

Town of Colonial Beach Planning Commission Meeting Minutes

Date: Thursday, June 2, 2016 – Town Center, 22 Washington Avenue

Time: 5:30 p.m.

Present: Robin Schick, Chairwoman
Maureen McCabe, Vice Chairwoman
Bob Busick
Eric Nelson
Pam Tolson

Absent: Diana Clopton

Staff: Brendan McHugh, Planning and Zoning Administrator
Tori Haynes, Planning Manager

Other: Beach Gate Inn, LLC

Item 1: Call to Order

Ms. Schick called the meeting to order at 5:38 p.m.

Item 2: Approval of Agenda

Ms. Schick added new member orientation and discussion on bylaws under Other Topics. She called for a voice vote.

The amendments to the agenda were approved unanimously.

Item 3: Approval of Minutes of the May 2016 Regular Meeting

Ms. Schick called for a voice vote to approve the minutes of the May 2016 regular meeting.

The minutes were approved unanimously.

Item 4: Public Comment on Planning Commission Matters (Not on the Agenda)

There was no public comment.

Item 5: Committee Reports

Ms. McCabe said she didn't have a copy of the updated recommended CIP.

Mr. McHugh said it hasn't been passed by Town Council yet. It will be passed at the next meeting.

Ms. Tolson said she attended the Town Council work session where they discussed the CIP. She said there are some major changes but nothing that the Planning Commission would have a problem with. She noted items that were removed and changes to the order of priority.

Item 6: Resolution #30-16 – Public Hearing on CPA-01-2016 – Housing Section

Mr. McHugh read the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT NAME: Comp Plan Chapter 1.6 Housing Update	TOWN COUNCIL MEETING DATE: 5/12/2016	
CASE NUMBER: CPA-01-2016	APPLICANT:	Town
PROJECT STATUS: <input type="checkbox"/> Preliminary Sketch <input type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Prelim. Final Plat <input type="checkbox"/> Concept Plans <input type="checkbox"/> Final Plat <input type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation <input checked="" type="checkbox"/> Comp. Plan Amendment	OWNER:	N/A
	LOCATION:	N/A
	VOTING DISTRICT:	N/A
	PARCEL NUMBER:	N/A
	TOTAL SITE AREA:	N/A
	SITE AREA DEVELOPED:	N/A
	CBPA:	N/A
EXISTING STRUCTURES: N/A	ADDITIONAL SITE DATA: N/A	
FLOOD HAZARD: N/A		
CURRENT ZONING: N/A		
ACTION REQUEST: Recommendation to Town Council	STAFF: Tori Haynes	DATE: 6/2/2016

PRIOR ACTIONS/CASE HISTORY

REZONINGS:	N/A
CONDITIONAL USE PERMIT:	N/A
VARIANCES:	N/A
SUBDIVISIONS:	N/A
OTHER DATA:	N/A

BACKGROUND

Last month, the Planning Commission received amendments to the Housing Section of Chapter 1 of the Comprehensive Plan. Those amendments were done as part of a VHDA grant received by the Town.

DISCUSSION

This Comprehensive Plan Amendment includes new housing and income data, as well as an analysis of the current housing stock versus current housing needs within the Town. Opportunities for mixed-use/mixed-income development are addressed, as per grant requirements. Other minor corrections were made to grammar and formatting. Copies of the final draft were sent to VHDA for review. VHDA did not offer any further notes or revisions.

STAFF RECOMMENDATION

The update to Chapter 1 Section 6 has been specifically catered to meet the requirements of the VHDA grant and has been extensively reviewed by both Town staff and Land Studio consultants. Staff recommends that Planning Commission refer this Comprehensive Plan Amendment as presented to the Town Council.

Ms. Schick opened the public hearing at 5:45 p.m.

There was no public comment.

Ms. Schick closed the public hearing at 5:46 p.m. and opened Commissioner discussion.

Ms. McCabe asked about her previous suggestion to insert a page break in page 1-59 so that *Key Conclusions and Recommendations* begin on page 1-60.

Mrs. Haynes said it is being added as one of the Planning Commission’s recommendations after their public hearing.

Item 7: Resolution #33-16 – Request by Beach Gate Inn, LLC to Rezone Lots 21, 22, 23, 24, and 25, Block A, and a Conditional Use Permit to Operate a Motel

Mr. McHugh read the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: Beach Gate Inn Rezoning and Conditional Use Permit		TOWN COUNCIL MEETING DATE:
CASE NUMBER: N/A		APPLICANT: Beach Gate Motel, LLC
PROJECT STATUS: <input type="checkbox"/> Preliminary Sketch <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Prelim. Final Plat <input type="checkbox"/> Concept Plans <input type="checkbox"/> Final Plat <input type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation <input type="checkbox"/> Comp. Plan Amend.		OWNER: Beach Gate Motel, LLC
		LOCATION: Colonial Avenue
		VOTING DISTRICT: N/A
		PARCEL NUMBER:
		TOTAL SITE AREA: 31,250 sq. ft.
		SITE AREA DEVELOPED:
EXISTING STRUCTURES: Motel, Metal Shed		CBPA: RMA
FLOOD HAZARD: N/A		ADDITIONAL SITE DATA:
CURRENT ZONING: R-2, C-1		
ACTION REQUEST: 1 st Review		
		STAFF: B. McHugh DATE: 06/02/2016

PRIOR ACTIONS/CASE HISTORY

REZONINGS:	N/A
CONDITIONAL USE PERMIT:	N/A
VARIANCES:	N/A
SUBDIVISIONS:	N/A
OTHER DATA:	N/A

BACKGROUND

Beach Motel, LLC have applied for a Rezoning and a Conditional Use Permit for the Beach Gate Inn at 800 Colonial Avenue. The property was deemed an unsafe structure and condemned on December 28,

2012. Since then, the owner has been working on renovations to reopen.

DISCUSSION

The building exists on a site that is split zoned Residential General (R-2) and Commercial General (C-1). The northern lots of the property off of Colonial Avenue are zoned C-1 while the southern lots off of Horton Street are zoned R-2. According to the Colonial Beach Zoning Ordinance, "motels" are not allowed in the R-2 District and are only allowed in the C-1 District with a Conditional Use Permit.

In order for the property to operate as a motel, the following steps will need to be taken:

- The parcels zoned R-2 (3A2-4-A-(21, 22, 23, 24, and 25)) will need to be rezoned to C-1.
- If the rezoning is approved, the parcels will then need to be consolidated to bring the structure more into conformance.
- The property will then need a Conditional Use Permit to operate as a "Motel" in the C-1 District.

The applicant has offered to proffer to consolidate the parcels of 800 Colonial Avenue into one parcel. The Future Land Use Map in the Colonial Beach Comprehensive Plan identifies the residential parcels as General/Limited Commercial therefor a rezoning of those parcels would align with the Comprehensive Plan.

STAFF RECOMMENDATION

Concerning the rezoning, staff recommends sending this proposal to the Town Council with a favorable recommendation. Concerning the Conditional Use Permit, staff recommends sending this proposal to the Town Council with the following conditions:

1. If the rezoning is approved, parcels 3A2-4-A-(1, 2, 3, 4, 5, 21, 22, 23, 24, & 25) are consolidated and recorded at the Westmoreland County Clerk's Office to bring the property further into conformance.
2. Before a Certificate of Occupancy (C.O.) is issued, the existing parking lot and building must be brought into full conformance with all local, state and federal codes.
3. A full walk through by the Building Official and Code Official will be required before a C.O. is issued.
4. If this Rezoning and CUP are approved, the Beach Gate Inn can only operate as a motel as defined by the Colonial Beach Zoning Ordinance. A motel is defined as: A building or group of attached or detached buildings containing any combination of three or more lodging or guest units, with individual bathrooms, intended primarily for rental or lease to transients by the day or week, as distinguished from multiple-family dwellings in which rentals or leases are for longer periods and occupancy is generally by residents rather than for transients. Ten percent (10%) of the units in such a project may contain kitchens and may be leased or rented for a period longer than one week.
5. If this rezoning and CUP are approved, there shall be a motel manager on site at all times.
6. If this rezoning and CUP are approved, a Health Department Permit shall remain current at all times.
7. The Police call volume for the Beach Gate Inn shall not exceed 80 calls per year. In the event that the volume exceeds 80 calls, the conditional use permit is subject to Town Council review.

After the Planning Commission reviews this case, staff recommends that a public hearing be held in July for a recommendation to the Town Council.

Ms. Schick asked if the parcels had never been consolidated.

Mr. McHugh confirmed.

Ms. McCabe about the clause saying 10% of the units may contain kitchens and be leased or rented for a period of longer than a week.

Mr. McHugh said that is the definition of a motel in the ordinance.

Ms. Tolson asked how many units are in the motel.

Representatives from Beach Gate Inn, LLC responded 21.

Ms. Tolson said technically 2 units could be leased out indefinitely.

Mr. McHugh confirmed.

Ms. Tolson expressed concern about prior problems with long-term residents at the motel.

Ms. Schick asked if this is just for the rezoning aspect of the request.

Mr. McHugh said the report is for the rezoning and the conditional use permit.

Ms. Schick said we have to rezone it first to C-1, then they can apply for a conditional use permit.

Mr. McHugh confirmed.

Ms. Schick directed the Commissioners to only consider the rezoning.

Ms. Tolson said it makes sense to consolidate the lots into one parcel.

Ms. Schick agreed and also agreed with the rezoning.

Mr. Busick asked if the property falls within the RPA.

Mr. McHugh said possibly some of it.

Mr. Nelson asked for clarification on Beach Gate Inn's compliance problems.

Mr. McHugh said the motel is technically pre-existing nonconforming.

Ms. Schick said that it was a motel prior to the having a zoning ordinance.

Mr. McHugh and Mrs. Haynes further clarified that it lost its grandfathered non-conforming status because it hasn't been in operation for more than two years, and therefore loses its use.

Ms. Schick asked how close the motel is to being finished with renovations.

Beach Gate responded about 75% complete.

Ms. Tolson asked Beach Gate if they are putting kitchens in two units.

Beach Gate responded just one kitchen in the manager's suite. They explained there would be a 24-hour on-site manager. They further clarified that they are not specifically requesting the 10% kitchen accommodations as a special treatment. It is already in the town's definition.

Beach Gate asked if the rezoning is approved separately, would they have to come back for the conditional use permit and then have that go to Town Council separately. They explained they are hoping to avoid duplication of effort.

Ms. Schick explained that they cannot get a conditional use permit for the R-2 portion of the property, so it has to be formally rezoned to C-1.

Item 8: Review of Article 13 – Parking Amendments

Mr. McHugh read the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: Article 13 – Parking Ordinance Amendments		TOWN COUNCIL MEETING DATE:
CASE NUMBER: ZOA-01-2016		APPLICANT: Town
PROJECT STATUS: <input type="checkbox"/> Preliminary Sketch <input type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Prelim. Final Plat <input type="checkbox"/> Concept Plans <input type="checkbox"/> Final Plat <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation <input type="checkbox"/> Comp. Plan Amend.		OWNER: N/A
		LOCATION: N/A
		VOTING DISTRICT: N/A
		PARCEL NUMBER: N/A
		TOTAL SITE AREA: N/A
		SITE AREA DEVELOPED: N/A
		CBPA: N/A
EXISTING STRUCTURES: N/A	ADDITIONAL SITE DATA: N/A	
FLOOD HAZARD: N/A		
CURRENT ZONING: R-2, C-1		
ACTION REQUEST: 1 st Review	STAFF: B. McHugh	DATE: 06/02/2016

PRIOR ACTIONS/CASE HISTORY

REZONINGS:	N/A
CONDITIONAL USE PERMIT:	N/A
VARIANCES:	N/A
SUBDIVISIONS:	N/A
OTHER DATA:	N/A

BACKGROUND

Staff reviewed and amended Article 13 of the Zoning Ordinance which addresses parking requirements in the Town.

DISCUSSION

Some of the major amendments to the article include but are not limited to:

- Amending certain sections to be more specific and easier to administer.
- Adding more environmentally beneficial requirements to manage stormwater.
- Moving the parking lot landscaping requirements directly to the parking section as well as adding additional landscaping requirements.
- Consolidating and amending Section 13-8 which addresses the number of spaces required based on use.
- Adding requirements concerning Loading and Stacking Spaces.
- Adding the definition of permeable pavements to Article 20 Definitions.
- Adding the more defined section concerning Parking, Storage or Use of Major Recreational Equipment, Mobile Buildings and Trailers to Article 18.

STAFF RECOMMENDATION

Staff believes that by supporting these amendments, it promotes public health and safety and creates a more navigable ordinance. After the Planning Commission considers these changes and provides staff with any additional changes staff recommends that the Planning Commission authorize advertisement for the July Planning Commission meeting.

Ms. Tolson said she had a question about the meaning of “BMP” under 13-5.a, which Mr. McHugh had clarified as “Best Management Practice” prior to the meeting.

Ms. Tolson asked if the guidelines on page 3 are for design and aesthetic purposes.

Mr. McHugh confirmed, but added some of them are for environmental reasons, which he had discussed with Ms. Clopton.

Ms. Tolson asked what effect the amended ordinance would have on existing parking lots.

Mr. McHugh said none.

Mr. Nelson asked what is permeable pavement.

Mr. McHugh said technology that you can surface a parking lot with that will absorb stormwater rather than causing it to run off.

Ms. Schick asked about a section-view diagram that had been included in a previous form of the ordinance that is now missing.

Mr. McHugh said he remembered the diagram she was talking about and would look into it.

Ms. Schick asked if there is a way to specify a type of lighting and signage to be consistent with the revitalization.

Mr. McHugh said we have design guidelines, but those are just guidelines.

Ms. McCabe urged planning ahead for the Downtown Colonial Beach revitalization.

Mr. McHugh suggested specifying a particular style.

Mr. Busick asked if Tappahannock’s ordinance required a certain type of lighting. He said other municipalities have requirements for downlighting to eliminate light pollution.

Mr. McHugh said the proposed ordinance has a similar requirement.

Mr. Nelson asked what is the standard that we’re setting.

Ms. Schick said without an Architectural Review Board there's not a lot we can enforce, but this would be a way to get one thing in there to be conforming.

Ms. Tolson asked if there is anything in the revitalization grant that specifies lighting.

Ms. McCabe said it just says they can't have variations of lighting.

Mr. Nelson asked are there any guidelines in the Main Street Program.

Ms. McCabe said she would check.

Ms. Schick asked if VDOT has to look it over to be in conformance with state code.

Mr. McHugh said VDOT would just focus on if there is an entrance going in off one of their main right of ways, like Colonial Avenue or McKinney Boulevard. For example, the decoration committee has to consult with VDOT before putting decorations over Colonial Avenue.

Ms. Schick asked if the number of spaces is based on state code.

Mr. McHugh said he compiled the list by looking at other localities' ordinances and what was already in the current ordinance.

Ms. McCabe asked about signs and markers on page 13-3. She suggested looking into signage because there is new signage going up in most areas of the revitalization.

Ms. Schick said we have a sign ordinance.

Mr. Busick complimented 13-5.d.12, which prohibits topping of trees. He explained that people top their crape myrtles thinking it's the right thing to do, but no trees should be topped.

Mr. McHugh asked if the Planning Commission would like another review of Article 13 before the public hearing.

Ms. Schick said she would like one more review.

Item 9: Other Topics

Ms. McCabe discussed an orientation for new members.

Ms. Schick recommended that Mr. Busick meet with new Commissioners for an orientation.

Mr. Busick agreed.

Ms. Tolson said she didn't know what items she was supposed to get as a new Commissioner until she took the training course. She suggested letting new members borrow the books from the training course as soon as they start, to get ahead on the readings before they take the course.

Ms. Schick apologized for representing Ms. Marlin in the previous special meeting. She explained the bylaws state Commission members cannot represent any applicant before the Commission, but no one noticed until after the meeting.

Mr. Nelson asked for clarification on how Commissioners cannot represent clients.

Ms. Schick and Mr. McHugh explained that Commissioners must recuse themselves and cannot represent clients at a meeting.

Ms. McCabe suggested doing a year-to-date review of goals at the next meeting.

Ms. Schick encouraged all to come to the next Town Council meeting to support the passing of the CIP.

Item 10: Adjournment

The meeting was adjourned at 6:32 p.m.