

RESOLUTION NO. 2465

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING THE CAPACITY FEE OF THE CITY'S COMPREHENSIVE CONNECTION CHARGE BE WAIVED FOR A DEVELOPMENT KNOWN AS HEADQUARTERS LIVE AT 115 SOUTH DIVISION STREET.

WHEREAS, the Owner of 115 South Division Street has requested a waiver of the Capacity Fee for the redevelopment of their property to develop Headquarters Live; and

WHEREAS, the proposed redevelopment is located inside the City Limits and the Central Business District; and

WHEREAS, the City seeks to encourage development and redevelopment in the Central Business District; and

WHEREAS, the City seeks to reduce the capacity fees for eligible development and redevelopment in the Central Business District by means of an Equivalent Dwelling Unit (EDU) Incentive Area; and

WHEREAS, the proposed redevelopment of Headquarters Live at 115 South Division Street requires five (5) Equivalent Dwelling Units of water and sewer service; and

WHEREAS, the Capacity Fee for five Equivalent Dwelling Units is \$17,665; and

WHEREAS, the City Council approved a Capacity Fee waiver process under Ordinance No. 2258 for redevelopment in the Central Business District; and

WHEREAS, the Director of Public Works reviewed the request and has determined that the project is eligible for the Capacity Fee waiver; and

WHEREAS, the Mayor reviewed the request and supports sending the request to the City Council; and

WHEREAS, if approved, the EDU allocation for the Capacity Fee waiver is valid for two years from the time of the signing of this Resolution; and

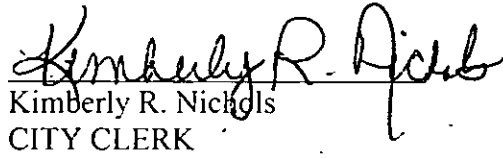
WHEREAS, the property owner has the option to request an extension of the allocation for two one-year terms if approved in writing by the Public Works Director prior to expiration of the term; and

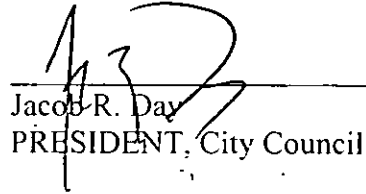
WHEREAS, the allocated EDUs are assigned to the redevelopment of Headquarters Live at 115 South Division Street and cannot be transferred by the recipient.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury, Maryland approves the waiver of five Equivalent Dwelling Units of Capacity Fee for the redevelopment of 115 South Division Street.

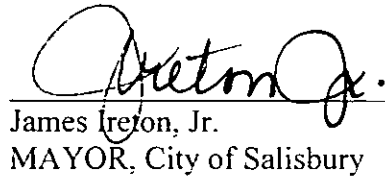
THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on December 8, 2014 and is to become effective immediately upon adoption.

ATTEST:


Kimberly R. Nichols
CITY CLERK


Jacob R. Day
PRESIDENT, City Council

APPROVED by me this 11th day of December 2014


James Ireton, Jr.
MAYOR, City of Salisbury

City of Salisbury



MARYLAND

Salisbury



2010

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SALISBURY, MARYLAND 21801
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MICHAEL S MOULDS, P.E.
DIRECTOR OF PUBLIC WORKS

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

TERENCE ARRINGTON
ASSISTANT CITY ADMINISTRATOR

To: Tom Stevenson, City Administrator
From: Michael Moulds, Director of Public Works
Date: November 20, 2014
Re: Headquarters Live 115 South Division Street – Capacity Fee Waiver

Attached is a letter from the owner of 115 South Division Street dated October 31, 2014. The letter requests consideration for a Capacity Fee waiver for the redevelopment of the property. The property is the old downtown Fire Station and is currently vacant. Per Ordinance No. 2258, the owner is seeking a Capacity Fee waiver as part of the Equivalent Dwelling Unit (EDU) Incentive Area. This is the second request for an EDU allocation under Ordinance No. 2258. There were a maximum of 300 EDUs available, and to date, six (6) have been allocated.

As per Ordinance No. 2258, Public Works has evaluated the eligibility of this project for the EDU Incentive Area. The project meets the following criteria:

1. The project location is within the Central Business Zoning District.
2. The project within the Central Business Zoning District constitutes revitalization of an existing building.
3. The project is not eligible for a capacity fee waiver for public sponsored or affordable housing.
4. The project complies, or will comply, with all applicable Zoning and Building Code criteria.
5. The project complies, or will comply, with all requirements of the Salisbury Historic District Commission.
6. The project is consistent with the adopted Comprehensive Plan of the City of Salisbury. Redevelopment of this underutilized property meets the comprehensive plan's objectives to direct development to underutilized areas to foster revitalization and redevelopment of commercial properties, and to create and retain employment.
7. The project is consistent with the Salisbury Sustainable Community Plan, on file with the Maryland Department of Housing and Community Development (DHCD). The proposed project would meet the Sustainable Community (SC) Plan goal of "supporting existing communities and reducing environmental impacts" by revitalizing an existing building in the historic downtown area.
8. The project is consistent with the following benchmark objectives of A Plan for Transformation (2012): Increase the number of permanent, living wage jobs in the City and increase the amount of commercial square footage in the City.

Public Works has evaluated the number of EDUs in the request and has found the amount to be consistent with MDE's flow projection guidelines.

Attached is a Resolution for consideration to waive the Capacity Fees associated with the redevelopment of Headquarters Live at 115 South Division Street. Public Works has reviewed the waiver request and recommends approval. The request meets the criteria outlined in Ordinance No. 2258.

If this EDU waiver is approved, then it will be valid for two years from the date of the Resolution. Additionally, the EDU Incentive Area will have 289 EDUs remaining for other projects.

Unless you or the Mayor has further questions, please forward a copy of this memo, request letter and Resolution to the City Council.

Brian Wilkins

From: Chris Gilkerson <chris@devreco.com>
Sent: Friday, October 31, 2014 9:40 AM
To: Brian Wilkins
Subject: Re: old Firehouse - capacity fee
Attachments: EDU Waiver Request.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks Brian.

Please see attached for written request/letter. I bumped the EDUs to 5 total. The basement is really more of a lounge/dorm than an office so I feel this is a more accurate figure.

Let me know if this is OK.

Do you need anything else from me a this time to keep this process moving forward?

Thanks again for your help
Chris

On Fri, Oct 31, 2014 at 9:06 AM, Brian Wilkins <BWilkins@ci.salisbury.md.us> wrote::

Chris,

I didn't realize this is a standing room sort of venue. The 25 gpd/seat is a restaurant number so that's way high. The closest category I can find in the sewer manual is 'theaters' at 1 gpd/person. That would give you $445 + 663 = 1,108$ gpd or 4.4 EDUs. I think this is a good estimate.

Thanks,

Brian

From: Chris Gilkerson [mailto:chris@devreco.com]
Sent: Friday, October 31, 2014 8:51 AM

To: Brian Wilkins
Subject: Re: old Firehouse - capacity fee

Brian thanks again for your help with this.

DEVRECO

Development Real Estate Company Since 1983

P.O. 4322 Salisbury, MD 21803

DATE: October 31, 2014

TO: Mr. Michael Moulds
Public Works Director
Department of Public Works
125 N. Division St. Rm 202
Salisbury MD 21801

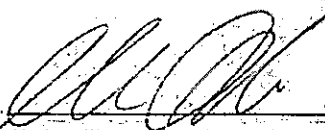
RE: EDU Waiver Request
Headquarters Live / Old Salisbury Downtown Fire Station
115 South Division St
Salisbury MD 21801

Mr. Moulds,

Please consider this our formal written request for an EDU fee waiver for the above referenced project. The project meets the criteria as set forth in Ordinance 2258 by the City of Salisbury; and is an eligible project within the EDU Incentive Area. We estimate the total EDU's needed for the entire project to be Five (5).

Thank you for your consideration with this matter.

Respectively submitted,



10.31.14

Chris Gilkerson, Principal
DEVRECO, LLC

Here is what I am coming up with.

OFFICE: $7,360\text{sf} \times .09 = 663 \text{ gpd}$

VENUE: $3,113 \text{ sf of Patron Space @ } 7\text{sf per person (standing room)} = 445 \text{ person standing capacity} \times 25 \text{ gpd/seat} = 11,125 \text{ gpd}$

Total gpd for entire building using this formula is: 11,788.

Is this what you are looking for?

How do I determine how many EDU's that gpd would need?

Thanks again

Chris

On Thu, Oct 30, 2014 at 11:46 AM, Brian Wilkins <BWilkins@ci.salisbury.md.us> wrote:

Chris,

I've attached an excerpt from the Maryland Sewer Manual on flow projection that I use frequently. Table II has a square foot formula for office space ($\text{sf} \times .09$) that could be used for the top and bottom level. The middle floor should be estimated differently. Probably use a per seat formula (25 gpd/seat). A conservative estimate is recommended.

Thanks,

Brian

From: Chris Gilkerson [mailto:chris@devreco.com]

Sent: Thursday, October 30, 2014 8:02 AM

To: Brian Wilkins
Subject: Re: old Firehouse - capacity fee

Thanks Brian.

I will draft this written request today.

- For the estimated EDUs - we have a total of 20 plumbing fixtures for the entire building.
- The lower level is a lobby/break room/offices/full bathroom/and cooler/storage space.
- The Middle level is the venue consisting of stage/bar/restrooms - will also be indoor/outdoor space for some events
- The Top level is speculation office space with common bathrooms
- Total building is +/- 12,000 sf

Do you have some type of formula for calculating estimated EDU based on the above information?

Thanks

Chris

On Wed, Oct 29, 2014 at 4:43 PM, Brian Wilkins <BWilkins@ci.salisbury.md.us> wrote:

Chris,

Attached is the ordinance for 'EDU Incentive Area'. Make written request to 'Mr. Michael Moulds - Public Works Director'. It does meet the requirements as a redeveloped property in the Enterprise Zone.

Let me know if you have any questions.

Thanks,

Brian E. Wilkins

Development Coordinator

Salisbury Public Works

410-548-3170

Chris Gilkerson | Advisor

TEAM DEVRECO

Sperry Van Ness | Miller Commercial Real Estate

118 N. Division Street | Salisbury, MD 21801

Phone 443.614.6111

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