

PLANNING AND ZONING COMMISSON
MINUTES
November 1, 2016

ATTENDEES:

Members

Pam Buckley
John Staley
Lauren Taylor
Joel Brous
Chris Shanahan
Palmer Gillis
Peck Miller

Staff

Bill Neville
Blaine Smith
Kay Gordy
Will Esham
Susan Petito (Parks & Recreation)

5:30 PM

Work Session Review and Update Comprehensive Plan – Bill Neville, Planning Director

General Items

Ocean City Director of Recreation and Parks, Susan Petito provided an update to the Commissioners on their Master Plan process. Public open house meetings will collect ideas for park needs and a master plan will be developed in 2017. Several ideas were presented: bayside beach for hobie cat sailboat rentals, additional waterfront access at 41st Street (convention center), continue successful drop-in volleyball on Friday nights at Northside Park. The Commission was asked to consider possible opportunities for public land dedication at 94th Street with future redevelopment. The park design for 3rd/4th Street was discussed and it was noted that funding is not currently included in the CIP.

Discussion of Chapter Revisions

Chapter One – Population Characteristics redline revisions were distributed along with the completed updates to all tables and charts. Staff noted the continuation of population estimates based on the Demoflush calculation. Stabilized population over the last 15 years, both year round and seasonal, is supported by both Census data and other indicators. This was seen as a positive in light of the national recession during this period. Selected characteristics were highlighted from the 2010 Census data including: increases in the senior population (age 65 and older), increases in minority groups, and increases in educational attainment. Alternate methods of projecting future population growth were reviewed. Staff recommended a rate based on the last 10 years of both State and County average rates around 1% per year for purposes of this Comprehensive Plan update.

Commissioners commented on the need for mixed income housing in the Downtown area, the number of seniors on food stamps, and the slow conversion of residential units to larger square footage in order to appeal to year round residents and seniors looking for condo amenities.

6:30 PM – Regularly Scheduled Meeting:

I. APPROVAL OF MINUTES

- a. Minutes of October 4, 2016

MOTION/Shanahan SECOND/Taylor Motion made to approve minutes with confirmation as to which Commissioners voted and seconded to approve the September 7th minutes (Shanahan, Brous), and the time the meeting was adjourned (7:40 PM). Vote was unanimous (7-0).

II. SITE PLAN

(1) Request for 18 month extension - Site plan approval of 5,104 square foot restaurant, tiki bar and Buccaneer's Playground area. Current extension set to expire on October 21, 2016. The site is described as Tax Map 110, Parcel 2520, Block 21 of the OT Ocean City Plat, 1875; further described as located on the west side of S. Philadelphia Avenue and south side of South Division Street, on the bayside, and locally known as 700 South Philadelphia Avenue in the Town of Ocean City, Maryland.

APPLICANT: BUCCANEER'S CAYE AT SHIPWRECK COVE – JOHN C. STAMATO (FILE #13-18100014)

Zoning Administrator Blaine Smith explained the request per the applicant's representative, Keith Iott's, email request, which had been received prior to the expiration date of October 21, 2016. Mr. Iott was present to give further information and to answer questions from the Commission and staff.

MOTION/Shanahan SECOND/Brous Motion made to approve the site plan extension request for 18 months until April 21, 2018.

(2) Site Plan Review of Proposed 1162 +/- gross square foot gazebo bar to be located on the north side of the existing Hotel and Condominiums adjacent to the beach. The site of the application is described as Tax Map 116, Part of Parcel 5516A, Block 102 of the James B. Caine Plat, Revised 1964; and further described as located on the east side of Coastal Highway and locally known as the Carousel Resort Hotel and Condominiums, 11700 Coastal Highway, in the Town of Ocean City, Maryland.

APPLICANT: CAROUSEL RESORT HOTEL & CONDOMINIUMS (FILE #16-18100007)

The application was introduced by Blaine Smith. Joe Moore, attorney for the applicant, was present to fully present the site plan with photographs and drawings. Michael James, Hospitality Partners Hotel Management, owner of the Carousel Resort Hotel and Condominiums, was also present to answer any questions posed concerning the application.

MOTION/Taylor SECOND/Miller Motion made to approve the site plan as presented with the following staff recommendations. The vote was unanimous (7-0).

* This application is for a pre-existing nonconforming off-site accessory use, which is proposed to be a gazebo bar of 1162 +/- gross square feet. This site has been part of the Carousel

Resort Hotel & Condo operation and formerly was known as contiguous to the main parcel. This proposal is a change of use for this site.

In reviewing the Cover Sheet and Site Plan, it is necessary to point out that the steps leading down from the Gazebo Bar on the north side of 118th Street shall be made to maintain a minimum 4' setback from the lot line.

1. Design Guidelines, per Section 110-181, apply to all of the corporate limits of the Town of Ocean City.
2. All trash collection has been moved to the south side of 118th Street, next to the main Hotel & Condominium structure.
3. This project is subject to the provisions of the Atlantic Coastal Bays Critical Area Protection Act and shall comply with all regulations pertaining to stormwater management, Chapter 30, Environment, Article III Stormwater Management, and all landscape shall be installed in accordance with Chapter 30, Article VII, prior to the issuance of a building permit.
4. 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.
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. There cannot be any private utility lines running across 118th Street from the Carousel Resort Hotel & Condo unless given permission by the Mayor and City Council. As a policy of the City, private utilities may not extend across public ways.
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. Location, height, type, and direction of lighting designed per Section 110-876(h) Lighting Requirements, including at a minimum a photometric plan to illuminate site and off-street parking areas expressed in footcandles throughout the property.
9. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.
10. The project is subject to impact fees adopted by the Mayor and City Council.
 - a. Infrastructure impact fees are as follows: One-half amount due at application for building permit; remainder due prior to issuance of building permit.

- b. Water and sewer impact fees are due as follows: One-half amount at building permit issuance; the remainder at certificate of occupancy.
- 11. All site plan approvals are subject to building code, fire code and all other applicable governmental regulations.
- 12. 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.
- 13. All parcels shall be deed consolidated as per Section 110-894.
- 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. All sign permits shall be issued in accordance with those signs shown on the site plan. There currently are no signs shown on the site plan.
- 16. Subject to obtaining a building permit for all site work.

(3) Preliminary Subdivision Plat and Site Plan Review of three (3) proposed townhouse units: (2) three-bedroom units and (1) four-bedroom unit. The site of this application is described as Lot 97 of the Bayside Keys Plat; further described as located on the south side of Bradley Road and locally known as 725 Bradley Road, in the Town of Ocean City, Maryland.

APPLICANT: ROSE N. ATWOOD (FILE #16-16100001)

Zoning Administrator Smith presented the application. Keith Iott, Iott Architecture and Engineering, was present to answer any questions of the Commission and staff.

MOTION/Shanahan SECOND/Brous Motion made to approve the preliminary subdivision plat and site plan as presented with the following staff recommendations. The vote was unanimous (7-0).

- 1. Design Guidelines, per Section 110-181, apply to all of the corporate limits of the Town of Ocean City.
- 2. 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.
- 3. This project is subject to the provisions of the Atlantic Coastal Bays Critical Area Protection Act and shall comply with all regulations pertaining to stormwater management, Chapter 30, Environment, Article III Stormwater Management, and all landscape shall be installed in accordance with Chapter 30, Article VII, prior to the issuance of a building permit.
- 4. 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.

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. The location of transformers shall be subject to the approval of Delmarva Power and the Zoning Administrator.
8. Location, height, type, and direction of lighting designed per Section 110-876(h) Lighting Requirements, including at a minimum a photometric plan to illuminate site and off-street parking areas expressed in footcandles throughout the property.
9. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.
10. The building and any porch covered with a roof shall not be located over tiebacks and deadmen which support existing bulkheads. It is required that the owner/developer verify the location of existing tiebacks and deadmen prior to issuance of a building permit.
11. The project is subject to impact fees adopted by the Mayor and City Council.
 - a. Infrastructure impact fees are as follows: One-half amount due at application for building permit; remainder due prior to issuance of building permit.
 - b. Water and sewer impact fees are due as follows: One-half amount at building permit issuance; the remainder at certificate of occupancy.
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. Approval subject to the final subdivision plat being prepared and recorded in accordance with Chapter 78, Article III, Final Plat.
15. 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).
16. Subject to obtaining a building permit for all site work.

With no further business, the meeting was adjourned.

ADJOURNMENT – 7:30 pm

John Staley 11/15/16
JOHN STALEY, SECRETARY DATE