

**PLANNING AND ZONING COMMISSION  
MINUTES  
June 3, 2008**

ATTENDEES:	<u>Members</u>	<u>Staff</u>
	Buckley	Smith
	Miller	Esham
	Singman	Houston
	Taylor	Nelson
	Shanahan	Fussell
	Staley	

**I. CALL TO ORDER – 5:30 p.m.**

**II. SITE PLAN**

1. SUSQUEHANNA BANK – Proposed 3,089 square foot commercial building to be situate on property located on the west side of Coastal Highway, the north side of 94<sup>th</sup> Street and the south side of 99<sup>th</sup> Street at the Ocean Plaza Shopping Mall and to be known as 9501 Coastal Highway, in the Town of Ocean City, Maryland.  
APPLICANT: OCTC, LLC c/o DAVID M. STROUSE – File #08-18100003

MOTION/Miller                      SECONDED/Taylor                      6-0 IN FAVOR subject to the following conditions:

1. Trash refuse containers and recycling containers shall comply with the minimum standards set forth in Chapter 70 subject to the 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.
2. The project shall comply with all regulations pertaining to stormwater management and infiltration as per the Standards of the Worcester County Soil Conservation District and the State of Maryland prior to issuance of a building permit.
3. All construction and/or repairs of curb cuts, sidewalks and streets and/or street amenities shall be approved by the Department of Engineering and shall be installed in accordance with the specifications and standards of that department. Any existing curb cuts that are being abandoned must be removed and replaced with a sidewalk subject to city specifications. When the entire project site is redeveloped in the future, it shall be required that 8' wide sidewalks be provided adjacent to the public streets adjoining the project.

4. The parking lot shall be paved in accordance with Chapter 74 of the Town Code.
5. The location of transformers/generators shall be subject to the approval of Delmarva Power and the Zoning Administrator. The generators shall be subject to the noise regulations set forth in Chapter 30, Article V.
6. All landscape shall be installed in accordance with Chapter 98, Article II, Landscaping, and with Chapter 30, Article VII, Atlantic Coastal Bays Critical Area criteria, where applicable.
7. All focal lighting, including exterior lights, and parking lot lighting necessary for the safety and protection of property, shall be controlled and focused within the site's property lines to minimize glare on adjoining properties.
8. The project is subject to the provisions of the Atlantic Coastal Bays Critical Areas Protection Act.
9. The project is subject to impact fees adopted by the Mayor and City Council.
10. All site plan approvals are subject to building code, fire code and all other applicable governmental regulations.
11. 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.
12. 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).
13. All sign permits shall be issued in accordance with those signs shown on the site plan.

### **III. DISCUSSION**

1. Discussion of options for regulating development in commercial districts.

Subsequent to the public hearing held on June 3, 2008, Commission discussed the following options for regulating development in commercial districts:

- a. Do nothing. Leave the code as it is, allowing R-3 uses in commercial districts and no requirement for commercial uses.
- b. Allow commercial uses and/or mixed uses by right and residential uses by conditional use. (A definition of mixed use, such as a minimum floor area ratio, may be needed.)
- c. Reduce residential density in commercial districts from R-3 density to R-2 or R-2A density.

d. Offer incentives such as:

- Keep the same permitted uses, but reduce the permitted building height in commercial districts from 5 to 4 stories, and then allow a 5<sup>th</sup> story if the 1<sup>st</sup> floor contains commercial uses (similar to the downtown along Baltimore Avenue).
- Apply the Upper Downtown Overlay incentive which reduces commercial parking requirement by 50% and reduces commercial parking space size to 8' x 18' when 1<sup>st</sup> floor commercial use is provided.
- Combine a and b.
- Provide a residential density bonus when 1<sup>st</sup> floor commercial use is provided (NOT recommended).
- Provide a height bonus (i.e., 6<sup>th</sup> story) when 1<sup>st</sup> floor commercial use is provided (NOT recommended).

Next step is to look at all LC-1 zoned properties and make sure they are appropriate and look for new ones.

**V. ADJOURNMENT** - 7:30 p.m.

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John Staley, Secretary

Date