

**TOWN OF ELKTON
PLANNING COMMISSION
MARCH 11, 2024
MEETING MINUTES**

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

Absent: Dave Wiseman; Ray Polaski

Mr. Ginder 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 February 12, 2024 meeting. There being no corrections from the Commission members, Mr. Ginder called for a motion.

MOTION: Motion was made by Mr. Thompson to approve the minutes of the February 12, 2024 Planning Commission meeting as written. The motion was seconded by Mr. Manuel with the remaining Commission members voting as follows: Mr. Muller - Aye; Mr. Ginder – Aye. The motion passed unanimously.

REQUEST OF MCCRONE, INC. REPRESENTING PARIS FOUNDATION, PRELIMINARY MAJOR SITE PLAN FOR NEIGHBORHOOD COMMUNITY CENTER, 200 ROAD B, TAX MAP 033A, P/O PARCEL 1844 (PART OF LEASE AREA 1) AND ZONED R-3 (URBAN RESIDENTIAL)

Mr. David Strouss of McCrone, Inc. and Mr. Bob Imperatrice representing the Paris Foundation were in attendance to address this request. Mr. Strouss stated they were before the Board in January of this year for Concept Site Plan review and approval. The Preliminary Plan is similar to the Concept plan except for changes to the parking lot in the rear as discussed at the January meeting, where they removed two parking spaces at the corner of the property to gain more separation to the property line. They have also added a proposed fence along the residential properties per the Board's request.

Mr. Strouss stated they have detailed the parking rationale for the site on the site plan. He noted that Maryland Rural Development School currently has 29 spaces and they are proposing 23 spaces for the Paris Foundation for a total of 52 parking spaces. He explained the parking rationale and stated that the Head Start School lot usually empties by 4:15 p.m. and the Paris Foundation will serve dinners from 5:00 – 6:00 p.m. with volunteers arriving around 4:30 p.m. and patrons between 4:30 and 6:00 p.m.

He stated the maximum number of volunteer vehicles are 10-12, patron vehicles are 10-15 and not all these vehicles are there at the same time. Most of the patrons will be walking to the facility. The maximum parking needed is 27 spaces for the Paris Foundation and they are providing 23 around the building with an overlap of 4 spaces which will be on the front of the MRDC building.

Mr. Strouss noted the maximum weekend parking for the Paris Foundation with future educational programs would be 7 offices with 1 space per office and 6 intermediate classrooms with 1.5 spaces per classroom for a total of 16 parking spaces.

Mr. Strouss said because there is no clear category in the Zoning Ordinance for parking for this type of use they are requesting approval of their proposed parking rationale. He noted that MRDC and the Paris Foundation will be entering into a shared parking agreement which has already been approved verbally between them but needs to be prepared in written form and recorded.

Mr. Strauss stated they will be requesting design waivers for this project. Design Waiver a – to allow deviation from the parking requirements for 4 (four) parking spaces; Design Waiver b – to allow 2 (two) rows of parking with less than 7 (seven) spaces between landscape islands. Mr. Strauss mentioned that KCI asked them to specifically request a design waiver to eliminate the loading zone requirement. He explained that this site will not be receiving any deliveries or making delivery of goods, etc. and therefore a loading zone is not required.

He stated there was a question about handicapped parking and they are showing two (2) handicapped spaces for the Paris Foundation which according to the Town Zoning Ordinance are sufficient for between 26 and 50 parking spaces. Three handicapped spaces would be required if there were over 52 parking spaces on the site. He noted there are four (4) proposed handicapped parking spaces on the site.

Mr. Manuel asked if they would be unloading food. Mr. Strauss explained that the volunteers pull up in back of the building and might be carrying a crock pot or something similar but there would not be any trucks delivering food to the facility.

Mr. Ginder asked for clarification as to what variances or design waivers they are requesting for this use. Ms. Minner stated they appear to be in compliance with the number of handicapped parking spaces required. In regards to the loading zone, which would be considered a design waiver, this use would not require one. She also noted the two rows with fewer than 7 parking spaces between landscape islands would also be a design waiver. The parking rationale which they provided is unique to this use and she didn't feel they needed any kind of variance since they are showing what they need and the parking criteria for this use is approximate and subject to change depending upon the nature of the use. She noted there is also opportunity for shared parking because they operate at different times from MRDC.

Mr. Ginder asked, regarding Singerly Fire Company comments, whether the concern about the 26 foot road aisle width had been resolved. Ms. Minner stated that although Singerly might encourage 26 foot aisle widths, the Town requirement is only 24 feet. She asked Mr. Muller if the 24' seemed reasonable. He noted that the jacks on either side of the fire truck reach out 10' on each side and the truck is 6' wide and that might be why Mr. Little is suggesting 26 foot aisle widths. Mr. Muller stated he felt due to the area at MRDC and the height of the building that the 24 foot aisle width would be sufficient.

Mr. Ginder asked if the building would be sprinklered. Mr. Strauss confirmed that it would be sprinklered.

Ms. Minner stated that since the site is owned by the Town of Elkton she had requested information for compliance with the 10% rule for stormwater for the Critical Area. The Town is required to submit a consistency report to Critical Area and she asked Mr. Strauss if they were within that 10%. Mr. Strauss stated the information is included in the stormwater management report. He said he would follow up with Ms. Minner concerning this report.

Mr. Manuel asked if it would be a requirement for the Planning Commission to see the finalized parking agreement. Discussion ensued regarding how the agreement should be written and Mr. Imperatrice stated he would appreciate the Town providing direction. Ms. Minner said she would defer to Ms. Blackson with regard to the agreement.

Mr. Ginder asked if anyone in the audience had questions concerning this project. There was no one in attendance to speak for or against this project.

MOTION: Motion Was made by Mr. Manuel to approve the Preliminary Major Site Plan for Paris Foundation contingent upon addressing all outstanding comments and requesting that they advise the Town if they, or Maryland Rural Development, choose to withdraw from the shared parking agreement. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Muller – Aye; Mr. Ginder – Aye. The motion passed unanimously.

REQUEST OF FREDERICK WARD ASSOCIATES REPRESENTING WASH X HOLDINGS ELKTON, LLC, FINAL SITE PLANS, COMMERCE CENTER DRIVE, TAX MAP 033B, PARCEL 2462, LOT 2 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Tom Miner of Frederick Ward Associates was in attendance to address this request. Mr. Miner stated they are presenting the Final Site Plan and a pad ready use for a restaurant. He explained there is currently no developer for the restaurant.

Mr. Ginder interjected that it was his understanding that the outstanding comments had been submitted to the Town Planning Department around 3:00 p.m. today. Mr. Miner stated there were some comments still outstanding such as stormwater and they have not received comments from Cecil Soil Conservation District.

Mr. Miner noted that the only difference between the Concept, Preliminary and Final Site Plan has been the location of the dumpster pad. There have also been some additional details added to the plan.

Mr. Thompson pointed out that the driveway entrance and exit for this project is not directly across from the Sheetz entrance and exit and he feels this will be a problem. Mr. Miner explained that the entrance Mr. Thompson is speaking of is MRA's entrance for the Trammel Crow site they are developing for Phase IV. He stated the entrance would not be within their purview of work. Discussion ensued regarding the entrances for these projects and how they might affect the traffic flow in the vicinity. Mr. Thompson referred to the issues at Bridge Street, Maryland Avenue, the entrance to the Dollar General and North Side Shopping Center and doesn't want to see these traffic issues happen with respect to this project. Ms. Minner stated she can send this plan to the Town's KCI traffic engineer and ask him to look at it and see if he has any issues with the layout of the entrances.

Prior to this time, Ms. Blackson had been unable to hear the proceedings of the meeting and therefore Ms. Minner asked her if she would check to see what kind of cross access parking easement would be required for the Paris Foundation and MRDC. Ms. Blackson clarified this would be specific to their use and would not include any other uses at this location. Ms. Minner confirmed she was correct. Ms. Blackson advised that the agreement should be between the Paris Foundation, MRDC and the property owner.

Ms. Minner reviewed the Town comments. She noted that the Town's request for a landscape buffer waiver at Concept plan submittal has not been provided. Mr. Miner stated that during that meeting he mentioned they didn't want trees over the cars which had just been washed and therefore he thought the Commission members had agreed but apparently it had not been voted on at that meeting as part of the motion. Mr. Miner stated they have under 100 parking spaces and they are requesting a tree island waiver for that purpose. Ms. Minner asked if they are requesting a waiver for both landscape islands. She pointed out that the fast food restaurant site has sections with 8 and 9 parking spaces and the Town requires one landscape island per every seven parking spaces. Mr. Miner said he assumed there would be a blanket agreement across the entirety of the site. Ms. Minner asked the Commission members to make this request a part of their motion.

Mr. Miner mentioned how other municipalities determined where landscape islands should be placed with respect to parking spaces. Ms. Minner provided a visual plan showing landscaping on the islands. She noted there are some landscape islands with no landscaping. Mr. Ginder mentioned that there is no curbing which is required in the Town Zoning Ordinance. Ms. Minner pointed out the specific areas to Mr. Miner. Discussion ensued regarding where additional landscaping/trees might be placed. Mr. Miner stated he tries to avoid areas with utilities, sewer lines and storm drains. Ms. Minner said he can propose items which will work in those areas, such as holly trees, evergreen shrubs, etc. She asked what the elevation from Route 40 was. Mr. Miner said it is about four feet higher than Route 40. Ms. Minner asked him to provide an alternative in order to provide screening in those areas. She mentioned that he needs to include landscaping that meets the bufferyard requirements as well as the screening requirements.

Ms. Minner stated that the plantings provided in the Construction Plans and those in the Planning Commission submittal are not the same. Mr. Miner said their intentions with the two plans are different. One is for the contractors doing the work and it would be difficult to put all the other information on the plan for the Planning Commission submittal. Mr. Ginder asked Ms. Minner what the Town requires. She explained there is a checklist for the plans but the problem they run into is that the plans are different and they are trying to catch where the differences might be. She suggested that Mr. Miner attach the site plan to the construction drawings. She noted it doesn't include aisle widths and is missing other necessary items. Mr. Ginder stated that he doesn't see curbing in a number of areas on the plan that was submitted to the Board. Mr. Miner said any of the double lines around the paved areas designate the curbing. Mr. Ginder said there was no information in the legend on the plan showing curbing. Ms. Minner noted that curbing is shown clearly on the car wash side of the plans but not on the restaurant side.

Mr. Miner explained that the intention of placing the restaurant on the plan was to have it pad ready so it could be marketed. Mr. Miner explained that although they could have marked it as future development but storm water is requiring them to detail it much further. The storm water has to show a certain amount of information to ensure it drains to the inlet, etc. and therefore certain other requirements were obliging them to show specific detail.

Mr. Muller stated that he is uncomfortable giving final approval to the restaurant part of the plan. He has no issues with the car wash side and feels it was done well. Mr. Fruehstorfer said he feels that what is on the plans needs to be accurate and if there is something that needs to be changed then it needs to be labeled as such. His concern is that if the drawing is approved then the information on the site plan is considered approved unless there is a note clarifying any future change.

Ms. Minner asked what specific concerns Mr. Muller had with the restaurant part of the plan. Mr. Muller said there appears to be a lot of structure crammed into a small space and he has seen this happen with other projects in Town such as the Royal Farm store, fast food sites with vehicle stacking issues. He can see where on the restaurant site if a few extra cars are in the vehicle stacking area there won't be room for a trash truck much less an emergency vehicle which is trying to access the site. Another issue is trying to get customers out of the site since they are driving past where people will be walking as they exit the building. He mentioned that the drive through flow for exiting comes back into the site rather than exiting off the site. He feels the design standards are not keeping up with the current vehicles sizes, etc.

Discussion ensued regarding how to handle approval of the car wash without giving final approval to the restaurant part of the site. Ms. Minner asked Ms. Blackson whether the Board could approve the car wash for final approval and the restaurant for concept approval. Mr. Fruehstorfer noted that if there is certain grading

and things on the plan that meet the requirements of the storm water that would be fine but whatever gets design built in the future also has to meet the requirements.

Mr. Ginder asked Ms. Blackson for her legal advice regarding whether the concept plan for the restaurant would have had to be advertised separately. Ms. Blackson stated that as long as what is ultimately recorded for the car wash site plan should have a note on the portion of the plan showing that the restaurant is concept only and would need to be submitted for preliminary and final approvals. Ms. Minner clarified that they are requesting final approval for the car wash and leaving the restaurant at preliminary. Mr. Fruehstorfer said there needs to be something on the plan which shows the area which is not finalized. Mr. Miner stated that is why the curb line was dashed to show the inside area. He said he thought that was understood since they don't have a user for the restaurant as yet.

Mr. Thompson asked where the employee parking will be for the car wash. Mr. Miner said they thought about removing some of the vacuum spaces for regular employee parking.

Mr. Ginder asked if the final on the site plan can be tabled until the next meeting if they receive something regarding the traffic study. Mr. Miner addressed Mr. Thompson's comment regarding the entrance and explained that it has nothing to do with their project for the car wash and the entrance he is referring to is a Trammel Crow project and has already been approved. Mr. Thompson suggested they speak to Trammel Crow to see if they would be willing to make changes to the entrance. Ms. Minner said she could ask the Town's traffic engineer to take a closer look at the situation to see if they have any potential safety concerns. Mr. Miner said he will reach out to MRA and Trammel Crow since that is an agreement made by them for the entrance. Discussion ensued regarding the entrance concerns and fire equipment doing U-turns in the restaurant parcel.

Ms. Minner asked Ms. Blackson if she believed it would be possible for Mr. Miner to submit plans for the area with the restaurant clouded stating future development. Ms. Blackson said it needs to be clear that the plan for the restaurant area would need further approvals from the Planning Commission for preliminary and final. Mr. Miner said the area delineated is dashed for that purpose. Ms. Minner said the area within the curb needs to be clouded and then the rest of the landscaping would be installed.

Mr. Miner stated the construction plans also have proposed pad grading. Ms. Minner said one of the concerns the Town engineers had was the finished floor elevation of the restaurant being the same elevation as the parking lot because they feel the restaurant will flood. Mr. Miner said they should have marked it as pad elevation rather than finished floor elevation. Ms. Minner asked Mr. Fruehstorfer if what Mr. Miner is proposing will work for KCI. Mr. Fruehstorfer said whatever plans they present will be reviewed under the storm water regulations and where the drainage goes and if it works then they will be willing to approve the plan. Mr. Fruehstorfer said there are clear issues now with the pad which is why they don't want to approve it at this time. Ms. Minner stated it was not showing positive drainage away from the pad site. Mr. Miner said he will show positive drainage on future plans. Mr. Fruehstorfer said that as long as they understand that the restaurant site on these plans is not approved and that they have to come back in for additional approvals once a user is determined then he is okay to approve the plan. Mr. Miner stated he is only requesting approval of the car wash with this plan, the other information is shown as required by stormwater regulations.

Mr. Ginder questioned whether the retaining wall is higher than four feet. Mr. Miner explained his reasoning for placing the retaining wall on the plans. The engineering drawings are not usually completed until it is time to pull the building permits, at which time the retaining wall will be reviewed. Ms. Minner confirmed

that if they don't have enough information at this time regarding the retaining wall then the engineering plans for the wall would need to be provided to Mr. Bromwell when the permits are pulled for the work.

There was discussion regarding Singerly Fire comments. Mr. Ginder said they reviewed the plans but didn't really have any comments. Mr. Miner stated their comments generally relate to building comments such as fire alarms, sprinklers, etc.

Ms. Minner clarified how the storm water would be handled by capturing and reusing some of the storm water for the wash process to save water. Mr. Miner explained that all of the runoff generated from the site goes through a recycling system, filtered down and is of a higher quality than other car wash systems. It would go through a reverse osmosis system and then another harvesting system. He stated their modeling with these systems, based on number of trips, rainfall averages shows they shouldn't have to use that much Town water. This is the impetus behind providing the restaurant pad to show the capture of runoff from the site.

Ms. Minner said the only concern they have is that some of the water being retained for use in the car wash eats capacity in the storm collection system so they want to be sure it is adequate enough. They need to be sure their estimate on the number of car washes proposed for processing to use up the water is accurate so they don't end up with a bowl that is half way full and then a good amount of rain comes and then the system is overflowing and everything is not being treated. Mr. Miner explained how they anticipated their car wash usage so they provided the traffic at peaks and then anticipated average usage at other hours. Their average usage was also backed up by the in-field knowledge of how many are pass through trips there are in a day on Route 40 and what the general business model anticipates for the amount of car wash users.

Mr. Miner pointed out that they also have quantity tanks in addition to the harvesting tanks which was accounted for in their anticipated water usage.

Mr. Ginder asked if there were any additional comments. Mr. Muller said he would like to see renderings when they submit with their next approvals. He mentioned it would be helpful to the Commission members.

Ms. Krenzel stated they would like to see a complete set of plans which contains both the site plan and the construction site plan. Mr. Fruehstorfer said they need a plan which has everything included in it which is on the checklist. Ms. Minner wasn't sure why Mr. Miner is resisting adding the site plan to the construction sets. She said the site plan in the construction set needs to be the same as what is being presented to the Planning Commission. There is nothing private on these sites, the Town can either approve it or deny it. The Town is charged with the health, safety and welfare of the citizens of the Town by the State of Maryland when construction and development plans within the Town. Mr. Ginder explained that whatever is required is written in the Town Zoning Ordinance and if Ms. Minner makes a recommendation you need to abide by that recommendation in order to provide what the Commission needs to review.

Ms. Minner used the landscaping as an example. They need to show ways to provide screening that will meet the intent of the Ordinance.

MOTION: Motion was made by Mr. Thompson to table the motion until next month. There was no second for this motion and the motion failed.

MOTION: Motion was made by Mr. Manuel to approve four design waivers: 1) more than seven parking spaces between landscape islands; 2) interior landscaping; 3) loading zone and 4) employee

parking spaces. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Muller – Aye; Mr. Ginder – Aye. The motion passed unanimously

MOTION: Motion was made by Mr. Thompson to table the remainder of the Final Site Plan approval until the April 8, 2024 Planning Commission meeting. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Manuel – Aye; Mr. Ginder – Aye. The motion passed unanimously.

REQUEST OF FREDERICK WARD ASSOCIATES REPRESENTING WASH X HOLDINGS ELKTON, LLC, VARIANCE FOR THE REMOVAL OF SPECIMEN TREES, COMMERCE CENTER DRIVE, TAX MAP 033B, PARCEL 2462, LOT 2 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Tom Miner of Frederick Ward Associates addressed this request. Mr. Ginder asked if any of the Commission members had any questions regarding this request. There were no questions.

MOTION: Motion was made by Mr. Muller to approve the request of Wash X Holdings Elkton, LLC for a variance for the removal of specimen trees as shown in the submitted plan. The motion was seconded by Mr. Manuel with the remaining Commission members voting as follows: Mr. Thompson – Aye; Mr. Ginder – Aye. The motion passed unanimously.

OLD BUSINESS: Ms. Minner stated there are still a number of projects in the pipeline which will be coming along in the next few months.

Mr. Thompson stated he noticed there are signs up for the Taco Bell on Pulaski Highway.

NEW BUSINESS:

Ms. Minner informed the Planning Commission that Ms. Humphreys will be retiring. Mr. Thompson noted he had heard of others in Town who will be retiring. Ms. Minner confirmed that Mr. Repole had announced his retirement.

Ms. Minner stated that Ms. Krenzel will not be in attendance at the April meeting.

Ms. Minner stated they are receiving requests for annexation and some sites which have been dormant for some time are now becoming active again.

Mr. Thompson asked about the property at Elkton Boulevard and Bridge Street which burned out. He asked if they would have to come before the Planning Commission should they wish to rebuild. She said she'd have to check with Mr. Bromwell, the Building Official, to see what would be required to rebuild. Mr. Ginder said he understood that if a building is more than 50% destroyed in a fire that it is no longer considered grandfathered.

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Mr. Muller said the can printing company seems to be moving right along. Ms. Minner said they would have a ribbon cutting on March 20th.

Mr. Manuel mentioned that the East Elkton Traffic Circulation and Safety Plan will hold a meeting on Wednesday, March 27th at the Cecil County Public Library in Elkton at 6:00 p.m.

Mr. Muller asked about the train station. Ms. Minner said she had reached out to them recently and they told her they will be wrapping up their 30% designs by April.

Mr. Ginder stated the next meeting of the Planning Commission will be on April 8, 2024. There being no additional items to discuss he adjourned the meeting at 7:51 p.m.

Respectfully submitted,

Brie Humphreys