

TOWN OF ELKTON
PLANNING COMMISSION
April 10, 2017

PRESENT: David Wiseman; G. Edward Ginder; Rick Keane; Keith Thompson; William Muller; Mayor Robert J. Alt, Ex-Officio; Lisa M. Hamilton Blackson, Esquire; Jeanne D. Minner, Director of Planning; Theresa C. Thomas, Assistant Planner

ABSENT: David Fordyce

Mr. Wiseman called the meeting to order at 7:00 p.m.

ACTION: A motion was made by Mr. Thompson to approve the minutes from the March 6, 2017 Planning Commission meeting. The motion was seconded by Mr. Ginder and unanimously approved.

REQUEST OF MCCRONE, INC. REPRESENTING BEHAVIORAL HEALTH CRISIS INTERVENTION CENTER AT UNION HOSPITAL, FINAL RESUBDIVISION PLAN, Warburton Street, Tax Map 310, Parcel 763, 764 & 2005, Zoned TC (Town Center)

Mr. David Strauss of McCrone Inc. and Mr. Mark Mears of Union Hospital were in attendance to address this request. Mr. Strauss stated this project has received Concept Plan approval in January of this year. Part of the site plan requirement is the subdivision of three parcels which, when combined, are 2.634 acres. These parcels are located between Railroad Avenue and the railroad tracks. He noted they have received comments from KCI and have no issues addressing same.

Mr. Wiseman inquired whether Ms. Minner had any additional questions regarding this plan to which she answered she did not. Mr. Wiseman inquired if anyone in the audience had questions or comments regarding this submission. There were no questions or comments from the audience.

MOTION: Motion was made by Mr. Ginder to approve the Final Subdivision Plan for Behavioral Health Crisis Intervention Center at Union Hospital contingent upon addressing all outstanding comments. The motion was seconded by Mr. Thompson and unanimously approved.

REQUEST OF MCCRONE, INC. REPRESENTING BEHAVIORAL HEALTH CRISIS INTERVENTION CENTER AT UNION HOSPITAL, FINAL SITE PLAN, Warburton Street, Tax Map 310, Parcel 763, 764 & 2005, Zoned TC (Town Center)

Mr. David Strauss and Mr. Mark Mears presented this submittal. Mr. Strauss stated they received Concept Plan approval in January 2017. They prepared Preliminary Site Plan for Town staff and KCI for administrative review which prepared them for Final submittal. They have received comments from the Town and KCI and have addressed the comments. They are wrapping up a few things on the stormwater management review and feel that will take place quickly.

Discussion ensued regarding design waivers needed for the final site plan. Three design waivers are being requested: 1) To allow two (2) rows of parking to exceed ten (10) parking spaces without interior landscape island; 2) to allow for a 12' x 45' loading zone instead of a 12' x 55' loading zone as required by Article XVII, Section 11 of the Town Zoning Ordinance; and 3) to allow for only one (1) loading zone

instead of two (2) loading zones as required by Article XVII, Section 11 of the Town Zoning Ordinance. Mr. Ginder inquired regarding a few comments which were shown as remaining. Mr. Strauss confirmed that all the comments have been addressed.

Mr. Keane inquired about a specific comment and Mr. Strauss explained that they would provide the information as requested in the comment.

Mr. Mears provided renderings of the front and rear of the proposed building. It was a modern style building similar to the Community College.

Mr. Wiseman entertained questions or comment from the audience. There were none.

Mr. Wiseman entertained any additional comment from the Board. Mr. Keane inquired whether the adjacent properties owners were notified. Mr. Strauss stated they had been notified by certified mail.

MOTION: Motion was made by Mr. Ginder to approve the Final Site Plan for Behavioral Health Crisis Intervention Center at Union Hospital contingent upon addressing all outstanding comments and allowing for three (3) design waivers as follows: 1) To allow two (2) rows of parking to exceed ten (10) parking spaces without interior landscape island; 2) to allow for a 12' x 45' loading zone instead of a 12' x 55' loading zone as required by Article XVII, Section 11 of the Town Zoning Ordinance; and 3) to allow for only one (1) loading zone instead of two (2) loading zones as required by Article XVII, Section 11 of the Town Zoning Ordinance. The motion was seconded by Mr. Muller and unanimously approved.

REQUEST OF BOHLER ENGINEERING REPRESENTING CHICK-FIL-A, REVISED FINAL SITE PLAN, 1100 E. PULASKI HIGHWAY, TAX MAP 316, PARCEL 986, ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Ginder noted that he is the chairman for Toys for Tots but did not feel it would be a conflict of interest in making a decision regarding this case and Chick-Fil-A's contributions to the program. Mr. Muller also noted his involvement in the Toys for Tots program. Mr. Wiseman questioned counsel regarding any issues in these members hearing this case. Ms. Hamilton-Blackson stated that since Toys for Tots is a philanthropic organization it would not affect either of them in a financial manner and therefore would not be a conflict of interest.

Mr. Andrew Stine of Bohler Engineering and Mr. Harry Marcus, owner of the Chick-Fil-A were in attendance to address this request. Mr. Stine noted that the plan provides red lines which show the changes to the project. The plan is to remove two (2) landscape islands in order to alleviate issues with stacking for the drive thru lane. The trees currently located in the landscape islands will be relocated on the site. They will be able to provide two lanes into the drive thru and therefore remove congestion to the drive lanes for the Walmart parking area.

Mr. Wiseman inquired what the peak hours are for the restaurant. Mr. Marcus stated between 11:30 -1:30 and then between 5:30 – 7:00. He asked if they would be restriping the parking. Mr. Marcus confirmed they would be restriping. He also added that traffic cones would be placed and employees would be directing traffic.

Mr. Wiseman asked Ms. Minner if there would be any change to the stormwater management with these changes. Ms. Minner stated there would be no changes to stormwater management. Mr. DeLorimier confirmed no changes would be made.

Mr. Wiseman entertained questions or comment from the Board. There were none. He entertained questions from the audience. No one had questions or comments.

MOTION: Motion was made by Mr. Thompson to approve the Revised Final Site Plan for Chick-Fil-A contingent upon addressing all outstanding comments. The motion was seconded by Mr. Keane and unanimously approved.

REQUEST OF KIMLEY HORN REPRESENTING WALMART SUPERCENTER, REVISED FINAL SITE PLAN, 1000 E. PULASKI HIGHWAY, TAX MAP 316, PARCEL 493, ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Ross Stevens and Mr. Kurt Rubenacker of Kimley-Horn were in attendance to address this request. Mr. Stevens noted the change is to accommodate customers who shop online. There are six (6) parking spaces provided in this pick-up area for the convenience of Walmart customers. Mr. Wiseman asked if the pick-up area would be open 24/7. Mr. Stevens stated they have not made a decision concerning the hours as yet.

Mr. Wiseman asked if there would be any traffic calming devices placed for safety. Mr. Stevens stated he would recommend that to Walmart. This pick up will be useful to a variety of customers.

Mr. Wiseman asked if either Ms. Minner or Mr. DeLorimier had any additional comments regarding this request. Neither of them had any concerns or comments.

Discussion ensued regarding how customers would be able to locate the area. Mr. Stevens stated the building would be painted with signage attached.

There are three other Walmart stores who have incorporated this convenience and have had no issues to date.

Mr. Wiseman entertained comment or questions from the audience. There were none.

MOTION: Motion was made by Mr. Keane to approve the Revised Final Site Plan for Walmart Supercenter contingent upon addressing all outstanding comments and providing traffic calming devices at the east entrance off of Route 40. The motion was seconded by Mr. Thompson and unanimously approved.

KCI TECHNOLOGIES REPRESENTING TOWN OF ELKTON, MINOR RESUBDIVISION PLAN, 200 BOOTH STREET, TAX MAP 311, PARCELS 1447 & 1841, ZONED R-3 (URBAN RESIDENTIAL)

Mr. Brian Morgan of KCI Technologies and Mr. Perry Willis of Cecil County Public Schools were in attendance to address this request.

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KCI has been working with the Town for a few years to develop a location for a community recreation center. Mr. Morgan stated the subdivision plan creates a 2.38 acre parcel to house a community recreation building. The only design waiver that would be required is for parking, however, the timeframe for when the activities would take place and the parking overlap for the existing offices should not present a problem. In addition, between the hours of operation and the children who are dropped off by parents there would be little conflict with the parking available.

Mr. Willis explained that the property was deemed surplus and was conveyed to Cecil County. Upon completion of negotiations the property would be conveyed to the Town.

Mr. Wiseman entertained questions from the Board. Mr. Thompson inquired about the number of parking spaces required for this use. The Town Zoning Ordinance requires 260 spaces. They are proposing 100 spaces within 500 feet of the building and another 42 which are within 1400 feet of the building.

Mr. Morgan stated that their submittal of the resubdivision plan is the vehicle which will allow the physical transfer of the property. The approval and development of the property would then follow.

Mr. Wiseman entertained questions from the audience. Mr. Phil Kreer, owner of properties near the project, inquired about how much additional traffic the project might create on Stockton Street. Mr. Morgan explained the main entrance would be off of Booth Street and therefore the bulk of the traffic should be from that entrance.

Mr. Willis explained that Cecil County Public Schools (CCPS) would not be developing this parcel. They have agreed that this parcel could be available for a project of this kind and believe what the Town is proposing would be in concert with what the CCPS does for kids every day. The design and development of the project would be determined by the Town.

Mr. Morgan mentioned that the traffic along Stockton Street has decreased since some employees have been moved to a facility in North East.

Mr. Kreer noted some of his tenants are concerned about privacy and he questioned whether a fence would be provided during the development of the parcel. Mr. Morgan noted that upon development of the project all setbacks and subdivision regulations would need to be met. Mr. Wiseman stated that all of his concerns would be addressed at the time the parcel is developed. Lighting, landscape, traffic flow and safety issues would be addressed at the time submittals for any project are made.

Mr. Mark Heck of 414 North Street asked for clarification of the plan being presented. Mr. Wiseman explained that the plan was simply to subdivide a separate parcel from the larger one. The plans to develop anything on the new parcel would have to come before the Board at a later date.

Mr. Heck noted that his mother, as well as others in the area, has concerns about the proposed project. Mr. Wiseman stated any plans would be published in the paper and online well in advance of the meeting but he could also call the Planning Office at the Town to check on the progress and scheduling of any meetings or questions they might have relating to the community center. Ms. Minner noted that the property would have to be posted two weeks prior to the meeting. Discussion ensued regarding the process of approvals for any project.

Mayor Alt provided some clarification regarding the access road for the property. He stated that if the Town is able to move forward with this project they are anticipating bringing the traffic in off of Collins Street. The Town's goal is to take as much traffic off of Stockton Street as possible.

Mr. Daryl Cloud of 424 North Street inquired whether any private property would be condemned. Mr. Wiseman replied that it would not.

Mr. Dwight Hair spoke in favor of the project and mentioned that it would be in the best interest of the community and would even raise the property values of the homes on Stockton Street. He stated it has been his experience that a rec center is a tremendous asset to communities.

MOTION: Motion was made by Mr. Muller to recommend approval of the minor resubdivision plan for 200 Booth Street. The motion was seconded by Mr. Thompson and unanimously approved.

REQUEST OF FREDERICK WARD ASSOCIATES REPRESENTING SEGALL DEVELOPMENT ASSOCIATES, LLC FOR FINAL SITE PLAN, SHOPPES AT ELKTON, 722 E. PULASKI HIGHWAY, TAX MAP 316, PARCEL 0728, ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Dan Blevins of Frederick Ward Associates was in attendance to address this submission. He gave a background of the property which includes 1.21 acres and is zoned C-2 (Highway Commercial). He noted that it was annexed into the Town from Cecil County in October of 2016 and is currently vacant. They are proposing an 8,608 square foot retail shopping center. He noted they have notified all adjacent property owners. They have received concept and preliminary approval for the project and have received comments from the Town and KCI.

Mr. Blevins mentioned that design waivers have been requested for a front bufferyard, a reduction of the rear bufferyard, a reduction of stacking spaces from 8 to 6 as well as a parking waiver for number of parking spaces between landscape islands. He noted that they will not require the last waiver as they were able to accommodate the number of parking spaces requested in that waiver.

Mr. Wiseman inquired whether the Town had any issues with the plans as submitted. Ms. Minner noted that the Town received final stormwater comments tonight. Mr. DeLorimier stated they have had meetings regarding the details of the stormwater plans and felt their comments have been addressed. Ms. Minner noted that comments recently received from Singerly Fire Company still needed to be addressed.

Mr. Wiseman entertained questions from the Board. There were none. Mr. Wiseman entertained questions from the audience.

Ms. Ann Connor of 45 Enfield Road inquired whether changes had been made to what had been posted on the property. Mr. Blevins stated that only minor changes had been made to the plan. She inquired as to the owner of the property. Mr. Blevins stated that Acorn Investment Company is the owner and Segall Group will purchase the property and develop it. Ms. Connor

asked if a start date for the project has been determined. Mr. Blevins stated it was contingent upon when Lidl would extend the water line to their property. They would be doing some other improvements to the property prior to the water lines being run.

Discussion regarding fencing ensued and it was determined that the existing chain link fence would remain during construction. Mr. Blevins confirmed that a note was placed on the site plan regarding fencing. Mr. Keane suggested that the same note be placed on the landscape plans.

Mr. Dwight Hair spoke in favor of the project and confirmed that it would be a great improvement to an otherwise unattractive property.

MOTION: Motion was made by Mr. Ginder to approve the Final Site Plan for the Shoppes at Elkton contingent upon addressing all outstanding comments and placement of a note regarding the fencing on the landscape plan. The motion was seconded by Mr. Keane and unanimously approved.

OLD BUSINESS: Ms. Minner gave an overview of the renewal of the Sustainable Communities Designation for the Town and her work on the grant to the State for resources. She will provide a copy of the application to the Board for their use. The Mayor complimented Ms. Minner and Ms. Thomas on their work on the grant and with the Planning Department.

The Mayor mentioned the statistics of crime rate, age of the community and poverty rate which appeared in the grant. Ms. Minner pointed out that the next census is in 2020 and felt the information from the census is more accurate than the information contained in the American Community Survey. The Mayor also mentioned the amount of activity going on in the Town.

Ms. Minner gave an update on the Lidl project and noted that the public works agreement contract with the Town should be in process soon.

Mr. Ginder confirmed that tractor trailers continue to access the Wawa from Landing Lane rather than Pulaski Highway. He also noted that signs at Tim's Used Tires are in disrepair and lying on the ground and they have a display of tires as well. Ms. Minner stated that Mr. Bromwell addresses the signage and tires but that she would mention it to him.

Mr. Ginder complimented Ms. Minner and Ms. Thomas on their work and stated that they are an asset to the Town.

There was discussion regarding the property where Serenity had been located on Pulaski Highway. Ms. Blackson stated that in order for the property to be used the State Highway issues would have to be addressed.

Mr. Muller questioned the location of signs on the former Jodlbauer's property along Pulaski Highway. He stated they are blocking vehicular vision out of Melbourne Boulevard.

NEW BUSINESS: Mayor Alt commended Mr. Thompson on his letter to the paper regarding the wedding chapel on Main Street. He also stated he reached out to Tom Ahern at the bank regarding the Old George's restaurant. He noted that there is a solid contract for that property by perspective purchasers whose intention is to place a family restaurant at that location.

Mr. Muller mentioned that some of the concrete blocks at the corner of Landing Lane and Route 40 had been removed. Additionally he stated that some of the concrete blocks at Muddy Lane and Belle Hill Road had been moved.

The next meeting of the Planning Commission will be Monday, May 8, 2017.

There being no further business to discuss Mr. Wiseman adjourned the meeting at 8:13 p.m.

Respectfully submitted,

Brie Humphreys