



# **TOWN COUNCIL**

## **Public Hearing**

February 9, 2012  
St. Charles Parish Hall  
6:00 PM

1. Call to Order at 6:00 PM

- A. Roll Call
- B. Establish quorum

2. Public Hearing Comments:

- A. Sale of Former School
- B. Proposed Modifications to the Cape Charles Zoning Ordinance:
  - i. Subdivision Ordinance Modifications (Appendix A, Section 2)

3. Adjournment

## **Sale of Former School**

Echelon Resources, Inc. has submitted an unsolicited proposal for the purchase and redevelopment of the former Cape Charles School property at the southwest corner of Madison Avenue and Plum Street. This would be an historic rehabilitation and transformation of the property into approximately 16 market-rate Live/Work units to be available for lease. One alternative would make available for lease to the Town a significant space within the building for public use. The sale of the property to Echelon Resources would be at a negligible price to ensure the financial viability of the project.

The Code of Virginia (Sec. 15.2-1800) authorizes localities to sell, at public or private sale, its real property. The Code also requires a public hearing be held prior to such disposal of real property.

### **Appendix A, Section 2 - Subdivision Ordinance-Definitions**

The Planning Commission has reviewed the subdivision ordinance and recommended a modification to the definition to except certain actions from the full subdivision requirements. The following would be exempt:

1. Boundary adjustments between adjoining landowners where new lots are not created.
2. Release of some mortgages.
3. Division of a parcel by eminent domain.
4. Division for the purpose of conservation.

These modifications would benefit transactions that are not really subdivisions in the strict sense of the definition and required compliance of the full subdivision ordinance creates costly paperwork with no value.

**SUBDIVIDE** means to divide any tract, parcel, or lot of land into two or more lots or parcels for the purpose of transfer of ownership or building development or, if a new street is involved in such division, any division of a parcel of land. The term includes re-subdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided; except that the following division of the land shall not be deemed a subdivision:

1. The sale and exchange of parcels between adjoining landowners where such separation does not create additional building sites and where all new sites are compliant with the ordinance.
2. The release of a portion of the security of any mortgage or deed of trust which would otherwise constitute a subdivision of land shall be subject to the provisions of this ordinance.
3. The division of any parcel occasioned by an exercise of eminent domain by a public agency.
4. The division of land made solely for bona fide natural resource conservation purposes.