

Harbor Area Review Board

Meeting Agenda

Cape Charles Civic Center 500 Tazewell Avenue

April 11, 2016

6:00 P.M.

1. **Call to Order; Roll Call**
2. **Invocation and Pledge of Allegiance**
3. **Consent Agenda**
 - A. Approval of Agenda Format
 - B. Approval of December 21, 2015 Meeting Minutes
4. **Old Applications**

None
5. **New Business**
 - A. Lot 19 Harbor District – locate wood-frame, single-story commercial building and new construction bath house on lot 19;
 - B. Lot 20 Harbor District - locate wood-frame, two-story mixed use building on permanent block and brick foundation on lot 20.
6. **Other Business**
 - A. None.
7. **Announcements**
8. **Adjourn**



DRAFT
Harbor Area Review Board
Regular Meeting
Cape Charles Civic Center
December 21, 2015
6:00 p.m.

At approximately 6:00 p.m. in the Town Hall, Chairman Ralph Orzo, having established a quorum, called to order the Harbor Area Review Board (HARB) Meeting. In addition to Ralph Orzo, present were Board members Steve Bennett, Dennis McCoy, Joan Natali and Stuart Smith. Board member Sandra Salopek was not in attendance. There was one vacancy on the Board. Also present were Town Planner Larry DiRe, Town Manager Brent Manuel and Assistant Town Clerk Amanda Hurley. Applicants of Lot 19 Eyre Baldwin and Dan Brown of Southport Investors, LLC were in attendance. There were no members of the public in attendance.

Ralph Orzo offered the invocation and led the Pledge of Allegiance.

CONSENT AGENDA

Motion made by Joan Natali, seconded by Steve Bennett, and unanimously approved to accept the agenda format as presented.

The Board members reviewed the minutes from the April 20, 2015 Regular Meeting.

Motion made by Joan Natali, seconded by Dennis McCoy, and unanimously approved to accept the minutes from the April 20, 2015 Regular Meeting as presented.

OLD APPLICATIONS

There was no Old Business to review.

NEW BUSINESS

Lot 19 Harbor District – Procedures to General Application for building location on parcel

Larry DiRe reported that this was a unique application as this was a completely intact building. The building was moved by barge from Oyster, VA to Cape Charles late November 2015. The building materials and architectural style matched those found on many contributing structures in the Town's Historic District. Two aerial maps were included in the packet which showed the developable part of the parcel and the portion of the parcel that was undevelopable because it was underwater. The building would need to meet the required 30' setback.

Stuart Smith commented on the exposed bulkhead sidewalks and the requirement of railing.

There was some discussion regarding the use of the second story which was proposed to be a single unit overnight accommodation for short term rental. The first floor was proposed to be a café/raw bar/bistro.

Eyre Baldwin stated that tonight he was just seeking approval for the placement of the building on the foundation. Steve Bennett stated that in order to issue a Harbor Development Certificate, all guidelines must be met in accordance with the ordinance and went on to state that he would like to see a site plan that showed the building in relation to the lot lines and

the proposed parking layout. At this time, Dan Brown left to retrieve the old site plan from the Harbor.

Steve Bennett stated that another requirement was the landscape plan which was not yet available. There was some discussion regarding the incomplete application and the reaction of Town Council.

Southport Investors, LLC was in the process of purchasing the lot next to Lot 19, so additional development could be expected in the future.

Dan Brown returned and distributed the old conceptual master plan.

Steve Bennett commented that this was a recommendation of a partial Harbor Development Certificate and in order to receive a Harbor Development Certificate, all conditions must be met. Joan Natali stated that it was a recommendation of a conditional Harbor Development Certificate issued only for the foundation according to the plot plan.

Motion made by Stuart Smith, seconded by Joan Natali, to recommend Town Council approval of Lot 19 Harbor District as presented with the conditions that the applicants submit a new plot plan showing placement, elevations and setbacks for the Harvey's building to the Zoning Administrator who would distribute to the HARB for approval. All other actions on the site were required to come back to the Harbor Area Review Board. The motion was approved by unanimous consent.

OTHER BUSINESS

There was no Other Business to discuss.

ANNOUNCEMENTS

There were no announcements.

Motion made by Joan Natali, seconded by Dennis McCoy and unanimously approved to adjourn the Harbor Area Review Board meeting.

Chairman Ralph Orzo

Assistant Town Clerk

Harbor Area Review Board Staff Report

From: Larry DiRe 
Date: April 11, 2016
Item: 5A- Lot 19 Cape Charles Harbor
Attachments: Application; project narrative; site plan; building floorplans and elevations.

Application Specifics

The applicant has applied for a review by the Harbor Area Review Board for locating a 464-square foot, single-story, wood frame building (dock master station) and new construction of a 160-square foot bath\shower house at the location cited above. The proposed uses conform to the Harbor District zoning ordinance and on-site parking, including a handicapped stall, is shown on the site plan. Before the Board can recommend awarding a Harbor Development Certificate, certain requirements must be met. Staff believes that these requirements have been met as the application is submitted.

Article III Section 3.9 enumerates the design and development requirements that must be met. First, the lot meets the lot area requirements described in Section 3.9.F.1. The height and roofline\elevation continuity length requirements are not at issue here, and the buildings are lower than forty feet in height as required in Section 3.9.F.2. Second, the setback requirements are met and the lot is part of an Intensely Developed Area. That being the case, Section 3.9.F.3.b allows setback exemptions from the 30-foot setback line for “walkways, promenades, decks, gazebos, permitted signs, and similar structures intended to accommodate or provide amenities for pedestrians.” Staff is applying this exemption to both the deck and the bath\shower house, since the latter structure will be used by visitors to the harbor coming by foot, motor vehicle, and boat. Third, at less than 700-square feet of development on a 63,000 square foot lot, open space is available to the public through the existing walkway and the proposed green space. In addition, there is ample room between the two structures to allow for pedestrian movement. The curb shown on the site plan indicates the separation of pedestrians from motor vehicle traffic. Fourth, both buildings accommodate architectural and design standards found on historic structures in Town and so satisfy the requirements of Sections 3.9.I.3.a, .b, .j, and .k. Fifth, the parcel does not feature any alleys and so there are no requirements as stated in Sections 3.9.I.3.e, and .f. Sixth, the small scale development will not have vehicular impact beyond what can be expected for the street in its current usage (Section 3.9.I.3.d, .g), and multimodal feature of the development will not impact pedestrian circulation around the two buildings (Section 3.9.I.3.i). Seventh, while the addition of any built structure or impervious surface creates micro-climatic changes (Section 3.9.I.3.1), the small scale and low rise nature of the two proposed buildings will not create heat zones, cast shadows on streets or public open spaces, or redirect wind beyond what would be expected of a single-family house anywhere in Town. Eighth, on-site signage is small and affixed to the dock master station building (Section 3.9.I.3.o). The attached elevations show the fixed sign posted by the main entrance door. There is no free-standing signage associated with the development. Finally, both buildings are developed on a human-scale in terms of height, width, and massing. This human-scale development conforms to page 32 of the *Cape Charles Harbor Area Conceptual Master Plan and Design Guidelines*, and so meets the requirements of Section 3.9.I.3.p.

Recommendation

Review the application materials and determine if a Harbor Development Certificate should be recommended for approval by the Town Council.

Application for Harbor Development Certificate

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

Date: 4/4/16
Permit No.: _____
Fee: \$301-

Proposed Use: Bath/Shower house & Dockmaster Station
Present Zoning: Harbor District
Location Address: 1011 Bayshore Road Cape Charles VA 23310
Tax Map ID: B3AS-A-19 Acreage: 1.3
Acreage: _____

I (We) hereby petition the Cape Charles Town Council for a Harbor Development Certificate to provide the above use on the above mentioned property.

I (We) acknowledge the fact that all pertinent information required by the Harbor Area Review Board and Zoning Office must be submitted in a timely manner so that required public meetings can be scheduled and advertised (Zoning Ordinance §3.9.I). Applicant or representative must be present in the public meetings.

Land Owner/Lessee Name: Southport Investors LLC
Land Owner/Lessee Signature: [Signature]
Address: PO Box 395 Eastville VA 23347
Phone Number: 757-678-5880 Email Address: danbrown.va@gmail.com

Harbor Area Review Board Meeting
Date: APRIL 11, 2016 Time: 6:00pm

Meetings will be held at the Cape Charles Civic Center unless otherwise noted.

Harbor Development Certificate Application Checklist

- 1. completed application
- 2. payment of fees (\$300.00 + \$70.00 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. plot plan in accordance with the Site Plan Ordinance

Detailed application information shall be added per §3.9.I.1.b of the Zoning Ordinance when required.

Lot 19 Project Narrative

Southport Investors, LLC wishes to relocate a historic single-story building from Cheriton, VA to Cape Charles Harbor. The structure is commonly referred to as "Miss Kitty's." Please see site plan provide for location of the structure.

This building would serve as a "Dockmaster's Station" for our marina. This would be a small counter station/office where marina staff would control and schedule boat arrivals and departures. Refreshments and other snacks would also be available to boaters and foot traffic.

A small bath-house has been drawn on the site plan. Southport Investors, LLC would like to construct this small structure as a bathroom and shower facility for marina patrons.

HARBOR
 TOWN OF CAPE CHARLES
 TAX PARCEL # 83A3-A-10
 (DB 158, PG 144) (DB 39, PG 86-87)

— FLOATING PIER —

— CONG. BULKHEAD —

— GREEN AREA —

CURB

CONG. SLAB

DECK

DECK

COVERED DECK

WASHROOM BUILDING - 160 SF
 SLAB ON GRADE

30' SETBACK LINE

PARKING AS REQUIRED

LOT 19

TOWN OF CAPE CHARLES
 TAX PARCEL # 83A3-A-19
 (DB 99, PG 148)
 AREA 63,706 SF OR 1.462 AC

MAIN ENTRANCE
 117'-0"

GRAVEL LOT

MISS KITTY'S COTTAGE - 464 SF
 BLOCK FOUNDATION W/ BRICK PIERS

25'-0"

117'-0"

N70°44'12"W
 351' 346.42' FIELD

LOT 20

TOWN OF CAPE CHARLES
 TAX PARCEL # 83AC-A-20
 (DB 158, PG 144)
 AREA 81,578 SF OR 1.87 AC

H/C

PARKING AS REQUIRED

25' SETBACK FROM EDGE OF TRACK

RAMP

55.5' DECK

HARVEY BUILDING

78' ±

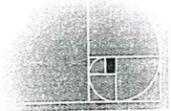
65' ±

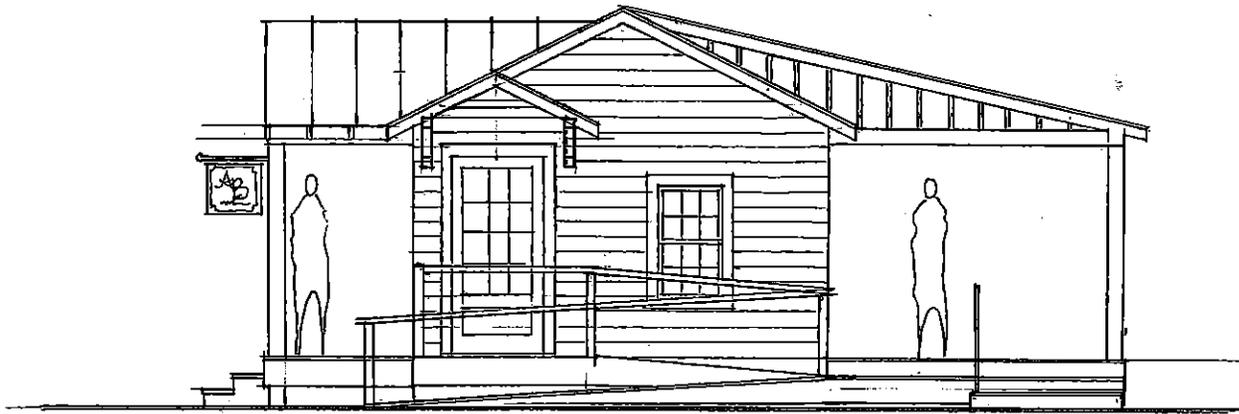
CMU PIER FOUNDATION
 WITH BRICK VENEER

CAPE CHARLES YACHT CENTER
 MISS KITTY'S RELOCATION
 NEW WASHROOM FACILITY
 MARCH 29, 2016
 SCALE - 1" = 25'-0"

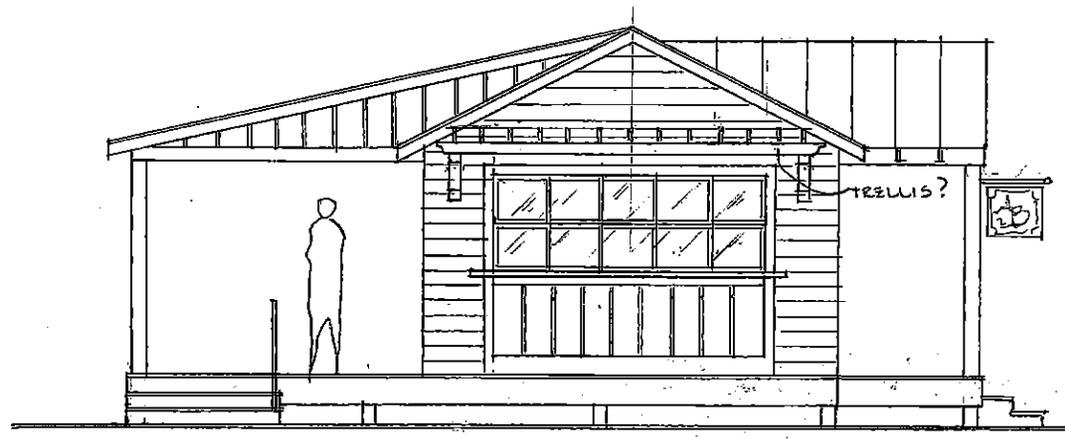
COVINGTON HENDRIX ANDERSON
 ARCHITECTS

360 SOUTHPORT CIRCLE
 SUITE 104
 VIRGINIA BEACH, VA
 23452

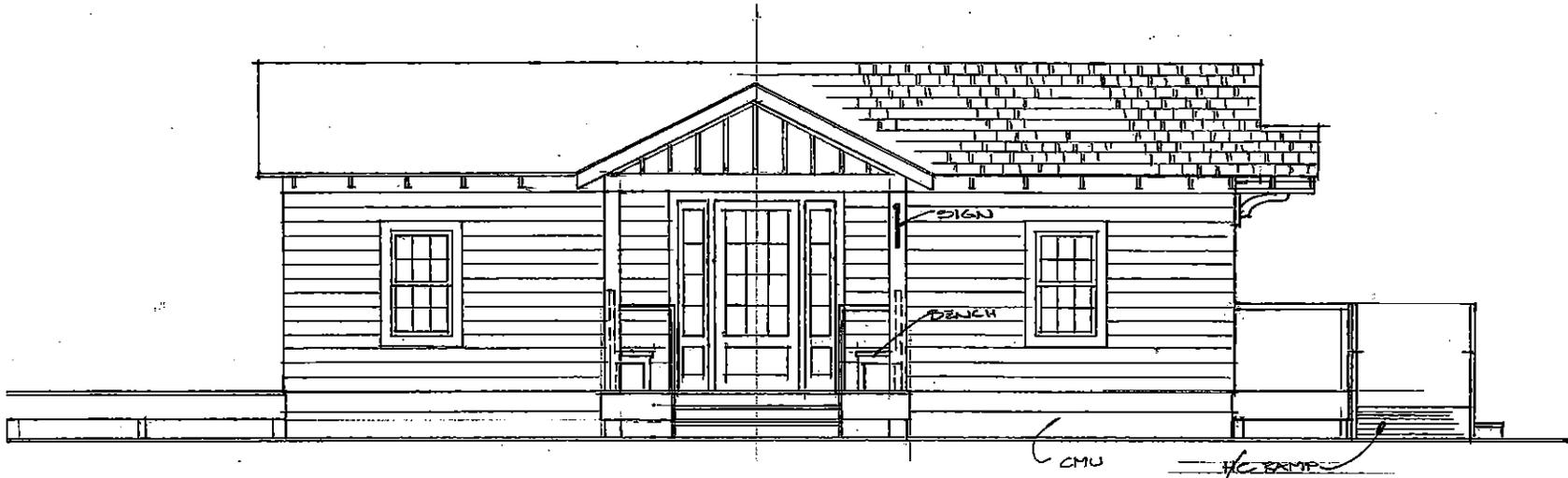




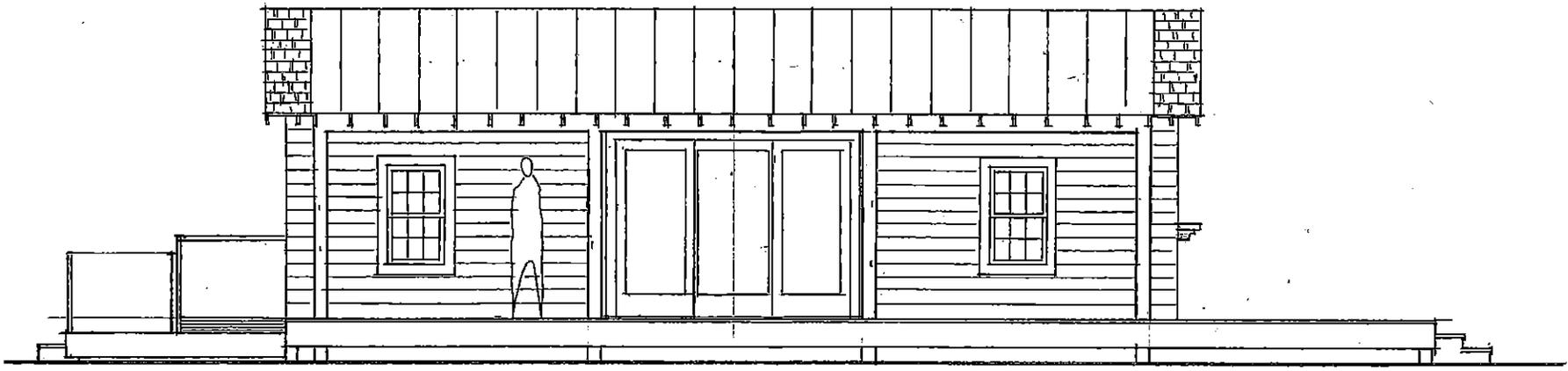
EAST ELEVATION
SCALE - 1/4" = 1'-0"



WEST ELEVATION
SCALE - 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION MISS KITTY'S

HARBOR
 TOWN OF CAPE CHARLES
 TAX PARCEL # 83A3-A-10
 (DB 158, PG 144) (DB 39, PG 86-87)

— FLOATING PIER —

— CONC. BULKHEAD —

— GREEN AREA —

CURB

CONC. SLAB

DECK

DECK

COVERED DECK

WASHROOM BUILDING - 160 SF
 SLAB ON GRADE

30' SETBACK LINE

PARKING AS
 REQUIRED

LOT 19

TOWN OF CAPE CHARLES
 TAX PARCEL # 83A3-A-19
 (DB 99, PG 148)
 AREA 63,706 SF OR 1.462 AC

MAIN ENTRANCE
 117'-0"

MISS KITTY'S COTTAGE - 464 SF
 BLOCK FOUNDATION W/ BRICK PIERS

GRAVEL LOT

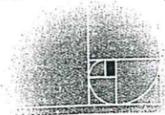
N70°44'12"W
 351' 346.42' FIELD

LOT 20

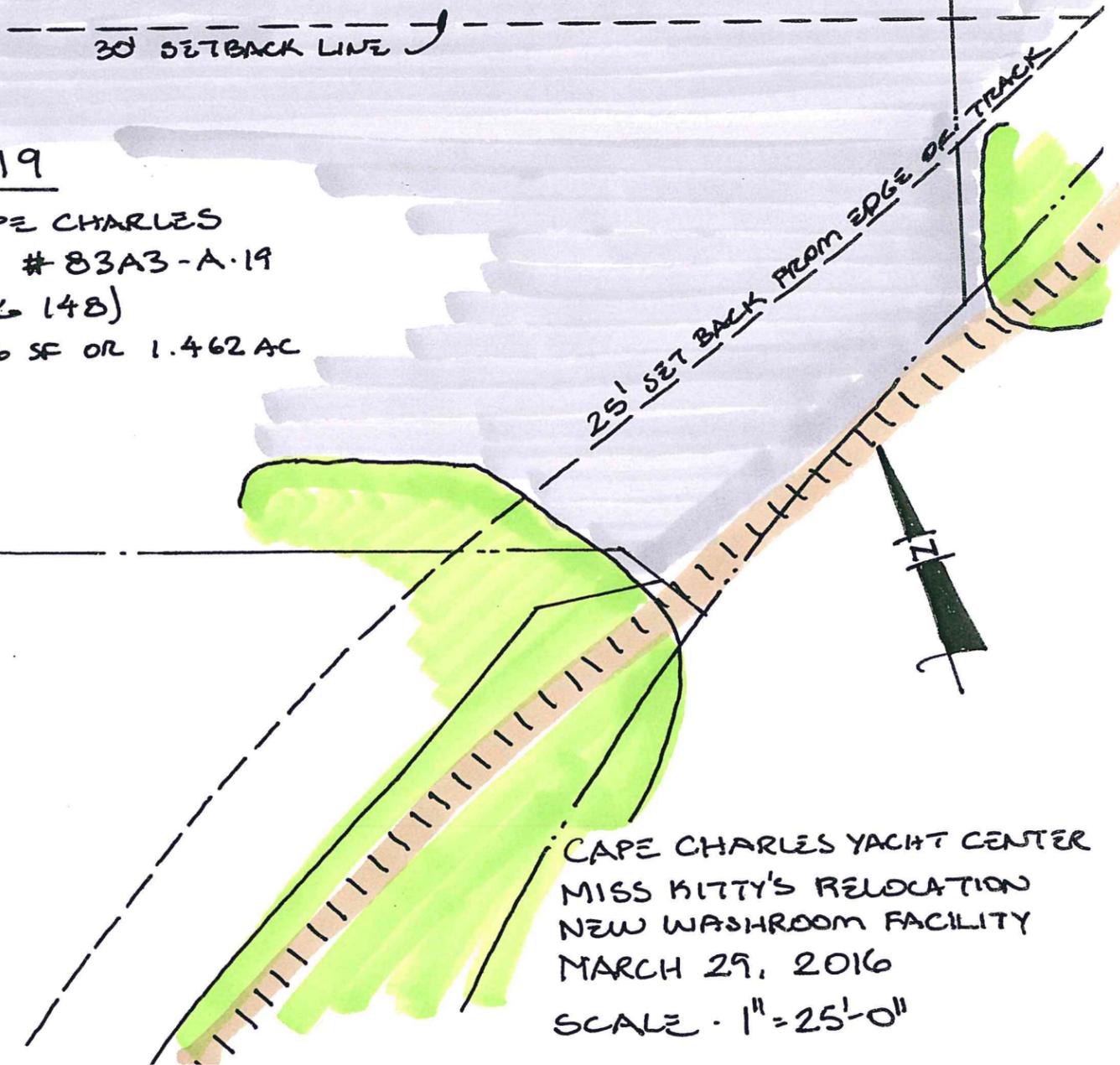
TOWN OF CAPE CHARLES
 TAX PARCEL # 83AC-A-20
 (DB 158, PG 144)
 AREA 81,578 SF OR 1.87 AC

COVINGTON HENDRIX ANDERSON
 ARCHITECTS

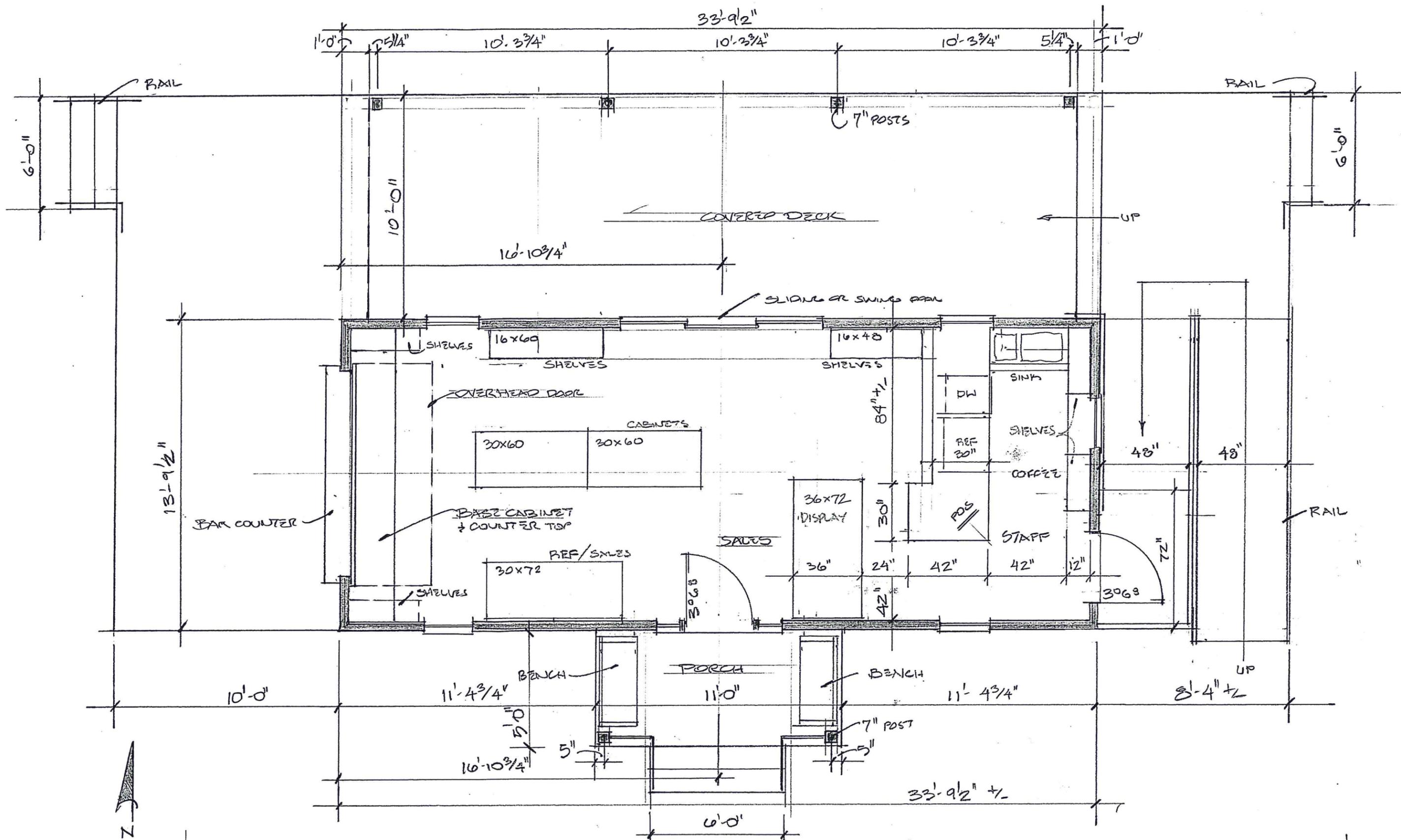
360 SOUTHFORT CIRCLE
 SUITE 104
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CAPE CHARLES YACHT CENTER
 MISS KITTY'S RELOCATION
 NEW WASHROOM FACILITY
 MARCH 29, 2016
 SCALE - 1" = 25'-0"



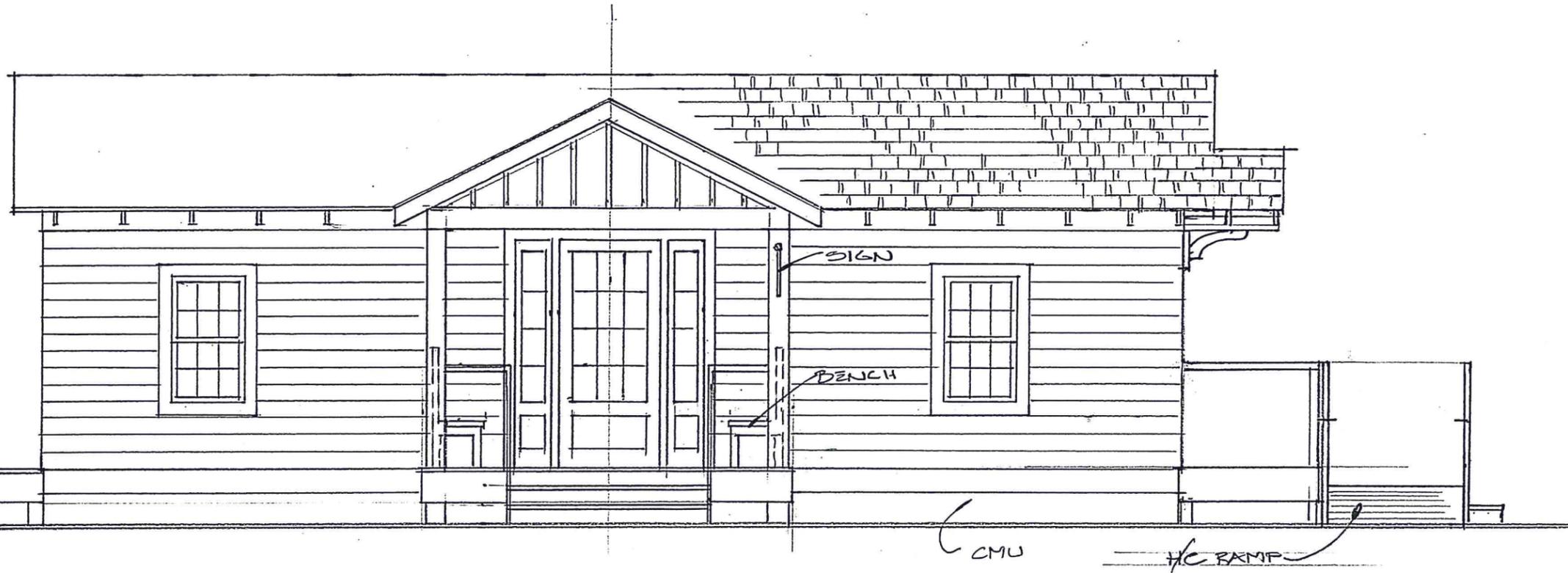
HARBOR



FLOOR PLAN

SCALE: 1/4" = 1'-0"

CLYC-MISS KITTYS



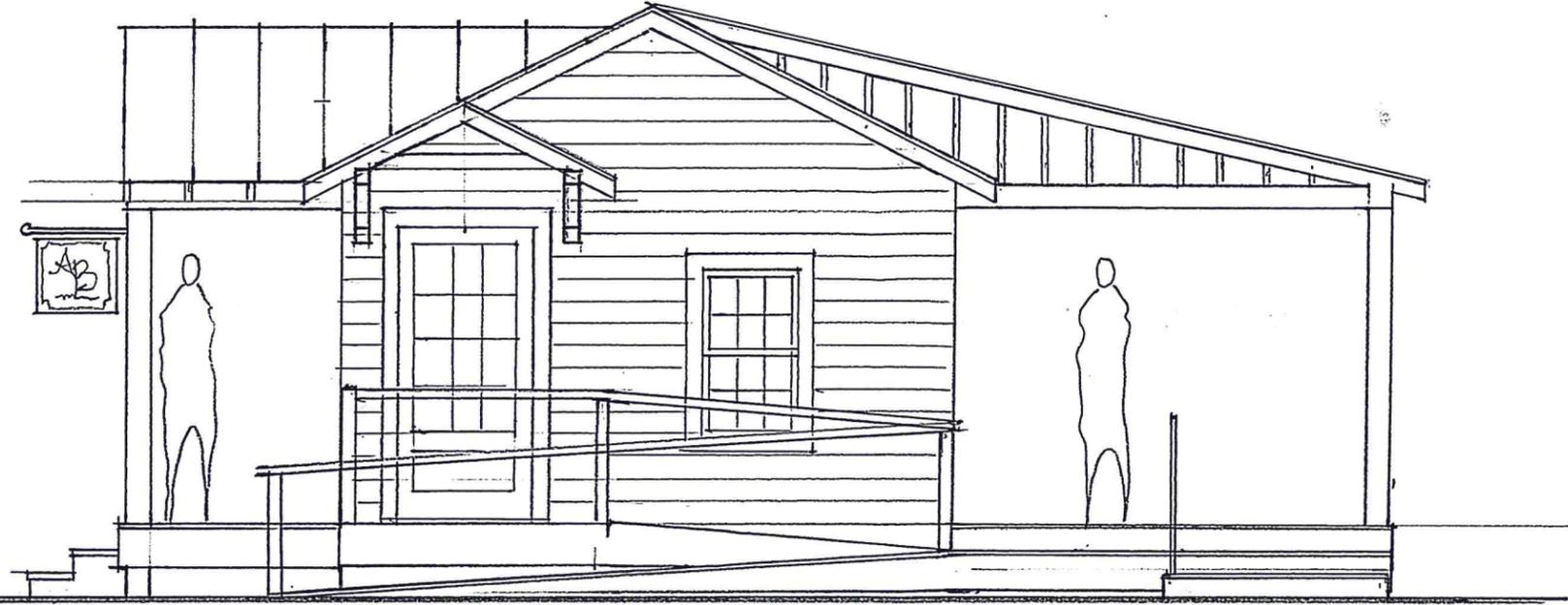
SOUTH ELEVATION

SCALE = 1/4" = 1'-0"

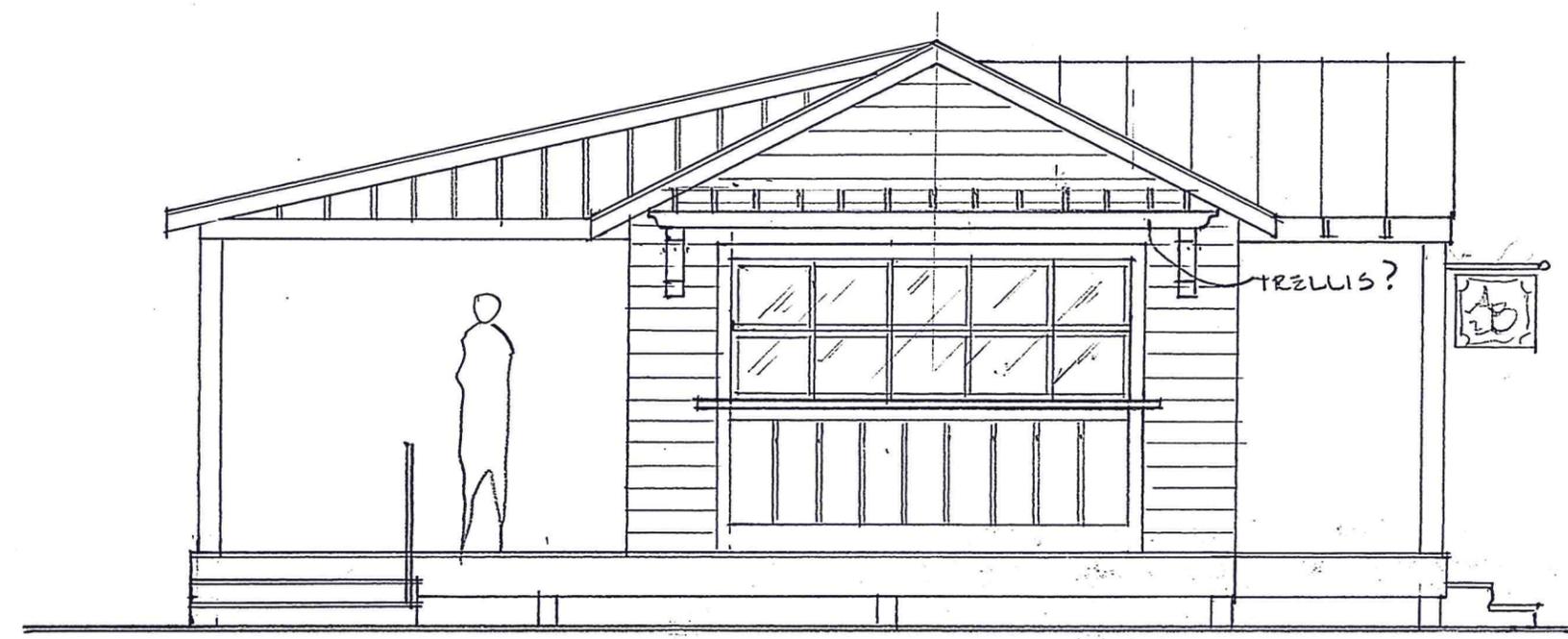


NORTH ELEVATION

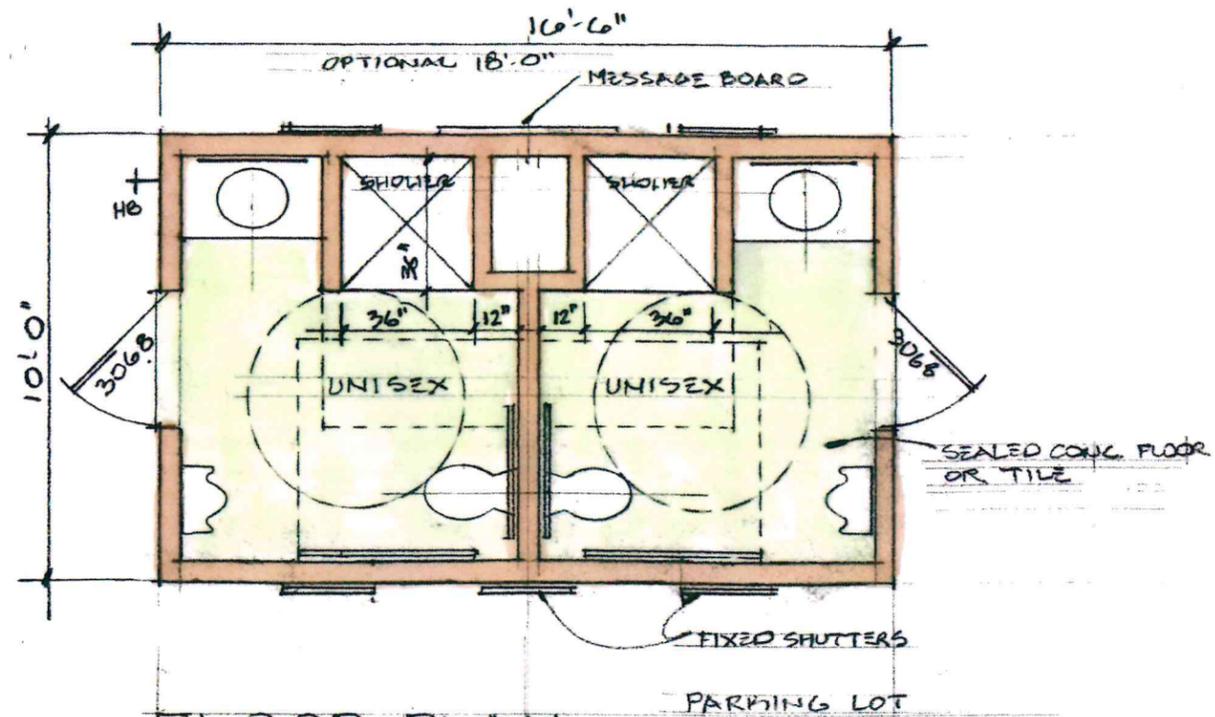
MISS KITTY'S



EAST ELEVATION
SCALE = 1/4" = 1'-0"

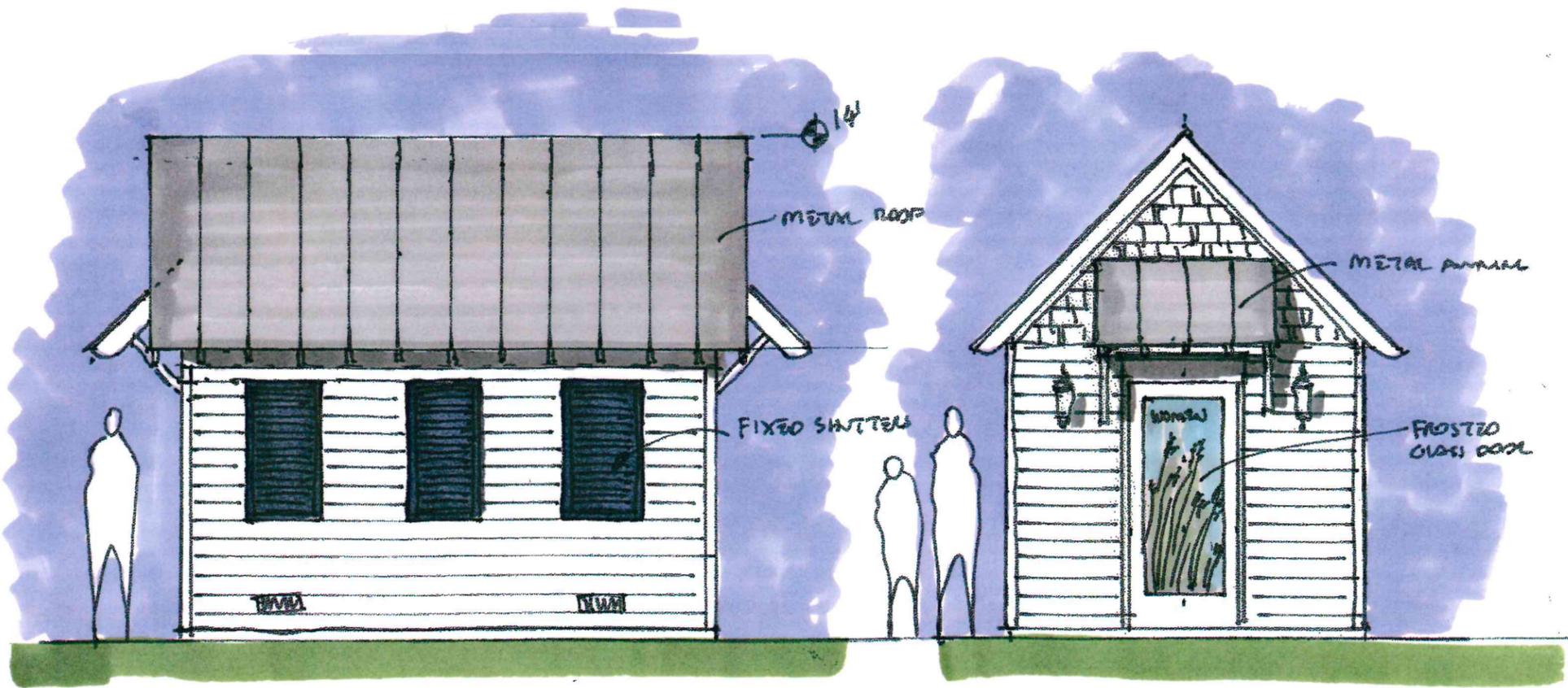


WEST ELEVATION
SCALE = 1/4" = 1'-0"



FLOOR PLAN

SCALE = 1/4" = 1'-0"



CCYC - WASHROOM
BUILDING

SCALE = 1/4" = 1'-0"

MARCH 24, 2016

COVINGTON HENDRIX ANDERSON
ARCHITECTS

360 SOUTHPORT CIRCLE
SUITE 104
VIRGINIA BEACH, VA
23452



Harbor Area Review Board Staff Report

From: Larry DiRe 
Date: April 11, 2016
Item: 5B- Lot 20 Cape Charles Harbor
Attachments: Application; project narrative; site plan.

Application Specifics

The applicant has applied for a review by the Harbor Area Review Board for locating a two-story, wood frame building (general merchandise retail and short-term stay accommodation) on a permanent foundation at the location cited above. The foundation materials proposed are block and brick veneer. This building (commonly known as the Harvey building) was subject of an application before the Board on December 21, 2015. The application at that time listed the proposed use as restaurant and overnight stay accommodation. That previous application also requested citing the building on Lot 19. The current application request locating the Harvey building on a permanent foundation on Lot 20, as shown on the site plan, and proposes retail and overnight accommodation as uses. These proposed uses conform to the Harbor District zoning ordinance and on-site parking, including a handicapped stall, is shown on the site plan. The applicant proposes adding a deck to the building providing both ramp and stairs access to grade. Before the Board can recommend awarding a Harbor Development Certificate, certain requirements must be met. Staff believes that these requirements have been met as the application is submitted.

As was presented at the December 21, 2015 Board meeting, staff finds that the architectural and design requirements for this building are met. The building's construction dates to the early 1900s, making the historic harbor an appropriate location for its settlement. The Harvey building's materials, design, scale, and massing are all proportionate to the Harbor District and conforming to the intent of the *Cape Charles Harbor Area Conceptual Master Plan and Design Guidelines*. The proposed location of this building poses no issue with required setbacks, and as shown on the site plan the building is outside of the railroad track setback.

Article III Section 3.9 enumerates the design and development requirements that must be met. First, the lot meets the lot area requirements described in Section 3.9.F.1. Second, at less than 2,000-square feet of development on an 81,000 square foot lot, open space is available to the public. Third, the parcel does not feature any alleys and so there are no requirements as stated in Sections 3.9.I.3.e, and .f. Fourth, the small scale development and limited commercial uses will not have vehicular impact beyond what can be expected for the street in its current usage (Section 3.9.I.3.d, .g). The multimodal (including marine) feature of the development will not impact pedestrian traffic (Section 3.9.I.3.i). Fifth, while the addition of any built structure or impervious surface creates micro-climatic changes (Section 3.9.I.3.l), the physical scale and height of the Harvey building will not create heat zones, cast shadows on streets or public open spaces, or redirect wind beyond what would be expected of a single-family house anywhere in Town. Sixth, on-site signage is small and affixed to the front (east side) of the building (Section 3.9.I.3.o). Finally, the site plan shows parking on Lot 19 adjacent to the Harvey building footprint. Staff finds that to be appropriate given intention of sharing parking and reducing the growth of impervious surface on Lot 20. Lot 20 is in a less developed state than the more industrial Lot 19. Also, the same corporate entity would be operating facilities on these lots, with the longer-term intention to purchase both lots.

Recommendation

Review the application materials and determine if a Harbor Development Certificate should be recommended for approval by the Town Council.

Application for Harbor Development Certificate

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

Date: 3/22/16
Permit No.:
Fee: \$391-

Proposed Use: Mercantile (first floor) Overnight Accommodations (second floor)
Present Zoning: Harbor District
Location Address: 1011 Bayshore Road Cape Charles VA 23310
Tax Map ID: 83A3-A-20 Acreage: 1.3

I (We) hereby petition the Cape Charles Town Council for a Harbor Development Certificate to provide the above use on the above mentioned property.

I (We) acknowledge the fact that all pertinent information required by the Harbor Area Review Board and Zoning Office must be submitted in a timely manner so that required public meetings can be scheduled and advertised (Zoning Ordinance §3.9.I). Applicant or representative must be present in the public meetings.

Land Owner/Lessee Name: Southport Investors LLC
Land Owner/Lessee Signature: [Signature]
Address: PO Box 395 Eastville, VA 23347
Phone Number: 757.678.5880 Email Address: danbrown@gmail.com

Harbor Area Review Board Meeting
Date: APRIL 11, 2016 Time: 6:00PM

Meetings will be held at the Cape Charles Civic Center unless otherwise noted.

Harbor Development Certificate Application Checklist

- 1. [X] completed application
2. [X] payment of fees (\$300.00 + \$70.00 per acre)
3. [X] 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. [X] plot plan in accordance with the Site Plan Ordinance

Detailed application information shall be added per §3.9.I.1.b of the Zoning Ordinance when required.

Lot 20 Harvey Building Project Narrative

The Harvey Building is a historic structure which was recently moved from Oyster, VA to Cape Charles. Harvey was constructed on the bank of Oyster Harbor in the early 1900's. The building was the site of a mercantile and general store for decades. Local watermen and boaters frequented the establishment for their day-to-day commercial needs. The store also offered sandwiches, soft drinks, and other snacks.

Southport, LLC wishes to relocate this historic structure on Lot 20 (see site plan.) Operations will consist of retail sale of mercantile goods and general store items. The bulk of goods offered will be items geared towards boaters such as marina supplies, commonly used engine parts, beach related merchandise, Coast Guard required safety equipment, etc. Packaged snacks and drinks will also be available. The second story consists of a single unit short-stay accommodation which Southport, LLC would like to offer as room rental for transient boaters. This space would also be available to local vacation rental management companies as an option for tourist accommodations when not booked with transient boating clientele.