



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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MAYOR

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ACTING CITY ADMINISTRATOR

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COUNTY EXECUTIVE

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DIRECTOR OF ADMINISTRATION

MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on February 16, 2017 in Room 301, Council Chambers, Government Office Building, with the following persons in attendance:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Scott Rogers
Marc Kilmer
Newell Quinton
James McNaughton
Jack Heath (Absent)
Jim Thomas

CITY/COUNTY OFFICIALS:

Henry Eure, Building, Permits and Inspections Department
Brian Wilkins, Salisbury Public Works Department
Tony Fascelli, Salisbury Public Works Department
Chris Clasing, Salisbury Public Works Department
Mayor Jake Day

PLANNING STAFF:

Jack Lenox, Director
Gloria Smith, Planner
Frank McKenzie, GIS
Beverly Tull, Recording Secretary



The meeting was called to order at 1:33 p.m. by Mr. Dashiell, Chairman.



MINUTES:

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission **APPROVED** the minutes of the January 16, 2017 meetings as submitted.



RE: #SP-1701 PALEOCHANNEL SITE PLAN - PTV Capital Partners Salisbury - Dagsboro Road - General Commercial District - M-20; P-184; G-24.

Mr. Chris Mondoro came forward. Mrs. Smith presented the Staff Report. She summarized the report explaining that Bohler Engineering has submitted a Paleochannel/Wellhead Protection Site Plan, on behalf of PTV Capital Partners Salisbury, LLC.

Mr. Mondoro discussed the site explaining that there was an existing convenience store which would be removed and the site would be redeveloped as a grocery store. An environmental study has been done and has not shown any contamination issues. The stormwater management is being worked on with the Public Works Department. The large openings will be closed and State Highway is being consulted to handle the entrance to the site. All parking requirements will be adhered to. The use is in compliance with the current Code.

Dr. McNaughton questioned the size of the current structure. Mr. Mondoro responded that the existing convenience store is probably a quarter of the size of the proposed structure. Dr. McNaughton questioned if there was room on the site for the stormwater management. Mr. Mondoro responded in the affirmative, explaining that they were working on the stormwater management. Dr. McNaughton stated that he would like to see some trees in the landscaping. Mr. Mondoro responded that they would include some trees as part of the landscaping, adding that it was part of their annexation discussion.

Mr. Dashiell questioned Mr. Mondoro if he had any concerns with the Staff’s recommendations. Mr. Mondoro responded in the negative.

Mr. Thomas questioned if the underground storage tanks had been removed. Mr. Mondoro responded in the affirmative.

Mr. John Groutt, representative of WET, stated that he supports the planting of trees to support the runoff. He explained that he had concerns over the number of parking spaces and questioned if it was possible to reduce the required number. Mr. Lenox responded that Mayor Day has been vocal about this subject. The Code requires more parking than is needed in many cases and they are looking at

revisions to the zoning requirement but would need to have the engineer of this project determine if the proposed number of spaces are needed for this development. He added that the client can decide if they want to try and reduce the parking.

Mr. Lenox noted that during the annexation process Leonard's Mill Pond was taken into consideration. Due to the lack of drainage system in place in the area, any type of drainage system developed on this property will be better than what exists currently. Mr. Dashiell noted that he agreed with Mr. Groutt's request for more trees in the landscaping.

Dr. McNaughton questioned how the parking standards in Wicomico County and Salisbury stack up to other counties. Mrs. Smith noted that she had done some research and found that there is no general standard. Some other cities have minimum/maximum requirements, some to have requirements just like ours and some have done away with parking requirements completely.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission **APPROVED** the Paleochannel Site Plan for PTV Capital Partners Salisbury, LLC, subject to the following Condition of Approval:

CONDITIONS:

1. The site shall be developed in accordance with the approved Paleochannel Site Plan. Minor plan adjustments may be approved jointly by the Building, Permits and Inspections and Planning and Zoning Departments.
2. The required landscaping islands shall be provided on the southerly side of the handicapped parking, on the westerly end of the bay of parking facing the southerly side of the store, and along the ends of the parallel parking on the easterly side of the store.
3. This Plan approval is subject to further review and approval by the Salisbury Department of Public Works. Major Site Plan adjustments shall require further review by the Salisbury Planning Commission.



CITY SUBDIVISION PLAT:

Heritage - Preliminary/Final - 1 Lot - Heritage Drive - M-37; G-18; P-144; Parcel 5A.

Mr. Chris Carbaugh came forward, along with Mr. John Breda from the Bank of Delmarva. Mrs. Gloria Smith summarized the request explaining that the applicants are proposing subdivision of Parcel 5A of Heritage. New Parcel 5A will contain 7.26 acres and Parcel 7A will contain 2.52 acres. Parcel 5A will continue to have frontage on Heritage Drive and Legacy Way, as well as frontage but no access to Culver Road. Parcel 7A will have frontage on Pemberton Drive and Culver Road with no access to either. There is an existing curb cut for Parcel 7A on Heritage Drive.

Mr. Carbaugh explained that the purpose of the subdivision is to allow for the real estate sale of the remainder of this property outside this lot.

Mr. Kilmer questioned if there were plans to further development the remainder of the property. Mr. Carbaugh responded in the negative.

Upon a motion by Mr. Rogers, seconded by Mr. Quinton, and duly carried, the Commission **APPROVED** the Preliminary/Final Subdivision for Heritage, subject to the following Conditions of Approval:

CONDITIONS:

1. This plat is subject to further review and approval by the Salisbury Department of Public Works.
2. Health Department approval is required prior to the recordation of the Final Plat.
3. Parcel 7A shall be denied direct vehicular access to Pemberton Drive.



#SP-1702 CERTIFICATE OF DESIGN AND STIE PLAN – CONCEPT PLAN – Marina Landing.

Mr. Brock Parker and Mr. Keith Fisher came forward.

Mr. Keith Fisher explained that they had been working closely with the City on this project to get to this point. The developer got stuck in Baltimore and sent his apologies that he couldn't make the meeting. This is a mixed use development. There are two (2) main structures. The ground level will consist of restaurants and retail and the first level above would be the common area with a pool, public meeting rooms and fitness center. The buildings would then break into two (2) towers of apartments. There is a lot of green area for people to gather, including a large outdoor big screen TV to be used for movie showings and large events such as the New Year's Eve ball drop and Superbowl. Located between this proposed development and River's Edge would be the Marina building and retail sales. This development should be a game changer for the Downtown.

Mr. Parker explained that the pump station will be moved to Pearl Street, to be sited along with a small parking lot. There's parking along Fitzwater Street. The stormwater is being designed in conjunction with the regulations. The project meets all setback requirements and complies with the Critical Area regulations.

Mr. Dashiell questioned if there would be any additional boat slips added. Mr. Parker responded in the negative. Mr. Dashiell questioned the boat house. Mr. Fisher explained that there are funds reserved to build the boat house. It will match the existing plan for the area. Mr. Parker added that it will be for storage and conversation of the boating community. This area is anticipated for kayaks and canoes, not motorized boats.

Mr. Rogers questioned the pedestrian connectivity. Mr. Parker responded that the riverwalk will be opened but will be locked by the marina.

Mr. Parker noted that the parking lot would be redesigned to look like a large lot.

Mr. Thomas questioned if there was any conversation to extend this to River's Edge. Mr. Parker responded in the negative due to the different elevations between the properties.

Dr. McNaughton questioned if they anticipate another building. Mr. Parker responded in the negative explaining that they have met the developers expectations with the current design.

Mr. Fisher explained that part of the effort of this design was to readjust the lot lines to make them more defined.

Mr. Thomas questioned the parking. Mr. Parker responded that there would be 125 parking spaces on site and 15 spaces off site.

Mr. Quinton questioned the access to the riverwalk from the parking areas. Mr. Fisher displayed the pedestrian access to the riverwalk on the plans.

Mr. Quinton questioned the height of the buildings. Mr. Fisher responded that they would be adhering to the Code requirement of 75 ft. Mr. Quinton noted that tall buildings would block the view of the river.

Mr. Parker noted that there is a heavy landscaping plan for this project.

Mr. Fisher noted that Attachment 10 had a sample of what the buildings will look like.

Mr. Dashiell questioned what types of landscaping materials are planned. Mr. Parker responded that the plan calls for crepe myrtles and knock out roses as some of the main species. There will be shade trees in the parking lot.

Mr. Thomas questioned if the alignment coincides with the plans to redo Fitzwater Street. Mr. Fisher responded in the affirmative.

Mr. Dashiell questioned the number of apartments planned for this development. Mr. Fisher responded that there would be 50 apartments. Mr. Dashiell questioned if there would be 25 apartments in each tower. Mr. Fisher responded in the affirmative.

Mr. Lenox noted for the Commission that this project was put out in an RFP, and Mr. Fisher and Mr. Parker represent the successful proponent.

Mayor Day came forward. He discussed the project and how the pedestrian and bicycle connectivity would work into this plan. There will be dedicated bike lanes on both sides of the street. The plans do not have much change on the north side of Fitzwater Street but the new facility will be on the south side. There may be a desire to try a cycle path in this area.

Dr. McNaughton questioned if the width of the street would remain the same. Mayor Day responded in the affirmative.

Mr. Kilmer questioned if the flooding issues would be addressed. Mayor Day responded in the negative. He explained that Councilwoman Jackson, Mrs. Amanda Pollock, and he would be going out to look at the properties with flooding issues and see if there was any interest for those landowners to allow the City to acquire the properties with grant funds. If the interest is not there, then the money will be returned.

Mr. Thomas questioned if there were any plans on when Fitzwater Street would be done. Mayor Day responded that the plan is for late 2018 or early 2019 for paving and to connect to this development.

Mr. Lenox stated that we appreciate the concept plan. He explained that he had been included in the planning meetings.

In regards to the subdivision plan, the remainder of this property is owned by the City with public access to and along the river. Mr. Dashiell questioned if the developer was purchasing the land with the two (2) tower buildings. Mr. Lenox responded in the affirmative.

Mr. Lenox discussed each of the conditions listed in the staff report.

Mr. John Groutt, WET, stated that he had a problem with this case because it wasn't listed on the agenda that was sent out and added at the last minute. Mr. Dashiell explained that he understood Mr. Groutt's concern, acknowledging that this is not the Commission's usual practice, but that there were timing constraints regarding this particular concept plan.

Dr. McNaughton questioned the Perdue parking lot location. Mr. Parker displayed on the plan the location of the Perdue parking lot.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission **SUPPORTED** the Certificate of Design and Site Plan – Concept Plan for Marina Landing, subject to the following conditions being addressed prior to the issuance of a Final Certificate of Design and Site Plan Approval:

CONDITIONS:

- 1) Address to the satisfaction of the Salisbury Department of Public Works, their comments outlined in correspondence of January 23, 2017. Final plans to demonstrate compliance with the MDE Stormwater Design Manual.
- 2) Comply with all requirements of the Chesapeake Bay Critical Area Program, including submission of a Buffer Management Plan. A Certificate of Compliance must be obtained from the Planning Office prior to the disturbance of any land.
- 3) Parking lot islands should be shown that comply as closely as possible with the apartment standards of the Zoning Code.
- 4) Submission of a Subdivision Plat to be approved by the Commission, defining the parcel to be acquired from the City, with a minimum of 50' of frontage along Fitzwater Street. Additional access and service easements to be referenced as needed, and proposed building setbacks detailed.
- 5) On-street parking for Fitzwater Street is to be coordinated with City plans for street enhancement, including pedestrian and bicycle improvements.
- 6) Coordinate with the Salisbury Fire Department to assure that site design provides for necessary emergency access.
- 7) Coordinate with the County Fire Marshal regarding details associated with the separation and/or relocation of Marina fuel tanks.
- 8) A roof cross-section is to be submitted to document compliance with the 75' building height limitation of the Zoning Code.
- 9) The plan to relocate the sewer pumping station to the corner of Pearl Street, along with intended parking improvements, should include retaining wall and landscape provisions to minimize any impact to adjacent residential properties.
- 10) Construction details for the proposed Riverwalk segment should comply with all City standards, and clearly define the intended connection in the vicinity of the Dock Master's Office.
- 11) All site appurtenances (i.e. lighting, benches, signage) shall be consistent with the adopted City specifications for the Downtown area.
- 12) A Development Schedule should be submitted, along with a Final Plan subject to further review and approval by the Salisbury Public Works Department.



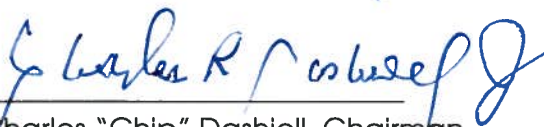
Mr. Lenox noted that the County Comprehensive Plan is on the County Council agenda for Tuesday, February 21, 2017. This will be a public hearing that is open for questions and comments. A vote will not be taken at this meeting. Following the meeting, Mr. Hall and Mr. Lenox will meet with the Council in work session to allow for further discussion. Once the Council adopts the Comprehensive Plan, it will come back to the Commission for concurrence.

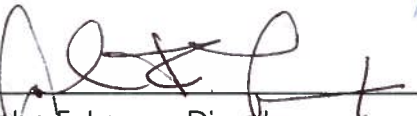


There being no further business, the Commission meeting was adjourned at 2:45 p.m. by Mr. Dashiell.



This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Salisbury-Wicomico County Department of Planning, Zoning, and Community Development Office.


Charles "Chip" Dashiell, Chairman


John F. Lenox, Director


Beverly R. Tull, Recording Secretary