

**PLANNING AND ZONING COMMISSION
MINUTES
April 16, 2019**

ATTENDEES:

Members

Pam Buckley
Peck Miller
Joel Brous
Lauren Taylor
Chris Shanahan
Palmer Gillis
Joe Wilson

Staff

Bill Neville
Frank Hall
Kay Gordy
Will Esham

6:30 PM

I. APPROVAL OF MINUTES –

Minutes of April 2, 2019

MOTION/Wilson **SECOND/Shanahan** to approve the minutes as submitted. Vote was unanimous (6-0-1), Chairperson Pam Buckley abstained as she was not present on the 2nd.

II. STAFF UPDATES –

Zoning Administrator Frank Hall used this time prior to the public hearing to update the commission on landscaping issues being resolved in the Town. Denny's at 6104 Coastal Highway is one of these sites. They will be using the parking spaces under the corner sign for landscaping and a bike rack as part of their site plan approval.

The recent Conditional Use application at 700 S. Philadelphia Avenue for water-related recreational activity that was denied by the Mayor and City Council was briefly discussed. The consensus is that the Mayor and Council made the right decision based on the life-safety concerns with mini-power boats being operated so closely to the inlet and boating channels south of the Route 50 bridge. Mr. Hall commented that in the wake of this application, he has chosen to take an online boater safety course to increase his knowledge for these reviews.

7:00 PM

III. PUBLIC HEARING –

Pursuant to the provisions of Chapter 110, Division 6. Changes and Amendments, Section 110-143. Procedure for map amendments, of the Code of the Town of Ocean City – an application has been filed for a change in zoning classification for properties listed below that are zoned LC-1, Local Commercial, Zoning District, with a P/G-1, Public/Governmental Overlay Zone, to BMUD, Bayside Mixed Use, with no overlay. The property is located on the north side of 66th Street and south side of 67th Street, locally known as 118-66th Street, owned by the Mayor and Council of the Town of Ocean City, Maryland, and a portion of 108-66th Street, owned by

Wenzlaff Family LLLP. This property is described as Tax Map 114, Parcel 6680, Lots 11 and 12; Parcel 6679, Lot 13; and a portion of Parcel 6678, which includes a 7' wide portion of Lot 14, the westernmost alley running north to south between 66th and 67th Streets, the entire alley midblock that runs west to east from the aforementioned north-south alley, following the property lines of aforementioned lots to the easternmost limit of the 7' portion of Lot 14, also running from the westernmost alley to the center of 66th Street to the easternmost limit of the 7' portion of Lot 14, Block 117 of the Isle of Wight Plat, dated 1914; in the Town of Ocean City, Maryland.

APPLICANT: MAYOR AND CITY COUNCIL OF OCEAN CITY, MARYLAND C/O DOUGLAS R. MILLER, CITY MANAGER (FILE #19-14100001)

Planning Director Bill Neville presented the application, giving background to recent rezoning requests, the criteria necessary to prove change in neighborhood or mistake, and illustrating this application with the use of aerial views and maps. He also presented the staff recommendation that an approval would be appropriate as part of a conditional rezoning with substantial improvement of a concept plan, meaning future changes would require a concept plan amendment.

Public Works Director Hal Adkins testified on behalf of the Town, discussing the 2007 master planning steps that had brought this rezoning forward, in order to consolidate land ownership for both the Town and the Wenzlaff Family LLLP. The Town's plan is to expand the Public Works Campus to build an 8 MGD water treatment plant on this block. Advanced Marina, owned by the Wenzlaff Family LLLP, would be able to expand as well. The alleys between the properties will be abandoned allowing for better property consolidation.

Mark Wenzlaff, representing Wenzlaff Family LLLP, testified that in prior discussions there had been no mention of conditions placed on the rezoning, that the BMUD property could enjoy any of the uses listed in the Code of the Town of Ocean City, and not be limited to the current marina land use.

After further discussion and deliberation, the Commission made the following decision:

MOTION/Miller SECOND/Gillis to favorably recommend to the Mayor and City Council the rezoning request by amending the staff report with no conditions, and accepting the findings of fact, attached. Vote was unanimous (7-0).

ADJOURNMENT – 7:38 pm

Peck Miller May 21, 2019
Peck Miller, Secretary DATE