PLANNING AND ZONING COMMISSON
MINUTES
December 19, 2017

ATTENDEES:	**Members**	**Staff**
	Pam Buckley	Frank Hall
	Peck Miller	Kay Gordy
	Joel Brous	Jon Bulkeley
	(*Lauren Taylor-absent)*	
	(Chris Shanahan-absent)	
	Palmer Gillis	
	Joe Wilson	

6:30 PM

I. APPROVAL OF MINUTES - Minutes of December 5, 2017

Deferred until next meeting.

II. SITE PLAN REVIEW

Staff & agency review of proposed mixed use project consisting of approximately 1,200 square feet of future retail space, one (1), 1-bedroom unit, two (2), 3-bedroom units, and one (1), 2-bedroom unit to be restricted as employee/student housing (rooming/boarding/lodging house). This redevelopment project is to be located on Lot 1, Block 1N of the Sinepuxent Beach Company Plat; and further described as located on the southeast corner of 1st Street and Baltimore Avenue, and locally known as 16 Baltimore Avenue, in the Town of Ocean City, Maryland.
APPLICANT: LORENDA L. BIRCH (FILE #17-18100015)

Zoning Administrator Frank Hall introduced the application to redevelop as described above. Joe Moore, attorney, represented the applicant and presented exhibits and testimony in favor of the application. Glenn Irwin, Executive Director of the Ocean City Development Corporation, OCDC, spoke in favor of the application. Harry How, design professional, was on hand to answer questions.

MOTION/Miller **SECOND/**Gillis Motion made to approve the site plan as presented with the following conditions. Vote was (5-0-2), Commissioners Taylor and Shanahan were absent.

1. 24 hour onsite management.

2. Never condominiumize the project.

3. 51% of the people staying within this structure must be employed onsite or at the Rideau Hotel, both owned by the same owner.

4. All staff recommendations as presented below:

Staff Recommendation

Planning & Community Development staff respectfully recommends that the Planning Commission approve the site plan for the new mixed use building for applicant Lorenda Birch located at 16 Baltimore Avenue with the standard conditions attached and following additional conditions:

1. Provide the trash contractor on the Rideau property for use by the new mixed use building and the Rideau as required by the Solid Waste department.

2. Maintain the required Parking Dedication on the Rideau for the new mixed use building.

3. Install a bicycle rack on the Rideau parking lot and stripe two new parking spaces on the Rideau lot.

STANDARD & SITE SPECIFIC CONDITIONS
Mixed Use Building for Lorenda Birch – 16 Baltimore Avenue

Standard Conditions

1. This application is subject to the Downtown Design Guidelines of the Downtown Design Overlay Zone (Chapter 110, Article 23).

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 Ill 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. 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.

6. 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.

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 transformer shall be subject to the approval of Delmarva Power and the Zoning Administrator.

9. Location, height, type, and direction of lighting designed per Section 110-831.23 Lighting, Lower Downtown Area, including at a minimum a photometric plan to illuminate site and off-street parking areas expressed in foot candles throughout the property.

10. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.

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. If the project is to be a phased project, site plan approval shall include a phasing plan.

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. All sign permits shall be issued in accordance with those signs shown on the site plan, Chapter 66, and/or Downtown Design Overlay Zone District.

17. Subject to obtaining a building permit for all site work.

ADJOURNMENT – 7:03 pm

Peck Miller **1/17/18**

Peck Miller, Secretary **DATE**