

Planning and Zoning Commission Meeting

A meeting of the Pocomoke City Planning and Zoning Commission was held in the Council Chambers at City Hall on Wednesday, September 18, 2019. The meeting was called to order at 5:00 PM.

Present: Chairman: Alex Kagan
Commissioners: Steven Mills, Ryan Hurley, Rebecca Skorobatsch-Not present, Kyle Pilchard- Not Present
Director of Planning: Dan Brandewie
City Clerk: Michelle Beckett-EI Soloh
Interim City Manager: David J. Deutsch

Approval of Minutes from August 21, 2019:

Motion to table approval of the minutes of August 21, 2019 (Kagan, Mills) at 5:34PM.

Acclamation: Mills-aye, Hurley-aye, Kagan-aye, Skorobatsch-not present, Kyle Pilchard-not present; none opposed, motion carried.

Site Plan Review: Preliminary Concept Plan: Lot 23, PH 1, Newtown Blvd (office buildings and parking layout). Filed by Robert D. Mason:

Planning Director Dan Brandewie said this is a preliminary concept plan review for Lot 23, Phase 1 at Newtown Blvd, commercial sub-subdivision. This is the vicinity of Holiday Inn and KFC/Taco Bell. The request is filed by Robert Hobbs Mason. His son, Jeremy Mason, is here to make the presentation.

Jeremy Mason said Lots 20 and 21 are owned by Holiday Inn and were purchased back in 2014. Lot 23 is directly next to the Holiday Inn driveway and taco bell building. What is proposed is a structure of 5,040 sq. ft. Mr. Mason has no intent to build this building but just wants to market the property with an approved preliminary plan. That area is proven to be a very successful commercial area. That area was built in 2006 and none of the units stayed vacant for very long. Planning Director Brandewie asked if there were any records for storm water management. MDE paperwork was submitted in the paperwork. There is a general permit that covers the entire Newtown subdivision of 34 acres. The new owner would have to do the process of submitting a site-plan and approval.

Planning Director Brandewie said the original plat had a limitation of 90% coverage of impervious surface. All three lots had a limitation that was figured into the stormwater management plan. That might be a restriction but there were no references other than the MDE report. The only other thing that was found was a 25' utility easement on Lot 23. The Zoning Ordinance for B-2 zoning permits offices which the comprehensive plan also allows. Setbacks are consistent with zoning requirements. The only other thing is that parking space requirements are set by land-use. There also could be a 15' setback requirement to the parking lot for a landscape buffer. The Planning Commission has flexibility with allowing parking variances. Planning Director Brandewie will check further and see where water and sewer run and if there is a meter pit. We are recommending that Planning & Zoning Commission endorse the preliminary site-plan at this time with the recommendation that any final site-plan come back before the Planning & Zoning Commission, then in front of City Council. As a real estate agent, Jeremy Mason would recommend that anyone interested in purchasing the property to make an offer contingent on a site-plan being approved.

Commissioner Kagan said it is a unique piece of property because it is visible from both ends with no designated front and back. Most commercial buildings are not pretty on both ends. This property might need some creative landscaping.

Motion to accept concept plan as presented for Lot 23 on Newtown Blvd commercial subdivision area with the recommendation that a Final Site Plan be submitted for further review by the Planning Commission. (Kagan, Hurley) at 5:20PM

Acclamation: Mills-aye, Hurley-aye, Kagan-aye, Scorobatsch-not present, Kyle Pilchard-not present; none opposed, motion carried.

Zoning Code Update (discussion-review of draft materials-to be provided). a. R-2 Zoning Text amendment to allow two-family and multi-family uses:

There is no information to present yet. It is still being researched. The goal is to allow more flexibility for two-family and multi-family units in the R2 Zoning District that covers almost the entire City. It includes older subdivisions and new subdivisions such as Wood Haven and Southern Fields. The R2 Zone is not a good fit due to the restrictions on principle permitted uses and lot size requirements. We have addressed rear yard setbacks but staff has not presented any changes to City Council yet. There was a zoning draft created for redevelopment zones by a consultant named Bill Johnson. He was hired back in 2015 after the Comprehensive Plan was adopted to amend the Zoning Code. In 2016 the City didn't have finances to continue and the consultant was let go. Discussion began again in 2017 and staff drafted the new home occupation section and adjustments to the R2 Zoning setbacks. Priority right now is to look at the R2 Zoning District that has the larger, older historic structures. For example, there are three large homes on 2nd St and Laurel St. Two of those homes can currently be bought at tax sale at the Worcester County Treasurer office. These are 2,000 sq. ft + homes, in relatively good condition and are just sitting there abandoned. It is very unlikely they will be purchased for single family homes given the market conditions. Allowing more flexibility for these structures will likely be necessary if they are ever to be restored.

Comprehensive Plan 5-year Review:

(Folders containing a copy of the Comprehensive Plan was distributed to Commissioners) The new Commissioner, Kyle Pilchard, and Planning Director Brandewie attended a training class last month. Anyone appointed to a board should take the class. Classes can also be done online. The class discusses a 10-year Comprehensive Plan review cycle. The City is at the 5-year mark. It's not too early to start thinking about revisions and updates. We need to start reviewing Chapter by Chapter and noting our thoughts and citizens comments. It will be about a 2-year endeavor for the amendment process.

Audience Comments:

Carter Finney, Student at Salisbury University, Urban Regional Planning Program, offered his opinion on a land-use issue. He thinks that in certain areas a mixed-use building is very convenient in neighborhoods. This are businesses on the bottom floor and residential above.

Planning Director Brandewie said that's an interesting concept placing for mixed use in neighborhoods. One of the things that we talk about is how to increase options for older, vacant buildings such as allowing multi-family dwellings and making it less of a formal process to allow structures such as garage apartments. We don't have an affordable housing problem; here we have a vacant, blighted building problem. That could be a good fit to structure language to allow accessory dwelling units without making it a formal zoning text amendment for conditional uses and having to go before the Zoning Board of Appeals. Two years ago, we initiated a vacant and abandoned property study and passed an ordinance that created a registry for vacant and abandoned dwellings. If a dwelling is vacant over six months the owner is required to register with the City and provide contact information; and a plan on how the property is going to be restored. There were about 90 properties

that fit that category. There was moderate success. A third of those properties did register and contact us with a plan. Another third simply did not respond and the last third we cannot track any ownership. It's either part of an LLC that no longer exists or the owner is deceased. A decision has to be made on what to do with the ones who did not answer. Mr. Deutsch, Interim City Manager said in Bowie there was a neighborhood that was an old railroad town that began in the 1860s. It had a lot of blighted buildings. The city used community block grant funds to provide housing rehabilitation. There were also façade improvement grants for commercial buildings. You have to use every tool you have access to in those kinds of situations.

Planning Director Brandewie said in Cambridge if an owner does \$15,000 of improvements the city will match the investment. There's another program with tax abatements for making improvements to properties. Commissioner Kagan said he likes the idea of the tax abatement for improving a property. He would be interested in doing a study to find out how many of the abandoned properties are actually investing in and which ones need to be demolished. Planning Director Brandewie said there are approximately 30 that need to be demolished. Commissioner Kagan said he doesn't like to see someone buy a property very cheap and then stay in the rental cycle and never get any improvements. Planning Director Brandewie said the City has a policy that once a property has been sold and water shut off the City has to do an inspection and certify that the living conditions are acceptable before authorizing water service for the property. Another problem is getting homeowners to clear weeds out of curbs, gutters and sidewalks. We have not issued citations but the City does have the right to issue fines.

Commissioners requested to see writing assignments for attending the Planning & Zoning Commission meeting.

Motion to adjourn meeting (Hurley, Kagan) at 6:00PM

Acclamation: Mills-aye, Hurley-aye, Kagan-aye, Skorobatsch-not present, Kyle Pilchard-not present; none opposed, motion carried.

Approved: K.M. Beckett-EI Soloh
City Clerk