

PLANNING COMMISSION MEETING

A G E N D A

TOWN OF CHINCOTEAGUE, VIRGINIA

August 14, 2012 - 7:00 P.M. – Council Chambers - Town Hall

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

AGENDA REVIEW/DISCLOSURES:

1. Approval of the June 12, 2012 meeting minutes
2. Old Business
 - Work Plan Priorities
3. New Business
 - Discussion Items:
 - a. Ordinance Review for Old and New Mixed Use Buildings
 - b. Parking requirements for Wayside Stands
 - c. Request from Wastewater Advisory Committee for review of Zoning Issues in proposed Phase 1 Service Area
4. Commission Members Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)

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PLANNING COMMISSION MEETING 12 June 2012 MINUTES

Members Present:

Mr. Ray Rosenberger, Chairman
Mrs. Mollie Cherrix, Vice Chairperson

Mr. Gene Wayne Taylor
Mr. Steve Katsetos
Mr. Jeff Potts
Mr. Spiro Papadopoulos

William Neville, Planning Director

Members Absent:

Mr. Tripp Muth, Councilman

CALL TO ORDER

Chairman Rosenberger called the meeting to order at 7:00 pm.

The invocation was provided by Commissioner Taylor, followed by the Pledge of Allegiance led by Chairman Rosenberger.

PUBLIC PARTICIPATION

Five members of the public were present. There was no public comment.

AGENDA

Chairman Rosenberger requested that several discussion items from previous agendas be added so that progress can be reviewed at this meeting: deteriorating properties, floodplains, economic development, subdivisions of 3 lots or less, and Church Street parking. Commissioner Papadopoulos moved to approve the agenda, seconded by Commissioner Katsetos. The motion was unanimously approved.

1. Approval of the May 8, 2012 minutes.

Commissioner Potts corrected the number of lots in a subdivision on Page 3 of 18, and Commissioner Papadopoulos requested the addition of missing comments on page 5 of 18 regarding training requirements and changes to the Bylaws. Vice Chairperson Cherrix moved for approval of the minutes with corrections, seconded by Commissioner Potts. The motion was unanimously approved.

2. Old Business

- Deteriorating Properties – Chairman Rosenberger asked if Mr. Ritter had responded to the Planning Commission request for information on the status of deteriorating properties and what actions were being taken by the Town. Mr. Neville reported that Mr. Lewis was actively pursuing a

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program that would require landowners of such properties to bring them into conformance with the building code and that Mr. Ritter advised that further study by the Planning Commission was not necessary at this time. Following discussion, Commissioners agreed that the Chairman would discuss this directly with the Town Manager.

- Subdivisions of 3 lots or less – Chairman Rosenberger suggested that possible ordinance revisions to provide basic zoning review of small subdivisions should be added to Work Plan for future review. Commissioner Potts expressed concern that divisions of 3 lots or less should not be over burdened with application and review requirements. There was discussion of the kind of problems that come up with flag lots. Commissioner Taylor supported a review of subdivision plats for 3 lots or less in order to confirm conformance with zoning requirements (lot size and access only). Commissioners decided to table this item for the time being.
- Silver Sails Subdivision – Final Plat
Mr. Neville provided an update that the plat review process had been completed after the Commission’s decision in May. Final Plats have been submitted and approved by Town review officials. The final issue of Health Department approval is resolved with the addition of two conditions for approval as recommended by Town Staff. Commissioner Papadopoulos led a discussion about combining the two conditions into one.
The applicant’s engineer stated he was in agreement with the two conditions and had already added them to the signature plats. Commissioner Taylor moved approval of the final plat with the two conditions, seconded by Commissioner Potts and approved unanimously. Chairman Rosenberger suggested that this section of the Subdivision Ordinance that requires Health Department approval of advanced septic treatment systems prior to plat approval be reviewed for possible revision in the future. Commissioner Potts also suggested that the Subdivision Ordinance should not allow ‘remainder lots’ that are not included in an overall subdivision of land.
- Church Street Parking – Chairman Rosenberger summarized the Commission recommendation to meet with representatives of the Methodist Church about limiting parking and loading along Church Street. Mr. Neville stated that this parking restriction had been recommended by the Public Safety Committee and that it would be considered by Town Council at the workshop meeting on June 21st.
- Bylaws – Commissioner Papadopoulos suggested a minor change to Section 1-2 by adding ‘Town of’ before Chincoteague, establishing a timeline for appointment of a vacancy in membership in Article 2, and the addition of a requirement for training of new members. Chairman Rosenberger supports the Virginia training program and confirmed that the Bylaws could be updated without further Council approval. He asked

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if other members feel that changes are needed. There was no response and the suggestion was not advanced for further action.

3. New Business

- Discussion Items

- a) Economic Development/Tourism/Broadband

Chairman Rosenberger opened discussion by summarizing the training provided through our Broadband grant and the suggestion by VecTec to coordinate tourism marketing and business development through the use of a new showcase website along with ways for individual business to better utilize the Web to market and sell their products and services. A central calendar of events, smart phone ‘apps’, and making better use of the Virginia State Tourism site were also mentioned.

Mr. Neville informed the Commission about a Virginia Tourism Corporation grant that could be combined with Broadband funds to improve the Town’s marketing materials and approach. He introduced Ms. Laurie Walton, representing the Main Street Merchants and the Community Center, who agreed to speak about the challenges of planning for tourism and how the Commission may be able to help.

Ms. Walton described the need for a person who is dedicated to organizing and promoting events and communication for the entire Town not just their membership, and who is not tied down to running an individual business. She stated that the 5 richest counties on the East Coast are within a 5 hour drive of Chincoteague and this is who we should be marketing to.

A partnership was described of all the tourism organizations on the Island which could be encouraged to work together through a free website with a theme of ‘More than you imagine, closer than you think’ and a tagline of ‘Play, Shop, Dine, Stay’. A marketing plan, budget and timeline will need to be created for the grant application.

Ms. Walton stated that the downtown businesses are suffering and need the support of an event planner to bring more people with disposable income to enjoy the small hometown, family experience offered by Chincoteague Island. Events need to be planned to allow time for shopping.

Commissioner Taylor agreed with the challenges faced by downtown businesses, and that it is not just caused by the bridge relocation. Chairman Rosenberger expressed his interest in

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planning shoulder season and off season events that would provide a year round economic benefit to the Town.

Ms. Walton was concerned about repeat events getting cancelled on short notice such as the Daffodil Festival and the Blessing of the Fleet. Mr. Neville summarized that this effort would connect the ideas presented through the Broadband training with the offer from Virginia Tourism to create new ways of reaching our visitors (and residents) through technology. The idea of promoting more conferences and conventions in the off season means that the Chincoteague Center needs to be one of the partners in the grant application.

Chairman Rosenberger confirmed that the Commission supports this effort and thanked Ms. Walton.

- b) LiDAR Coastal Flooding Workshop
Commissioners reviewed the presentation slides about new LiDAR elevation data included in their packet along with the announcement of a Coastal Flooding Workshop scheduled the next night. Mr. Neville stated that he hoped for new maps and information to come out of this effort that will help Chincoteague to plan for the future. He has applied for a FEMA grant to prepare detailed elevation maps that would look at everyday flooding potential in addition to the typical worst case potential.

4. Commission Members Announcements or Comments

Commissioner Taylor was thanked for his service and wished well in his new role on the Town Council.

Chairman Rosenberger reported on a recent meeting with DEQ at the Community College about wastewater treatment solutions for the Eastern Shore.

Commissioner Papadopoulos commented on the difficulty of finding a good solution for disposal and the need to review the cost of alternatives.

Commissioner Potts talked about the recommendations from David Rigby for treated discharge of water to Fowling Gut as a solution for Chincoteague.

Commissioner Taylor preferred the idea of deep well injection to return treated water to the water table.

ADJOURN

Commissioner Katsetos moved to adjourn the meeting, seconded by Vice Chairperson Cherrix. The motion was unanimously approved.

Ray Rosenberger, Chairman

Planning Commission Work Plan - 2012

■ Economic Development

- Support the downtown merchants in promoting the Main Street area and the new Maddox Boulevard corridor. Complete an economic survey and study of Town businesses, address needs to accommodate Broadband facilities. Pursue a VTC grant.
- Host a meeting of tourism organizations and businesses to develop a overall marketing and promotion strategy including a master calendar of events

■ Hazard Mitigation

- Improve map information with LiDAR elevations and analysis of areas impacted by storm and high tide events/coastal flooding
- Prepare plans for shoreline stabilization (new State Requirement?)

■ Other Priorities of the Comprehensive Plan

- Transportation and Parking – VDOT update to Urban Area Plan, complete parking study
- Community Facilities and Services – Update the comprehensive plan as necessary to include new community facilities (Island Activity Center)
- Housing – prepare recommendation to allow accessory rental homes on larger lots as affordable housing
- Capital Improvement Plan - Update to Bike Trails
- Architectural Design Guidelines
- Private Roads – Prepare an inventory and plan for improvement of private roads to public streets.

■ Ordinance Review

- Storm water Draft Regulations – coordinate with Clark-Nexsen consultant to prepare a draft ‘fill ordinance’ and drainage standards/regulations if approved by Town Council
- Sidewalk and Lighting Policy/Subdivision Regulations – Participate in ‘Walkability Workshop’
- Wastewater treatment systems – review Zoning, Land Subdivision and Development Ordinance to address current WAC planning for advanced septic systems, private treatment system expansion, service areas, design criteria, bonding, useable yard area, setbacks, screening, etc.
- Review and revise subdivision ordinance to include minimum zoning compliance requirement for minor subdivisions (4 lots or less)
- Wayside Stands – parking requirements
- Mixed Use Buildings in the C-2 District – modification of zoning requirements

■ Commissioner Priorities

- Coordination with Accomack County Planning – monitor County review of the Atlantic Town Center PUD application and other areas of common interest. Recommend comments from the Town if appropriate and necessary.
- Capital Improvement Program, review and plan for the Council’s 5 year budget priorities
- Parking Study – adequate parking for certain uses, percentage of permeable surface for large areas (research status of new energy code/building code for requirement), Church Street restrictions

■ Town Council Priorities

- Beach Access/Maddox Campground – review National Seashore boundary issues



STAFF REPORT

To: Planning Commission
From: Bill Neville, Director of Planning
Date: August 6, 2012
Subject: Ordinance Review

- ❖ **Review ordinance requirements for old and new mixed use buildings in the C-2 Old Town Commercial District**
 - ❖ **Review parking requirements for wayside stands**
-

C-2 Old Town Commercial District



Sec. 4.4. Uses permitted by right.

The following uses shall be permitted in the C-2 old town commercial district, subject to all other provisions of this ordinance:

4.4.31. Residential uses above first floor commercial use.

(Amended 5/3/04, 4/2/12)

A recent request for zoning information has raised several questions regarding the applicable standards for the mixed use of an existing structure along Main Street (commercial use on the first floor and residential use on the second floor). Zoning Administrator Kenny Lewis has asked that the Planning Commission consider whether the Zoning Ordinance should be amended to allow certain requirements to be waived or modified.

Within the C-2 district, area regulations are provided for both commercial use and residential use that control lot area, setbacks, and building height. The residential criteria only apply to permitted uses listed in sections 4.4.40 thru 4.4.50 so the mixed use building would be considered under the commercial use criteria.

Parking requirements in Section 6.6 of the Zoning Ordinance are based on each type of use and there is not a standard for a mixed use building. Water service and septic drainfield approvals may need to be modified for a mixed use building.

Section 6.10.4. states that whenever a nonconforming structure, lot or activity is to be changed to another nonconforming structure, lot or activity, such proposed change may only be made following approval of the Board of Zoning Appeals by special use permit or variance, as applicable. This provision may not encourage the adaptive reuse or renovation of existing buildings along Main Street.

Modifications to individual zoning requirements that encourage mixed uses in the same building may be appropriate for existing buildings in the downtown. Similar flexibility may not be as important for new construction unless it is matching the existing character of its neighboring structures.

Staff recommends that the Commission consider these issues and add any possible Ordinance revisions to a list of updates for an annual amendment process in March or April of 2013.

Wayside Stands



Sec. 2.179. Wayside stand/market, roadside stand.
Any structure open on at least one side or land used for the sale or resale of products used by individual purchasers.

Zoning Administrator Kenny Lewis has identified the need to establish parking criteria for wayside stands and has requested that the Planning Commission include this during the next Ordinance update.

Current criteria for retail uses require one space per 200 square feet of building plus one per employee. For many of the small seasonal markets where a wayside stand has been permitted, it is possible to share parking and safe access to the street with an adjacent business. In other locations, there will need to be a way to establish a minimum number of spaces for the public and then estimate or adjust the number based on use. Home Occupation uses are required to have a minimum of 2 spaces per business.

Woody's Barbeque is an example of a very successful wayside stand that requires a significant number of parking spaces which cannot be easily estimated from building size or number of seats.

Staff recommends that the Commission consider these issues and add any possible Ordinance revisions to a list of updates for an annual amendment process in March or April of 2013.



STAFF REPORT

To: Planning Commission
From: Bill Neville, Director of Planning
Date: August 6, 2012
Subject: Wastewater Advisory Committee Request

❖ Identify zoning issues for consideration of a phased public wastewater service district on Chincoteague Island

In response to a request from the Town of Chincoteague Wastewater Advisory Committee (WAC), the Planning Commission has been asked to evaluate the question of whether our current zoning and land development ordinances are adequate to guide future growth in the event that public sewer service is available as an alternative to individual septic drainfields.

Creating a preliminary list of zoning issues may be useful to establish the range of ideas that should be researched and considered before an answer is provided to the WAC members. This effort may overlap with the Commission's work on defining the architectural and community character of Chincoteague Island.

For example, the WAC discussed that our ordinances currently limit new growth and development by maximum building height and minimum parking requirements. Individual lot setbacks provide for building separation and open space; however in most cases it is the capacity of the land for wastewater disposal that limits the size and intensity of land uses.

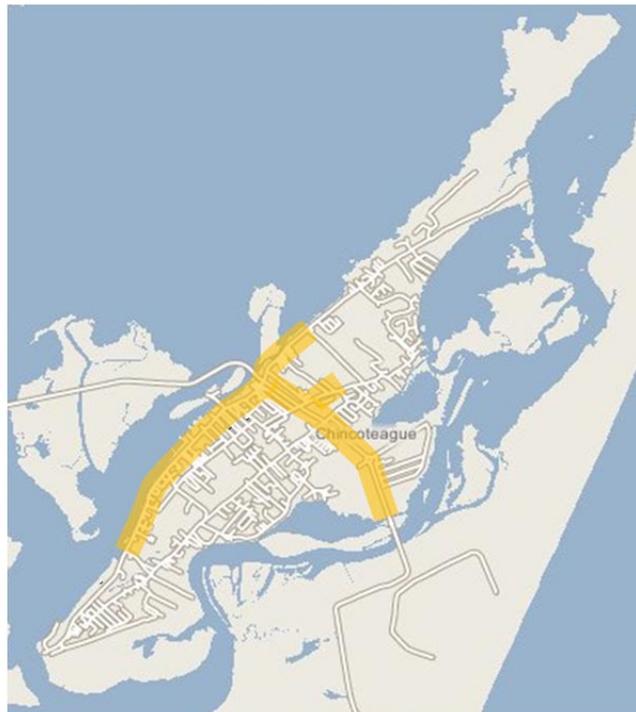
Preliminary List of Zoning Issues – if Public Sewer was available:

- a) Would small structures be torn down and lots assembled to allow for new larger residential, commercial or recreational uses?
- b) Will individual residential or commercial structures be expanded based on increased sewer capacity?
- c) Are front, side and rear yards currently being used for individual advanced treatment facilities that make the landscape unusable?
- d) Are there examples from other communities that have made a transition from septic drainfields to public sewer?

- e) If public sewer is phased in certain areas, how will it be extended to future areas?
- f) Will waterfront views be blocked by new hotel and condominium development?
- g) Should the public be informed and allowed to comment on all new development?
- h) What zoning tools are used in other communities?
 - Floor area ratio
 - Minimum open space
 - Special exception for large size or high traffic impact uses
 - Sewer service districts
 - Sewer tap or EDU allocations
 - Infill and redevelopment ordinances
 - Overlay districts
 - Form based code
 - Land use/Zoning permits

The answer to the question raised by the Wastewater Advisory Committee will depend on whether the goal is to limit growth, or encourage compatible new businesses and renovation of existing neighborhoods, or allow redevelopment of large single ownership parcels like the campgrounds. A combination of all three is described in the 2010 Town Plan.

Staff recommends that the Planning Commission discuss these ideas and refine the issues so that a more comprehensive report can be prepared for the next meeting.



CONCEPTUAL Phase One Public Sewer Infrastructure/Service Area

(Preliminary Engineering Report, Clark Nexsen, 2011)

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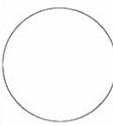
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**CHINCOTEAGUE
FAIRFIELD INN
& SUITES**
CHINCOTEAGUE, VIRGINIA

3D COLOR
RENDERINGS

PROJECT NO:	20120714.00
DATE:	07/31/12
SCALE:	1/4" = 1'-0"
DRAWN BY:	DNH / PROJ/ADRE: JEB/J

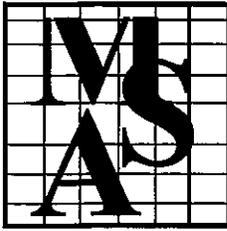
3DVIEW1
Drawing 1 of 10



1 3D VIEW FRONT



2 3D VIEW LOOKING NORTH



Proposed Required Parking Space Count

CALCULATIONS BY:	CVB
DATE:	7/20/2012
PROJECT:	Fairfield Inn & Suites
PROJECT #	10726B

Classified Use: Hotel

Required Parking Formula = 1 Space/Room + 1 Space/FTE

No. of Rooms = 91

No. of FTE = 15

Required Parking = 106 Spaces

Classified Use: Assembly (Restaurant)

Required Parking Formula = 1 Space/5 Occupants + 1 Space/FTE

No. of Occupants = 160

No. of FTE = 12

Required Parking = 44 Spaces

Total Required Parking = 150 Spaces

Total Provided Parking = 150 Spaces
(plus an additional 8 off-site)