PLANNING AND ZONING COMMISSION
MINUTES
March 5, 2019

ATTENDEES: Members
Pam Buckley
(Peck Miller – absent)
Joel Brous
Lauren Taylor
Chris Shanahan
Palmer Shanahan
Joe Wilson

Staff
Frank Hall
Kay Gordy
Will Esham
Daphne Hurley, Public Hearing
Reporter

6:30 PM

I. APPROVAL OF MINUTES –

Minutes of February 20, 2019

MOTION/Taylor SECOND/Wilson to approve the minutes as submitted. Vote was unanimous (6-0-1), Commissioner Peck Miller absent.

II. SITE PLAN –

Site plan review for a new 1,649 square foot laundry addition to service the Sahara Motel locations. The site of this application is described as Lots 7, 8, 9, and 10, Block 4 of the North Ocean City Realty Corporation Plat; further described as located on the southwest side 19th Street and Baltimore Avenue, and known locally as The Sahara Motel West Annex, 1807 Baltimore Avenue, in the Town of Ocean City, Maryland.

APPLICANT: MAD DESIGN GROUP, INC., HARRY B. HOW III PRINCIPAL
(FILE #19-18100002)

Zoning Administrator Frank Hall introduced the application. Greer Groves of MAD Design Group, Inc., was present to answer questions from the Commission. She addressed their questions concerning the exterior design of the new facility that it would be covered with tan EFIS with details to match the existing motel building.

MOTION/Brous SECOND/Gillis to approve the site plan as presented with staff recommendations, below. Vote was unanimous, (6-0-1), Commissioner Peck Miller absent.

Staff Recommendations

1. The laundry room must remain as an accessory use for the Sahara Motel and not be used as a public laundromat.
2. All requirements for storm water management and landscaping be approved by the Environmental Engineer prior to Certificate of Occupancy.
3. All site work including the paving and striping of the new parking area be completed as required by city code.
4. At least thirty (30) parking spaces must be maintained for the 30 on-site rooms.
5. The addition must provide a minimum 1 hour rated wall separating the laundry room from the motel.
6. A 1 hour roof assembly is required.
7. Meet or exceed all ADA requirements.
8. First floor elevation must be 24 inches above highest adjacent grade.
9. All TRC comments from the Plumbing Inspector.
10. Laundry room must provide fire sprinklers per Fire Marshal’s TRC comments.

**STANDARD RECOMMENDATIONS FOR SITE PLANS**

1. Design Guidelines, per Section 110-181, apply to all of the corporate limits of the Town of Ocean City.

2. Trash refuse containers shall comply with the minimum standards set forth in Chapter 70 subject to Solid Waste Department approval. All exterior garbage or rubbish containers shall be screened from the street on all but one side by an opaque fence, landscaping, an earth berm or other suitable opaque enclosure. The average height of the enclosure shall be one foot more than the height of the container but shall not be required to exceed eight feet in height.

3. This project is subject to the provisions of the Atlantic Coastal Bays Critical Area Protection Act and shall comply with all regulations pertaining to stormwater management, Chapter 30, Environment, Article III Stormwater Management, and all landscape shall be installed in accordance with Chapter 30, Article VII, prior to the issuance of a building permit.

4. The parking lot shall be paved in accordance with Chapter 74 of the Town Code.

5. All private utilities extending across property lines serving new parking lot shall carry approved easements and/or the property shall be deed consolidated as per Section 110-874. As a policy of the City, private utilities may not extend across public ways.

6. Any existing power poles that interfere with the development of this project shall be relocated at the expense of the owner/developer with appropriate approvals.

7. The project is subject to impact fees adopted by the Mayor and City Council.
   a. Infrastructure impact fees are as follows: One-half amount due at application for building permit; remainder due prior to issuance of building permit.
   b. Water and sewer impact fees are due as follows: One-half amount at building permit issuance; the remainder at certificate of occupancy.

8. All site plan approvals are subject to building code, fire code and all other applicable governmental regulations.

9. All work shall be completed as shown on the approved site plan and any revisions to the approved site plan shall be in accordance with Section 110-184.

10. Final site plan approval shall expire eighteen (18) months after the date of approval unless a building permit for the project is obtained prior thereto pursuant to Section 110-52(c)(2).

11. All sign permits shall be issued in accordance with Chapter 66 — Signs.
12. Subject to obtaining a building permit for all site work.

13. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.

7:00 PM

II. PUBLIC HEARING –

Pursuant to the provisions of Article II, Section 5, Conditional Uses, a request has been filed under the provisions of Section 110-861.3(5), Uses permitted by Conditional Use in the I-1 Inlet District, to permit water-related recreational activity in the form of three (3) Mini-Power boats. The site of the request is described as Block 21S of the Sinepuxent Beach Company Plat of 1891, further described as located on the west side of Philadelphia Avenue, the south side of Sunset Park, and on Sinepuxent Bay near the Inlet, and known locally as 700 S. Philadelphia Avenue, in the Town of Ocean City, Maryland.

APPLICANT: FUN BOAT RENTALS, LLC, DAVID A. WHITLEY, PRINCIPAL - (FILE #19-12100002)

Chairperson Pam Buckley opened the hearing and found that there were no attendees who objected to any of the Commissioners taking part in the public hearing.

Zoning Administrator Frank Hall introduced the application and also submitted into evidence a letter from the Assateague Coastal Trust, asking for a delay in these types of approvals in order for more stringent review by other agencies.

Brian Peter Cosby, P.A., attorney for the applicant, called David Whitley to testify in favor of his application. They discussed the site plan, the improvements of a 10 x 16 shed to serve as the office, lighting, signage, and public access to the site. Mr. Whitley testified that he has ordered 3 mini-power boats, but has yet to spend any operating hours in this type vessel.

There were no supporters or opponents in the audience.

The hearing was closed at 7:53 pm by motion of Lauren Taylor and second by Palmer Gillis.

After lengthy deliberations with each Commissioner expressing concerns about this location near the inlet and Rt. 50 bridge, treacherous channels and currents to navigate, and the applicant’s inexperience with this particular vessel, the Commission made this recommendation:

MOTION/Gillis SECOND/Wilson to forward a favorable recommendation to the Mayor and City Council for this proposed Conditional Use Permit with all staff recommendations, the water sport policy guidelines, and the following specific conditions of approval. Vote was (5-1-1), Chairperson Buckley dissenting, and Commissioner Peck Miller absent.
1. Hours of operation to be limited to sunrise until sundown.
2. Operation of the boat be tethered to the operator.
3. Life jackets must be utilized at all times.
4. Boats must have no more than a 15 horsepower motor.
5. A rescue boat must be onsite as part of the operation in this location.
6. Operators shall utilize the southern zone travel route.

After the vote, Zoning Administrator Frank Hall went on record saying that he shares the concerns of the Commissioners and is uncomfortable with the applicant having no experience operating the vessels he proposes for this business.

ADJOURNMENT – 8:14 pm

Peck Miller 4/2/19
Peck Miller, Secretary DATE