



OFFICE OF THE PLANNING AND ZONING COMMISSION

**MINUTES OF THE
PLANNING AND ZONING COMMISSION
FEBRUARY 24, 2021**

- I. Commission Chairman Larry Brown called the meeting to order at 7:00 pm. In attendance were Kathleen Berault, Laura Blackwelder, Jonathan Evans, Cynthia Greengold, and Jeff Larsen, Commission Members, Christopher Jakubiak, Planning & Zoning Administrator, and Sharon Humm, Commission Clerk.

II. APPROVAL OF THE PLANNING & ZONING AGENDA

MOTION: Commissioner Berault moved to approve the February 24, 2021 Agenda as presented. Seconded by Commissioner Evans, all in favor.

III. APPROVAL OF THE MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING COMMISSION MEETING

MOTION: Commissioner Berault moved to approve the minutes of the January 27, 2021 Planning & Zoning meeting. Seconded by Commissioner Blackwelder, all in favor.

IV. OLD BUSINESS

- a. Progress report on the comprehensive plan update – Mr. Jakubiak reported over the next three months he anticipates completing and submitting a final draft to the Commission by May. New sections such as transportation and housing will be presented for discussion. Mr. Jakubiak will forward the projected table of contents to the Commission.
- b. Motion to clarify the December 15, 2020 Commission's decision on the revised site plan for Rod-n-Reel properties, that such approval does not include proposed site plan revisions to the 1936 Bar and Grille sign or flags to be installed on or above the roof line of the various structures on the site, because the proposed revisions are not compliant with the Chesapeake Beach Zoning Code §290-22(h).

MOTION: Chairman Brown moved to reconsider the December 15, 2020 Commission's decision on the revised site plan for the Rod n Reel properties, in which the approval of proposed site plan revisions to the 1936 Bar and Grille sign and flags were included. Upon further review, it was discovered the sign and flags were not in compliance with the Zoning Code. Chairman Brown is proposing an amendment to the original decision to exclude the approval of the sign and flags. Seconded by Commissioner Berault, all in favor.

It was suggested the Applicant seek relief through the Board of Appeals.

- c. Motion directing the Zoning Administrator to prepare and present to the Commission a report including draft zoning and text amendments that clarify the Town prohibition on short term rentals; and includes draft alternative amendments that partially lift such prohibition.

MOTION: Chairman Brown moved to direct the Zoning Administrator to prepare a report that would include draft zoning & text amendments clarifying the Town prohibition on short-term rentals and draft alternative amendments that partially lift such prohibition. Seconded by Commissioner Berault. After Commission discussion, Chairman Brown motioned to table this until its March meeting where the Commission will discuss further.

MOTION: Commissioner Blackwelder moved to amend tabling this item and recommends the Zoning Administrator prepare the report. Seconded by Commissioner Berault. Ayes, Commissioners Blackwelder, Evans and Larsen. Opposed, Commissioners Berault and Greengold. **Motion Passes.**

Chairman Brown directed the Commission to submit any suggestions/recommendations to Mr. Jakubiak within the next two weeks.

- d. Motion to set a future hearing date on draft zoning text amendments to chapter 290 of the Town Code of Chesapeake Beach, zoning ordinance to limit the height of all new buildings within all zoning districts within the Town to 35 feet.

MOTION: Chairman Brown moved to place this as first item on the March agenda for discussion. Seconded by Commissioner Greengold, all in favor.

- e. Motion to remove residential development allocations in the Town Center and marina areas and to remove all multi-unit housing types in the residential village areas to preserve the ability to accommodate recreation and potential future commercial amenities in and near the Town Center.

Chairman Brown stated this item would be deferred to a future meeting.

PUBLIC HEARING: The public hearing was opened by Chairman Brown at 7:45 pm on a resolution recommending that the Mayor and Town Council adopt a temporary moratorium on the Planning Commission's acceptance and consideration of applications for development projects.

Mr. Jakubiak elaborated on the resolution and rationale in putting this resolution forth for Commission consideration. Comments were received from the Commission and Mr. Jakubiak addressed questions.

Commissioner Blackwelder presented to the Commission an amendment to the resolution to add 3 sub-paragraphs to the ninth WHEREAS as follows:

(G) The exponentially increasing popularity of the North Beach Farmers Market and Beach Boardwalk over the past 10 years adding traffic along MD Rt. 260 and MD Rt. 261.

(H) Recent high intensity development at the Rod-n-Reel site with traffic implications that have not yet been assessed and cannot be accurately assessed due to the COVID-19 Pandemic.

(I) Recent completion of and ongoing development of large-scale residential neighborhoods over the past 10 years with traffic implications that have not yet been assessed and cannot be accurately assessed due the COVID-19 Pandemic.

There being no objection from the Commission, Chairman Brown stated the 3 sub-paragraphs would be added to the resolution.

Chairman Brown allowed public comment on the draft resolution beginning at 8:01 pm, beginning with presentations from representatives of the Rod-n-Reel Corporation.

Eric Blitz, attorney for the Rod-n-Reel Corporation, was present and gave a short presentation in defense of his client and the hardship and unfairness this moratorium will create on his right to develop his properties. Mr. Blitz requested his letter previously sent to the Commission be entered into the record. Also speaking on behalf of the Rod-n-Reel were Mary Lanham and Wes Donovan who spoke in opposition of the moratorium.

V. PUBLIC COMMENTS WERE RECEIVED BY:

1. Joshua Johnson 3814 26th Street– spoke in opposition
2. Zach Abner of Abner’s Crab house Harbor Road – spoke in opposition
3. Shad Montague 3802 Chesapeake Beach Rd– spoke in opposition
4. Kevin Norris representing CB Properties LLC 8302 Moffat Run – spoke in opposition
5. Mark Giangulio 3456 Hill Gail Drive– spoke in opposition
6. Greg Morris 2425 Woodland Court – spoke in favor
7. Debra Giangulio– 3456 Hill Gail Drive spoke in opposition
8. Bob Carpenter 8051 Windward Key Drive – spoke on opposition
9. Gary Luckett of Traders Seafood Steak & Ale 8132 Bayside Rd – spoke in opposition
10. Glen Spanier – spoke in opposition
11. Lakesha Wilkerson – emailed comment - in opposition
12. Tanesia Wills – emailed comment - in opposition
13. Mr. Jakubiak read into the record, a public comment received from Joseph Devlin, attorney representing developer Mike Roepcke of the Richfield Station project. As this project has been approved, Mr. Devlin is asking the Commission to consider amending the moratorium to add the wording “exempt any project currently in the development approval system which has received Development Plan and/or Plat approval from the Commission”, noting specifically the completion of the last section of Block S at the end of Crest View Lane and one section of single family lots on Stream Walk Way.

The public hearing was closed at 8:57 pm and the regular meeting resumed.

After discussion, the Commission put forth the following motions:

MOTION: Commissioner Greengold moved to approve the Resolution. Seconded by Commissioner Berault.

MOTION: Commissioner Greengold moved to amend the Resolution to include in the resolution the wording “exempt any project currently in the development approval system which has received development plan and/or plat approval from the Commission.” Seconded by Commissioner Blackwelder, all in favor.

MOTION: Commissioner Evans moved to amend the resolution to reflect 9 months of a moratorium versus the proposed 12-month time frame. The motion **failed** for lack of a second.

MOTION: Commissioner Blackwelder moved to amend the resolution in the sixth WHEREAS, to remove the word “wholesale”. Seconded by Commissioner Berault. Ayes, Commissioners Berault, Blackwelder, Evans and Larsen. Opposed, Commissioner Greengold. **Motion Passes.**

MOTION: Commissioner Berault moved to approve the Resolution as amended. Seconded by Commissioner Larsen. Ayes, Commissioners Berault, Blackwelder, Greengold and Larsen. Opposed, Commissioner Evans. **Motion Passes.**

Chairman Brown stated the resolution, as amended, will be forwarded to the Town Council for consideration.

Chairman Brown took the opportunity to thank the business community for coming out and participating in tonight's hearing along with all those that made comments.

Additional comments:

1. Councilman Morris commented on the short-term rentals.
2. Commissioner Greengold suggested a time limit be established on persons giving public comments to assure all a chance to speak.

Chairman Brown stated the next Planning and Zoning meeting is scheduled for March 24, 2021.

VI. ADJOURNMENT

There being no further comments, the meeting adjourned at 9:31 pm on a motion by Commissioner Berault. Seconded by Commissioner Greengold, all in favor.

Submitted by,

Sharon L. Humm
Commission Clerk

