

RESOLUTION NO. 2602

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 'RIVERVIEW COMMONS' LOCATED AT 150 WEST MARKET STREET.

WHEREAS, the Owner of Riverview Commons has requested a waiver of the Capacity Fee for the redevelopment of their property; 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 150 West Market 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

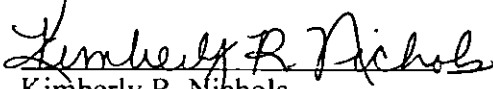
WHEREAS, the property owner has the option to request an extension of the allocation for two one-year terms if approved in writing by the Public Works Director prior to expiration of the term; and

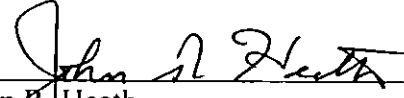
WHEREAS, the allocated EDUs are assigned to the redevelopment of 150 West Market Street and cannot be transferred by the recipient.

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 150 West Market Street.

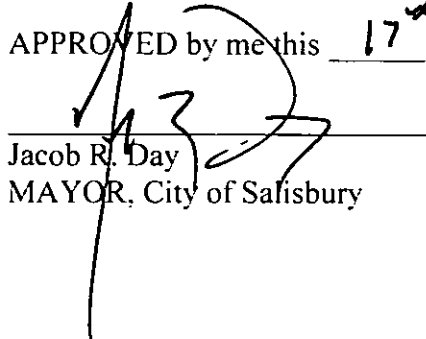
THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on March 14, 2016 and is to become effective immediately upon adoption.

ATTEST:

  
\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

  
\_\_\_\_\_  
John R. Heath  
PRESIDENT, City Council

APPROVED by me this 17<sup>th</sup> day of MARCH, 2016

  
\_\_\_\_\_  
Jacob R. Day  
MAYOR, City of Salisbury

JACOB R. DAY  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

MICHAEL S MOULDS, P.E.  
DIRECTOR OF PUBLIC WORKS

To: Tom Stevenson, City Administrator  
From: Michael Moulds, Director of Public Works *MM*  
Date: January 27, 2016  
Re: Riverview Commons, 150 West Market Street- Capacity Fee Waiver

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Attached is a letter from the owner of Riverview Commons, 150 West Market Street dated January 21, 2016. The letter requests consideration for a Capacity Fee waiver for the redevelopment of the property. The current use of the property is retail. The owner seeks to redevelop to a restaurant with retail space. The restaurant portion will use more water and generate more sewer than the previous use, therefore Public Works would typically assess Capacity Fees. 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 fourth request for an EDU allocation under Ordinance No. 2258. There is a current balance of 284.2 EDUs (of the initial 300) available.

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, as confirmed by Building, Permits and Inspections.
5. The project is consistent with the adopted Comprehensive Plan of the City of Salisbury, the project was approved by the Planning Commission on 12/19/2013.
6. The project complies, or will comply, with all requirements of the Salisbury Historic District Commission defined by letter dated 5/22/2013 from the Salisbury Historic District Commission.

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

Attached is a Resolution for consideration to waive the Capacity Fees associated with the redevelopment of 150 West Market 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 279.2 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.

**Riverview Commons, LLC  
P.O. Box 282  
Salisbury, MD 21803  
410-749-4821**

DATE: January 21, 2016

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

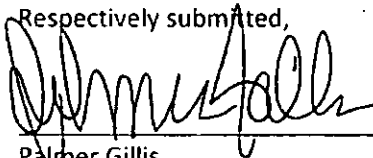
RE: EDU Waiver Request  
Riverview Commons  
150 Market Street  
Salisbury, MD 21801

Mr. Moulds,

Please consider this our 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.

Respectfully submitted,

 1.22.16

Palmer Gillis  
Riverview Commons, LLC