

**PLANNING AND ZONING COMMISSION
MINUTES
July 20, 2010**

ATTENDEES:

Members

Pam Buckley
John Staley
Lauren Taylor
Peck Miller
Chris Shanahan
Tom Singman
Joel Brous

Staff

Blaine Smith
Kay Stroud
Will Esham

I. CALL TO ORDER – 6:00 p.m.

II. APPROVAL OF MINUTES

Minutes of April 6, 2010.

MOTION/Miller
submitted.

SECONDED/Taylor

7-0 IN FAVOR to approve as

III. SITE PLAN

1. **45th STREET VILLAGE RETAIL SHOP** – Proposed 9,615 square feet New Retail Shop to be located on Parcels 7011-7014 and Parcel 7015, Tax Map 113, west side of Coastal Highway, and known locally as 4409 Coastal Highway, 45th Street Village, in the Town of Ocean City, Maryland.

APPLICANT: 45TH STREET RETAIL C/O AVRAHAM SIBONY File 10-18100001

MOTION/Brous

SECONDED/Singman

7-0 IN FAVOR to

approve the project subject to the following conditions:

1. Trash refuse 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 at the property owner's expense.
4. Curb cuts located on the State highway are subject to review and approval by the State Highway Administration based on proposed ingress and egress to the project.

*The new southerly curb cut is subject to approval by the Maryland State Highway Administration and may be contingent upon subject parcel being subdivided from the balance of the site. **"The new southerly curb cut is subject to approval by a joint discussion and decision of the Maryland State Highway Administration and the Planning Commission."** – amended language from **August 17, 2010.**

5. It is the policy of the Planning Commission to require 8' wide sidewalks on all public streets adjoining the project. Pervious pavers may be considered to meet this need subject to specifications set forth by the Engineering Department.
6. The parking lot shall be paved 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. The location of transformers shall be subject to the approval of Delmarva Power and the Zoning Administrator.
9. 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. Landscape required on north side of building. Two (2) cast-iron tree wells w/ 20' trees to shade pedestrian walk; 8' caliper trees suggested.
10. 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.
11. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.
12. The project is subject to the provisions of the Atlantic Coastal Bays Critical Area Protection Act.
13. The project is subject to impact fees adopted by the Mayor and City Council.

14. All site plan approvals are subject to building code, fire code and all other applicable government regulations.
15. 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.

IV. ADJOURNMENT – 6:55 p.m.

<u>John Staley, Secretary</u>	<u>8/17/10</u>
John Staley, Secretary	Date