



JACK R. HEATH
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



JULIE M. GIORDANO
COUNTY EXECUTIVE

BUNKY LUFFMAN
DIRECTOR OF ADMINISTRATION

MINUTES

The Salisbury-Wicomico County Planning and Zoning Commission ("Commission") met in regular session on January 19, 2023 in Room 301, Council Chambers, Government Office Building with the following persons participating:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Jim Thomas, Vice Chairman
Jack Heath
Kevin Shertz
Matt Drew

PLANNING STAFF:

Brian Soper, City of Salisbury, Department of Infrastructure and Development ("DID")
Henry Eure, DID
Lori A. Carter, MBA, Wicomico County Department of Planning, Zoning, and Community Development ("PZCD")
Danielle Rogers, PZCD

Laura Hay, City of Salisbury, Department of Law

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

Announcement: Chairman Dashiell

Governor Wes Moore has appointed Mayor Jake Day as Secretary of Housing and Community Development, he will officially leave his post as Salisbury's Mayor on January 27, 2023. We extend our congratulations to Mayor Day on his new appointment and wish him well as he carries out the business of the State of Maryland. I know he will maintain a close relationship with the City of Salisbury and Wicomico County in his new duties.

Chairman Dashiell also mentioned our friend and colleague, Jack Heath, President of the Salisbury City Council, will be serving as the Mayor of Salisbury until the next election. He congratulated Mr. Heath for his willingness to serve in this position and wished him all the best as he carries out the agenda of our city in his new role as Mayor. Chairman Dashiell added we will lose Mr. Heath as a member of the Planning Commission after today's meeting. He thanked Mr. Heath for his very faithful and dedicated service to the Planning Commission over the past seven years. Chairman Dashiell stated we appreciated Mr. Heath's comments in regards to many issues that have been before the

Planning Commission. Mr. Heath brought a very practical approach to the issues and always presented thoughtful ideas about how these issues could be addressed in the best interest of the applicants and citizens of our city. Chairman Dashiell extended best wishes to Mr. Heath in his new position and added we looked forward to his continued leadership as our mayor.

Mr. Heath stated he enjoyed the last seven years we have a great team and will continue to have a great team. He mentioned this is the next chapter of the city. We are down a path that was decided by the citizens nine years ago; when the citizens were asked what they wanted. The citizens told us and a master plan was created. Mr. Heath's intent, under his leadership, to continue the master plan. Mr. Heath also guaranteed the first consideration will be what is best for the citizens in the city. Mr. Heath thanked everyone for their support, wished everyone the best, and asked for prayers for himself in his new role.

Chairman Dashiell stated we look forward to continuing our line of communication with Mr. Heath and asked him to let the Planning Commission know how they can be of help in the exciting possibilities for the future of our city.

MINUTES: The minutes from the December 15, 2022 meeting were brought forward for approval. Mr. Thomas submitted a motion to approve, seconded by Mr. Shertz and duly carried. The minutes from the December 15, 2022 meeting were **APPROVED** as submitted.

REVISED SIGN PLAN – KOHL'S + SEPHORA – JD Sign Company for Kohl's Department Stores, Inc. – 128 West Dagsboro Road (H. Eure)

Mitchell Denim of JD Sign Company, a representative for the sign company out of Felton, DE, joined Mr. Henry Eure at the discussion table.

Mr. Eure addressed Mr. Heath, congratulated him and mentioned he has enjoyed working with Mr. Heath.

Mr. Eure presented the Staff Report. The applicant, JD Sign Company, on behalf of owner, has presented a Revised Sign Plan to incorporate a new sign Sephora, which has recently initiated a new partnership with Kohl's. Sephora is a beauty supply company.

A second wall sign and updated pylon sign are being proposed for the existing Kohl's department store. The applicant is seeking Planning Commission approval as required by the Zoning Code.

The Planning Commission approved a Final Comprehensive Development Plan for the existing building in September 2004. A Sign Plan, which included white individual channel letters with black returns, was approved in February 2005. The existing pylon sign, which included the colors white, black and burgundy were also approved at this same meeting.

The applicant now proposes to amend the existing Sign Plan by adding a 50 sq. ft. "Sephora" wall sign above the north entrance to the store. The sign will consist of white individual channel letters with black returns, similar to the existing "Kohl's" wall sign. Minor storefront renovations to distinguish the different occupancies is also proposed for the building. In addition, "Sephora" will be added to

the existing "Kohl's" pylon sign, and the background will be changed to black. The lettering for both will remain white. The size of the sign will not change.

Planning Staff supports the applicant's request to add the new wall sign, and reface the existing pylon sign. The changes are relatively minor in nature.

Staff recommends approval for the Revised Sign Plan as submitted. Mr. Denim had no additional comments.

Mr. Thomas entered a motion to approve the Revised Sign Plan as submitted seconded by Mr. Drew, and duly carried, the Commission approved the plan.

Chairman Dashiell stated the motion was **APPROVED**.

DISCUSSION – Harbor Pointe Phase 3 Text Amendment (B. Soper)

Mr. Brian Soper read the memorandum. The owner has requested a text amendment to Phase 3 in Harbor Pointe. Currently the site is developed with one story cottages and a care home that was previously approved by the Planning Commission. The text amendment is bringing the language and code in line with what the Planning Commission has approved. The original outline of the PRD Phase 3 intended to be sold as one to three story condominiums. Proposed amendments will provide clarity to what was previously approved by the Planning Commission and allow for elderly and handicapped apartments. Setbacks will be established on the plat to be approved by the Planning Commission. Parking standards for this phase have also been updated.

Mr. Soper stated they updated the definition for permitted uses to include single-family, two-family, three-family and four-family buildings, which some are already existing. Added the care home permitted use which is already built and currently being renovated. Also, added apartment building for the elderly and handicapped. Nothing in Phase IV has been changed, these are commercial properties along Pemberton Drive. In addition, the developer has proposed to sub-divide out the duplex, single-family, and four-family structures that are existing. That sub-division plat will be before the Commission as a Preliminary next month. The perimeter setbacks that were established by the Code will be maintained. New setbacks will be established on the plat and any changes to the setbacks will require Planning Commission approval if they want to change that plat. Instead of listing the setbacks in the Code it is easier to have it on the plat and every time the plats change the Planning Commission would have to review it. Clarified the density for the care home in Phase III, the apartment building, and the one to four family cottages. Clarified the parking, as the structure changes and they move forward with proposed twenty-six (26) lots within Phase III. Another discussion ongoing is the modification to the height, not shown as changed in the packet. The developer is proposing to potentially see the need to meet capacity to have a four-story building. That would put the developer at 48 ft. to 50 ft., the current height requirement was 40 ft. The adjacent property to the north, Miller's Edge, was a 40 ft. height limitation; still working on that and it will be addressed before the Public Hearing.

Mr. Thomas asked if it was originally approved for the use, it is now. Mr. Soper responded it was initially approved for cottages to be sold as condominiums, then the Planning Commission approved the care home. The care home was defined as individual use in the code. Due to the change in the

past ten years, the care home fits perfectly within this use, in addition to the apartments for the handicap and elderly. Mr. Soper believes it will be a nice transitional setting to go from the cottages where someone is on their own, to the elderly handicap facility and then to the care home if needed. This is not an uncommon arrangement of buildings.

Chairman Dashiell asked about the density requirements. He asked if the facility would be a 100-unit care home. Mr. Soper responded that was correct. Chairman Dashiell also wanted to know if the apartment buildings would be separate. Mr. Soper answered yes, however, the apartment building has not been presented because the developer is covering potential development options in the future. The apartment building would be south of the care home. The Developer has completed projects in Virginia and they have similar foot prints and similar designs.

Chairman Dashiell stated there will be an apartment building with possibly 100-units and the care home with 100 units. Mr. Soper said the care home would have 87-units. He also added, parking at care homes is typically for employees and visitors, therefore, parking requirements reflect that need.

Mr. Shertz inquired about the height and wanted to know if that is directly related to the number of units increasing. Mr. Soper stated yes, they are still having discussions with the developer about that approach. Also looking forward to any potential zoning changes that may come from us. We may want a higher density to take up less footprint. We are thinking of stormwater management controls and the need for this type of housing in the area. This will be addressed again before the Public Hearing.

Mr. Soper mentioned there will be a public hearing and Preliminary Subdivision Plat to review for approval. Following that we would then advance the Public Hearing to City Council. At the same time, the Final Subdivision Plat would be coming back around that would be contingent on the text amendment approval and the Subdivision Plat could be approved. If the Council approves the text amendment, then we can move forward with recording the Subdivision Plat.

Mr. Thomas asked about the stormwater management, does it already exist Mr. Soper said the current care home is undergoing an addition, the stormwater management is included. The care home has been approved with some stormwater management controls to the current standard.

Chairman Dashiell asked Mr. Soper anything else he would like to add.

Mr. Soper stated about to prepare RFP for the comprehensive plan update. Will be going out to bids to vendors.

STAFF ANNOUNCEMENTS

Ms. Carter congratulated Mr. Health on his new position as Mayor of Salisbury. And I know you will do very well and will continue to serve the citizens of Salisbury.

Ms. Carter introduced a new staff member, Danielle Rogers. She is the new Department Assistant sitting in today. Getting training in regards to Commission as she is working with Janae Merchant.

Ms. Carter introduced Gary Pusey, he is here with us today. Mr. Pusey is our Planning Manager. We are happy to have him back with all his experiences and his return back to Wicomico County.

Chairman Dashiell welcomed Mr. Pusey back home to Wicomico County.

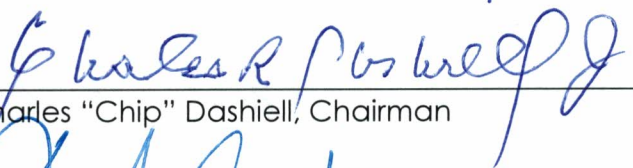
Ms. Hay stated her office always enjoyed working with Mr. Health. She looks forward to another compacity in which to work with Mr. Health.

Chairman Dashiell stated it is a wonderful team and it is always nice when players do not really move away just change hats.

Upon a motion by Mr. Health, seconded by Mr. Thomas, and carried unanimously, the Commission meeting was adjourned at 2:00 p.m.

The next regular Commission meeting will be on February 16, 2023.

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 and Zoning, and Community Development Office.



Charles "Chip" Dashiell, Chairman



Lori A. Carter, MBA, Secretary



Danielle Rogers, Recording Secretary