

Planning & Zoning Commission

Minutes

July 7, 2020

The Planning and Zoning Commission for the City of Cambridge met on Tuesday, July 7, 2020 at 6:00 p.m. at the City Council Chambers, 305 Gay Street, Cambridge, Maryland. **DO TO COVID-19 THE PLANNING COMM. HEARING WAS HELD REMOTELY.**

Commissioners in attendance: Mary Losty, Chairman, William Craig, Vice-Chair, Eugene Lauer, George Breig, Hubert Trego, Chan'Tay Nelson and Jerry Burroughs

Others in attendance included: Pat Escher-City Planner, Patrick Thomas-City Attorney, Herve Hamon-City Planning Assistant HPC, Dave Cannon – City Council liaison and Dale Price, IT Dept.

Chairperson Losty called the meeting to order with a moment of silence at 6:30 p.m.

Approval of the Agenda

Motion to approve agenda as presented by Comm. Burroughs, second by Comm. Trego.

Approval of Minutes

No minutes were presented at this time.

Old Business

TA 2020-005 Text Amendment to PWCD and PWRD for additional discussion.

Staff stated that this amendment has been forward to the City Council but there were discussions with Michael Le Mire, an attorney of one of the property owners, and the language has changed since the Commission's June meeting. The current language now reads:

SECTION 1. Section 2.4.3 (PWCD and PWRD Developments, Approved) is amended as follows:

§ 2.4.3 PWCD and PWRD Developments, Approved

Subject to subsection (B) below, PWCD and PWRD development projects, Development projects which have vested under the laws of Maryland and which were lawfully approved by the City and have vested under the laws of Maryland; under the provisions of the PWCD and PWRD Article IX (Zoning Districts), Part II (Special Base District – PWCD – Planned Water Community District) and Part III (Special Base District – PWRD – Planned Water Resort of the City's Zoning Ordinance prior to adoption of this Ordinance, shall lawfully continue under the terms, conditions, and

limitations of their approved PWCD or PWRD development plans and shall be entitled to the rights and privileges contained in those plans. ~~provided, however, that the~~

B. The Planning Commission may approve a proposed amendment to any such an approved PWCD or PWRD development plan if it determines finds that the proposed amendment: is a viable alternative and shall enhance the overall project.

- 1. will not have an adverse impact on the use or economic value of any other properties in the development or on surrounding areas;*
- 2. is compatible with the remainder of the development; and*
- 3. complies with this Ordinance.*

Prior to approving any such proposed amendment, the Planning Commission shall hold a public hearing in relation thereto. The City shall post notice of the public hearing in a conspicuous place on the property involved, give written notice of the public hearing by registered mail to the applicant and all owners of property in the development, and publish notice of the public hearing in a newspaper of general circulation in the City at least 15 days prior to the date fixed for the public hearing. Notice of any proposed amendment to an approved PWRD development plan shall also be sent to all State agencies associated with, and the property manager of, the resort located within the development. ~~except for those~~

C. All areas with a former PWCD or PWRD designation that are zoned Resource Conservation, which areas shall adhere in full to the regulations of this Ordinance and their underlying zoning designation.

Subsection A is the same. "Subsection B – The Planning Commission may approve an amendment to a master plan of any PWCD and PWRD development plan if it finds the proposed amendment shall not have an adverse impact on the use or economic value on any other properties in the development or the surrounding areas, is compatible with the remainder of the development and complies with this ordinance." The last paragraph in section B is to make this an open and transparent process, requiring a public meeting and notifications to the public, property owners and any relevant State agency

Comm. Craig asked if the property owners of the multi-family and others would be notified, manager of the resort, any State agencies that are related to the project. He stated that this language really pertains to the PWCD development plans.

Comm. Lauer asked about owners of the Hyatt property? Staff said there are several interested parties as it relates to the Hyatt. There are the property owners, the hotel owners and a lessee. Hyatt Corp headquarters in Chicago is one of the partners in the property ownership, the local Hyatt

operator, who is a lessee, which deals with the management of the resort, and the land is owned by Chesapeake Community Resort.

Attorneys, Mr. Michael Lemire and Mr. Sandy McAllister, whom can answer a few questions. Mr. Lemire stated that the land is owned by Chesapeake Community Resort, leased to Medco, who in turn leased it to Hyatt Resort.

Staff said the first text amendment, as previously approved by the Commission, has already been taken to the City Council and so this version is to clarify the wording. The City Council in the past looked at master plan, site plans and developments, with this new amendment and with the current UDC, the City Council only reviews with the rezoning issues. The Planning Commission deals with all master plans and the site plans that may go with them as is the current policy. The City Council may decide that they want to be the approving agency for these master plans and can change the language to that end. Patrick Thomas agreed with that statement by staff.

Motion from Comm. Burroughs and second by Comm. Trego to recommend approval with new language to go forward to City Council. All approved.

New Business

PZ 2021-001 2737 Dorchester Square Concept Plan for two (2) commercial buildings – deferred by the applicant.

Public Hearing

None

Discussion Items

TA 2021-001 Amend Section 6.5.3 to remove references to artwork painted on a building.

Comm. Lauer asked about the Mural Design Guidelines. Staff responded that it would be an appendix to the UDC, not in the signage section due to First Amendment issues. Comm. Lauer does not want mural language to be removed from the UDC, but should be modified.

Comm. Craig responded with public art or mural needs to state they are not signage in the requirements. Item was deferred to August.

TA 2021-002 Amend Section 5.1.4 to correct discrepancies regarding fences.

- There is conflicting language within the fence section of the UDC. One section allows for a 3-foot solid fence in the front yard, another section prohibits solid fences in the front yard. Other language was vague and need to be clarified,
- Motion by Comm. Craig and second by Comm. Trego to accept as written by Staff. All in favor.

TA 2021-003 Amend Section to remove Administrative review from various uses within section 4.2.3

- There are some instances where an administrative review is not applicable, as it is an item that will come to the Planning Commission and there are areas that an administrative review process is not necessary.
- This item was deferred to August to give the Commissioners more time to review.

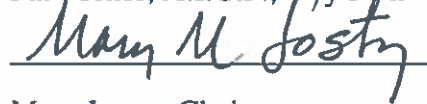
Gunsmith use in the City of Cambridge.

- UDC does not have language on gunsmith.
- We do have at least two (2) gunsmith/manufacturers in the City right now, Italian shotguns and the other a manufacturer of more higher caliber weapon.
- Mr. Wood would like to sale guns from his home located at 302 Belvedere Ave. via the Internet.
- Comm. Lauer and Comm. Craig suggested that the residential area is not appropriate for this type of business. Staff asked if it was just repair and engraving, but not the manufacturing and sale of the guns and the security of the products. Retail sales should be in the commercial area of the City. Chairperson Losty asked if retail gun shops how are they regulated?
- This Commission will suggest to the owner to look for a commercial area for the sales of the guns. There are conditions to have a home occupation in the residential area.

Comm. Burroughs asked about the trailer outside of Hardee's and when will it be moved. Staff is working on the issue.

Chairperson Losty asked for a motion to adjourn the meeting. Unanimously moved.

Respectfully submitted,
Pat Escher, A.I.C.P., City Planner



Mary Losty, Chair



Date Approved