

St. Michaels Planning Commission
Boy Scout Building 407 St. Mary's Square
In Person and Virtual Session
March 2, 2023 - 11:00 A.M.

Present: Planning Commission Members Helen Herman, Chris Thomas, Staff Kim Shellem, Town Administrator Rob Straebel, Eric Knapp Code Compliance Officer, Steve Ball Planning Officer, and members of the public. Members Kristen Lycett and Cynthia Allen joined via zoom. Member John Novak was not in attendance.

- I. Call to Order
Chairman Thomas called the Planning Commission's regular meeting to order at 11:00 a.m. in the Scout Cabin, 407 St. Mary's Square, St. Michaels, Maryland.
- II. Pledge of Allegiance
- III. Minutes
January 5, 2023 – Member Herman motioned to approve the minutes as written. Upon a second by Member Lycett, the motion passed on a 4-0 vote.
- IV. New Business
Chairman Thomas recognized that Kristen Lycett completed the Maryland Department of Planning Training Course for Planning Commissioners.
- V. Public Hearings
Zoning Ordinance Text Amendment: Formula Businesses
An amendment to the code to regulate formula (franchise & chain store) businesses by requiring special exception public hearings for certain types of businesses and allowing other types of formula businesses as permitted uses.

The Commissioners directed staff, Steve Ball to develop a Zoning Ordinance amendment to further regulate formula type businesses (franchises). He presented three types of options to consider for the regulations of franchises. This included prohibiting all type of formula businesses; b) prohibiting some type of formula businesses but allowing other types; or c) allow for the review of all proposed formula businesses only as a special exception review process as considered at a public hearing before the Board of Zoning Appeals and only permitted if found in compliance with associated criteria for review and approval. A table of permitted uses by commercial zoning districts (was attached for discussion.)

The Planning Commission is to consider the changes and determine if the proposed changes are consistent with the Comprehensive Plan and direct staff to send your recommendations to the Town Commissioners for their consideration.

Chairman Thomas confirmed that the ordinance does not block formula businesses out right and that the table only changes from permitted to special exception.

Public Comment was taken from Aida Leisure-business owner, Aida Khalil – Trusty Street, Lyndsay Ryan representing owner of the proposed hotel in town, and Mike Berman – Marea, shared a draft Ordinance for review, Michael Dettaille provided their views.

Members moved into discussion.

Chairman Thomas expressed concerns regarding the impact to the town, other members agreed additional time was needed to consider the Ordinance.

As Member Novak was not present Steve Ball read his comments into the record. There was no further public comment.

Member Herman made a motion to keep the record open for an additional 14 days, seconded by Member Lycett, and carried on a vote of 4:0 in favor. Discussion continued to the April 6th meeting.

Ms. Khalil proposed notifying property owners regarding the continuation and open record. Town Administrator Rob Straebel suggested the use of constant contact.

Zoning Ordinance Text Amendment: Gateway Commercial (GC) Zoning District

An amendment to the code to regulate development in the GC zoning district by requiring special exception public hearings to ensure building design is compatible with adjacent properties, neighborhoods, and historic character of the community.

Mr. Ball presented the application seeking support from the planning commission regarding consistency with the Comprehensive Plan.

Member Allen left the meeting.

Public comments by Lindsey Ryan of the proposed hotel, Mark Berman.

Members discussed the draft language. Chairman Thomas expressed concerns; other members agreed additional time was needed to consider the Ordinance.

Member Herman made a motion to keep the record open for an additional 14 days, seconded by Member Lycett, and carried on a vote of 4:0 in favor. Discussion continued to the April 6th meeting.

Discussion:

- A copy of Roberts Rules was given to each member.
- Penalties and Fines – Eric Knapp discussed code violations and noted that fines in the historic district are \$250.
- Members were given a copy of the current Rules and Procedures, to be discussed in May.

Steve Ball read John Novak's comments into the record.

There was no further public comment.

Eric Knapp gave a summary of the demolition of 103 S. Fremont Street.

Chairman Thomas would like to modify "public comment" as the Commissioners have done. He would prefer changing the "Procedures" to "Guidelines".

VI. Adjournment:

Motion made by Ms. Herman to adjourn the meeting. Seconded by Ms. Lycett. All in favor. The meeting was adjourned at 12:30 pm.

Minutes approved as submitted by 4:0 vote in favor on the 6th day of April 2023.

Helen Herman, Vice Chairman