

**PLANNING AND ZONING COMMISSION  
MINUTES**

**November 5, 2019**

**ATTENDEES:**

**Members**

Pam Buckley  
Peck Miller  
Joel Brous  
Lauren Taylor  
Chris Shanahan  
Palmer Gillis  
*(Joe Wilson – absent)*

**Staff**

Bill Neville  
Kay Gordy  
Will Esham, Attorney

**6:30 PM**

**I. APPROVAL OF MINUTES –**

Minutes of October 1, 2019

**MOTION/Taylor**      **SECOND/Miller** to approve the minutes as submitted. Vote was (4-0-2-1), Chairperson Pam Buckley and Commissioner Palmer Gillis not present at that meeting and abstaining and Commissioner Joe Wilson absent this evening.

**II. RESUBDIVISION –**

Proposed Resubdivision of deed consolidated lots 55 thru 59 into Lot 55A and Lot 56A, Tax Map 0112, Parcel 4353 of the Hitchens and Trimper Development Plat; further described as located on the west side of S. Canal Street and locally known as 3501 S. Canal Street, in the Town of Ocean City, Maryland.

**APPLICANT: O. PALMER GILLIS, III (File #19-07800004)**

Bill Neville, Director of Planning and Community Development, introduced the application and presented the staff report.

Commissioner Palmer Gillis recused himself to present his application. He explained that because the lots were deed consolidated, it caused the Atlantic Coastal Bay Critical Area setback to be much larger than anticipated, necessitating resubdivision of Lot 55A. The Critical Area setback required is 10' for Lot 55A under 15,000 square feet in lot area.

**MOTION/Miller**      **SECOND/Brous** to approve the proposed resubdivision as presented subject to the staff recommendations, below. The vote was unanimous of those voting, (5-0-1), Chairperson Pam Buckley absent and Commissioner Joe Wilson absent, and Mr. Gillis having recused himself.

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**Staff Recommendation:** Planning & Community Development staff recommended the following conditions of approval should the Planning & Zoning Commission approve the subdivision.

1. Comply with all comments from the Critical Area Commission, if submitted.
2. Remove all existing accessory structures that are within the 10' Critical Area setback shown on this preliminary plat.
3. Submit confirmation of subdivision recordation prior to issuance of building permit.

### **III. REQUEST TO EXTEND SITE PLAN APPROVAL –**

Requested 2-year extension of approval for 4000 square foot Site Plan 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)**

Mr. Neville presented a brief history of the original 2012 site plan approval with parking nonconformity. If this site plan expires, the vested parking nonconformity terminates and parking must be provided in the DMX zone per today's regulations.

Mr. Reeves was present to testify why he requests another 2-year extension, citing concerns with FEMA elevation and downtown flooding issues, particularly the October 2019 event brought on by an off the coast storm coupled with higher than normal tides due to a full moon. He would prefer some resolution with the City prior to redevelopment of this site.

The Commission discussed at length the ramifications of continued extensions but did not come to an agreement when to limit extensions.

**MOTION/Taylor      SECOND/Brous** to grant a 2-year extension to the approved site plan with the same conditions carried throughout, below. The vote was (4-0-2-1), Chairperson Pam Buckley and Commissioner Palmer Gillis abstaining and Commissioner Joe Wilson absent.

- 1) The final site plan shall be further reviewed and approved by both the Ocean City Development Corporation (OCDC) and the Planning & Zoning Commission prior to moving forward to building permit issuance.
- 2) Approval specifically for a commercial structure which is a mix of retail and office space. If any change of use is proposed, that would also necessitate a complete Planning & Zoning Commission review and approval.
- 3) The site and proposed structure shall be reviewed to all current codes, including building and life safety codes upon submission for a building permit.
- 4) This preliminary site plan approval preserves the parking credits of 22 parking spaces as presented.

**IV. STAFF AND COMMISSION COMMENTS:**

Strategic Plan Update:

Mr. Neville updated the Commission on the Town's Strategic Plan and provided a handout. He explained that issues or objectives the Commission would like to advance comes through advocacy with individual Council Members. He also recommended that the Commission prepare a report in the same format with its top priorities to be consistent with what the Mayor and City Council has been working with.

Chairperson Buckley requested an updated report on the rental program for the 2019 season.

Mr. Neville will put together a top ten list to poll the Commissioners for priorities to advance.

Commissioner Gillis presented concerns with possibilities of off-shore oil drilling.

In addition, Commissioner Taylor posed the question should the Department notify neighbors of pile-driving projects? This will be discussed further in the near future, perhaps as a standard condition of the site plan approval process.

With no further business, the meeting was adjourned at 7:40 pm.

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| <u>Peck Miller</u>            | <u>12/17/19</u> |
| <b>Peck Miller, Secretary</b> | <b>Date</b>     |