



RANDY TAYLOR
MAYOR

ANDY KITZROW
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 February 20, 2025, in Room 301, Council Chambers, Government Office Building, with the following persons participating:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Jim Thomas
Matt Drew
Mandel Copeland
Joe Holloway

PLANNING STAFF:

Nick Voitiuc, City of Salisbury, Department of Infrastructure and Development ("DID")
Tracey G. Taylor, Wicomico County Department of Planning, Zoning, and Community Development ("PZCD")
Janae Merchant, Recording Secretary, PZCD

Laura Ryan, City of Salisbury, Department of Law
Andrew Illuminati, Wicomico County, Department of Law

Chairman Dashiell called the meeting to order at 1:30 p.m. He thanked everyone for coming to the meeting even with the inclement weather.

MINUTES: December 19, 2024, minutes were brought forward for approval. Mr. Jim Thomas mentioned he was not present at the December meeting. Therefore, on page three (3) of December's minutes, the sentence stating, "Mr. Thomas moved the Planning and Zoning Commission forward a favorable recommendation of this Text Amendment application to the City Council" should be removed. (This was a duplicate entry in the minutes, so it could be removed and not replaced.) Mr. Matt Drew entered a motion to approve, seconded by Mr. Joe Holloway, and duly carried. The revised minutes from the December 19, 2024 meeting were **APPROVED**.

January 16, 2025, minutes were brought forward for approval. Chairman Dashiell requested a motion to approve the minutes. Mr. Holloway entered a motion to approve, seconded by Mr. Jim Thomas, and duly carried. The minutes from the January 16, 2025, meeting were **APPROVED**.

PUBLIC HEARING - #WP-2501 SPECIAL EXCEPTION – MEDICAL CLINIC FOR TIDALHEALTH PENINSULA REGIONAL, INC. – Property owned by Best Rental Housing, Inc., located west of the Salisbury corporate limits and binding upon the southerly side of Substation Road, about 200' east of its intersection with West Road in the R-8 Zoning District. M-38, G-1, P-193 (County Staff)

The Public Hearing began at 1:35 p.m.

Mr. Clark Meadows, Mr. Brock Parker with Parker and Associates, Mr. Richard Duvall, counsel for TidalHealth Peninsula Regional, Inc., Mr. Palmer Gillis, CEO with Gillis Gilkerson, Inc., and Mr. Angel Aguilar, Senior Director of Facilities at TidalHealth, approached the table. Mr. Andrew Illuminati read the public notice and administered the oath to those who testified.

Mr. Meadows presented the Staff Report. TidalHealth is seeking the Commission's approval to establish a medical clinic on the property northwest of the Salisbury corporate limits, binding upon the southerly side of Substation Road, about 200 ft. east of West Road. The clinic will provide for TidalHealth's residency program and enhance its ability to provide quality health care for the local community.

Staff determined the Applicant has satisfied the Special Exception criteria for approval of this request. Staff recommended that the Commission grant the Special Exception for a medical clinic in the R-8 Zoning District, subject to seven (7) conditions.

1. This Special Exception – Medical Clinic – shall be exercised by the issuance of a Wicomico County building permit within one (1) year from the date of approval.
2. Development of the site shall be generally in accordance with the Preliminary Comprehensive Development Plan and the Special Standards set forth in §225-103.1 of the Zoning Code. Minor changes in the plans and/or elevations may be approved by Planning and Zoning staff in accordance with the Commission's approval. Major changes shall require the Commission's review and approval by a public hearing.
3. Any change in the nature of the use, enlargement of the building, or additional buildings and/or structures may require the Commission's review and approval – except as allowed for in Condition #2.
4. This action includes future use and development of Parcel 0193 and the ten (10) southerly abutting properties (p/o Parcel 0284) for a medical clinic. Before the issuance of a building permit, the Applicant shall execute a consolidation plat of the identified properties to create a single parcel.
5. Failure to comply with the above conditions may render approval null and void.
6. The Applicant shall obtain final development/site plan approval from the Planning Commission.
7. The Applicant shall obtain County building permits, as required, and comply with all State and County Codes and regulations set forth therein.

Mr. Duvall mentioned that TidalHealth adopted and accepted all the findings in the Staff Report and requested that the Commission consider it the applicant's presentation of evidence in the hearing. Mr. Parker has prepared a consolidation plat for the ten (10) small lots abutting Morris Street to eliminate the lot lines. The plat will be recorded with the deed to place the property from the current owner to TidalHealth.

Mr. Aguilar added that this location will offer other services, including a community garden, dietary coaching, mental health services, and wellness. They want to reach community members and ensure they get the education and services they need.

Mr. Parker mentioned he was overjoyed to be associated with the project. It brings services to

the community instead of having the community search for outside assistance. He said the current land plan allows for expansion in any direction to meet the community's needs. There will be buffers around the eastern-western property lines, conserving the mature forest in Forest Conservation. They could not achieve a 35 ft. width buffer along the property line as it approaches Morris Street, so they will maintain most of the existing vegetation to comply with the required landscaping buffer.

There was no input from the public.

Mr. Holloway inquired if there would be space for an ambulance to enter and exit the property in case of a catastrophic event. Mr. Aguilar responded, stating the facility would be a family medicine practice, so it would not be able to handle any mass casualties. However, if it became necessary for an ambulance to come to the facility, it would be able to enter and exit the facility. The facility will not be designed to accommodate overnight stays; it will be an outpatient facility.

Mr. Drew asked about removing the existing water and sewer main on the western side of the property. Mr. Parker stated several years ago that two (2) proposed city streets were cut, and utilities were installed within the western road, which dead ends at TidalHealth's property. The utilities do not serve any properties beyond their property, so they will abandon the utilities at the main and Morris Street.

Chairman Dashiell added that this project will positively impact our community, the hospital, and the residents in the area and alleviate stresses and strains on the medical care directly provided by the hospital.

Mr. Gillis mentioned he has been doing business in the county for several years and was glad to see the cooperation from everyone: the executive, legislative, staff, and commission levels.

Mr. Thomas moved to grant a Special Exception for the medical clinic subject to the seven (7) conditions stated in the Staff Report. Mr. Joe Holloway seconded the motion, which was duly carried.

The Public Hearing ended at 2:12 p.m.

PRELIMINARY DEVELOPMENT PLAN APPROVAL – MEDICAL CLINIC FOR TIDALHEALTH – TidalHealth, Rep. by Parker and Associates – Morris St. & Richardson St. – Property owned by Best Rental Housing, Inc – R-8 Residential District – M-0038, G-0001, P-193 (B. Thayne) (T. Taylor)

Ms. Tracey Taylor joined Mr. Parker, Mr. Duvall, Mr. Gillis, and Mr. Aguilar at the table. Ms. Taylor presented the Staff Report.

The applicant requested approval to consolidate and develop unimproved space to construct a new 19,881 sq. ft. medical clinic. The property, consisting of ten 5,000-6,500 square-foot lots and one sizeable 10.86-acre parcel, was initially planned as part of the Westover Hills subdivision and is currently owned by Best Rental Housing Inc. This clinic is intended to serve as an accessible healthcare option to the residential community. The project will use existing access to the City of Salisbury's water and sewer system.

Ms. Taylor mentioned a few high points:

- There will be a dedicated space for a community garden and any other public engagement or community activities.
- There are 104 proposed parking spaces.

- Forest conservation has been addressed.
- The applicant will connect to the City of Salisbury's water and sewer system.
- The area will have access to public transit, and the clinic will be walkable and bikeable.
- The development plan proposes a single point of access on Morris Street and a sidewalk adjacent to the street. It will be served by West and Jersey Roads.

Ms. Taylor added that the Community Impact Statement includes a section on anticipated traffic. However, the applicant has not submitted a formal Traffic Impact Study ("TIS"), as required by the Zoning Code. The Planning Commission must determine if the traffic information submitted in the Community Impact Statement adequately meets the intent of the required formal TIS. If the Planning Commission does not feel the traffic information meets the intent of the formal TIS, then the Commission must require a TIS as a condition of Preliminary Plan approval. Ms. Taylor further asked that the last sentence of paragraph 2 on page 3 of the Staff Report be deleted as it is not the Planning staff's job to determine if the submission meets the intent of the TIS, but rather the Planning Commission's decision.

Staff recommended that the Planning Commission grant approval for the proposed Development Plan for TidalHealth subject to the revised six (6) conditions. The original condition was removed as we now know the outcome of the Special Exception hearing.

- ~~1. A Special Exception must be granted for TidalHealth from the Planning Commission in order to permit the construction of a medical clinic within R-8 zoning.~~
2. A plat shall be recorded for the purpose of consolidating all lots included in the proposed development prior to the issuance of any building permits at the site.
3. All proposed signage must be included in the Final Development Plan.
4. Subject to building permit approval by the Planning and Zoning Permits and Inspections Division.
5. Subject to further review and approval for stormwater management by the Wicomico County Public Works Department.
6. This site shall be developed in accordance with the approved Development Plan. Minor plan adjustments may be approved by the Wicomico County Zoning Administrator.
7. Subject to the review and approval of the Forest Stand Delineation and Forest Conservation Plan to be submitted to Planning and Zoning.

Mr. Duvall requested that the Staff Report be included in the official record. He agreed sufficient information was provided for the TIS in Mr. Parker's Community Impact Statement.

Mr. Thomas moved that we accept the findings of the Community Impact Statement submitted by the TidalHealth Representatives regarding a traffic study required in most situations. Mr. Drew seconded the motion, which was duly carried.

Mr. Thomas entered a motion to approve the Preliminary Comprehensive Development Plan for TidalHealth subject to the revised six (6) conditions. Mr. Mandel Copeland seconded the motion, which was duly carried.

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

ZONING RECOMMENDATION FOR ANNEXATION – PEMBERTON DRIVE ANNEXATION – David F. Layfield, Jr. - 1501 Pemberton Drive – R-8 Residential – M-0037, G-0023, P-0159 - #202500133 (H. Eure) (N. Voitiuc)

Mr. Nick Voitiuc and Mr. David Layfield, the Applicant, joined Mr. Parker at the table. Mr. Voitiuc presented the Staff Report.

The City Council referred the 1501 Pemberton Drive annexation to the Planning Commission to review and recommend an appropriate zoning designation. The property is located on the northerly side of Pemberton Drive, adjoining the Sleepy Hollow residential development, and is one (1) lot, totaling 1.10 acres.

Mr. Voitiuc presented a Zoning Analysis and a Development Scenario. Staff recommended that the Planning Commission forward a favorable recommendation to the Mayor and City Council for this property to be zoned R-8A Residential upon annexation.

Mr. Parker added they would like to bring the lot into the city and access its water and sewer.

Mr. Thomas entered a motion to forward a favorable recommendation to the Mayor and City Council for the property at 1501 Pemberton Drive to be zoned R-8A residential. Mr. Holloway seconded the motion, which was duly carried.

Chairman Dashiell stated the request would be **FORWARDED**.

PRELIMINARY FINAL SUBDIVISION PLAT APPROVAL – VILLAGE AT SALISBURY LAKE – Salisbury MD LLC, rep. by Parker and Associates – Civic Ave., Glen Ave., and St Albans Dr. – PRD #11 Planned Residential District No. 11 – Village at Salisbury Lake – M-0109, G-0002, P-2518 - #22-014 (A. Rodriguez) (N. Voitiuc)

Mr. Chris Davis with NAI Coastal joined Mr. Voitiuc and Mr. Parker at the table. Mr. Voitiuc presented the Staff Report.

The Applicant proposed a subdivision on a 46.58 +/- acre tract of land, including 131 single-family lots and 88 townhouse lots; city services and utilities would serve all. Access to the site was proposed from Civic Avenue, Glen Avenue, and St. Albans Drive.

Staff recommended granting the Village at Salisbury Lake Subdivision Final Subdivision Plat Approval subject to six (6) conditions.

1. The Final Plat shall comply with all requirements of the Salisbury Subdivision Regulations and be recorded with the Wicomico County Clerk of Court in the Land Records office.
2. Health Department approval is required prior to the recordation of the Final Plat.
3. The Final Plat shall comply with all requirements of the Forest Conservation Program as administered by Wicomico County Planning and Zoning.
4. A Homeowner's Association shall be created to maintain the open space, recreation, and stormwater management facilities, drainage and maintenance easements, and forest conservation easements. The Homeowner's Association documents shall be presented to the Planning Commission for review and approval prior to recordation.
5. If the developer so chooses to rename "Mallard Lane," a revised 911 Map shall be submitted to the City Surveyor for review and approval.
6. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development and other applicable agencies.

Ms. Linda Kent sent an email with attachments, which were added to the record. Two comments brought to the Commission's attention were that Elu Deluca Salisbury Apt., LLC, the applicant, was not currently listed in SDAT and that the LLC was "not in good standing" with the State. Mr. Parker said he would make sure that this information was addressed.

Mr. Thomas entered a motion to approve the Preliminary Comprehensive Development Plan subject to the six (6) conditions listed in the Staff Report. Mr. Holloway seconded the motion, which was duly carried.

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

ANNOUNCEMENTS

Mr. Thomas thanked Ms. Taylor and the staff for all their work related to TidalHealth and for working closely with the applicant and counsel.

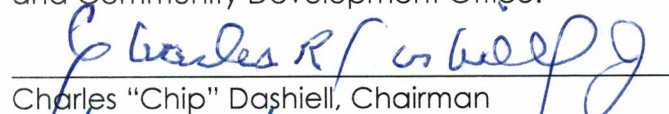
Ms. Taylor said she would add funds to this year's budget to start updating the County's Comprehensive Plan, which is due to be completed by 2027. The County is also putting out an update to the Wicomico County Comprehensive Water and Sewer Plan for bid.

With no additional comments, Chairman Dashiell requested a motion to adjourn the meeting. Mr. Thomas made the motion, seconded by Mr. Holloway and duly carried.

The meeting adjourned at 2:57 p.m.

The next regular Commission meeting will be on March 20, 2025,

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


Tracey G. Taylor, Secretary


Janae Merchant, Recording Secretary