



JACOB R. DAY
MAYOR

JULIA GLANZ
CITY ADMINISTRATOR

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 ("Commission") met in regular session on July 15, 2021, in Room 301, Council Chambers, Government Office Building with the following persons participating:

COMMISSION MEMBERS:

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

PLANNING STAFF:

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

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

Chairman Dashiell welcomed the public joining the meeting and thanked County and City Staff for assisting with making the in-person meeting possible.

MINUTES: The minutes from the June 17th meeting were brought forward for approval. Upon a motion by Mr. Thomas, seconded by Dr. McNaughton, and duly carried, the minutes from the June 17, 2021 meeting were **APPROVED** as

submitted. Mr. Rogers abstained from the vote because he was unable to attend the June 17, 2021 meeting.

CORRECTED PLAT – Double Mills, Sec. 1, Lot 5, BLK B – Grapevine Road – Residential District – M-9, G-15, P-180 (M. Williams)

Chairman Dashiell confirmed the applicant or representative were not present. Chairman Dashiell asked Ms. Williams to present the Staff Report.

Ms. Williams stated the request before the Commission is to remove the condition that Mr. Wright sign the plat acknowledging that a road will not be constructed within the 60-foot strip of land adjoining Lot 5. A major subdivision requiring a new road is not possible under current tier mapping. Ms. Williams discussed the history of the property and stated Mr. Wright has refused to sign the plat.

Staff recommends the removal of the condition requiring Mr. Wright's signature on the Corrected Plat for Lot 5, Block "B", Double Mills Subdivision. After hearing from the surveyor that Mr. Wright was refusing to sign the plat, a letter was sent to Mr. Wright from the County in June, 2020; however, no response to the letter or a follow-up call was received. Recently, a representative from Plummer and Associates visited with Mr. Wright in an attempt to obtain a signature. The surveyor's representative reported that he was met with a high-level of animosity and that it was clear Mr. Wright will not sign the plat. Also, Staff recommends keeping the following two (2) conditions from the original Corrected Plat for Double Mills, Section 1, Lot 5, Blk "B" approved by the Commission on July 18, 2019:

1. The Final Plat shall comply with all requirements of the Wicomico County Subdivision Regulations.
2. Health Department approval is required prior to recordation of the Corrected Plat.

Chairman Dashiell thanked Ms. Williams for her report and asked if the public had any questions or comments. No members from the public were present.

Chairman Dashiell asked if Commissioners had any questions or comments to applicants or Staff. There were no questions or comments.

Upon a motion by Mr. Rogers to approve the removal of the condition requiring Mr. Wright's signature on the Corrected Plat, Lot 5 Block B and subject to the two conditions listed in the Staff report, seconded by Mr. Thomas, and carried unanimously, the Commission approved the Corrected Plat for Double Mills, Sec. 1, Lot 5, BLK "B" as submitted.

Chairman Dashiell stated the motion was approved.

FINAL COMPREHENSIVE DEVELOPMENT PLAN - Villa's at Aydelotte Farms – Still Meadow Blvd. – The Villages at Aydelotte Farm PRD #7 – M-38 & 29, G-6 & 24, P-219- #19-043 (B. Wilkins)

Chairman Dashiell confirmed Mr. Brock Parker of Parker & Associates and Mr. Stan Markofsky were present. Chairman Dashiell asked Mr. Wilkins to present the Staff Report.

Mr. Wilkins stated the applicant proposes to construct 100 duplex units with several garages offering additional parking. Proposed is a mixture of 1-bedroom/2-bedroom duplex units and 2-bedroom/3-bedroom units. A 5,000+/- sq. ft. community center and pool are proposed for the development. The total acreage of the parcel is 38.43 acres, for an overall density of approximately 5.2 units per acre, which is compliant with the City's Zoning Code standard of a maximum of 5.5 units per acre. The plan indicates 189 total parking spaces will be provided for the residents plus an additional 29 parking spaces for the community center. Recreation/open space areas, a playground and stormwater management areas are also proposed.

Staff recommends approval of the Final Comprehensive Development Plan as submitted, with the following six (6) conditions:

1. This site shall be developed in accordance with a Final Comprehensive Development Plan Approval that meets all Code Requirements. Minor plan adjustments may be approved by the Salisbury Department of Infrastructure and Development. Detailed building elevations, landscaping and lighting plan shall be incorporated in the Final Comprehensive Plan;
2. Areas not proposed for development at this time shall be maintained in grass until the time of future development;
3. Provide two (2) handicap accessible spaces for the clubhouse parking area with one (1) of these spaces being van accessible;
4. Provide a detailed signage plan for approval by the Planning Commission;
5. Provide a detailed landscaping plan for review by the Salisbury Department of Infrastructure & Development; and
6. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development and the Salisbury Fire Department.

Chairman Dashiell thanked Mr. Wilkins for his report and asked Mr. Parker and Mr. Markofsky if there is anything they would like to add.

After a brief discussion amongst Commissioners, Staff and representatives regarding parking spaces, 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 the Final Comprehensive Development Plan for the Villa's at Aydelotte Farms subject to the six (6) proposed conditions contained in the Staff report and an addition of Condition #7, Waiver of a Community Impact Statement, Statement of Intent to Proceed and Financial Capability.

Chairman Dashiell stated the motion was approved.

**PRELIMINARY/FINAL COMPREHENSIVE DEVELOPMENT PLAN APPROVAL –
Fenzel Townhouses on Onley Road – Onley Road – Parcel 204 – Lots 1 & 2 – R-8A
Residential Zoning District – M-48, G-3, P-204, Lots 1 & 2, #21-021 (B. Wilkins)**

Chairman Dashiell confirmed Mr. Brock Parker of Parker & Associates and Mr. Nick Fenzel were present. Chairman Dashiell asked Mr. Wilkins to present the Staff Report.

Mr. Wilkins stated the applicant proposes to construct nine (9) townhouse-style apartment units with on-site parking and sidewalks for pedestrian traffic. Public water/sewer service will be provided by the City to serve the project. Trash collection will be private. In compliance with MDE regulations, stormwater management is proposed on-site.

Staff recommends approval of the Preliminary / Final Comprehensive Development Plan for the Fenzel Townhouses project as submitted, with the following six (6) conditions:

1. The site shall be developed in accordance with Final Comprehensive Development Plan Approval that meets all Code Requirements. Minor plan adjustments may be approved by the Salisbury Department of Infrastructure and Development;
2. Provide a detailed signage plan for approval by the Planning Commission;
3. Provide a detailed landscaping plan for review by the Salisbury Department of Infrastructure & Development;
4. Address any requirements of the Wicomico County Planning Office regarding the Forest Conservation Program;
5. Provide a lot consolidation plat to remove the interior property line; and

6. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development and the Salisbury Fire Department.

Chairman Dashiell thanked Mr. Wilkins for his report and asked Mr. Fenzel and Mr. Parker if there is anything they would like to add.

After a brief discussion amongst Commissioners, Staff and representatives regarding parking, 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 Preliminary/Final Comprehensive Development Plan subject to the six (6) proposed conditions with the addition of Condition #7 - Waiver of a Community Impact Statement, Statement of Intent to Proceed and Financial Capability.

Chairman Dashiell stated the motion was approved.

COMPREHENSIVE SITE PLAN APPROVAL_MIXED USE BUILDING – Zion Road Business Center – 2333 North Zion Road – General Commercial Zoning District – M-119, G-8, P-246, #202100637 (H. Eure)

Mr. Roger's recused himself from this case.

Chairman Dashiell confirmed Mr. Patrick Angell of Angell Design and Mr. Lee Beauchamp were present. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure stated the applicant proposes converting the existing office to a two-unit mixed-use building. In order to complete the conversion, a 1,702 sq. ft. addition is proposed, and is currently under construction. Offices are currently proposed for both tenants, which does not require site plan approval by the Planning Commission. However, the applicant is requesting approval of a mixed-use building for greater flexibility in the future. Parking is being reconfigured to meet Zoning Code standards and landscaping will be added in the parking area and along the east and south sides of the building.

Staff recommends approval for the proposed mixed-use building as submitted, with the following two (2) conditions:

1. Provide two (2) 8ft. wide landscaping islands as identified in Section III 2.b. of the staff report; and
2. Subject to further review by the Department of Infrastructure and Development.

Chairman Dashiell thanked Mr. Eure for his report and asked Mr. Angell and Mr. Beauchamp if there is anything they would like to add.

After a brief discussion amongst Commissioners, Staff and representatives regarding bicycle parking and storage, Chairman Dashiell asked if the public had any questions or comments. No members from the public were present.

Upon a motion by Mr. Thomas, seconded by Mr. Heath, the Commission approved the Comprehensive Site Plan Approval for a Mixed-Use Building subject to the two proposed conditions and an addition of Condition #3, Bicycle parking/storage as required by the recently revised City parking standards. With the exception of Mr. Roger's recusal on this item, all Commissioners individually voted in the affirmative.

Chairman Dashiell stated the motion was approved.

**ZONING RECOMMENDATION FOR ANNEXATION – Sharen Drive Annexation
– 2538 Old Ocean City Road – Planned Development District #1 – M-39, G-7, P-
269, Lots #1 & 2 - #202100641 (H. Eure)**

Chairman Dashiell confirmed Mr. Brock Parker of Parker & Associates was present. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure stated the City Administration has referred the Sharen Drive annexation, located east of the Ocean Aisle apartment complex, to the Planning Commission for review and recommendation of an appropriate zoning designation. The properties are located on the southerly side of Old Ocean City Road, the easterly side of Ocean Aisle Apartments, and the northerly side of Sharen Drive. The combined area of both lots totals 3.55 acres. This requested annexation area consists of two (2) lots on one (1) parcel that totals 3.55 acres in size.

The specific purpose of the Planning Commission's review is to make a zoning recommendation for the annexation area that is currently zoned R-15 Residential in the County. The adopted Salisbury Comprehensive Plan designates nearby areas as mixture of both Mixed Use and Residential, and the proposed use and requested zoning classification of Planned Development District #1 meets this designation by utilizing the adjoining City zoning classification and also incorporating the inherently permitted uses of three (3) different zoning districts (Light Business and Institutional, Neighborhood Business, and Select Commercial Districts). Staff recommends that the Planning Commission forward a favorable recommendation to the Mayor and City Council for this property to be zoned Planned Development District #1.

Chairman Dashiell thanked Mr. Eure for his report and asked Mr. Parker if there is anything he would like to add.

After a brief discussion amongst Commissioners, Staff and representatives regarding the self-storage facility concept plan and stormwater management, 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 made a favorable recommendation to the Mayor and City Council for the property at 2538 Old Ocean City Road to be zoned Planned Development District #1 upon annexation.

Chairman Dashiell stated the motion was approved.

ZONING RECOMMENDATION FOR ANNEXATION – 31997 Beaver Run Drive – R-8A Residential Zoning District – M-39, G-6, P-264, Lots # 1 & 2 (H. Eure)

Chairman Dashiell confirmed Mr. Jeff Harmon of Becker Morgan was present. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure stated the City Administration has referred the 31997 Beaver Run Drive annexation, located on the northeast corner of Beaver Run Drive to the Planning Commission for review and recommendation of an appropriate zoning designation. The properties are located on the northerly side of U. S. Route 50, the easterly side of Walston Switch Road, and the southerly side of Beaver Run Drive. The combined area of both lots totals 134,242 sq. ft. (3.08 acres). The requested annexation area consists of two (2) lots on one (1) parcel 134,242 sq. ft. in size. Lot 1 has been improved with a convenience store, while lot 2 is unimproved.

The specific purpose of the Planning Commission's review is to make a zoning recommendation for the annexation area that is currently zoned LB-1 Light Business and Institutional in the County. The adopted Salisbury Comprehensive Plan designates nearby areas as Mixed-Use, and the proposed use and requested zoning classification meet this designation by utilizing the Mixed-Use Non-Residential zoning classification, which is the zoning designation for adjoining city parcels. Staff recommends that the Planning Commission forward a Favorable recommendation to the Mayor and City Council for this property to be zoned Mixed-Use Non-Residential upon annexation.

Chairman Dashiell thanked Mr. Eure for his report and asked Mr. Harmon if there is anything he would like to add.

After a brief discussion amongst Commissioners, Staff and representatives regarding the stormwater management, truck entrance, and the architectural

style of the 7-11 building, 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 made a favorable recommendation to the Mayor and City Council for the Zoning Recommendation for the property at 31997 Beaver Run Drive to be zoned Mixed Use Non-Residential upon annexation.

Chairman Dashiell stated the motion was approved.

STAFF COMMENTS:

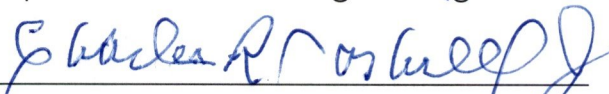
Mr. Hall informed the progress of Council regarding upcoming legislation of agricultural storage tanks, which more than likely nothing will be advanced to the Commission for their August meeting.

After a brief discussion between Commissioners and Staff regarding the next meeting would be during the Maryland Association of Counties summer conference, the date of the meeting was changed.

The next Commission meeting will be on August 12th.

There being no further business, upon a motion by Mr. Thomas, seconded by Mr. Rogers and with all members voting in favor the Commission meeting was adjourned at 3:04 p.m.

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



Keith D. Hall, AICP, Secretary



Melissa Cassimore, Recording Secretary