

**TOWN OF ELKTON
PLANNING COMMISSION
MAY 8, 2023
MEETING MINUTES**

Present: Dave Wiseman, G. Edward Ginder, Keith Thompson, Paul Manuel, William Muller, Lisa Blackson, Esquire, Jeanne Minner, Director of Planning, Quinn Krenzel, Planner

Absent: Ray Polaski

Mr. Wiseman called the meeting to order at 6:00 p.m. He stated the first item on the agenda is approval of the minutes from the April 10, 2023 meeting. There being no corrections from the Commission members, Mr. Wiseman called for a motion.

MOTION: Motion was made by Mr. Thompson to approve the minutes of the April 10, 2023 Planning Commission meeting as written. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Ginder – Aye; Mr. Muller – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST BY TOWN OF ELKTON FOR AN ADD ON SUBDIVISION PLAN. THIS ACTION CONCERNS PROPERTY LOCATED AT 213A & 213B HIGH STREET, ELKTON, MARYLAND, TAX MAP 027H, PARCELS 991 & 992 AND ZONED R-3 (URBAN RESIDENTIAL)

Ms. Minner noted that this property was acquired by the Town in order to create a more buildable lot. It is their intention to offer the property to Habitat for Humanity in order for a home to be built. Discussion ensued regarding whether the existing structures have been removed. Ms. Minner stated she believed they had been removed. Mr. Ginder asked whether the property had been owned by the Pritchard family. Ms. Minner was unsure who had owned the property previously.

Mr. Wiseman inquired whether there are any legal issues that need to be addressed regarding this plan. Ms. Blackson stated the Town would be required to go through the normal process just like anyone else would. It was noted that both of these parcels are currently owned by the Town.

Mr. Wiseman asked if any other Board members had any questions. There were no additional questions from the Commission members.

Mr. Wiseman asked if anyone in the audience had any questions. There were no questions from the audience.

MOTION: Motion was made by Mr. Thompson to approve the request by the Town of Elkton for an Add On Subdivision for Parcels 991 & 992. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Ginder – Aye; Mr. Manuel – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST OF FREDERICK WARD ASSOCIATES REPRESENTING WASH X, LLC, CONCEPT SITE PLAN, LOT 2, CAR WASH AND RESTAURANT, TAX MAP 033B, PARCEL 2462, LOT 2 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Tom Miner from Frederick Ward Associates was in attendance to address this request. He stated this property is located at the corner of US 40 and Commerce Center Drive. They are proposing to place a car

wash as the primary use. He noted that the secondary use, as part of the Condominium Regime, will be a restaurant. Once the user is determined they will be coming back before the Commission to get approval for the secondary use on Lot 2.

Primary access to the property will be off of Commerce Center Drive with secondary access off US 40. He stated stormwater will be attained through reuse of the onsite car wash system. All the storm drains will drain to the car wash system and all the stormwater will be recycled and reused during its operation. This will assist in utilizing as little water through the Town system as possible.

Mr. Wiseman asked if Mr. Miner received comments from KCI regarding this project. Mr. Miner stated they received comments and did not have any issues addressing them. Mr. Wiseman questioned the comment about the multiple rows of parking spaces. Mr. Miner noted they would prefer not to place trees in the area where cars would be parking that have just been washed. There was discussion regarding the number of vacuum parking spaces, the angle and size (13' x 20') of the parking spaces. This larger size will provide a good deal more room for the vacuuming tools. Mr. Miner noted the drive aisles are wider than normal as well at twenty seven (27) feet.

Mr. Manuel asked if there will be multiple bays or a single bay. Mr. Miner explained there is a single automatic car wash; there will be double stacking coming in that splits to three (one subscription aisle, one mixed aisle and one is payment). The cars would then merge back into a single lane to enter the car wash. Mr. Manuel asked how much space is provided for stacking. Mr. Miner stated the requirement is for 20 stacking spaces and they will be providing 30 stacking spaces. He stated there would be no stacking onto any major road way; it would be through the rear drive aisle.

Ms. Broomell questioned whether the proposed restaurant will be a fast food restaurant. Mr. Miner stated their main purpose for placing the proposed restaurant on the site plan was to provide clarity. There is no user identified for that parcel as yet. Ms. Broomell mentioned it appears to work better for fast food rather than a sit down restaurant. Mr. Miner stated their intention at Concept is to show both uses but they will be coming back before the Commission once a user for the restaurant has been identified. Mr. Wiseman observed the plan submitted is labeled for a fast food restaurant. Mr. Miner noted that the Wash X will be the main user on the property.

Discussion ensued regarding a number of other car washes which have been proposed for this area such as Sheetz, 7-Eleven, Mod Wash, Shiny Shell, etc. Mr. Wiseman asked about the Planning Department comments. Ms. Krenzel stated she had not finalized the Town letter because she was reviewing the property with reference to Article 13, Section 7 which prohibits more than one principal use on a property. She has spoken with Mr. Bromwell and he reached out to Ms. Blackson to provide clarification on that point.

Ms. Blackson stated she has been in court and hadn't been able to respond to Mr. Bromwell. She said she would follow up with Mr. Bromwell sometime this week. Ms. Minner asked Ms. Krenzel if she would read the comments the Planning Department had put together to date. Ms. Krenzel read aloud the comments.

Ms. Minner mentioned that this particular lot did not request a waiver for specimen trees. Mr. Miner stated he will put that information together and submit it to the Town.

He stated they are also requesting a parking waiver from the required seven parking spaces between landscape islands. They would prefer not to have trees in areas where people are working on their recently washed vehicles. Mr. Wiseman suggested placement of a trash receptacle as well as bushes in place of trees. Ms.

Minner stated one aspect of the need for trees is to shade the asphalt. She asked how these shading requirements will be met. Mr. Miner stated he would review the vacuum cleaner spaces to determine if the landscaping there might meet the shading requirements.

Ms. Minner noted another question is more than one principal use on a site, which is a question for Ms. Blackson. This is not a shopping center or strip mall which allows more than one use and therefore is prohibited by the Ordinance. With respect to the landscaping, it will be necessary to beef up the parking for the landscape islands for the restaurant use if it is allowed in order to provide shade in the parking areas. As for the landscaping in the area of the car wash you would need to buffer around that so it would provide shade for the drive aisles going into the car wash. She also recommends that they enhance the landscaping in the buffer yards along the road frontages. Mr. Miner said they would have no issues in providing additional landscaping in those areas, their concern is protecting customer vehicles from trees dropping leaves, etc.

He mentioned they would be coming back before the Commission with the restaurant use once the property is leased. He stated the car wash is the principal use and will be providing all the stormwater for the site.

Discussion regarding the Town Ordinance requirements for condominiums/landominium ensued. Ms. Blackson asked if Mr. Miner had done any development of this kind in other areas. He stated they have submitted similar developments in Harford and Baltimore Counties. Ms. Broomell questioned whether there were any provisions the Town can provide should the Commission choose to approve this project. Mr. Miner stated the requirements for condominiums or landominiums are similar to other site plan except for buffering between the two uses. Ms. Blackson noted the section of the Ordinance which addresses and provides conditions for this type of use.

Mr. Wiseman noted they are at Concept approval and he felt the Planning & Building Departments and Ms. Blackson should review the requirements prior to Preliminary or Final plans being submitted. He asked if Ms. Minner had any other comments. She did not.

Mr. Wiseman opened the floor for Commission member comments. Mr. Thompson questioned Mr. Miner about whether a five (5) foot sidewalk is being provided around the perimeter of the property. Mr. Miner stated there is an existing sidewalk along Commerce Center Drive which will not be disturbed. The developer will provide cut outs for the entrances to the warehouse lots and they will also be doing the main entrance off Route 40.

There being no further questions from the Commission members, Mr. Wiseman opened the floor for audience comments.

Mr. Bill Davis, owner of Bear 3-Minute Car Wash was in attendance and provided handouts to the Commission members and Planning Department. He stated he feels there is a 'crisis' regarding oversaturation of car washes in Elkton as well as other areas. He noted that statistics prove there should be one car wash for every 10,000 residents. The current car wash being proposed (Wash X) would bring the total number of car washes in the area to 6. He noted it would have been number 8 but the 7-Eleven and Sheetz have pulled out. The current population of Elkton is approximately 15,000.

Mr. Davis recommended a moratorium be voted on to prohibit additional car washes in order to protect those businesses already in operation in Elkton. He stated he was contacted by his real estate agent and it was suggested that he sell out. This was a shock to him. His business has been in Elkton for about 20 years. The surge in car washes has happened over the last 5 years. He would like to be able to pass this business on to

his son. He stated he certainly believes developers should be able to spend their money as they see fit but oversaturating an area with too many, of any type of business, hurts everyone. He then provided another handout of an article from Ohio where they placed a moratorium on car washes. He asked that the Commission consider placing a moratorium.

Mr. Wiseman thanked Mr. Davis for speaking and providing this information to the Commission. He stated the Planning Commission does not make changes to the Code. He encouraged Mr. Davis to request to speak to the Mayor & Commissioners who would be the ones to consider such a change in the Code.

MOTION: Motion was made by Mr. Ginder to approve the Concept Site Plan for Wash X on Lot 2 of Parcel 2462 contingent upon addressing all outstanding comments and further review by Mr. Bromwell, Ms. Minner and Ms. Blackson with respect to two principal uses on one lot. The motion was seconded by Mr. Manuel with the remaining Commission members voting as follows: Mr. Thompson – Aye; Mr. Muller – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

CASE # 1624 – REQUEST OF JENNIFER MILLER REPRESENTING TAKE HEART COUNSELING SERVICE FOR A SPECIAL EXCEPTION TO OPERATE A COUNSELING OFFICE. THIS ACTION CONCERNS PROPERTY LOCATED AT 307 NORTH BRIDGE STREET, ELKTON, MARYLAND, TAX MAP 027G, PARCEL 2021 AND ZONED TC (TOWN CENTER)

Ms. Jennifer Miller, owner of Take Heart Counseling Service, was in attendance to address this request. She stated Take Heart is a counseling and life coaching service. She was made aware of her need for a special exception for this use when she received a letter from the Town Building Department. She stated she has three people on her team but she is the only one working in the Elkton office at this time. She stated they are located at 307 North Bridge Street and have been there a few months. She has been a counselor for five years at an office in Bel Air but recently decided to open an office in Elkton.

Mr. Wiseman asked if her clients are referred through the hospital or other agencies. She stated they are a faith based service and offer non clinical counseling. Typically she works with clients who are in crisis or trauma. There are also counselors who work with addictions, families, and marriage counseling.

Mr. Wiseman asked if they do one on one counseling in the building or virtually. Ms. Miller stated much of their counseling is virtually. They are remodeling the building and are currently in a temporary space but will eventually move into a space with an office and two counseling rooms. Mr. Wiseman asked how much square footage they would have when everything is completed. She was unsure but said she could find out. She noted that the maximum number of counselors at this office will be two.

Mr. Wiseman asked if they will have a sign. Ms. Miller stated there is a digital sign. Ms. Blackson stated she believes the owner of the building would apply for the sign permit. Since it is a digital sign they can display numerous businesses for that property. She stated digital signs can only display businesses on that particular property.

Ms. Minner noted that this request is for a special exception and the motion should be a recommendation to the Board of Zoning Appeals.

Mr. Wiseman asked if anyone in the audience had any questions. There was no one in attendance to speak for or against this request.

MOTION: Motion was made by Mr. Thompson to recommend approval to the Board of Zoning Appeals for the special exception for Take Heart Counseling Service at 307 North Bridge Street. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Ginder – Aye; Mr. Manuel – Aye, Mr. Wiseman – Aye. The motion passed unanimously.

OLD BUSINESS: Ms. Minner stated there is good amount of development being proposed in Town. Mr. Wiseman asked if there has been any progress on the Comprehensive Plan. Minner stated she will be sending out solicitation for proposals shortly. The office has been extremely busy with reviews. She will try to get that out before the Grant deadlines which are coming up.

NEW BUSINESS: There were no items of New Business.

Mr. Wiseman stated the next meeting of the Planning Commission will be on June 12, 2023. There being no additional items to discuss he adjourned the meeting at 7:02 P.M.

Respectfully submitted,

Brie Humphreys