

Town of Colonial Beach Planning Commission Minutes

Date: Thursday, July 2, 2015 – Town Center, 22 Washington Avenue

Time: 5:35 p.m.

Present: Robin Schick, Chairwoman
Maureen McCabe, Vice Chairwoman
Bob Busick
Pam Tolson
Diana Clopton

Absent: John Reinhart

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

Item 1: Call to Order

Chairwoman Schick called the meeting to order at 5:35 p.m.

Item 2: Approval of Minutes from the June 2015 Regular Meeting and Work Session

Chairwoman Schick asked for a motion to approve the minutes of the June 2015 Regular Meeting and Work Session. Vice Chairwoman McCabe made the motion to approve the minutes. Mr. Busick seconded the motion.

Chairwoman Schick called for a voice vote; it was unanimously resolved:

That the minutes of the June 2015 Regular Meeting and Work Session be approved.

Item 3: Public Comment on Planning Commission Matters Not on the Agenda

Chairwoman Schick asked if there was any public comment on Planning Commission matters not on the agenda. There was no comment.

Item 4: Committee Reports

Chairwoman Schick asked for the Capital Improvement Program (CIP) Committee Report.

Vice Chair McCabe introduced the CIP document provided by Mr. McHugh. She asked if it will be approved pending the applications submitted by Town Staff.

Mr. McHugh explained that applications haven't been submitted yet. Once those are submitted the CIP will be adjusted accordingly.

Chairwoman Schick explained that these are items that were carried over from the February review.

Vice Chair McCabe asked about the status of a request for a trash truck worth \$158,000 for Public Works.

Mr. McHugh said he would ask Public Works to confirm they received the trash truck as requested in the CIP.

Chairwoman Schick said it should be updated from “On Schedule” to “Completed.”

Vice Chair McCabe then moved onto the new water well. She said there has been some progress.

Mr. McHugh explained that some projects, such as the trash truck and new water well, have shorter time frames than other projects.

Chairwoman Schick asked if the meter installation is scheduled for two years from now.

Mr. McHugh clarified that it will be within the next two years.

Vice Chair McCabe asked about the status of the new buses for the school system.

Mr. McHugh said he would ask the Superintendent.

Mr. Busick asked if school items were on the CIP because Town Council approves their budget.

Mr. McHugh confirmed.

Chairwoman Schick explained that these are just the items that were known prior to the submission of the new process.

Vice Chair McCabe asked Mr. McHugh for a status update on the buses at the next meeting.

Mr. McHugh confirmed.

Ms. Clopton asked why the paving of roads in Classic Shores is not on the CIP.

Chairwoman Schick explained that it was probably not in the CIP from 2013, which is where the current items originated.

Mr. McHugh said it could be coming out of the general budget.

Mr. Busick explained that paving could be in response to isolated needs, such as repairs.

Ms. Clopton expressed concern that miscellaneous road paving is not in the budget. She asked why we’re spending money on paving when it could be elsewhere.

Mr. McHugh said he would ask Public Works.

Vice Chair McCabe asked if paving should be prioritized on the CIP.

Chairwoman Schick explained that the CIP contains foreseeable projects within the next five to ten years. A new paving project could be submitted by Public Works for inclusion in the CIP, but maintenance issues such as potholes or broken lines are already part of the budget and would not be considered a capital improvement.

Mr. McHugh added that the project must be more than \$50,000 to be included in the CIP.

Vice Chair McCabe said there will be a better vision when the applications are submitted.

Chairwoman Schick then asked for the Public Outreach Committee Report.

Ms. Tolson said that she had a meeting with the Town Manager concerning the development of a press release. She explained that there is currently no standard operating procedure for a Planning Commission to issue a press release. She also asked the Town Manager about distributing materials on the website and at Town Hall. Ms. Tolson was advised to speak with the Mayor, and that Town Council approval is needed before implementing this public outreach.

Chairwoman Schick asked if a formal request to Town Council is needed.

Ms. Tolson confirmed.

Chairwoman Schick said she's not sure how it's any different than sending out information on setbacks or the building code changes.

Mr. McHugh clarified that those are brochures. A press release requires further approvals.

Chairwoman Schick confirmed that she would issue a formal request to Council.

Ms. Tolson said she had sketched out a plan with some ideas, which were discussed with the Town Manager. She said the process is still being worked out because this is something new that has not been done before.

Chairwoman Schick was pleased that the Planning Commission is doing something new.

Ms. Tolson expressed concern about informing citizens of the CIP process.

Chairwoman Schick confirmed she would request a press release at the next Council meeting. She asked if materials could be put on the website.

Ms. Haynes confirmed. She explained that it has been updated with the minutes, zoning ordinance, and forms.

Chairwoman Schick asked if the brochures are on the website.

Mr. McHugh said they could be added to the website.

Vice Chair McCabe asked if there was a section on the website for Planning Commission updates.

Ms. Haynes suggested adding a section with Planning Commission updates, along with minutes and other documents that are already available on the website.

Vice Chair McCabe reiterated her concern about explaining the CIP process to the community.

Ms. Tolson asked Chairwoman Schick if she had given final approval for the press release.

Chairwoman Schick confirmed she gave final approval, but still needs to meet with the Mayor as the Town Manager requested.

Chairwoman Schick was pleased with the progress on the website. She asked the Commissioners to visit the website.

Ms. Tolson said it meets the basic criteria for a website. She was pleased that the information is easily accessible.

Item 5: Public Hearing on Article 18 – Supplementary Regulations

Chairwoman Schick then introduced the Public Hearing on Article 18.

Mr. McHugh presented the following staff report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: Article 18 – Supplementary Regulations		Town Council Meeting Date:
Case Number: ZOA-03-2015 (Ord. 649)		Applicant: Town
Project Status		Owner: N/A
<input type="checkbox"/> Preliminary Sketch Application	<input type="checkbox"/> Rezoning	Location: N/A
<input type="checkbox"/> Preliminary Plat Use	<input type="checkbox"/> Conditional	Voting District: N/A
<input type="checkbox"/> Preliminary Final Plat Plans	<input type="checkbox"/> Concept	Parcel Number: N/A
<input type="checkbox"/> Final Plat	<input checked="" type="checkbox"/> Text Amendment	Total Site Area: N/A
<input type="checkbox"/> Vacation	<input type="checkbox"/> Comp Plan Amendment	Site Area Developed: N/A
Existing Structures: N/A		CBPA: N/A
Flood Hazard: N/A		Additional Site Date: N/A
Current Zoning: N/A		
Action Request: Approval as presented		Staff: B. McHugh Date: 07-02-2015

PRIOR ACTIONS / CASE HISTORY:

Rezoning: N/A
Conditional Use Permit: N/A
Variances: N/A
Subdivisions: N/A
Other Data: N/A

BACKGROUND:

The Planning Commission recommended zoning amendments of Article 18 Supplementary Regulations in June 2014. Those amendments repealed Article 18 Miscellaneous, Article 24 Landscaping, Article 26 Home Occupations and Article 13 Parking. The contents of those articles were streamlined and enhanced with the new Article 18-Supplementary Regulations. With an almost entirely new Planning Commission since then, the new Planning Commission reviewed those amendments and added new amendments.

DISCUSSION:

I have created a document that highlights and categorizes the different amendments. The original edits are from the June 2014 recommendations which are highlighted in blue. The Home Occupation/2nd round edits are highlighted in yellow and the Brewery edits are highlighted in pink. The Home Occupation/2nd round edits mostly concern the discussions on the Northern Neck Artisan Trail Network and the Home Occupation amendments concerning the network. I would like to point out that customer contact is permitted for Major Home Occupations with a Conditional Use Permit however for Minor Home Occupations; customer contact is permitted on a "by appointment only" basis. The other edit in that category involves Non-Residential Parking. The first round of edits did not establish a "minimum" amount of parking concerning Non-Residential Parking. The "brewery edits" are the amendments that were passed by the Planning Commission in May of 2015.

STAFF RECOMMENDATION:

In order to simplify, condense and update the Zoning Ordinance as well as promote and improve the health, safety and general welfare of the people of Colonial Beach, staff recommends to the Planning Commission that this text amendment be sent forward to the Town Council with a favorable recommendation.

Chairwoman Schick opened the Public Hearing at 5:50 p.m.

Susan Tilt of 35 12th Street asked if a copy of the highlighted changes could be made available.

Mr. McHugh said he would give Ms. Tilt a copy.

Linda Farneth of The Journal Press asked if the Article 18 document contained the changes for the Artisan Trail.

Chairwoman Schick and Mr. McHugh confirmed.

Chairwoman Schick closed the Public Hearing at 5:51 p.m. She then opened the Commission Discussion.

Vice Chair McCabe asked if this copy of Article 18 replaces the other versions.

Mr. McHugh confirmed.

Chairwoman Schick explained that some of the items had not been revised since 2001.

Ms. Tolson asked if this revision is going to Town Council for action.

Chairwoman Schick confirmed.

Mr. Busick asked if certain Chesapeake Bay Act requirements could be added.

Chairwoman Schick explained that Article 18 has already been advertised to the public, and that no changes could be made without another Public Hearing. She further explained that they could get Article 18 passed with the approved updates, and then revisit it if more Bay Act items are required. She reiterated that Article 18 had been through several major updates and still hasn't been passed by Council.

Mr. Busick asked if there is a procedural protocol to have Town Council add any necessary changes before the final vote.

Chairwoman Schick said it is possible if it goes before Town Council before the Public Hearing.

Mr. McHugh clarified it would go before a Work Session.

Chairwoman Schick said that it would not be approved by Planning Commission.

Ms. Clopton expressed concern that the ordinance does not meet stormwater requirements. She asked if there will be an opportunity to add in any necessary stormwater requirements.

Chairwoman Schick reiterated the methods previously discussed: Pass Article 18 with the current revisions, then revisit and update with stormwater requirements as needed. Or Town Council can add an amendment, which would not have Planning Commission approval.

Ms. Clopton reiterated her concern that the ordinance is out of compliance with stormwater regulations.

Chairwoman Schick explained that Article 18 contains Supplementary Regulations for miscellaneous items that do not fit in any other section. If more items need to be added, she would prefer Planning Commission review those items through the standard procedures.

Ms. Clopton reiterated her concern that stormwater management is not being addressed.

Chairwoman Schick said it sounds like an issue that should be brought up as its own topic. She reiterated that Article 18 needs to be passed regardless.

Ms. Clopton asked how the Planning Department can enforce stormwater management.

Vice Chair McCabe explained that the Planning Department is currently enforcing ordinances from 2001.

Chairwoman Schick reiterated that she agrees stormwater management needs to be addressed, but that it should be its own topic.

Mr. Busick asked Mr. McHugh how staff handles environmental regulations.

Mr. McHugh explained that environmental issues go before Charlie Wrightson, Environmental Inspector for Westmoreland County.

Chairwoman Schick reiterated that stormwater management should be addressed in a comprehensive way and not thrown in at the last minute.

Mr. McHugh suggested using the same process as the brewery amendment, which is a comprehensive amendment that covers all the articles.

Chairwoman Schick asked Mayor Ham if he had any questions on the discussion.

Mayor Ham did not. He explained that Article 18 will be on the Town Council work session agenda in July, then the August regular meeting agenda for a Public Hearing and action.

Chairwoman Schick confirmed she would attend those meetings. She then read the following paper:

PLANNING COMMISSION PAPER

AT THE REGULAR MEETING HELD, THURSDAY, JULY 2, 2015 AT THE COLONIAL BEACH TOWN CENTER

This recommended adoption further amends proposed Article 18-Supplementary Regulations of the Colonial Beach Zoning Ordinance. Additionally, Article 20, definitions will be amended with added or updated definitions. Whereas, the Colonial Beach Planning Commission finds that public necessity, convenience, general welfare and good zoning practice would be served by the recommending approval of Zoning Text Amendment (ZOA-03-2015, Ordinance 649);

Now therefore be it resolved that the Colonial Beach Planning Commission hereby recommends approval of Zoning Text Amendment ZOA-03-2015, Ordinance 649 and forwards the amendment to the Town Council with a favorable recommendation in accordance with §15.2-2200 of the Code of Virginia, 1950 as amended.

MOVED BY: Vice Chairwoman McCabe **SECONDED BY:** Ms. Tolson

	<u>Aye</u>	<u>Nay</u>
Robin Schick, Chairwoman	x	
Maureen McCabe, Vice Chairwoman	x	
Robert Busick	x	
Diana Clopton	x	
Pam Tolson	x	
John Reinhart (absent)		

Item 6: Staff Report – Vacant Town-Owned Property Study: Old Elementary School

Chairwoman Schick then introduced the Vacant Town-Owned Property Study. She explained that this review is to analyze the viability of the old elementary school property for future sale and development. Planning Commission will then make a recommendation to Council. She asked Mr. McHugh for the staff report.

Mr. McHugh explained the outline of the report, which includes the current uses and zoning, followed by possible future uses and rezoning options.

Report Summary:

Current Zoning: R-2
Future Land Use: School, Public Open Space, Neighborhood Preservation

- *Option 1: Parcels remain R-2, which promotes single family dwellings and open areas. Lots can be subdivided and sold. Permitted uses within R-2 remain the same. Comprehensive Plan Amendment may be required.*
- *Option 2: Rezone parcels to Commercial Residential (CR), which promotes a transitional mixture of uses. Permitted uses include both residential and commercial. Comprehensive Plan amendment may be required. Note: CR is currently awaiting Town Council action and is expected to become Article 7.*
- *Option 3: Rezone parcels to Resort Commercial (RC), which promotes commercial use in the downtown area. Permitted uses include those of commercial nature only. Comprehensive Plan amendment may be required.*
- *Option 4: Rezone parcels to R-3, which accommodates and fosters high density forms of residential development. Some commercial uses are also permitted. Comprehensive Plan Amendment may be required. Note: R-3 is currently awaiting Town Council action and is expected to become Article 25.*

Chairwoman Schick asked if the Commercial Residential ordinance would be at the next Town Council meeting.

Mr. McHugh said he could put it on the agenda for the July Town Council work session.

Chairwoman Schick said there hasn't been a public hearing yet.

Mr. McHugh clarified that the public hearing was held and the article approved by the former Planning Commission members.

Ms. Clopton asked about the density of the Commercial Residential district.

Mr. McHugh said the Floor Area Ratio (FAR) is 0.75.

Ms. Clopton asked if it is possible to combine high density residential with commercial uses.

Chairwoman Schick clarified that R-3 allows both.

Mr. McHugh explained that R-3 allows commercial development, but does not allow as many uses as Commercial Residential.

Ms. Clopton asked about a non-residential commercial use.

Mr. McHugh asked if she was talking about something similar to the new condos with commercial space on the first floor.

Ms. Clopton clarified mixed use where the ground floor is residential, mid-floors are office, and the upper floors are residential. She said R-3 doesn't allow an office.

There was a general discussion on the definition of "office."

Mr. Busick clarified that an office is a conditional use in R-3.

Mr. McHugh explained that a conditional use is permitted if it gets approved through the Planning Commission and Town Council.

Vice Chair McCabe expressed concern about the number of empty offices in the Town, and questioned whether new offices would help the current situation.

Ms. Clopton expressed concern about the modernity of the available office space. She explained that they don't have the facilities or technology to adequately attract new businesses.

Vice Chair McCabe expressed concern that the Potomac Renaissance mixed-use condominium development currently has empty commercial space, yet it is modernly built.

Ms. Clopton said those are to be purchased. She wants a development that would be both for purchase and rental.

Chairwoman Schick said she thinks they do both at the other one.

Mr. Busick suggested making mixed-use a possibility by not restricting it, so that it is an option for businesses.

Ms. Clopton said if we're going for highest and best use, we're actually going for top dollar. She noted that Dahlgren is nearby and would be attractive to potential businesses if contemporary office space is available.

Chairwoman Schick said CR is most related to the future land use.

Mr. McHugh said CR does allow offices, but not necessarily mixed use.

Ms. Clopton suggested creating the use.

Mr. McHugh explained it would be a zoning ordinance amendment.

Vice Chair McCabe expressed concern about the current economic blight and the lack of an Economic Director to advise the Town in the sale of the parcels. She explained that three or four years ago, there was a business awareness meeting with seven or eight participants, but ultimately none of them were interested. She suggested going back to find out why they didn't bring their business here. She felt there is a void of information on the economic status of the Town. She suggested getting input from the Chamber of Commerce and the Colonial Beach Foundation.

Chairwoman Schick said this is the first step to looking for the most information possible. She presented the Highest and Best Use document submitted by Ms. Clopton, which outlines a suggested criteria and process for determining highest and best use. She explained that the old elementary school's current zoning allows for a school, nursing home, or convalescent center.

Mr. McHugh said it also allows residential.

Chairwoman Schick said it's currently zoned school.

Mr. McHugh clarified that it's currently zoned R-2, and the Future Land Use Map shows school or open space. He explained that a school is allowed as a conditional use in R-2.

Vice Chair McCabe said there can be a church as well.

Mr. McHugh clarified that a church is a by-right use in R-2.

Highest and Best Use Discussion Summary:

1. *Be Legally Permissible – Existing Zoning vs. Rezoning*

Current Zoning: R-2

Rezoning Options: CR, RC, R-3

2. *Be Physically Possible*

Access: Good walkability. Sidewalk network connects parcels to the downtown area. New sidewalks will be going in via Safe Routes to School grant.

Topography: Higher elevation relative to the rest of town, some mudding problems at the bottom.

Location: Central. Convenient to both Colonial and Washington Avenues.

3. *Be Financially Feasible*

Public/Private Venture: Primary target is private development.

4. *Be Maximally Productive*

Possible Uses: Residential (R-2/R-3 determines density and types of housing), Commercial, Mixed Use.

Vice Chair McCabe asked if a decision would be made at this meeting.

Chairwoman Schick said no.

Vice Chair McCabe reiterated her hesitation based on the economic factor.

Chairwoman Schick asked Vice Chair McCabe if she would like a market analysis.

Vice Chair McCabe said she would like to see a market analysis, and reiterated that she would like input from the Chamber of Commerce and Colonial Beach Foundation. She expressed concern about making a decision on the property without being fully informed.

Chairwoman Schick suggested an economic feasibility study. She then suggested researching other localities for comps. She said she would submit an RFI to the Chamber of Commerce, Century 21, and Coldwell Banker.

There was a general discussion about economic development resources.

Chairwoman Schick suggested continuing the discussion at a future meeting.

There was a general discussion about scheduling.

There was a general discussion about the Highest and Best Use document.

There was a general discussion about similarities to the Eleanor Park presentation.

Item 7: Discussion on Comprehensive Plan

Chairwoman Schick introduced the Comprehensive Plan, Chapter 5 discussion. She began with the Development of the Euclid Avenue Multi-Use Path under Recommended CIP Projects. She asked if it is part of Safe Routes to School.

Mr. McHugh said he would look into it.

Chairwoman Schick moved onto Development of a Community Center.

Ms. Tolson asked if it was marked “Complete” because of the Lion’s Club community center.

Mr. McHugh confirmed.

Vice Chair McCabe asked who is doing that project.

Mr. McHugh said the Foundation is working with the Town.

Ms. Tolson said it is too small to be a community center. She asked if the cracker-box gym is going or staying.

Mr. McHugh confirmed the gym would be demolished.

Ms. Tolson said there is no other alternative for multi-purpose activities.

Chairwoman Schick said the high school is typically used for community activities, such as senior citizen activities and children’s movie nights.

Ms. Tolson said she wasn’t aware of that.

Ms. Clopton said there isn’t a defined community center.

Chairwoman Schick reiterated that the school is central and hosts community activities.

Susan Pietras-Smith of the Westmoreland News said that when the new high school was built in 1989, one of its intended purposes was to double as community center.

Chairwoman Schick added that the cafeteria has a projector, stage, and audio/visual equipment for community use.

Vice Chair McCabe suggested setting a goal to centralize community center activities so that people know about them.

Ms. Tolson said she has heard from the community that there’s no place for physical activities for children. She said a community center might help draw young families with children to move to the Town.

Vice Chair McCabe reiterated that a community center should be a priority.

Chairwoman Schick explained that a community center has tried to develop on multiple occasions but failed. She said she wasn’t sure if the Lion’s Club community center addresses all of the community’s recreational needs.

Mr. McHugh asked if it has been established what the Foundation plans to do with the community center.

Chairwoman Schick replied that she didn't know, but part of their initiative is to try to better communicate events.

Ms. Clopton said it is the Town's responsibility to provide a community center, not volunteer groups.

Vice Chair McCabe said a community center is a definite part of the Comp Plan and needs priority. She suggested getting information from someone knowledgeable about community center data.

Chairwoman Schick suggested making a request to the Foundation about the Lion's Club community center.

Ms. Clopton said the Lion's Club has no physical activities.

Mr. Busick said the ball field is Town-owned land, so even though it's being leased to the Foundation, that doesn't mean that it couldn't be further developed by the Town.

Chairwoman Schick said she heard the Foundation would like to do outdoor activities such as festivals and concerts.

Ms. Clopton asked how to bring those things based on the Comp Plan.

Vice Chair McCabe said there should be an open meeting on it.

Chairwoman Schick suggested changing the "Complete" status to "In Progress." She discussed different definitions of a community center.

Ms. Tolson reiterated her concern about activities for citizens. She said there is not enough to do in the winter months for permanent residents.

Vice Chair McCabe reiterated the need for an Economic Development Authority.

There was a general discussion on community centers.

Ms. Clopton asked why the cracker-box gym needs to be demolished. She questioned why Town Council vetoed the Town Manager's request for \$5000 to have an engineering report.

Mr. McHugh explained that there is a memorandum of understanding with the School Board that the Town is going to sell the property.

Vice Chair McCabe suggested doing more research on community centers.

Ms. Clopton reiterated her concern about demolishing the gym.

Ms. Farneth said she was at the meeting when the gym was vetoed. She explained that the back part of the gymnasium will be gone when the rest of the building is demolished, and that other weather-related damage was sustained due to holes in the roof.

Ms. Clopton questioned the cost to repair versus the cost of new construction.

Chairwoman Schick suggested reviewing the topic again at the next meeting. She then moved onto Fishing Pier Improvements. She said it is classified as Not Complete.

Ms. Tolson asked if they were talking about the Town Pier.

Chairwoman Schick confirmed. She explained that there used to be an outlet available for public use, but the town discontinued public access to the outlet.

Ms. Tolson asked what kind of improvements we were talking about, because she understood it to be fairly new, within the last ten years.

Chairwoman Schick said she didn't know, because this item was put on the CIP before her time.

Ms. Tolson said she was under the impression that the pier had been destroyed.

Ms. Clopton clarified during Hurricane Isabel.

Ms. Tolson said it has been rebuilt.

Chairwoman Schick confirmed that it has been rebuilt since then.

Ms. Clopton suggested removing Fishing Pier Improvements from the list.

Chairwoman Schick explained that there may have been an identified funding source at the time. She said if the funds were no longer available, then the item could be removed. She did not know which improvements were specifically sought for the pier. She then moved onto General Park Improvements.

Vice Chair McCabe stated the Town is short on park space.

Ms. Clopton said that "General Park Improvements" was too vague. She suggested itemizing each park's needs.

Ms. Tolson asked if it should be part of the CIP.

Chairwoman Schick confirmed.

Vice Chair McCabe asked about the CIP meeting in August.

Mr. McHugh explained that staff will meet to discuss the applications in August, and it will then go to Planning Commission in October.

Chairwoman Schick moved onto Beach Stabilization and Replenishment.

Mr. McHugh confirmed that project has been completed.

Ms. Clopton reiterated her concern about stormwater management. She suggested lumping beach replenishment and stormwater management into the same item.

Chairwoman Schick reiterated her opinion that stormwater should be its own topic to be addressed.

Item 8: Adjournment

There being no further business, the meeting was adjourned at 7:05 p.m.