

SPECIAL MEETING
January 23, 2006

The Special Meeting of the Annapolis City Council was held on January 23, 2006 in the Council Chamber. Mayor Moyer called the meeting to order at 7:05 p.m.

Present on Roll Call: Mayor Moyer, Aldermen Israel, Christman, Alderwomen Hoyle Taylor, Cordle, Stankivic, Shropshire, Cohen

Staff Present: City Attorney Spencer, Planning and Zoning Director Arason

PRESENTATIONS

- Annexation Workgroup

Chair Chris Jakubiak, 147 Quiet Waters Place, Annapolis, Maryland 21403 representing Annexation Workgroup gave a presentation on the Annexation Workgroup and answered question from the Council.

Members Debbie Rosen Mc Kerrow, 450 Schley Road, Annapolis, Maryland 21401, Wilford W. Scott, 308 Carriage Run Road, Annapolis, Maryland 21403 and Ross Arnett, 529 6th Street, Annapolis, Maryland 21403 were present and testified on behalf of the Annexation Workgroup.

Chair James Urban, 915 Creek Drive, Annapolis, Maryland 21403 representing Planning Commission spoke in favor of the Annexation Workgroup recommendations.

- Alcoholic Beverage Control Board Submission

Proposed rules and regulations approved by Alcoholic Beverage Control Board on January 4, 2006. Under Section 7.12.050, these rules and regulations will take effect unless the Council objects by a resolution within 45 days, or by February 19, 2006. These rules and regulations will be placed on the February 13, 2006, agenda as an opportunity to raise any objections.

- At 8:05 p.m., Mayor Moyer requested Alderman Cohen to preside over the meeting during her absence.
- At 8:10 p.m., Mayor Moyer resumed the duties of the Chair.

PUBLIC HEARINGS

O-23-05 For the purpose of requiring an owner of certain substandard residential lots of record to merge contiguous lots under certain circumstances; limiting the discretion to grant administrative exceptions (tolerances) to established yard requirements; to require any accessory structure having a floor area greater than 1200 square feet or a height greater than 20 feet to be approved as a special exception; to impose a maximum lot coverage limitation of 30 percent for single-family detached dwellings; to include additional definitions in the Zoning Code; and matters generally relating to merging lots and Zoning Code amendments.

Planning and Zoning Director Arson gave a brief presentation on the ordinance.

Chair James Urban, 915 Creek Drive, Annapolis, Maryland 21403 representing Planning Commission was present and testified on behalf of the ordinance.

Spoke on the ordinance:

Dan Juan, 224 Claude Street, Annapolis, Maryland 21401 representing West Annapolis Civic Association

Spoke in favor of the ordinance:

Sheila Tolliver, 1015 Sportsman Neck Road, Queenstown, Maryland 21658
Joyce W. Hoffer, 308 Giddings Avenue, Annapolis, Maryland 21401
Debbie Rosen Mc Kerrow, 450 Schley Road, Annapolis, Maryland 21401 representing Admiral Heights Improvement Association

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Moyer accepted into the record an e-mail dated 1/23/06 in opposition to the ordinance from Chris Ledoux, 215 Severn Avenue, Annapolis, Maryland 21403
- Mayor Moyer also accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 10/20/05, and Memoranda from Jon Arason, Director, to the Planning Commission dated 10/7/05.
- Mayor Moyer declared the public hearing closed.

O-37-05 For the purpose of expanding eligibility for Moderately Priced Dwelling Units (MPDUs) from teachers in schools located only within the City's boundaries to all teachers at any school located in the Annapolis Senior High School district; and all matters generally relating to said eligibility for MPDUs.

Planning and Zoning Director Arson gave a brief presentation on the ordinance.

Cynthia Abney Carter, 1311 Colony Drive, Annapolis, Maryland 21403 spoke in favor of the ordinance and requested an amendment to include the Anne Arundel County Hospital Workers.

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Moyer declared the public hearing closed.

R-02-06 For the purpose of expressing the City of Annapolis' support for the Maryland Healthy Air Act of 2006.

Spoke in favor of the resolution:

Karen Jennings, 107 Tolson Street, Annapolis, Maryland 21401 representing the Anne Arundel County Green Party
Corinne Irwin, 137 Porter Drive, Annapolis, Maryland 21401 representing Unitarian Universalist Legislative Ministry for Maryland
George Law, 332 Gatewater Court, Apt # 204, Glen Burnie, Maryland 21061
David Martin, 1169 Harbor Oak Drive, Crownsville, Maryland 21032
William Small, 3 Church Circle, PMB # 279, Annapolis, Maryland 21401 representing Green Party
Lynne Metcalfe, 1169 Harbor Oak Drive, Crownsville, Maryland 21032
Ted Weber, 107 Tolson Street, Annapolis, Maryland 21401 representing Ward 2 Residents

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Moyer declared the public hearing closed.
- Alderwoman Hoyle moved the Public Hearings on R-37-05 and O-38-05 be held jointly. Seconded. CARRIED on voice vote.

Annapolis Neck Annexation

R-37-05 For the purpose of annexing into the boundaries of the City of Annapolis certain property which is contiguous to the existing boundary of the City and is generally located between Quiet Waters Park, Hunt Meadow, Annapolis Overlook and on Forest Drive next to Forest Village Apartments; and matters generally related to said annexation.

O-38-05 For the purpose of establishing a zoning classification of R1-B, Single Family Residence, for certain property which is contiguous to the existing boundary of the City, is owned by QW Properties, LLC, and is generally located south of the split between Forest Drive and Old Annapolis Neck Road; and all matters relating to said zoning map amendment.

Planning and Zoning Director Arson gave brief presentations on R-37-05 & O-38-05.

Jerome I. Feldman, Esq., Bernstein & Feldman, P.A., 900 Bestgate Road, Suite 200, Annapolis, Maryland 21401 representing the applicants, gave a brief presentation and entered the following into the record:

- Exhibit A: L - dated September 19, 2005 to Regina C. Watkins-Eldridge
- Exhibit B: L - dated January 26, 2006 to Deborah Heinbuch
- Exhibit C: Petition to the Mayor And Alderman of the City of Annapolis for Annexation and Zoning of Real Estate
- Exhibit D: Metes & Bounds Description to accompany Annapolis Neck Annexation Petition into the City of Annapolis
- Exhibit E: Dreamcraft Homes, Inc portion of tax map showing proposed Zoning Classifications Annapolis Neck Rd. 6th assessment district, Anne Arundel County, Maryland 21403 D-2
- Exhibit F: Dreamcraft Homes, Inc portion of tax map showing proposed Zoning Classifications Annapolis Neck Rd. 6th assessment district, Anne Arundel County, Maryland 21403 D-1
- Exhibit G: Dreamcraft Homes, Inc portion of tax map showing proposed Zoning Classifications Annapolis Neck Rd. 6th assessment district, Anne Arundel County, Maryland 21403 C-2
- Exhibit H: Dreamcraft Homes, Inc portion of tax map showing proposed Zoning Classifications Annapolis Neck Rd. 6th assessment district, Anne Arundel County, Maryland 21403 C-1
- Exhibit I: Plat Showing Proposed Annexation Parcel into the City of Annapolis 2nd District Anne Arundel County, Maryland
- Exhibit J: L - dated September 15, 2005 To whom this may concern - Petitioners requesting Annexation within described property
- Exhibit L: L - dated September 15, 2005 To whom this may concern - Petitioners requesting Annexation within 500 feet
- Exhibit K: Fiscal Impact Analysis of the proposed annexation of the QW Properties and 17 adjacent, Individually Owned Parcels
- Exhibit M: Dreamcraft Homes, Inc portion of tax map showing proposed Zoning Classifications Annapolis Neck Rd. 6th assessment

- district, Anne Arundel County, Maryland 21403 G
- Exhibit N: C.D. Meekins & Associates, Inc., Consulting Engineers & Surveyors
- Exhibit O: Annapolis Neck Annexation
- Exhibit P: Westholm & Associates, LLC
- Exhibit Q: Summary of Key Jim Post Talking Points
- Exhibit R: Addendum to the Staff Report dated November 17, 2005
- Exhibit S: Memorandum dated December 1, 2005 - Findings on the Annexation Petition, Resolution R-37-05, and Designation of Zoning Classification, Ordinance 0-38-05 for Annapolis Neck Road Property

Present and testified on behalf of the application:

James L. Prost, 1107 Boucher Avenue, Annapolis, Maryland 21401
Midgett Parker, Jr., attorney representing applicants, Linowes & Bloucher, 6411 Ivy Lane, Suite 200, Greenbelt, Maryland 20770, and resident of 3229 Chrisland Drive, Annapolis, Maryland 21403

Spoke on the R-37-05:

Janet Norman, 787 Annapolis Neck Road, Annapolis, Maryland 21403

Spoke in favor of the R-37-05:

Darlene Brown, 775 Annapolis Neck Road, Annapolis, Maryland 21403
Cassandra Joyce, 200 Obery Street, Annapolis, Maryland 21401
Charles H. Powell, Sr., 1214 Barbud Lane, Annapolis, Maryland 21403 representing Annapolis Neck Residents
Evelyn Ragin, 733 Annapolis Neck Road, Annapolis, Maryland 21403
Helen Scott representing her mother Mildred Kent, 745 Annapolis Neck Road, Annapolis, Maryland 21403
Anna May Brown, 225 Open View Lane, Annapolis, Maryland 21403

Spoke in favor of R-37-05 & 0-38-05:

Chair James Urban, 915 Creek Drive, Annapolis, Maryland 21403 representing Planning Commission
Robert Waldman, 1001 Poplar Avenue, Annapolis, Maryland 21401 representing Planning Commission
Cynthia Abney Carter, 1311 Colony Drive, Annapolis, Maryland 21403

Spoke in opposition to the 0-38-05:

Janet Norman, 787 Annapolis Neck Road, Annapolis, Maryland 21403

Spoke in opposition to the R-37-05 & 0-38-05:

Anastasia Hopkinson, 1036 Harbor Drive, Annapolis, Maryland 21403 representing Annapolis Neck Peninsula Federation

Planning and Zoning Director Arson answered questions from Council.

No one else from the general public spoke in favor of or in opposition to the resolution or ordinance.

- Mayor Moyer accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 12/01/05, and Memoranda

from Jon Arason, Director, to the Planning Commission dated 11/17/05.

- Mayor Moyer declared the public hearing closed.
- Alderman Cohen moved the vote on R-37-05 and O-38-05 be scheduled after such time as the applicant and the City have signed the recordable annexation agreement and after such time applicant has submitted and the Planning Commission has acted upon a conceptual site plan for this property. Seconded. DEFEATED on voice vote.

A ROLL CALL vote was taken:

YEAS: Stankivic, Cohen

NAYS: Mayor Moyer, Aldermen Israel, Christman, Alderwomen Hoyle Taylor, Cordle, Shropshire

DEFEATED

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:05 p.m.

Regina C. Watkins-Eldridge, CMC
City Clerk