

**PLANNING AND ZONING COMMISSION
MINUTES
January 5, 2010**

ATTENDEES:	<u>Members</u>	<u>Staff</u>
	John Staley	Blaine Smith
	Joel Brous	Will Esham
	Peck Miller	Maggie Fussell
	Tom Singman	
	Lauren Taylor	
	Chris Shanahan	

I. CALL TO ORDER – 6:00 p.m.

II. APPROVAL OF MINUTES

Minutes of December 1, 2009.

MOTION /Taylor as submitted	SECONDED /Singman	6-0 IN FAVOR to approve
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III. DISCUSSION

1. Informal discussion regarding application for Amusement Overlay zoning district for properties owned by Trimper Family Partnership.

Attorney Regan Smith, representing the Trimper Family Partnership, reviewed for the Commission the current uses of the existing amusement overlay properties. The proposed request is to expand the amusement overlay zoning to include Trimper property that abuts the east side of Baltimore Avenue and the south side of Worcester Street currently improved with a building containing office/retail space and a residential building. In addition, Mr. Smith indicated that the owner of the abutting property to the east that is currently improved with the H2O2 Under 21 Dance Club, will join in the application for rezoning of his parcel. Currently, there are no immediate plans for expansion of the amusement park but in planning for the future the family would like to have the option. Glenn Irwin of the Ocean City Development Corporation spoke in support of the request. The Commission agreed that the property owners should proceed to submit formal application at which time a public hearing on the matter will be scheduled.

2. Continuation of informal discussion regarding revisions to the development plan for the 45th Street Village Planned Overlay District.
APPLICANT: 45th Street Holdings, LLC c/o Thomas K. Coates, Esq. – File PZ845A

Keith Iott, architect for the project, presented plans increasing the size of the southerly retail building to 9,945 square feet to be set back approximately 70 feet from Coastal Highway. The commercial building on the northerly portion of the site is to contain 7,500 square feet retail and 5,800 square feet restaurant totaling 13,300 square feet. The 17 that includes a 9,945 square feet retail building on the southerly portion of the parcel that is set back approximately 75 feet

V. DISCUSSION

1. Continuation of informal discussion regarding revisions to the development plan for the 45th Street Village Planned Overlay District.

Keith Iott, architect for the project, went over the proposed revisions with the Commission. The plans submitted show the elevations of the two retail buildings and an east elevation of the project that includes only one of the residential buildings to be located at the bayfront. In response to concerns expressed by the Commission regarding the bay vista, the northerly retail building is separated from the existing retail store to the north by a distance of approximately 94.5 feet creating a substantial bay vista.

The Commission found that the plans submitted at this meeting were not acceptable. The Commission requested that plans include the project in its entirety and not submitted in bits and pieces so that the project may be evaluated comprehensively.

IV. ADJOURNMENT – 8:10 p.m.

John Staley, Secretary

Date