

Town Council

Public Hearing

June 20, 2013

St. Charles Parish Hall

6:00 P.M.

1. Call Public Hearing to Order; Roll Call
 - a. Read advertisements
 - b. Hear Public Comment on the following:
 - i. Conditional Use Permit Application for 712 Randolph Avenue
 - ii. FY2013-2014 Proposed Budget and Utility Rates
2. Close Public Hearing

Planning Commission Staff Report

From: Tom Bonadeo

Date: May 7, 2013

Item: 6. A. – Conditional Use Permit 712 Randolph – Residential over Commercial

Attachments: Application, Plot Plan and proposed Floor Plan

Background

Conditional use permit application has been received and reviewed for the use of a dwelling unit over a commercial space at 712 Randolph Avenue. The space is currently designed as offices. The applicant has not been successful in the renting of commercial space and wishes to modify the offices into a dwelling unit. This is allowed in the C-1 zone by Conditional Use Permit. The public hearing was held just prior to this Planning Commission meeting.

Item Specifics

The location of the building is the upper floor of 712 Randolph Avenue, the upper floor of the Mosher Rehabilitation building. The conditional use process requires that several criteria be met. The requirements for conditional use are set forth in Article IV, Section 4.3 of the Zoning Ordinance. The Planning Commission will review the application and set a public hearing. After hearing public comments the Planning Commission will review the application, comments and the three Conditions for Issuance. After this consideration the Commission will make a recommendation to Town Council. The Town Council will also review the application and hold a public hearing, review the comments and the Planning Commission recommendation and then allow or deny the application with or without such conditions as it determines necessary to carry out the intent of the ordinance.

The use 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 within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town.

The applicant currently owns the neighboring property with a conditional use permit for dwellings over a commercial space. While this is a commercial area there are already residents in the next building and apartments have been in these buildings for some years.

The ordinance requires that the use meet the table of parking standards. Since the current use of professional office space requires 1 parking space per 300 square feet of area and the use of residential requires 2 spaces per dwelling unit, the use meets the table of parking standards.

The comprehensive plan also promotes mixed use in all the commercial zones as a way of promoting economic development. Empty commercial space provides no economic growth while a full residential apartment creates purchasing power and income for the landlord, town and county.

The ordinance allows for the Commission (and Town Council) to add conditions to the approval of the application that may be required to carry out the intent of the ordinance.

Recommendations

The Planning Commission should hear public comment, the applicant's proposal, discuss the application and any potential conditions that may be required. Vote to act upon the application with or without conditions.

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

Date: 3-4-12
*(Attach Plans)

Permit Number: _____
Fee: 309.04 Pd

Applicant: John Huchler Signature: John F. Huchler
Address: 35 Vinton Court, Williams 08648 Cape Charles, VA, 23310
Telephone: 609 896 4457 Cell Phone: 609 937 4360

Owner(s): John ES Holdings, LLC
Address: John Huchler City: Lawrenceville State: VA Zip: 22648

Contractor: Quality Structures (Sean Ingram)
Address: PO Box 2020 City: Clamilton State: VA Zip: 22316
Telephone: _____ Cell Phone: 757-615-0935
Town License: 12-003B State License: VA 2705-1A2-63A

Location of Improvement: 2nd floor of 712 Randolph Ave, Cape Charles, VA 23310
Lot No.: 2A, 3A, 3B Block No.: 003A Lot Size: 120 x 140 Lot Area: 378 A
Type of Improvement: Conversion from office to an apartment
Proposed Use: Apartment
Estimated Construction Costs: \$50,000

NOTE: Three additional off-street parking spaces to be added behind building.

Adjacent property owners: we own 718 Randolph on East side; Town of Cape Charles owns ~~pro~~ adjacent property on west and south sides

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 7420 numbers
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: John F. Huchler, owner/manager

2173 . 1

Northampton County 2004 REASSESSMENT

TCC 083A4-(0A)-00-002
 RANDOLPH AVE 712
 3 LOTS

IES HOLDINGS LLC

Account# 319109
 7287 CHESAPEAKE DR
 EXAMOREVA 23650
 Lic: BP 82220000
 Review: PP 82220003
 Appeal: / /
 Run: 1/11/2005 14:38

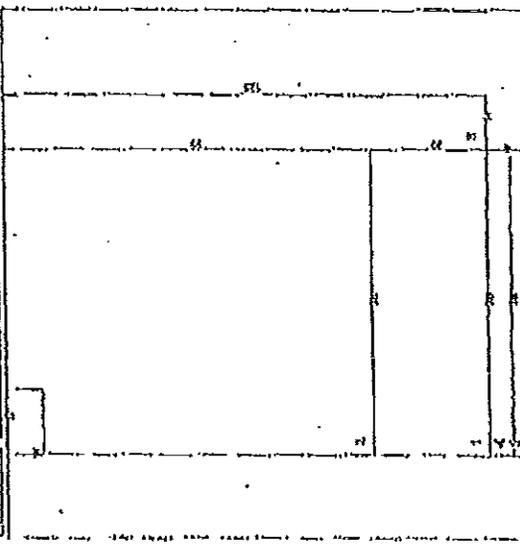
Topic: LEVEL
 UPR: ALL PUB
 SFC: PAVED
 Date: 03/1/00
 WHT: 100
 Plat

RMS: TRACS
 INCLUDES PARCELS 0A & 0B
 BLDG CONSUMED 170000
 FEE SIMPLE REGS TOWN OWNS OB

RD: 4
 CLSC: 4
 Zoning:

Values

Assessed Value	30,000	Cost/Rev: Ref: 9/75/00
Land	255,469	
Blkg:	0	
Chbr:	0	
Totl:	345,400	
Site Q: 4172001	70,000	Tract: 0
NEWR: 2, 1.00/1.15/1.15		



Buildings Info

Case: COMMERCIAL	Year: 1921
DBA:	Year: 1960
Fuel: OIL	Phys: 2
Floor: CONC BLOCK	FED: 0
Roof: FLAT	DEPC: 0
Wall: UNFINISHED	Sod: 0
Floor: CONCRETE	Runs: 0
Stair: TAR & GRVL	SIR: 0

Land

Sub Description	Area	Chk Spd	Size	Depth	Height	AS/BSR	Use Value	Mkt Value
1 COMMUNITY	F 40 P	120.00	1.00	140.00	500	500	500	78027
2 PUB WATER	A 70 A	1.00	1.00	500	500	500	500	500
3 PUB SEW	A 71 A	1.00	1.00	500	500	500	500	500

Building Assessment

Assessment	Area	Value	Code	Year	Chk	Area	Value	Code	Year	Value
100 1	RETAIL	34 D	SOLID BRK AC CRTI	1921	2240	1.00	14.00	18388	1990	70112
100 2	SERVICE GARAGE	48 D	BR VENEERSTONE	1960	7257	1.00	1.00	132273	1990	118385
100 3	TYPICAL OFFICE	51 D	BR VENEERSTONE	1960	4941	1.00	1.00	4941	1990	4423
100 4	PATIO	111 D		2002	1872	1.00	1.00	1872	2002	1844
100 4	1'WOOD DECK	112 D		2002	488	1.00	1.00	488	2002	3883
100 5	PATIO	111 D		1990	2248	1.00	1.00	2248	1990	1117
100 6	STORAGE ROOM	113 D	BR VENEER	1990	30961	1.00	1.00	30961	1990	27521

Other Features

Section	Description	Class	Code	Comments	Start	Area	End	Cond	Year	Value
1	COMM BLDG	90	S	REGS OWNED BY TOWN	1.00	1.00	2	1.00	2	

Openings:
 Tocturn Reform Inpt
 Area SqFt Wht RepSetNew BNC EIE
 2240 1.00 14.00 18388 1990
 7257 1.00 1.00 132273 1990
 4941 1.00 1.00 4941 1990
 1872 1.00 1.00 1872 2002
 488 1.00 1.00 488 2002
 2248 1.00 1.00 2248 1990
 30961 1.00 1.00 30961 1990



MUNICIPAL CORPORATION
OF CAPE CHARLES
2 PLUM STREET
CAPE CHARLES, VA 23310

REAL PROPERTY TAX BILL

MAP/PARCEL/UNIT: 083A4-CA-00-002
LOCATION: 712 RANDOLPH AVE
LEGAL DESCRIPTION: 3 LOTS
BILL DATE: 10/26/12
DUE DATE: 12/05/12

IES HOLDINGS LLC
35 VIBURNUM COURT
LAURENCEVILLE, NJ 08648

Office Hours
Monday through Friday
8:00 a.m. - 5:00 p.m.

10% PENALTY AND 10% INTEREST WILL BE IMPOSED AFTER DUE DATE.
IF NOT PAID, A CIVIL WARRANT OR LIEN MAY BE ISSUED.
THIS IS THE ONLY BILL THAT WILL BE ISSUED.

PROPERTY VALUE ASSESSMENTS

LAND VALUE	170,000
IMPROVEMENT VALUE	449,300
EXEMPT VALUE	0
NET VALUE	619,300

DATE: 10/26/12

DESCRIPTION: Previous Balance
TAX PROPERTY TAX - Real

RATE: 0.182800

AMOUNT: 1,040.68

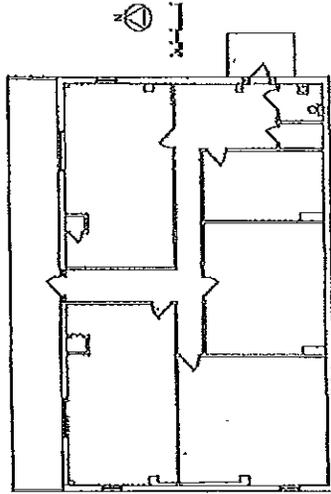
Property taxes are billed in arrears on a tax year from January 1st to December 31st for payment by December 5, 2012.
For questions regarding the payment of your tax, call Town of Cape Charles Treasurer's Office at (757) 551-5559 ext. 312 or 415.

For questions regarding the assessment value of your property or if you do not receive a Northampton County bill, please call the Northampton County Commissioner of Revenue's Office at (757) 578-0444.

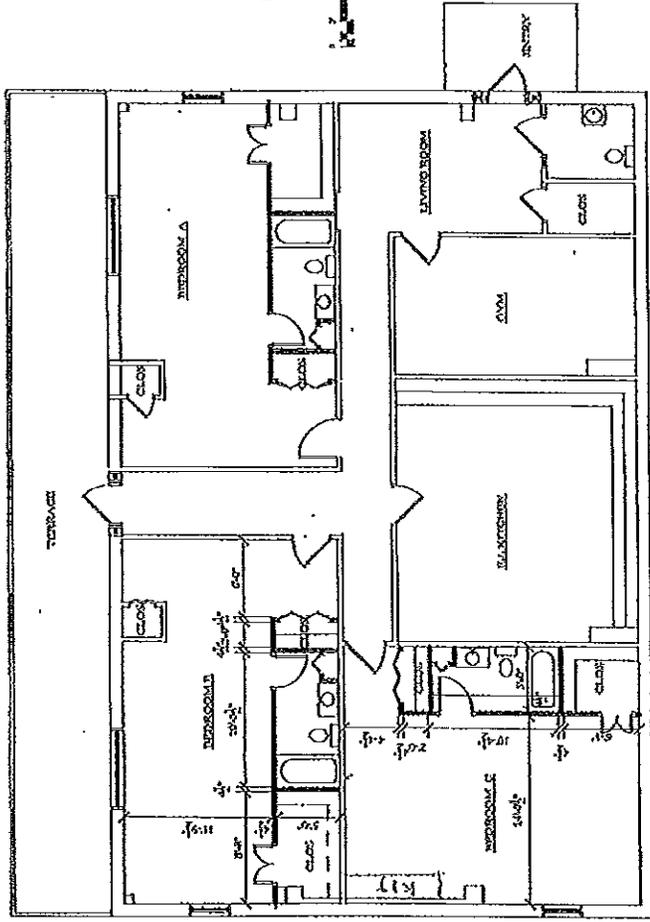
Handwritten: Pd. 12/12/12
OK # 1055

PENALTY: 0.00
TOTAL DUE: 1,040.68

PLEASE DETACH AND RETURN PORTION BELOW WITH PAYMENT



EXISTING CONDITIONS SECOND FLOOR 1/8" = 1'



SECOND FLOOR



PARHAM

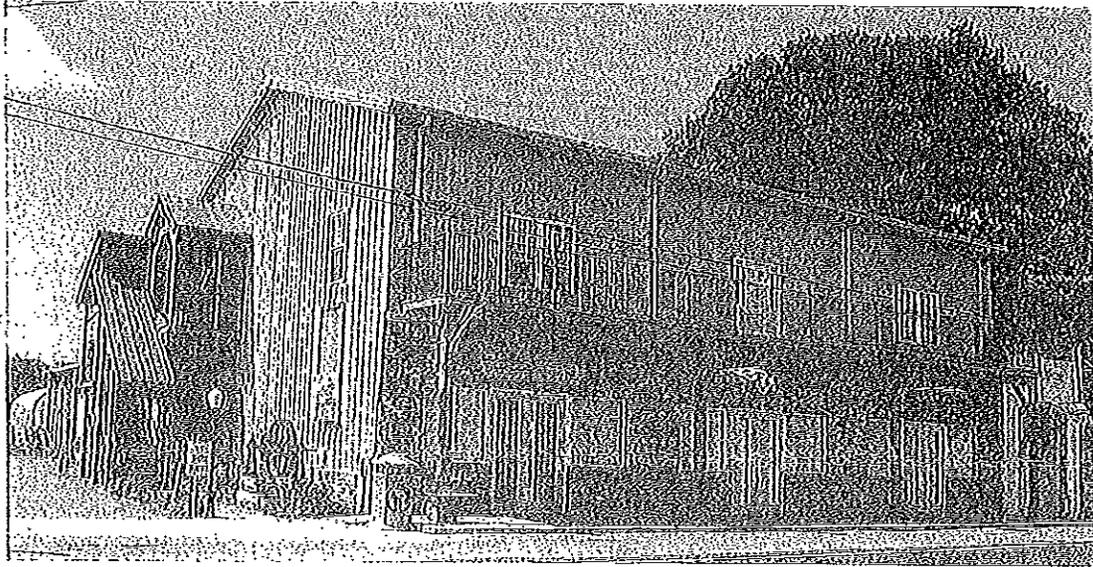
405 PATTERSON, CAPE CHARLES VICTORIA COMPANY
 723 CALLETT - HANOVERVILLE
 LEON FELDER PARTNER, ARCHITECT, R.A., NCQS

712 RANDOLPH AVE. CAPE CHARLES, VA
 IES HOLDINGS, LLC JOHN HUCHLER
 1-3 BEDROOM APARTMENT 2ND FLOOR

LP	2/13/13	SK-4
	1/4" = 1'	

201303

Prime Location: Office Space

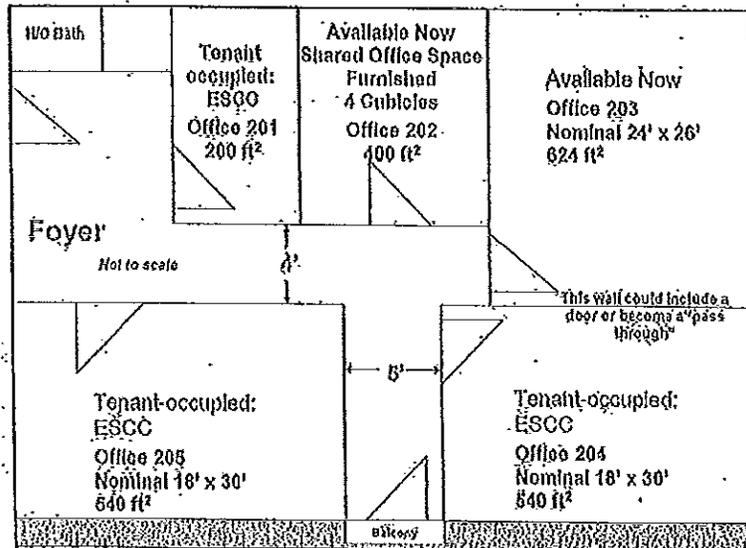


TOWNE CENTRE - 712 Randolph Avenue

Located on Route 184, the main access to the historic Town of Cape Charles, the public harbor, the new Kings Creek Marina and Bay Creek Development.

Now Leasing - Second Floor Office Space

- All new construction
- Cat 5e wiring for telephone and Internet network
- Central heat and air conditioning
- Off-street parking
- Rent includes electricity, heat, water, sewer and garbage
- Shared office space available - short or long term lease
- On-site manager



Randolph Avenue

IES Holdings, LLC ♦ 712 Randolph Avenue ♦ Cape Charles, VA 23310
 John Huchler ♦ Cell: 609-937-4360 ♦ huchler@verizon.net



TOWN OF
CAPE CHARLES

AGENDA TITLE: FY2013-2014 Proposed Budget and Utility Rates

AGENDA DATE:
June 20, 2013

SUBJECT/PROPOSAL/REQUEST: FY2013-2014 Proposed Budget and Utility Rates

ITEM NUMBER:
1.b.ii.

ATTACHMENTS: FY2013-2014 Proposed Budget, General Fund Proposed Revenue & Expense Summary, General Fund Projections Based on 2013 Reassessment

FOR COUNCIL:
Action ()
Information (X)

STAFF CONTACT (s):
Heather Arcos

REVIEWED BY:
Heather Arcos, Town Manager

INFORMATION ON THE PROPOSED BUDGET:

Attached is the proposed Fiscal Year 2013-2014 Budget showing a total budget of \$7,180,586. The total proposed budget for the General Fund is \$2,957,183. This includes \$1,110,000 for Capital Projects, 89% of which is offset by Federal grants.

Northampton County performed a reassessment of real property effective with the FY2013-2014 budget year and the total assessed value of real property in the Town decreased an average of 35%. Attached is a report showing General Fund Projections based on the 2013 reassessment. It shows a breakdown for the equalized tax rate as well as the tax rate needed to balance the proposed FY 2013-2014 budget.

At the June 3, 2013 Special Meeting, Council reviewed the equalization rate of \$0.2674 per \$100 of assessed value which is the tax rate needed to levy the same amount of real estate tax as last year. Council approved a tax rate of \$0.2759 per \$100 of assessed value which was an overall increase of \$0.0085 per \$100 of assessed value.

INFORMATION ON THE UTILITY RATES:

The proposed budget includes new minimum rates for utilities service. The trash collection fee will decrease from \$14.00 per month to \$12.57 per month. The water rate will also decrease from \$39.55 to \$34.50. The wastewater rate will increase from \$35.45 to \$60.85.

These services are funded by user fees and charges as opposed to general tax revenues. Each year the Town reviews projected expenses, number of connections, and results from previous years to determine the rate that must be charged to generate the revenue needed to provide these services. Expenses can vary from year to year due to a variety of factors such as changes in government regulations, equipment repair and replacement, major capital projects, availability of offsetting grant revenue, etc. The main driver of the increase in the wastewater rate is the debt service on the new Wastewater Treatment Plant. A new plant had to be built to both meet new State nutrient discharge regulations and to replace the former plant that was nearing the end of its service life. The total cost of the project was about \$19.2 million. The Town obtained two grants to cover \$14 million of the cost and the remaining \$5 million is financed by a 20-year, no interest loan provided by the Commonwealth of Virginia.

**NOTICE OF PUBLIC HEARING
MUNICIPAL CORPORATION OF CAPE CHARLES
FISCAL YEAR 2013/2014 PROPOSED BUDGET AND UTILITY RATES**

Following are the estimated receipts and expenditures of the Municipal Corporation of Cape Charles for the Fiscal Year 2013/2014. The Town Council will hold a Public Hearing on **June 20, 2013** at 6:00 p.m. at St. Charles Parish Hall to receive written and oral comments on all proposed disbursements. The proposed Fiscal Year 2013/2014 budget will be discussed and brought to a vote at a special meeting on June 27, 2013 at 6:00 p.m. at the Town Hall located at 2 Plum Street.

REVENUES	2013-2014	EXPENDITURES	2013-2014
General Fund		General Fund	
Real Estate Tax	1,073,856	Legislative	19,897
Personal Property Tax	136,000	Town Clerk	119,563
Prior Year Tax Collections	45,000	Town Manager	295,992
Motor Vehicle License Tax	24,000	Finance	195,971
Machinery & Tools Tax	30,500	Police	367,645
BPOL Tax	83,000	Code Enforcement	77,955
Adms, Meals, Rentals, Transient Occ. Taxes	283,500	Public Works	406,620
Other Taxes	178,928	Parks & Recreation	60,611
Building Permits & Code Enforcement	61,150	Library	118,598
Review Fees, Miscellaneous Income	31,800	Town Planner	66,906
Library Revenues	800	Fire Department – State Pass Thru	8,000
Interest	22,000	Debt Service	109,425
Grants and Local/State/Federal Aid	986,649	Capital	1,110,000
Total General Fund	2,957,183	Total General Fund	2,957,183
Sanitation Fund	160,452	Sanitation Fund	160,452
Harbor Fund		Harbor Fund	
Operating Revenue	1,481,869	Operating	1,272,631
Harbor Proceeds	500,000	Debt Service	182,238
Grant Revenue	585,000	Capital	1,112,000
Total Harbor Fund	2,566,869	Total Harbor Fund	2,566,869
Water/Wastewater Fund		Water/Wastewater Fund	
Operating Revenue	1,349,632	Water Operations	341,156
Connection Charges	12,250	Wastewater Operations	520,134
Grant Revenue		Meter & Utility Billing, Administration	123,295
Facility Fees	74,200	Debt Service	376,497
Financing Proceeds	60,000	Capital	135,000
Total Water/Wastewater Fund	1,496,082	Total Water/Wastewater Fund	1,496,082
TOTAL REVENUES ALL FUNDS	7,180,586	TOTAL EXPENDITURES ALL FUNDS	7,180,586

Following are the proposed tax rates and user fees which are part of the fiscal plan:

Vehicle Tax: \$31.00 per vehicle subject to Virginia State Registration (Trailers \$18.00) and Golf Cart Decal is \$31.00.

Real Estate Tax: \$.2759 per \$100; Personal Property Tax \$2.00 per \$100; Boat Tax \$0.01 per \$100

Transient Occupancy Tax: 3% Monthly; Meals Tax: 5% Monthly; Admissions Tax: 3% Quarterly; Short Term Rental Tax: 1% Quarterly

Water Rate: Residential 0-2,000 gal.: \$34.50 minimum; 2,001 to 5,000 gal.: \$2.63 per 1,000; 5,001 to 10,000: \$3.75 per 1,000; 10,001 to 15,000 gals: \$5.00 per 1,000; Over 15,000 gals: \$7.50 per 1,000; Commercial 0-2,000 gal: \$34.50 minimum; 2,001-10,000 gal: \$2.50 per 1,000; 10,001-15,000 gals: \$3.75 per 1,000; Over 15,000 gals: \$5.00 per 1,000

Wastewater Rate: Residential 0-2,000 gal.: \$60.85 minimum; 2,001 to 5,000 gal.: \$4.11 per 1,000; 5,001 to 10,000 gals: \$5.85 per 1,000; 10,001 to 15,000: \$7.80 per 1,000; Over 15,000 gals: \$11.70 per 1,000; Commercial 0-2000 gal: \$60.85 minimum; 2,001-10,000 gals: \$3.90 per 1,000; 10,001-15,000 gals: \$5.85 per 1,000; Over 15,000 gals: \$7.80 per 1,000

Trash Collection Fee: \$12.57 per month

Dora Sullivan, Mayor

MUNICIPAL CORP OF CAPE CHARLES
 PROPOSED REVENUE & EXPENSE SUMMARY - GENERAL FUND
 FISCAL YEAR 2013 & 2014

	FY 2013		FY 2014		TOTAL
	OPERATING EXP/REV	CAPITAL PROJECTS	OPERATING EXP/REV	CAPITAL PROJECTS	BUDGET
GENERAL FUND REVENUES	1,898,557	76,800	2,068,883	888,300	2,957,183
EXPENSES					
Legislature	13,753	0	19,897	0	19,897
Town Clerk	100,585	0	119,563	0	119,563
Town Manager	408,846	0	413,417	0	413,417
Treasurer	181,936	0	195,971	0	195,971
Police	375,933	0	367,645	0	367,645
Code Enforcement	99,734	0	77,955	0	77,955
Public Works	407,776	131,000	406,619	1,110,000	1,516,619
Parks & Recreation	62,641	0	60,611	0	60,611
Library	105,725	0	118,598	0	118,598
Planner	87,428	0	66,906	0	66,906
	<u>1,844,357</u>	<u>131,000</u>	<u>1,847,183</u>	<u>1,110,000</u>	<u>2,957,183</u>

MUNICIPAL CORPORATION OF CAPE CHARLES
 PROPOSED CAPITAL PROJECTS - GENERAL FUND
 FISCAL YEAR 2014

PUBLIC WORKS

CAPITAL PROJECT DESCRIPTION	TOTAL FY14 BUDGET	TOTAL FY14 GRANT	TOWN MATCH / EXPENSE
Cape Charles Multi-Use Trail Phase 2 - (T-21 VDOT Grant)**	750,000	600,000	150,000
Handicap Access for Old Library	40,000	0	40,000
Repairs - Fishing Pier (FEIMA Grant 75%, State 18%, Match 7%)	310,000	288,300	21,700
Sidewalk Repair - North Side Randolph 700 Block	10,000	0	10,000
TOTAL GENERAL FUND CAPITAL PROJECTS	1,110,000	888,300	221,700

** Total Phase 2 estimated cost is \$1,737,000 to be split over two fiscal years (FY2014 & FY2015)

Revised
 5/30/2013

MUNICIPAL CORPORATION OF CAPE CHARLES

5/30/2013

FY2014 - GENERAL FUND PROJECTIONS - BASED ON 2013 REASSESSMENT

Preliminary FY2014 Revenue	Projected Based on .1828% Tax Rate per \$100	Projected Based on .2674% Equalization Tax Rate per \$100
Less	\$ 2,594,828.52	\$ 2,924,037.00
Proposed FY2014 Budget	\$ 2,957,183.01	\$ 2,957,183.01
Deficit	\$ (362,354.49)	\$ (33,146.01)

.2758967% Tax Rate Needed to Make up Difference

NEEDED TO EQUALIZE REAL ESTATE TAX RATE

FY2014 Estimated Real Estate Tax - .1828% Rate	Real Estate Tax Revenue
(\$409,709,500 2013 Assessments x .001828 Tax Rate x 95% Collection Rate)	\$ 711,501.52
Less	
FY2013 Budgeted Real Estate Tax - .1828% Rate	\$ 1,040,710.00
Decrease in Real Estate Revenue from 2013 Reassessment	\$ (329,208.48)

0.2673808%

Percentage Needed to Equalize Real Estate Tax Rate