



JACOB R. DAY
MAYOR

JULIA GLANZ
CITY ADMINISTRATOR
ACTING MAYOR

City of Salisbury – Wicomico County

PLANNING AND ZONING COMMISSION
P.O. BOX 870
125 NORTH DIVISION STREET, ROOMS 201 & 203
SALISBURY, MARYLAND 21803-4860
410-548-4860
FAX: 410-548-4955



JOHN D. PSOTA
ACTING COUNTY EXECUTIVE

JOHN D. PSOTA
DIRECTOR OF ADMINISTRATION

MINUTES

The Salisbury-Wicomico County Planning and Zoning Commission met in regular session on January 21, 2021, via Zoom video conference, with the following persons participating:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Dr. James McNaughton
Scott Rogers
Mandel Copeland
Jim Thomas
Jack Heath

PLANNING STAFF:

Henry Eure, City of Salisbury, Department of Infrastructure and Development ("DID")
Brian Wilkins, City of Salisbury, DID
Anne Roane, City of Salisbury, DID
Keith D. Hall, AICP, Deputy Director, Wicomico County Planning, Zoning, and Community Development ("PZCD")
Brian Soper, Planning Manager, PZCD
Melissa Cassimore, Recording Secretary, PZCD

The meeting was called to order at 1:30 p.m. by Mr. Dashiell, Chairman.

Mr. Hall conducted a roll call of Commission members participating on the video conference, as well as City and County staff. Mr. Hall announced a quorum of Commissioners was achieved for the meeting.

Chairman Dashiell announced in response to the COVID-19 crisis and in an effort to promote the health, safety, and general welfare of the public this meeting is being conducted via video conference. He proceeded with thanking County and City Staff for assisting with making the video conference possible. Also, Chairman Dashiell welcomed the public that may be joining the meeting.

He stated none of the matters before the Commission are public hearings, but the public will be given an opportunity to speak on each item being presented.

Chairman Dashiell requested Mr. Hall to provide a brief overview of procedures and tips for conducting a video conference meeting. Mr. Hall presented the house keeping procedures, which included participants and applicants to mute audio and turn off video until ready or requested to speak, mute computer audio when listening via phone, write your name when prompted if joining via Zoom video, individual roll call for Commissioner comments and votes on items, and Staff may request for a person to restate or confirm name and comment. With no questions, Mr. Hall turned the meeting over to Chairman Dashiell.

MINUTES: The minutes from the December 17th meeting were brought forward for approval. Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the minutes from the December 17, 2020 meeting were **APPROVED** as submitted.

PALEO CHANNEL/WELLHEAD PROTECTION SITE PLAN APPROVAL - Hertrich Salisbury Body Shop – Hertrich Properties XXII, LLC - 500 E. Naylor Mill Road – General Commercial Zoning District - #20-029 – M-0101, P-5461 (B. Wilkins)

Chairman Dashiell confirmed Mr. Brock Parker of Parker & Associates and Mr. Al Guckes of Hertrich were on the video conference. Chairman Dashiell asked Mr. Wilkins to present the Staff Report.

Mr. Wilkins presented the Staff Report and stated the applicant is proposing a motor vehicle body repair shop utilizing a portion of the existing space with a new 517 sq.ft. building addition and a 729 sq.ft. canopy area for vehicle drop-off. Since this redevelopment occurs within the Paleochannel and Wellhead Protection area, a Comprehensive Development Plan is required. The applicant has submitted for, and received approval for a Stormwater Management Waiver for this redevelopment as the total disturbed area is less than 5,000 sq.ft.

Staff recommends approval for the Paleo Channel / Wellhead Protection Site Plan as submitted, with the following three conditions:

1. The site shall be developed in accordance with the approved Site Plan and all requirements of the Salisbury Municipal Code. Minor adjustments may be approved by the Department of Infrastructure & Development (“DID”);
2. Approval of the Salisbury Fire Marshal; and
3. Forest Conservation shall be subject to review and approval by the Wicomico County Planning & Zoning Department if required.

Chairman Dashiell thanked Mr. Wilkins for his report and asked if Mr. Parker had any additional comments in regards to the presentation.

Mr. Parker stated Mr. Guckes would like to discuss the plan for the building.

Mr. Guckes discussed the environmental progress of auto body and paint shops over the last 20 years. Mr. Guckes stated the paint mix and paint rooms are self-contained with an eight-inch curb around them to catch any spills.

Chairman Dashiell thanked Mr. Guckes and asked if Mr. Parker had any additional comments.

Mr. Parker stated some of the site modifications include access doors to allow vehicles into the different cells, closing in the loading dock at the rear of the building, changes to the curbing to provide a better traffic flow around the building, lighting head changes and installation of additional poles in conformance with the City Zoning Code.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments to applicants or Staff.

Dr. McNaughton confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Thomas asked if the Stormwater Management issues have been addressed.

Mr. Parker stated since the total disturbed area is less than 5,000 sq.ft. the Stormwater Management is deemed inconsequential. Mr. Parker stated the waiver has been granted and the plan has been approved by DID.

Mr. Wilkins stated improvements are cumulatively tracked; therefore, future disturbances that cumulatively exceed 5,000 sq.ft. would require changes to the Stormwater Management.

Mr. Copeland confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell confirmed no questions or comments.

Chairman Dashiell asked if the public had any questions or comments. No members from the public were present.

Upon a motion by Mr. Rogers, seconded by Dr. McNaughton and carried unanimously, the Commission approved the Paleo Channel / Wellhead Protection Site Plan subject to the three proposed conditions presented in the Staff report.

Chairman Dashiell stated the motion was approved.

REVISED COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – Lemek Slower Lower LLC for Panera Bread/PVT I LLC – 2835 N. Salisbury Blvd. - General Commercial Zoning District - #202001219 - M-0020; G-0024; P-0215 (H. Eure)

Chairman Dashiell confirmed Mr. Ken Sisk of Lemek Slower Lower, LLC, Mr. Ed Smart of Smart Design and Mr. Ted Hastings of Penny Design Group were on the video conference. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure presented the Staff Report and stated the applicant is requesting modifications to the building's elevation, footprint, and sign plan. The proposed modifications to the building's elevations and footprint consist primarily of material and color changes that coincide with newer corporate standards. The building's footprint has been reduced to compensate for the additional landscaping and outdoor seating. The proposed modifications to the sign plan include changes to the drive-thru wall sign, the directional signs and the addition of two rapid pick-up signs.

Staff recommends approval for the Revised Comprehensive Development Plan for Panera Bread as submitted.

Chairman Dashiell asked Mr. Sisk if there is anything he would like to add.

Mr. Sisk stated the changes are in response to the pandemic and to adjust the building efficiency by providing additional patio seating and a rapid pick-up area.

Chairman Dashiell asked Mr. Smart and Mr. Hastings if they have anything to add.

Mr. Smart stated Mr. Eure did a fine job explaining the changes.

Mr. Hastings stated Mr. Sisk did a fine job explaining the changes are due to COVID.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell confirmed no questions or comments.

Chairman Dashiell asked if the public had any questions or comments. No members from the public were present.

Upon a motion by Mr. Rogers, seconded by Dr. McNaughton and carried unanimously, the Commission approved the Revised Comprehensive Development Plan for Panera Bread/PVT I LLC as submitted.

Chairman Dashiell stated the motion was approved.

REVISED SIGN PLAN APPROVAL – Virginia Square Shopping Center – Phillips Signs for Opportunity Street, LLC - 1517 N. Salisbury Blvd. – General Commercial Zoning District - #202001214 – M-0105; G-0003; P-0352 (H. Eure)

Chairman Dashiell confirmed Chris Gilkerson of Gillis Gilkerson was on the video conference. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure presented the Staff Report and stated the applicant and owners are proposing to add various shades of blue to the existing color palette for a new tenant, while also requesting permission to allow unlimited sign colors as long as landlord approval has been given. Additionally, the style of the awning for the new tenant has been changed to direct water away from the building.

Staff recommends approval of the owner's request for an unlimited palette for the shopping center's sign colors, as well as the updated awning style, with the condition that any newly installed or replacement awnings be consistent with the new style.

Chairman Dashiell asked Mr. Gilkerson if there is anything he would like to add.

Mr. Gilkerson confirmed no comments.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell asked if the unlimited color palette was granted in previous cases.

Mr. Eure stated this would be the first or second instance for granting an unlimited color palette. In addition, Mr. Eure stated shopping centers constructed prior to 1983 are not required to have a Comprehensive Development Plan and may have unlimited sign colors.

Chairman Dashiell asked if the public had any questions or comments. No members from the public were present.

Upon a motion by Mr. Rogers, seconded by Mr. Heath and carried unanimously, the Commission approved an unlimited color palette and updated awning style with condition any new awnings be consistent with the new style for the Virginia Square Shopping Center.

Chairman Dashiell stated the motion was approved.

REVISED SIGN PLAN APPROVAL – TidalHealth at Woodbrooke – Takeform for TidalHealth - 1640 Woodbrooke Drive. – Light Business and Institutional Zoning District - #202001221 – M-0110; G-0021; P-2447 Lot 2 & 9 (H. Eure)

Chairman Dashiell confirmed Andrea Guzman of Takeform for TidalHealth was on the video conference. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure presented the Staff Report and stated the request is to install an identification sign at the entrance to the site and a directional sign for Building H near the roundabout on Woodbrooke Drive. The identification sign for Building 9 is proposed to have a setback of 15 ft. from Woodbrooke Drive. The directional sign for Building H is proposed to be placed on Lot 2 near the roundabout and will

maintain the same style and size as the existing Building H and the proposed Building 9 sign with a 15 ft. setback.

Staff recommends approval of the identification sign for Building 9 as amended. Staff would support a sign with the proposed 8 ft. setback, provided that it is reduced in size to 12.25 sq. ft., which is the same size as other identification signs in Woodbrooke that are closer to the road. As for the directional sign proposed for Lot 2, Staff must unfortunately recommend denial as submitted. The proposed sign is approximately 12 times larger than allowed by the Zoning Code. While Staff understands the necessity of having clients/patients find access to Building H with relative ease, the proposed sign seems excessive. A smaller alternative sign would be sufficient.

Chairman Dashiell thanked Mr. Eure for his report.

Chairman Dashiell asked Ms. Guzman if there is anything she would like to add.

Ms. Guzman stated the origin of the directional sign was out of patient need of wayfinding for the building and safety.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton questioned Staff why the sign needed to be identical to the other signs in Woodbrooke.

Mr. Eure stated the proposed sign is 12 times larger than allowed by the Zoning Code and a smaller alternative sign would be sufficient.

After a brief discussion amongst Commissioners, Staff and Ms. Guzman, Chairman Dashiell suggested Ms. Guzman and Staff to work on a suitable sign that is within the Zoning Code requirements and meets the needs of the patients.

Chairman Dashiell requested Mr. Hall to continue the roll call of Commissioners for questions and comments.

Mr. Thomas confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Heath suggested consideration be given to future development in Woodbrooke.

Chairman Dashiell clarified with Ms. Guzman the identification sign for Building 9 has a 15 ft. setback.

Ms. Guzman confirmed.

Chairman Dashiell stated the directional sign would not be considered at this meeting.

Chairman Dashiell asked if there are members of the public on the call. No members from the public were present.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas and carried unanimously by participating members, the Commission approved the size and location of the identification sign for Building 9 with a setback of 15 ft. at Woodbrooke.

Chairman Dashiell stated the motion was approved.

REVISED SIGN PLAN APPROVAL – Lotus Plaza Shopping Center – Cockey, Brennan & Maloney, P.C. for Lotus Plaza, LLC - 2420 N. Salisbury Blvd. – General Commercial Zoning District - #202001216 – M-0029; G-0011; P-0164 (H. Eure)

Chairman Dashiell confirmed Mr. Michael Sullivan of Cockey, Brennan & Maloney, P.C., Heather Morrison of Fisher Architecture, and Chris Adamopoulos were on the video conference. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure presented the Staff Report and stated the applicant is requesting to erect a new freestanding sign for the Lotus Plaza Shopping Center. The revised sign is projected to be 30 ft. in overall height with an overall size of 222.54 sq. ft. The Lotus Plaza label will remain 17.94 sq. ft. with a 204.6 sq. ft. face. The sign's setback will be reduced slightly by the new cap proposed for the top of the sign, but it will still be compliant with the required 15 ft. setback, as it is currently approximately 23 ft. from the highway. In addition, the pylon sign tenant panels are also proposed to be changed from the existing red letters on a yellow background to the approved building sign colors (red, blue, green, black and white) on a white background.

Staff recommends approval for the proposed Sign Plan as submitted, with the following condition:

1. All flags, temporary signs and banners shall be prohibited, unless first approved by the Planning Commission as part of a Revised Sign Plan.

Chairman Dashiell asked Mr. Sullivan if there is anything he would like to add.

Mr. Sullivan stated they plan to address changing the wall signage at next month's Planning Commission meeting. Mr. Sullivan asked if Ms. Morrison had anything she would like to add.

Ms. Morrison confirmed no comment.

Mr. Adamopoulos stated he will contact the tenants and the banners will be removed.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Heath clarified with Staff that two signs are permitted on this property due to the two entrances.

Mr. Eure confirmed two signs are permitted.

After a brief discussion regarding the size and placement of two signs on this property, Mr. Hall continued the roll call of Commissioner questions and comments.

Chairman Dashiell confirmed no questions or comments.

Chairman Dashiell asked if the public had any questions or comments. No members from the public were present.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas and carried unanimously, the Commission approved the Revised Sign Plan for Lotus Plaza subject to the condition as presented in the Staff report.

Chairman Dashiell stated the motion was approved.

STAFF COMMENTS:

Chairman Dashiell stated he looks forward to meeting again in person to move the business of the City and County forward and thanked Staff for making the video conference possible. Chairman Dashiell asked if anyone had any comments prior to adjournment.

Ms. Roane stated no updates at this time.

Mr. Hall thanked the Information Technology ("IT") Department in addition to City and County Staff for making the virtual meetings possible. Mr. Hall stated the County Staff will begin sending out notification letters to all applicants via USPS mail to ensure an applicant has the meeting information prior to the meeting.

Mr. Thomas thanked Staff for the work with the IT Department for making the Zoom meetings possible. Mr. Thomas stated the video calls are helpful with screen sharing regarding case material.

Chairman Dashiell agreed with Mr. Thomas.

The next Commission meeting will be on February 18th.

There being no further business, the Commission meeting was adjourned at 2:47 p.m. by a motion from Mr. Rogers and seconded by Mr. Thomas, and duly carried by participating members.


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 Wicomico County Department of Planning, Zoning, and Community Development Office.



Charles "Chip" Dashiell, Chairman



Lori A. Carter, Director



Melissa Cassimore, Recording Secretary