



PLANNING COMMISSION/TOWN COUNCIL
Joint Public Hearing
Cape Charles Civic Center
January 3, 2017
6:00 p.m.

At 6:00 p.m., Chairman Dennis McCoy, having established a quorum, called to order the Joint Public Hearing with the Town Council and Regular Meeting of the Planning Commission. In addition to Chairman McCoy, present were Commissioners Andy Buchholz, Dan Burke, Keith Kostek, Sandra Salopek and Bill Stramm. Vice Chairman Michael Strub was not in attendance. Also in attendance were Town Planner Larry DiRe and Town Clerk Libby Hume. There were four members of the public in attendance.

Mayor George Proto, having established a quorum, called to order the Joint Public Hearing with the Planning Commission. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown and Buchholz, and Councilwomen Natali and Sullivan.

Kabler, David, 10352 Church Neck Rd

Mr. Kabler addressed the Planning Commission and Town Council regarding the conditional use permit application for 1 Fig Street. (Please see attached.)

Town Clerk Libby Hume read comments submitted in writing by Greg and Laura Lohse, current owners of the Kellogg Building. (Please see attached.)

There were no other public comments to be heard nor any other written comments submitted prior to the hearing.

There was some discussion regarding the discrepancy in the address of the subject property. Larry DiRe stated that he was using the 911 address which was 1 Fig Street.

Motion made by Dan Burke, seconded by Bill Stramm, to close the Planning Commission Public Hearing. The motion was approved by unanimous vote.

Motion made by Councilman Brown, seconded by Councilman Bennett, to adjourn the Town Council Public Hearing. The motion was approved by unanimous vote.

The Joint Public Hearing adjourned at 6:05 p.m.

Chairman Dennis McCoy

Mayor Proto

Town Clerk

**Planning Commission/Town Council Joint Public Hearing
Comments Submitted in Writing
January 3, 2017**

Kabler, David – 10352 Church Neck Rd, Machipongo, VA

*David L. Kabler
10352 Church Neck Road
Machipongo, VA 23405*

January 3, 2017

Cape Charles Planning Commission
Cape Charles Town Council
Via email

Ref: 1 Fig St. conditional use permit

Dear Sirs,

Thank you for the opportunity to comment in reference to an application for a conditional use permit for a second floor residential apartment in the Kellogg Building. I want to recommend to you that this use be allowed.

I am very familiar with the Kellogg Building, having handled its sale to the present owners back in 1996, and as the listing agent for the owners in its present obligation under contract of sale to the applicants, Chad and Bev Petras. The Petras' have plans to purchase the property to open it for business as soon as possible with a key part of their plans being able to reside on the second floor while the first floor is kept as commercial space. The financial feasibility, along with other considerations, of residing on the same property as their business is a key factor in the practicality of fulfilling their goals.

I think it is safe to say that such a residential use as proposed and requested by the applicants is key to the overall investment and development of the subject property. The ability to reside in the same property with their business will save hundreds of thousands of dollars that would be required for the applicants to purchase a separate residence for their relocation from Indiana to Cape Charles, Virginia. Further, it is a fact that other commercial properties here in the Town of Cape Charles have residential apartments on the second, third and fourth floors. It would be in keeping with the Town's economic development objectives to allow this conditional use permit.

I hope that you will grant this application for conditional use.

Sincerely yours,

David L. Kabler

Greg and Laura Lohse, Owners of Kellogg Building, 1 Fig Street

To: Cape Charles Planning Commission and Town Council

From: Greg and Laura Lohse

Date: January 2, 2017

Re: Kellogg Building Conditional Use Permit for Second Floor Residential above First Floor Commercial

We respectfully request that you grant a conditional use permit allowing the future owner of the Kellogg Building at 1 Fig Street to build an apartment on the second floor of the building.

We have been using the building as a workshop and were not in need of living quarters upstairs. The potential buyer of the building plans to live above the commercial first floor and use first floor to start a new business in Cape Charles.

Thank you for your consideration of this matter.

Respectfully,
Greg and Laura Lohse
Owners, Kellogg Building