

**PLANNING AND ZONING COMMISSION  
MINUTES  
December 2, 2008**

ATTENDEES:	<u>Members</u>	<u>Staff</u>
	Pam Greer Buckley	Blaine Smith
	John Staley	Bob Nelson
	Tom Singman	Maggie Fussell
	Peck Miller	Will Esham, Attorney
	Lauren Taylor	
	Chris Shanahan	

**I. CALL TO ORDER – 6:30 p.m.**

**II. SITE PLANS**

1. **OLD PRO GOLF** – Renovations and expansion of existing miniature golf course located on Lots 3-32, Block 83, Plat of Fenwick, further described as located on the south side of 137<sup>th</sup> Street between Coastal Highway and Sinepuxent Avenue and known locally as 13603 Coastal Highway, in the Town of Ocean City, Maryland.

APPLICANT: OLD PRO GOLF, INC. c/o Jeff Schoellkopf – File #08-18100007

MOTION/ Staley                      SECONDED/Singman                      6-0 IN FAVOR to approve  
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.

The curb cut on 137<sup>th</sup> Street that is being abandoned must be removed and replaced with a sidewalk subject to city specifications.

4. The abandonment of the curb cut on Coastal Highway shall be subject to the concurrence of the State Highway Administration. The curb cut that is being abandoned shall be removed and replaced with a sidewalk subject to city specifications.
5. The 8' wide sidewalks adjacent to the public streets, as shown on the site plan, shall be installed in accordance with specifications set forth by the Engineering Department.
6. If there is any disturbance to the existing parking lot pavement, it shall be restored in accordance with Chapter 74 of the Town Code.
7. 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.
8. 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.
9. 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.
10. The project is subject to the provisions of the Atlantic Coastal Bays Critical Areas Protection Act.
11. The project is subject to impact fees adopted by the Mayor and City Council.
12. All site plan approvals are subject to building code, fire code and all other applicable governmental regulations.
13. 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.
14. 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).
15. Applicant to coordinate with Transportation Department to determine suitable location for a bus stop shelter on the site and provide necessary easement.

2. **OCEAN HARBOR MOTEL** - Revisions to site plan for proposed hotel and restaurant to be located at 2501 Philadelphia Avenue in the Town of Ocean City, Maryland.

APPLICANT: OCEAN HARBOR HOLDING LLC/ATLANTIC PLANNING c/o  
ARTHUR TSAMIS – File #08-18100001

Blaine Smith explained the revisions made to the plans as follows: dumpster location has been moved closer to the hotel building; the restaurant is now located on the 1<sup>st</sup> floor as well as on the 2<sup>nd</sup> floor; and the lobby has been relocated to grade level. The Commission did express concerns with the pedestrian traffic flow and suggested developer find a suitable way to direct pedestrians to the 26<sup>th</sup> Street crosswalk over Coastal Highway. Based on discussion and plans presented at the meeting, the Commission unanimously agreed to approve the changes. A formal vote was not taken on this matter.

### **III. DISCUSSION**

1. Review revisions required by Planning Commission to draft ordinance for Small Wind Energy Systems.

Revisions to the draft ordinance were made to include that in the R-1, single family and MH, mobile home, districts small wind turbine systems are only permitted as a special exception and are limited to 10 kW all together. The Commission agreed with this language and it will be included in the recommendation to the Mayor and Council.

### **IV. PUBLIC HEARING**

1. **CODE AMENDMENT** – To consider combining the DEVELOPMENT INCENTIVES programs in the “Downtown Design Guidelines” and in the “Design Standards – Upper Downtown Area” so the same incentives apply in both areas.

APPLICANT: PLANNING AND ZONING COMMISSION – File #08-14100005

Blaine Smith, along with Glenn Irwin of the Ocean City Development Corporation, explained the reasons for the proposal to combine the development incentive programs for the two overlay districts. After reviewing the details of the proposal, the Commission voted unanimously to forward a favorable recommendation to the Mayor and City Council subject to the following change:

Under “Benefits of the Incentive Program”, item 1) b., strike the words “subject to approval by the Mayor and City Council.”

MOTION/Taylor                      SECONDED/Staley                      6-0 IN FAVOR to forward  
a favorable recommendation to the Mayor and City Council

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

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John Staley, Secretary

Date

