

**PLANNING AND ZONING COMMISSION
MINUTES
FEBRUARY 4, 2014**

ATTENDEES:

Members

Pam Buckley
John Staley
Lauren Taylor
Joel Brous
Chris Shanahan

Staff

Blaine Smith
Kay Stroud
Will Esham
Matt Margotta

CALL TO ORDER – 6:30 PM

I. APPROVAL OF MINUTES:

Minutes of January 7, 2014 approved unanimously (5-0), Lauren Taylor made the motion, Joel Brous seconded.

II. SITE PLAN REVIEW:

1) Final Site Plan Review of a proposed mixed-use project consisting of a wholesale brewery, restaurant/bar, and retail area. The site of the request is described as an unnumbered lot of the Isle of Wight Plat, further described as located on the west side of Coastal Highway and south side of 56th Street, and known locally as 5509 Coastal Highway, in the Town of Ocean City, Maryland.

APPLICANT: DONNA SHORES (File #13-16100001)

Administrator Blaine Smith reintroduced the application for the final site plan review. This application has been through a special parking exception approval by the BZA on December 12, 2013; Conditional Use public hearing and preliminary site plan review by the Planning Commission on January 7, 2014 and then given favorable recommendation to advance to the Mayor and City Council for their review and approval on February 3, 2014. The final site plan, submitted in accordance with conditions placed on use and site by the Mayor and City Council, was subject of tonight's review.

Mr. Smith elaborated on the conditions placed on the Conditional Use application by the Mayor and City Council, which will be incorporated into the Conditional Use Agreement and signed and executed. He touched on all the issues that the Mayor and Council had adopted and expanded on from the Planning Commission's favorable recommendation.

Hugh Cropper IV, legal representative for the applicant, distributed amended site plans per the Mayor and Council's conditions and answered questions from the Planning Commission. Planned signage was discussed. Currently the pylon sign on Coastal Highway will be utilized as well as a wall sign on the east façade. Chairman Buckley suggested that it might be appropriate to use two more wall signs on the existing building – one on the south façade and one on the north, but if further signs were desired this would have to be brought back to the Planning Commission. Exterior lighting and the lighting regulation were also briefly discussed.

The Commission was assured that the lighting utilized would be in compliance with the lighting requirements in the Code. John Seipp, attorney representing the Maresol Condominium Association, stated that the association had not been notified properly for the January 7th conditional use hearing and asserted that the record be left open for 15 days in order to give the members or their representatives an opportunity to advise the Commission. Chairman Buckley determined not to keep the record open, that all attempts to make contact with all adjacent parties had been performed as per code requirements, and that leaving the record open would unnecessarily delay and be unfair to the applicant.

MOTION/Taylor SECONDED/Brous (5-0) Motion to approve the final site plan as presented (amended in accordance with Mayor and Council's conditions) with presentation of compliant photometric lighting plan and any additional signage needs other than the pylon sign, and one wall sign each on the eastern, southern, and northern facades to be brought back before the Planning Commission.

2) Site Plan Review of a proposed mixed use project consisting of a restaurant and 2 mercantile units to be located on Lots 3, 4 & 5, Block 105 of the Oceanbay City Plat; further described as located on the west side of Coastal Highway and south side of 79th Street, and known locally as 7805-09 Coastal Highway, in the Town of Ocean City, Maryland.

APPLICANT: CHRIS SHANAHAN FOR SANDBOX APTS LLC (File #13-18100019)

Planning Commissioner Chris Shanahan recused himself from this site plan review. His business partner Mark Pugh was present. Commissioner Lauren Taylor asked should the Commission address nonconformity and use changes in the future. Blaine Smith read the staff recommendations and explained that a photometric light plan was being developed per code for the permit phase of development.

MOTION/Brous SECONDED/Staley (4-0-1) Motion to approve subject to staff recommendations. Commissioner Shanahan did not vote as he had recused himself.

3) **MINOR** site plan review – addition of 460 square foot Outdoor Dining Deck and Porch at Longboard Café. The site of the request is described as Land Units 1-3 of the 67th Street Land Condominium Plat, within Block 16 of the Isle of Wight Plat, further described as located on the west side of Coastal Highway and north side of 67th Street, and locally known as Longboard Café, Building C, Unit 4, 67th Street Town Center, 6701 Coastal Highway, in the Town of Ocean City, Maryland.

APPLICANT: PECK MILLER (Original Site Plan File #12-18100003)

Blaine Smith introduced the minor outdoor dining deck addition to be attached to the Longboard Café. No new parking is charged against open, unenclosed outdoor dining. It will not interfere with required parking or landscaping.

MOTION/Shanahan **SECONDED/Taylor** (5-0) Motion to approve subject to staff recommendations. Commissioner Peck Miller, owner, was not present.

III. SITE PLAN EXTENSION REQUEST

1) Site Plan Approval for redevelopment of 5850 square feet of proposed 3-story commercial structure located on Lot 132, Block 16 of the Old Town Ocean City Plat, 1875; and further described as located on the northwest corner of Dorchester Street and S. Philadelphia Avenue and locally known as 210 S. Philadelphia Avenue, in the Town of Ocean City, Maryland.

APPLICANT: CHRISTOPHER N. REEVES (FILE #12-18100010) Original Expiration 2/7/14

Blaine Smith explained that Mr. Reeves was seeking a 2-year extension to keep his nonconformity vested prior to being able to develop the project.

MOTION/Taylor **SECONDED/Shanahan** (5-0) Motion to approve 2-year extension subject to keeping premise in good order.

2) Site Plan Approval extension for 2nd Street parking lot, Lots 5, 6, and 7, Block 16 of the Sinepuxent Beach Company Plat, extension of temporary commercial parking lot use for Plim Plaza Hotel, Inc.

APPLICANT: JOSEPH MOORE, REPRESENTATIVE (FILE #12-18100009) Original Expiration 4/17/14

Blaine Smith explained that the Harrison Group were new owners of the property. Mr. Moore explained that since it was new ownership, they were still trying to determine the new use for the lot and were seeking a 2-year extension to do so.

MOTION/Brous **SECONDED/Taylor** (5-0) Motion to approve 2-year extension subject to keeping premise in good order.

ADJOURNMENT @ 7:50 p.m.

John Staley 4/1/14
John Staley Commission Sec. Date

