contains lots 281 through 286, a portion of the area that was originally North Park Row, and the Old Cape Charles High School building (collectively, the “Old School Area”); and

WHEREAS, Echelon intends by adaptive reuse to rehabilitate the Old School Area and convert it to seventeen residential apartment units and surrounding grounds (the “Old School Rehabilitation”); and

WHEREAS, the current zoning of the Old School Area for Open Space does not allow for the Old School Rehabilitation; and

WHEREAS, zoning district R-1 allows, by conditional use permit, for the Old School Rehabilitation as an Adaptive Reuse; and

WHEREAS, zoning district R-1 also allows for a Municipal Community Center and, by conditional use permit, a Neighborhood Community Center; and

WHEREAS, public necessity, convenience, general welfare, and good zoning practice require consideration of rezoning of the Old School Area from Open Space to R-1; now

THEREFORE BE IT RESOLVED by the Town Council of Cape Charles this 28th day of June, 2012 that the issue of amending the zoning map to rezone the Old School Area from Open Space to R-1 be referred to the Planning Commission for an appropriate recommendation following a public hearing; and

BE IT FURTHER RESOLVED that, following application therefor, the Planning Commission consider whether, in the event the rezoning is approved by the Town Council, a

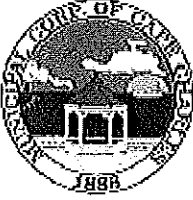
Conditional Use Permit should be granted for the Old School Rehabilitation as an Adaptive Reuse and make a recommendation in connection therewith.

Adopted by the Town Council of Cape Charles on June 28, 2012

By: _____
Mayor

ATTEST:

Town Clerk

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Planning Commission Recommendation on Conditional Use Permit Application from Echelon Resources, Inc.		AGENDA DATE: July 31, 2012
	SUBJECT/PROPOSAL/REQUEST: Review the Planning Commission's recommendation re: a conditional use permit application submitted by Echelon Resources, Inc. and schedule a public hearing if appropriate		ITEM NUMBER: 2B
	ATTACHMENTS: Conditional Use Permit Application, July 17, 2012 Historic District Review Board Draft Minutes		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Town Council adopted Resolution 20120628 to refer to the Planning Commission the proposed amendment of the zoning map for public necessity, convenience, general welfare, and good zoning practice and for consideration of the rezoning of the Old School Area from Open Space to R-1. The Resolution also requires the Planning Commission to consider whether, in the event the rezoning is approved by the Town Council, a Conditional Use Permit (CUP) should be granted for the Old School Rehabilitation as an Adaptive Reuse and make a recommendation in connection therewith.

The Planning Commission has received a completed CUP application for the Adaptive Reuse to rehabilitate the Old School Area and convert it to seventeen residential apartment units and surrounding grounds.

The Old School Area is that real property bounded on the north by Madison Avenue, on the east by Plum Street, on the south by parcel 83A3-1-23 and on the west by lot 287 – the area contains lots 281 through 286, a portion of the area that was originally North Park Row, and the Old Cape Charles High School building.

DISCUSSION:

The CUP application and the zoning ordinance require the Planning Commission and Town Council to consider the following items and that the permitted use(s) 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 the other land uses with in the particular surrounding neighborhood.**
 - a. The residential adaptive reuse will restore the building in accordance with the Guidelines of the Secretary of the Interior for Rehabilitation.
 - b. The neighborhood surrounding the park is R-1 including the houses and apartments on North Park Row.
2. **Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.**
 - a. The historic restoration and adaptive reuse will be an investment of over \$2 million dollars in the neighborhood. This restoration will improve the neighborhood values with a newly rehabilitated building in accordance with the Secretary of the Interior's Guidelines.
 - b. The density of the site will be no more that the western park row site or the underlying zoning of R-1. This property covers the equivalent of 7 town lots or the equivalent space for 7 single family residences. The 4 two - bedroom apartments at 11 Park Row are on a single lot.

- c. The residential use would require only about 17 spaces of off street parking. This parking will be provided in the area that is currently off-street parking and on the west side of the building.
 - d. The historic renovation in either use will be an asset to the improvements in the adjacent Park.
3. **Be in conflict with the purpose of the Comprehensive Plan.**
- a. The current Comprehensive Plan stresses the preservation of contributing historic structures and the Virginia Department of Historic Resources in partnership with the U.S. Secretary of the Interior have promulgated rules and tax credits especially for the adaptive reuse of these contributing structures.
 - b. Page 44 of the Plan specifically sets multiple goals, one of which is to:
 - i. Provide for the adaptive reuse of the school building
 - ii. Other items referring to community center and library are separated in the Comprehensive Plan as past studies have shown that they could not be accomplished in the same building (Schriver & Holland Study).
 - iii. The requirements are also based on growth expected at about 3%. Cape Charles has not met this growth rate as shown in the last census.

At its meeting on July 17, 2012, the Historic District Review Board discussed the Historic Rehabilitation of the building and the proposed use as apartments. The Board agrees with a Historic Rehabilitation in accordance with the Secretary of the Interior's Guidelines, but they did not agree with the proposed use. In its advisory capacity, the Board does not recommend the use of the old school building as apartments.

The Planning Commission considered these additional points:

1. The use is compatible with the permitted uses in the R-1.
2. The plan will meet the table of parking standards.
3. New utility services will be placed underground.
4. The structure is a contributing structure to the National Historic District
5. The Historic Review Board agrees with a Historic Restoration but not with the use as apartments.
6. Historic District Review Board should have final review and approval of plans (subject to normal procedures for review, recommendation and appeals) prior to any rehabilitation of any such structure.

On July 26, 2012, the Planning Commission held a public hearing followed by a special meeting. Ten citizens spoke during the public hearing. After much discussion regarding the CUP application and comments made by the public, the Commissioners voted, by majority vote, that if the Town Council approved the rezoning of the Old School Area, to recommend the approval of the conditional use permit application submitted by Echelon Resources, Inc. for the adaptive reuse of the former school building into 17 residential apartments with the condition that the basketball court be relocated. Roll call vote: Hayward, yes; McCoy, yes; Natali, yes; Strub, no.

RECOMMENDATION:

Review and discuss the recommendation from the Planning Commission. If appropriate, schedule a public hearing for Thursday, August 23, 2012 at 6:00 p.m.

**Municipal Corporation of Cape Charles, Virginia
Application for Conditional Use Permit**

Date: 7/25/12 Permit Number: _____
 *(Attach Plans) Fee: \$300 (pd)

Applicant: Echelon Resources, Inc Signature: T. Mace (for Echelon Resources, Inc)
 Address: 16265 Wolf Creek Road Montpelier VA 23192 Cape Charles, VA 23310
 Telephone: 804 767 5790 Cell Phone: _____

Owner(s): Town of Cape Charles
 Address: _____ City: _____ State: _____ Zip: _____

Contractor: TBD
 Address: _____ City: _____ State: _____ Zip: _____
 Telephone: _____ Cell Phone: _____
 Town License: _____ State License: _____

Location of Improvement: Intersection of Plum St & Madison Ave
 Lot No.: D87-13-01-00 Block No.: _____ Lot Size: 59' x 110' Lot Area: _____
 Type of Improvement: 14 Unit Residential
 Proposed Use: APARTMENTS
 Estimated Construction Costs: \$2.2M

**Conditional Use Permit Checklist
(Applicant must attach items 1-7)**

1. completed application
2. payment of fees (\$300.00 + \$25.00 per acre)
3. letter of application stating in general terms: (a) the proposed use of the property, (b) the effect of the changes on the surrounding area, and (c) the reason for the request
4. concept plan (see attached information for recommended contents)
5. plot plan of property
6. disclosure statement signed and notarized verifying ownership
7. names and addresses of adjacent property owners
8. Zoning Administrator's review of documentation

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 Owner/Agent: T. Mace (for Echelon Resources, Inc)

Echelon Resources, Inc
16215 Wolf Creek Road
Montpelier, VA 23192

June 21, 2012

Town of Cape Charles
Planning Department
2 Plum St.
Cape Charles, VA 23310

ATTN: Tom Bonadeo, Town Planner

RE: Letter of Application, Conditional Use Permit
Old Cape Charles School

Mr. Bonadeo,

Attached please find the contents that comprise the completed application for a Conditional Use Permit for the adaptive reuse of the Old Cape Charles School.

Proposed Use of the Property

Our intent is to redevelop the property into 17 market rate apartments. Echelon Resources will totally rehab the structure interior and exterior, installing all new systems and complying with all code requirements. All work will be done in accordance with the Secretary of the Interior Standards for Rehabilitation.

Effect of Changes on the Surrounding Area

There will be no physical net change to surrounding properties, except for the subdivision described herein, and additional paving of the proposed parking areas. We believe that the finished project will add increased vibrancy to the neighborhood, and will bring new life to this deteriorated historic structure.

Reason for the Request

Section 3.2(C)(6) of the Cape Charles Zoning Ordinance requires this application per its adaptive use zoning guidelines.

I look forward to the meeting of the Planning Commission July 10.

Sincerely,



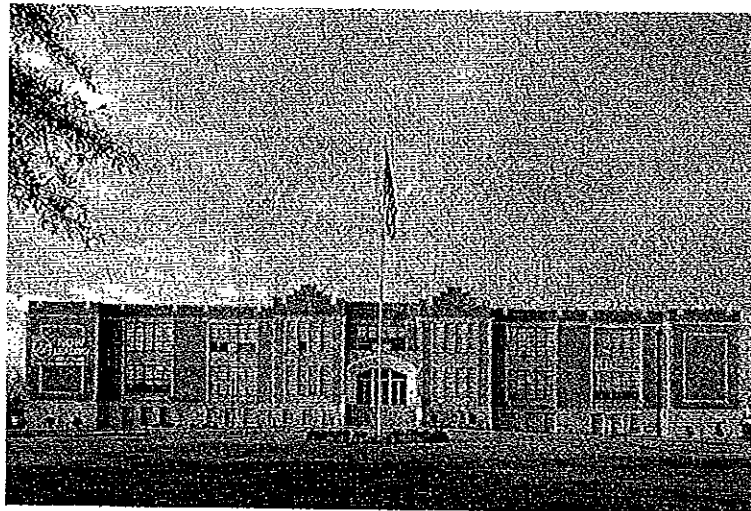
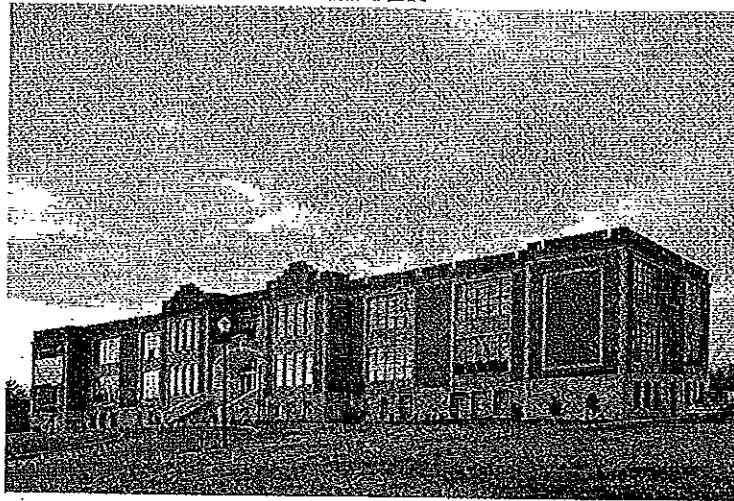
J. David McCormack
Echelon Resources, Inc.

CONCEPT PLAN

Echelon Resources will convert the Old Cape Charles School into 17 market rate apartments. There is ample space for parking compliant with the Town of Cape Charles zoning ordinance, and all work will be in accordance with the Secretary of the Interior Standards for Rehabilitation.

Below: The Developer's rehabilitation of the James E Mallonee High School in Hopewell Virginia. The concept exterior finish of the Old Cape Charles School is very similar to this project.

AFTER

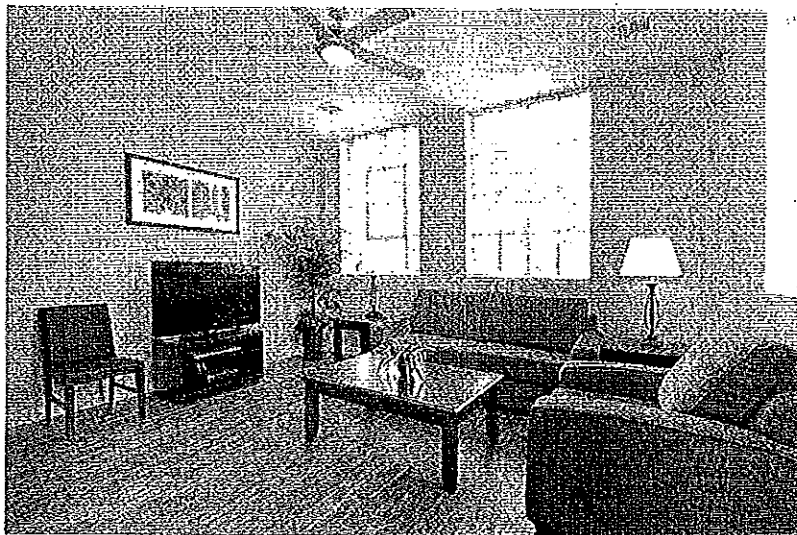


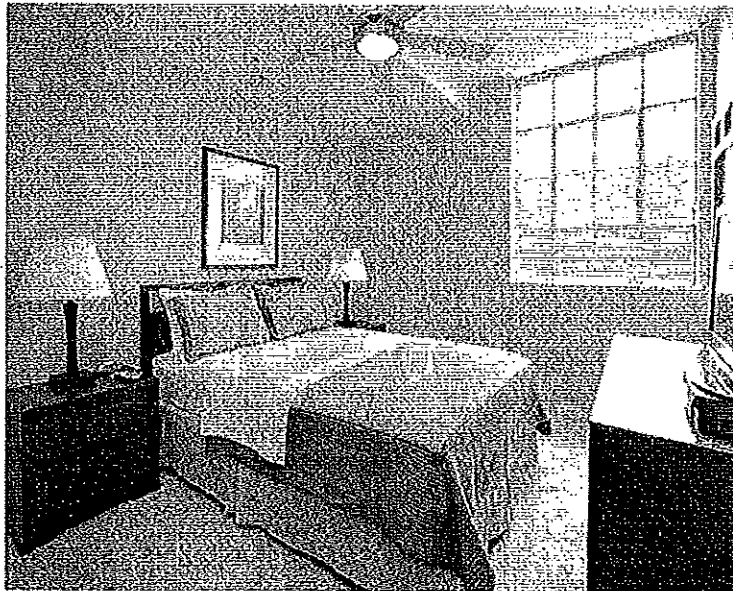
BEFORE



INTERIOR CONCEPT

In the finished interior, the Developer will seek to preserve as much as the historic fabric as possible, while at the same time creating beautiful interior spaces for market rate residences. All work on the interior of the building will be done in accordance with the Secretary of the Interior Rehabilitation Guidelines.





Adjacent Property Owners to the School

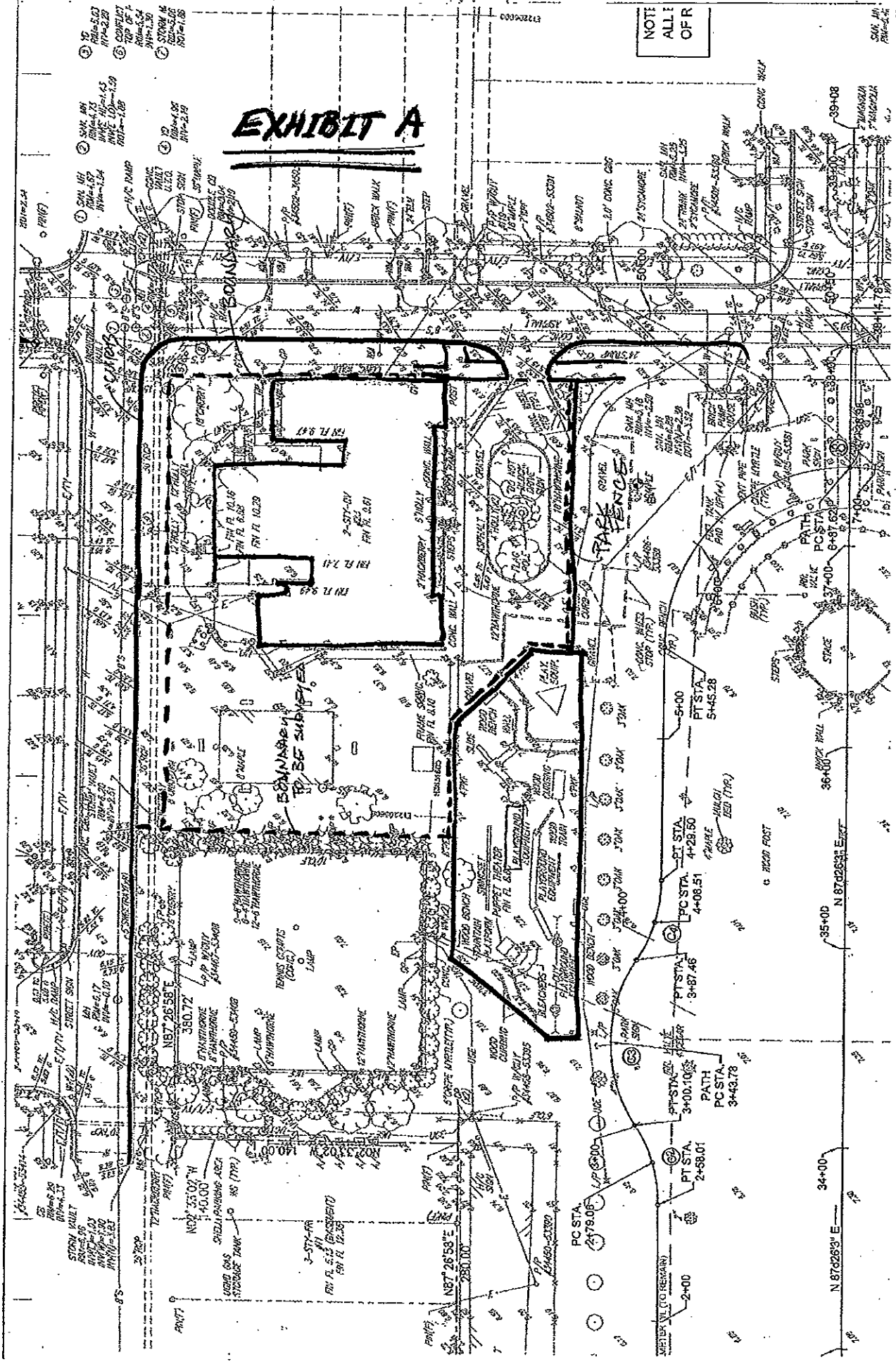
Name	Address	Parcel No.
Peter Bauman	239 Monroe Ave Cape Charles, VA 23310	83A1-6-296
Tidewater Farm	4375 White Tail Ln Machipongo, VA 23405	
Janet Dudley	303 Madison Ave Cape Charles, VA 23310	83A1-1-194
Karen & John Silbert	3807 Winding Hollow Dr Fredericksburg, VA 22408	83A1-1-394
Ralph Giannini	428 Plum St Cape Charles, VA 23310	83A3-10-A
600 Group LLC	5802 Nicholson Ln, Apt 708 Rockville, MD 20852	83A3-10-B
John Peterman	121 Powhatan Hampton, VA 23661	83A3-10-C
Robert Carpenter	204 Chestnut Linwood, PA 19061	83A3-10-D
Dennis Pickron	5837 Wyndham Circle #302 Columbia, MD 21044	83A3-1-279
TOCC		83A3-1-174 83A3-1-175 83A3-1-178 83A3-1-179
Oscar Ewell	300 Strawberry St Cape Charles, VA 23310	83A1-1-182
Jenny Hattorf	7103 Senn Way Dr Mechanicsville, VA 23111	83A3-1-378
Cheryl Vichness	3208 Montebello Rd Baltimore, MD 21214	83A3-1-289

Adjacent Property Owners to the School

Name	Address	Parcel No.
Lenore Mitchell	309 Tazewell Ave Cape Charles, VA 23310	83A3-1-390
Larry Veber	507 Tazewell Ave Cape Charles, VA 23310	83A3-1-391A 83A3-1-392A 83A3-1-377
CPD II Inc	CPD II Inc	83A3-1-288
Betty Ewell	300 Strawberry St Cape Charles, VA 23310	83A3-1-294 83A1-1-170 83A1-1-171
Judi Pelletier	1 North Park Row Cape Charles, VA 23310	83A3-1-293
Jeanna Bouzek	1209 W 48th St Richmond, VA 23225	83A3-1-292
John Caruso	14209 Holly Ave Flushing, NY 11355	83A3-1-291
Mike Hollister	1609 Centerville Pkwy Manakin Sabot, VA 23103	83A3-1-290
Leon G. Laughman	3308 Mt. Carmel Rd Upperco, MD 21155	83A3-1-379 83A3-1-380
Jim Mahaffy	415 Tazewell Ave Cape Charles, VA 23310	83A3-1-381
Mark & Ken Usry	535 West St Bloomsburg, PA 17815	83A3-1-382A 83A3-1-383A
Leon & David Parham	403 Tazewell Ave Cape Charles, VA 23310	83A3-1-384
Stephen Smith	8125 Sinclair Rd Mechanicsville, VA 23111	83A3-1-386A 83A3-1-387A 83A3-1-388A 83A3-1-389
Elwood Morton	27521 Phillips Dr Melfa, VA 23410	83A1-6-A
Cape Charles Christian School	237 Tazewell Ave Cape Charles, VA 23310	83A1-6-393 83A1-6-396

EXHIBIT A

NOTE
ALL I
OF R



- 1. SWK 101
101-1-2.29
- 2. SWK 102
101-1-2.29
- 3. SWK 103
101-1-2.29
- 4. SWK 104
101-1-2.29
- 5. SWK 105
101-1-2.29
- 6. SWK 106
101-1-2.29
- 7. SWK 107
101-1-2.29
- 8. SWK 108
101-1-2.29
- 9. SWK 109
101-1-2.29
- 10. SWK 110
101-1-2.29

- 11. SWK 111
101-1-2.29
- 12. SWK 112
101-1-2.29
- 13. SWK 113
101-1-2.29
- 14. SWK 114
101-1-2.29
- 15. SWK 115
101-1-2.29
- 16. SWK 116
101-1-2.29
- 17. SWK 117
101-1-2.29
- 18. SWK 118
101-1-2.29
- 19. SWK 119
101-1-2.29
- 20. SWK 120
101-1-2.29

- 21. SWK 121
101-1-2.29
- 22. SWK 122
101-1-2.29
- 23. SWK 123
101-1-2.29
- 24. SWK 124
101-1-2.29
- 25. SWK 125
101-1-2.29
- 26. SWK 126
101-1-2.29
- 27. SWK 127
101-1-2.29
- 28. SWK 128
101-1-2.29
- 29. SWK 129
101-1-2.29
- 30. SWK 130
101-1-2.29

- 31. SWK 131
101-1-2.29
- 32. SWK 132
101-1-2.29
- 33. SWK 133
101-1-2.29
- 34. SWK 134
101-1-2.29
- 35. SWK 135
101-1-2.29
- 36. SWK 136
101-1-2.29
- 37. SWK 137
101-1-2.29
- 38. SWK 138
101-1-2.29
- 39. SWK 139
101-1-2.29
- 40. SWK 140
101-1-2.29

- 41. SWK 141
101-1-2.29
- 42. SWK 142
101-1-2.29
- 43. SWK 143
101-1-2.29
- 44. SWK 144
101-1-2.29
- 45. SWK 145
101-1-2.29
- 46. SWK 146
101-1-2.29
- 47. SWK 147
101-1-2.29
- 48. SWK 148
101-1-2.29
- 49. SWK 149
101-1-2.29
- 50. SWK 150
101-1-2.29

- 51. SWK 151
101-1-2.29
- 52. SWK 152
101-1-2.29
- 53. SWK 153
101-1-2.29
- 54. SWK 154
101-1-2.29
- 55. SWK 155
101-1-2.29
- 56. SWK 156
101-1-2.29
- 57. SWK 157
101-1-2.29
- 58. SWK 158
101-1-2.29
- 59. SWK 159
101-1-2.29
- 60. SWK 160
101-1-2.29

- 61. SWK 161
101-1-2.29
- 62. SWK 162
101-1-2.29
- 63. SWK 163
101-1-2.29
- 64. SWK 164
101-1-2.29
- 65. SWK 165
101-1-2.29
- 66. SWK 166
101-1-2.29
- 67. SWK 167
101-1-2.29
- 68. SWK 168
101-1-2.29
- 69. SWK 169
101-1-2.29
- 70. SWK 170
101-1-2.29

- 71. SWK 171
101-1-2.29
- 72. SWK 172
101-1-2.29
- 73. SWK 173
101-1-2.29
- 74. SWK 174
101-1-2.29
- 75. SWK 175
101-1-2.29
- 76. SWK 176
101-1-2.29
- 77. SWK 177
101-1-2.29
- 78. SWK 178
101-1-2.29
- 79. SWK 179
101-1-2.29
- 80. SWK 180
101-1-2.29

- 81. SWK 181
101-1-2.29
- 82. SWK 182
101-1-2.29
- 83. SWK 183
101-1-2.29
- 84. SWK 184
101-1-2.29
- 85. SWK 185
101-1-2.29
- 86. SWK 186
101-1-2.29
- 87. SWK 187
101-1-2.29
- 88. SWK 188
101-1-2.29
- 89. SWK 189
101-1-2.29
- 90. SWK 190
101-1-2.29

- 91. SWK 191
101-1-2.29
- 92. SWK 192
101-1-2.29
- 93. SWK 193
101-1-2.29
- 94. SWK 194
101-1-2.29
- 95. SWK 195
101-1-2.29
- 96. SWK 196
101-1-2.29
- 97. SWK 197
101-1-2.29
- 98. SWK 198
101-1-2.29
- 99. SWK 199
101-1-2.29
- 100. SWK 200
101-1-2.29

- 101. SWK 201
101-1-2.29
- 102. SWK 202
101-1-2.29
- 103. SWK 203
101-1-2.29
- 104. SWK 204
101-1-2.29
- 105. SWK 205
101-1-2.29
- 106. SWK 206
101-1-2.29
- 107. SWK 207
101-1-2.29
- 108. SWK 208
101-1-2.29
- 109. SWK 209
101-1-2.29
- 110. SWK 210
101-1-2.29

- 111. SWK 211
101-1-2.29
- 112. SWK 212
101-1-2.29
- 113. SWK 213
101-1-2.29
- 114. SWK 214
101-1-2.29
- 115. SWK 215
101-1-2.29
- 116. SWK 216
101-1-2.29
- 117. SWK 217
101-1-2.29
- 118. SWK 218
101-1-2.29
- 119. SWK 219
101-1-2.29
- 120. SWK 220
101-1-2.29

- 121. SWK 221
101-1-2.29
- 122. SWK 222
101-1-2.29
- 123. SWK 223
101-1-2.29
- 124. SWK 224
101-1-2.29
- 125. SWK 225
101-1-2.29
- 126. SWK 226
101-1-2.29
- 127. SWK 227
101-1-2.29
- 128. SWK 228
101-1-2.29
- 129. SWK 229
101-1-2.29
- 130. SWK 230
101-1-2.29

- 131. SWK 231
101-1-2.29
- 132. SWK 232
101-1-2.29
- 133. SWK 233
101-1-2.29
- 134. SWK 234
101-1-2.29
- 135. SWK 235
101-1-2.29
- 136. SWK 236
101-1-2.29
- 137. SWK 237
101-1-2.29
- 138. SWK 238
101-1-2.29
- 139. SWK 239
101-1-2.29
- 140. SWK 240
101-1-2.29

- 141. SWK 241
101-1-2.29
- 142. SWK 242
101-1-2.29
- 143. SWK 243
101-1-2.29
- 144. SWK 244
101-1-2.29
- 145. SWK 245
101-1-2.29
- 146. SWK 246
101-1-2.29
- 147. SWK 247
101-1-2.29
- 148. SWK 248
101-1-2.29
- 149. SWK 249
101-1-2.29
- 150. SWK 250
101-1-2.29

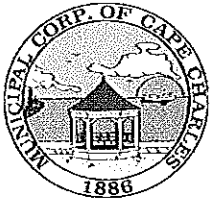
- 151. SWK 251
101-1-2.29
- 152. SWK 252
101-1-2.29
- 153. SWK 253
101-1-2.29
- 154. SWK 254
101-1-2.29
- 155. SWK 255
101-1-2.29
- 156. SWK 256
101-1-2.29
- 157. SWK 257
101-1-2.29
- 158. SWK 258
101-1-2.29
- 159. SWK 259
101-1-2.29
- 160. SWK 260
101-1-2.29

- 161. SWK 261
101-1-2.29
- 162. SWK 262
101-1-2.29
- 163. SWK 263
101-1-2.29
- 164. SWK 264
101-1-2.29
- 165. SWK 265
101-1-2.29
- 166. SWK 266
101-1-2.29
- 167. SWK 267
101-1-2.29
- 168. SWK 268
101-1-2.29
- 169. SWK 269
101-1-2.29
- 170. SWK 270
101-1-2.29

- 171. SWK 271
101-1-2.29
- 172. SWK 272
101-1-2.29
- 173. SWK 273
101-1-2.29
- 174. SWK 274
101-1-2.29
- 175. SWK 275
101-1-2.29
- 176. SWK 276
101-1-2.29
- 177. SWK 277
101-1-2.29
- 178. SWK 278
101-1-2.29
- 179. SWK 279
101-1-2.29
- 180. SWK 280
101-1-2.29

- 181. SWK 281
101-1-2.29
- 182. SWK 282
101-1-2.29
- 183. SWK 283
101-1-2.29
- 184. SWK 284
101-1-2.29
- 185. SWK 285
101-1-2.29
- 186. SWK 286
101-1-2.29
- 187. SWK 287
101-1-2.29
- 188. SWK 288
101-1-2.29
- 189. SWK 289
101-1-2.29
- 190. SWK 290
101-1-2.29

- 191. SWK 291
101-1-2.29
- 192. SWK 292
101-1-2.29
- 193. SWK 293
101-1-2.29
- 194. SWK 294
101-1-2.29
- 195. SWK 295
101-1-2.29
- 196. SWK 296
101-1-2.29
- 197. SWK 297
101-1-2.29
- 198. SWK 298
101-1-2.29
- 199. SWK 299
101-1-2.29
- 200. SWK 300
101-1-2.29



DRAFT
HISTORIC DISTRICT REVIEW BOARD
Regular Meeting
Town Hall
July 17, 2012
4:30 p.m.

At 4:30 p.m. Chairman Russ Dunton, having established a quorum, called to order the Regular Meeting of the Historic District Review Board. In addition to Chairman Dunton, present were Dianne Davis, Jan Neville and Bob Sellers. Russ Dunton stated that there was one vacancy on the Board. Also in attendance were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, Code Official Jeb Brady, Town Clerk Libby Hume and Assistant Town Clerk Amanda Hurley as well as Councilwoman Natali and one (1) member of the public.

Dianne Davis gave the invocation followed by the recitation of the Pledge of Allegiance.

Russ Dunton explained that Town Planner Tom Bonadeo was not able to attend this meeting but Town Manager Heather Arcos, Assistant Town Manager Bob Panek and Code Official Jeb Brady would be providing information regarding the various agenda items.

CONSENT AGENDA:

Russ Dunton informed the Board of two new items to be reviewed as follows: i) A side entrance addition for 102 Tazewell Avenue; and ii) A side porch alteration for 607 Randolph Avenue.

Motion made by Dianne Davis, seconded by Bob Sellers, to approve the agenda as amended. The motion was unanimously approved.

The Board reviewed the minutes of the May 15, 2012 Regular Meeting.

Russ Dunton questioned language in the minutes regarding the proposed repairs to the property and stated that he thought the discussion regarded the proposed states of construction vs. repairs. Russ Dunton polled the Board and they were in agreement. The minutes would be amended to read "Dianne Davis asked for further clarification on the proposed stages of construction and questioned the 2012 timeframe."

Dianne Davis noted that a comma needed to be added after "Tom Bonadeo" in the first sentence under New Business.

Motion made by Jan Neville, seconded by Dianne Davis, to approve the minutes of the May 15, 2012 Regular Meeting as amended. The motion was unanimously approved.

NEW BUSINESS:

A. *Historic Rehabilitation of the Old Cape Charles High School Building:*

Town Manager Heather Arcos informed the Board that the Town Council adopted a resolution to refer the proposed amendment of the zoning map for consideration of rezoning of the former school property from Open Space to R-1 to the Planning Commission. The resolution also required the Planning Commission to consider whether, in the event the rezoning was approved by the Town Council, a conditional use permit should be granted for the adaptive reuse of the former school building to convert it to 17 residential apartment units. The historic restoration would be in accordance with the Secretary of the Interior's Guidelines for Historic Tax Credits and would be supervised by the Virginia Department of Historic Resources.

A Planning Commission public hearing was scheduled for July 26th at 6:00p.m.

Section 8.5.B. of the Zoning Ordinance stated that conditional use permits were "subject in all cases to report by the Historic District Review Board in accordance with the purposes and standards of the Historic District." The Board had the duty to assist the Town Council, Planning Commission and other Town departments, agencies and property owners in matters involving historically significant sites at buildings or other properties in the historic district such as appropriate land usage, parking facilities and signs.

The Board was here tonight to discuss the conditional use permit application for rehabilitation of the school building into 17 apartments. More detailed plans would be brought back to the Board at a later date. The rezoning must be done before the project could move forward.

Russ Dunton asked what the Board was supposed to do. Assistant Town Manager Bob Panek stated that the Board was limited to providing a report to the Planning Commission and Town Council on the appropriateness of the applied use relative to the Historic District.

Dianne Davis stated that this review was for apartments but asked whether this process was still necessary if the building were to be used as a community center. Heather Arcos responded that this process was necessary for either use.

Dianne Davis referred to language in Resolution 20120628 and asked if the resolution was stating that this was a necessity. Bob Panek stated that the language referred to the rezoning being necessary for anything to be done to the old school property.

Russ Dunton summarized that this was a required step to be taken, not an actual application for historic review at this time. There were no plans to be reviewed as yet. This was only a conditional use permit application to which the Board was only to make a report. The Board had no approval authority for the conditional use permit application.

Heather Arcos stated that typically, the Board did not provide comments to the Planning Commission or Town Council on projects. Bob Panek added that in this case, the Board needed to provide a report on the applied use relative to the Historic District.

Russ Dunton stated that restoring the building was a no-brainer, but gifting it to a private party so the public no longer has access to it was the issue. Previously, the Town government sold the old Cape Charles elementary school (the old Rosenwald School) and regretted it afterwards. There was also a reverse proffer where the Town was giving concessions to the developer to take the school property. Russ Dunton continued to state that this would change the park and the issues needed to be considered. The Town spent a lot of money on the park. The basketball court and parking area would go away.

Dianne Davis expressed her concern with the Kids Park staying in place with all the traffic. Heather Arcos stated that the Kids Park would be closed off from the school area and two new entrances would be added. Bob Panek added that the developer would fence off the parking lot as well.

Dianne Davis asked what would happen to the basketball court and where it would be relocated to. Heather Arcos stated that it could be relocated but a location had not been discussed.

Dianne Davis stated that she understood what they were doing for rezoning but expressed her concern that the Board did not have anything to look at regarding the plans for the building. Heather Arcos stated that if the rezoning and conditional use permit were approved, the developer would submit more detailed plans which would be presented to the Board for review.

Russ Dunton stated that the decision today was whether the Board felt it was appropriate to convert the school building into apartments in the Historic District. The Board was only involved in the exterior of the building and the plans to be submitted later would provide the details. Russ Dunton added that the bottom line was that if the conditional use permit was not approved, there would be no project.

Bob Panek explained that this was the first time that the Town had received a request for adaptive reuse. Russ Dunton stated that the Town had received requests for adaptive reuse on commercial buildings typically for residential over commercial which were not reviewed by the Historic District Review Board.

Dianne Davis stated that she wanted to see the school building restored but had an issue regarding apartments. Bob Sellers and Jan Neville stated their agreement.

Jan Neville stated that it would change the nature of the park, but it could be okay. The Board could not tell without plans. Bob Sellers agreed.

Jan Neville added that he did not feel that apartments were an appropriate use.

Russ Dunton stated that the Historic District Review Board was an advisory group and the Town Council did not have to take their advice. Russ Dunton asked that if there were no more comments, could he have a motion.

Motion made by Dianne Davis, seconded by Bob Sellers, to report that the Historic District Review Board did not feel that conversion of the old school building to apartments was an appropriate use. The motion was approved by unanimous vote.

B. 102 Tazewell Avenue -- Side Entrance Addition:

Code Official Jeb Brady stated that this property had just sold and the new owners submitted an application to remove a window from the east side of the house to create a door opening. A stairway with a landing would be added along the side of the house.

Russ Dunton stated that this was a big house which was a duplex and added that he did not see where this modification would change the look of the house and was a perfect location for a doorway.

Jan Neville remarked that from the street, only the deck portion of the landing would be visible.

Dianne Davis stated that the addition of a side entrance would be convenient.

Russ Dunton asked the Board if they had any further questions or comments.

Motion made by Bob Sellers, seconded by Jan Neville, to approve the application to add a side entrance to the house at 102 Tazewell Avenue as presented. The motion was unanimously approved.

C. 607 Randolph Avenue -- Side Porch Alteration:

Jeb Brady explained that the contractor was performing some repairs to this property and discovered that this section of the house was in such bad condition that it could not be repaired and had to be torn down. The contractor came in to see Tom Bonadeo who told him to hold off on any further work until the project was reviewed by the Historic District Review Board. The Board reviewed several photographs showing the area of the house and plans submitted by the contractor. Jeb Brady went on to explain that this part of the house was originally two stories, but the applicant was proposing a one-story porch in this area. It appeared that there was a

bathroom upstairs which could not be repaired due to the amount of damage. This area was on the west side of the house facing the parking lot for the St. Charles Catholic Church. Jeb Brady stated that the covered porch area would match the existing roof line and the contractor had enough siding to match the house.

Bob Sellers stated that this section of the house looked like an addition.

Russ Dunton summarized that this corner of the house was two stories but had to be removed due to the amount of damage and the applicant was proposing a one-story porch to be built in the same footprint. It appeared that the porch would be open on two sides. Jeb Brady corrected that the porch would only be open on one side since the house juts back out on the other side.

Russ Dunton asked the Board if they could visualize what had been proposed. Unfortunately, the Board did not have information on this application prior to the meeting so could not drive by the property to look at the house and proposed project, but it would help the applicant if a decision could be made today.

Dianne Davis stated that in looking at the photographs, she could see that there were some needs regarding this project.

Russ Dunton stated that if the owner only wanted a porch, he did not see a need for the Board to require anything more. He did not want to create a hardship for the owners.

Jan Neville asked how long this project would take and whether the Board could look at this application next month to allow them the opportunity to go look at the property before making a decision. Jeb Brady stated that the contractor had already started the project and should not take very long to complete, unless the Board wanted him to stop work until after the next month's meeting.

Russ Dunton asked the Board for their thoughts and whether they had any other questions or comments.

Motion made by Jan Neville, seconded by Bob Sellers, to approve the application for the side porch with Tom Bonadeo's oversight of the construction. The motion was approved by majority vote with Dianne Davis abstaining stating that she was not familiar with the property.

OLD BUSINESS:

There was no old business to review.

ANNOUNCEMENTS:

There were no announcements.

Motion made by Dianne Davis, seconded by Jan Neville, to adjourn the Historic District Review Board Regular Meeting. The motion was unanimously approved.

Chairman Russ Dunton

Town Clerk