

**BAYFRONT ADVISORY COMMISSION
APPROVED MINUTES
OCTOBER 15, 2020
OCEAN PARK FIRE AND RESCUE SQUAD**

Chairman Phil Davenport, Vice Chairman Charlie Malbon, Wally Damon, Bill Hearst, Morgan Ayers, Bob Magoon, Stacy Shiflet, Chuck Guthrie

STAFF/CC PRESENT:

Mark Shea – Planning, Victoria Eisenberg – City Attorney, Bobby Tajan – Planning Director, Councilman Jones, Vice Mayor Wood

OTHERS PRESENT:

Todd Solomon – Shore Drive Community Coalition, Emsy Munden – Cape Story by the Sea, Tim Solanic – Shore Drive Community Coalition, Jeff Holste, Harbor View, Jeremy Yeh- Kimley Horn, Chris Wood, Andrea Lindemann – Ocean Park, Timmy Lindemann – Ocean Park, Ken Chrismil, Mark Walker – Chesapeake Beach, Ryan Cochran – Ocean Park, Tom Mclemore – Ocean Park, Phil Rows – Ocean Park, Rob Beamon – Troutman Pepper, Mike Wills – Ocean Park, Scott Ayers – Ocean Park, David Krombowski – Lynnhaven Colony, Marshia Thereault – Baylake Pines

APPROVAL OF MINUTES:

Mr. Davenport called the meeting to order. The minutes were approved by unanimous vote.

CHAIRMAN REPORT:

A moment of silence was held for the death of BAC Volunteer Denise Bowman Scott. Ms. Scott was a longtime BAC volunteer and editor of the monthly Baylines newsletter.

STAFF REPORTS:

Mr. Shea distributed the final Draft of the BAC Strategic Plan.

COMMITTEE REPORTS:

Design: Mr. Magoon stated that he communicated with Faith Christie and Volunteer Joe Bovee regarding the 7/11 application from last month.

There were no Communications or Transportation/Infrastructure reports

PRESENTATIONS/DISCUSSIONS:

Short Term Rental Overlay districts

After introductory comments by Vice Mayor Wood and Councilman Jones, Planning Director Tajan provided the Commission with a timeline of the pending Short Term Rental Ordinance and overlay districts review process. The Council members continued with discussion of the administrative burden of having so many Conditional Use permits for review. In most cases, there is no opposition at the meeting. Council Member Jones mentioned that they considered areas with a large number of STR for the Overlays. Chesapeake Beach was left off due to opposition to many recent applications in that area. They have not heard opposition on applications in the proposed areas along Shore Drive.

There was a lot of discussion from the public about legal issues and enforcement of the regulations. At least a half dozen residents and members of the Ocean Park Civic League objected to the proposed district in Ocean Park. A resident of Baylake Pines also objected on behalf of Aries on the Bay. There were concerns that the civic league opposition was not being heard. Councilman Wood stated that it was best to show up in person at City Council meetings.

Mr. Davenport opened up Commission discussion. Ms. Ayers and Mr. Hearst both expressed opposition to the overlays as drawn. Mr. Magoon suggested that Civic Leagues conduct surveys geared to the entire community to get feedback. Councilman Wood expressed that there is a procedure for communities to petition to become an overlay district.

Mr. Tajan and Ms. Eisenberg both emphasized the BAC should not make a motion until after the City Council refers the ordinance/overlays to the Planning Commission. Ms. Eisenberg further stated that the only position that could be taken at next Planning Commission meeting would be related to support or opposition to referring the ordinance to the Planning Commission. Thus, the BAC decided to defer any action until the November meeting.

7/11 Shore and Greenwell

Mr. Yeh stated that the site plan and elevations have been revised to the satisfaction of the design committee. There was a slight change in the landscaping plan to address comments by city staff. Mr. Magoon complimented the applicant team for the coordination and responsiveness. Mr. Magoon made a motion to recommend approval of the 7/11 as conforming with the Shore Drive Corridor Plan and Design Guidelines. Mr. Damon seconded the motion and the motion was approved by unanimous vote.

Marina Shores Apartments

Mr. Rob Beamon made a presentation regarding the addition of 60 apartment units to the development located at the northeast corner of Great Neck Road and Lynnhaven Road. The new 5-story building will replace two tennis courts that are not utilized. Mr. Beamon stated that since the tennis court area is at a lower elevation than the rest of the property, the height of buildings should appear similar. He further mentioned that although the property is zoned for 36 units per acre, the proffer sets the density at 24. The additional building will increase the density to 27.7 units per acre. He mentioned that a 10 foot reduction in the setback is necessary to compensate for dedication of land to the city that is actually on Marina Shores property.

Mr. Magoon distributed a position sheet to the BAC members that outlined concerns about the new building. He conducted a field visit of the site and expressed that the new building would not fit into the character of the surrounding neighborhood. He made the following points:

- The existing buildings are enhanced by a “nestled in the trees” character. The new building will have a substantially less of a tree buffer from Great Neck Road.
- The new building setback will be substantially less from Great Neck Road from the existing buildings.
- The five story building will not match the existing 4 story buildings and did not think that the lower elevation at the corner offset this.

He concluded his remarks by stating that there are solutions that will allow for redevelopment of the tennis courts with perhaps a smaller building with less units and suggested that the item be continued for next month.

Mr. Magoon made a motion to ask the developer to work with the design committee to achieve greater compatibility. Mr. Hearst seconded the motion and the motion was approved. The applicant was agreeable to work with the design committee and work on a design that was more acceptable to the committee.

OLD BUSINESS:

Mr. Shea submitted revised application materials for the Windsong Apartment project. The developers have made 2 previous presentations to the BAC and Mr. Shea stated that the application is very similar to the last presentation from the fall of 2019. Two major changes being a commitment to provide some stormwater storage on site and to provide \$100,000 to help with relocations. Mr. Davenport asked if the developer could present in November since he was unable to present today. Mr. Shea will contact the developer about this request.

There being no further business, the meeting adjourned at 5:45 p.m.