



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



BOB CULVER  
COUNTY EXECUTIVE

JACOB R. DAY  
MAYOR

JULIA GLANZ  
CITY ADMINISTRATOR

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## SALISBURY-WICOMICO COUNTY PLANNING AND ZONING COMMISSION

### AGENDA

**REGULAR MEETING**

**OCTOBER 19, 2017**

ROOM 301, THIRD FLOOR,  
GOVERNMENT OFFICE BUILDING

**1:30 P.M.** Convene, Chip Dashiell, Chairman

**Minutes – Meeting of September 21, 2017**

**1:35 P.M. PUBLIC HEARING – SPECIAL EXCEPTION AND SUBDIVISION APPROVAL – PLANNED INDUSTRIAL PARK –** Perdue AgriBusiness, LLC (Formerly Perdue Grain and Oilseed, LLC) – Zion Church Road – M-39; G-3; P-490; M-30; G-20; P-87, 176, & 327; #WP-1701

**ADMINISTRATIVE APPROVAL - MODIFIED SITE PLAN APPROVAL –** Delmarva Power Sports – Beaver Run Drive – Motorcycle and ATV Sales – Lt. Bus. and Institutional District – M-39; G-6; P-264; L-16AA - #WP-0904-17A (G. Smith)

**COUNTY SUBDIVISION PLAT: (G. Smith/M. Williams)**

Sassafras Meadows Boundary Line Correction & FCA Relocation  
West Road - M-29; P-229; G-19

**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN – Penn Freightliner –** West Road – Westwood Commerce Park PDD#2 – I&D# 17-008 – M-29, G-13, P-375 (A. Roane)

**SIGN PLAN AMENDMENT/REVISED BUILDING ELEVATIONS – Tuesday Morning, rep. by Atlantic Sign & Lighting –** 2300 North Salisbury Blvd. – General Commercial District - #SP-8713-17NN- - M-119, G-15, P-237 (H. Eure)

**REVISED SIGN PLAN APPROVAL – Firehouse Subs, rep. by Maryland Square, LLC –** 2410 North Salisbury Blvd. – General Commercial District - #SP-0308-17E- - M-101, G-21, P-3790, 5483, 5484 (H. Eure)

**REVISED SIGN PLAN APPROVAL – Family Dollar, rep. by Kent Signs –** 1527 North Salisbury Blvd. – General Commercial District - #SP-9808-17A- - M-105, G-3, P-314 (H. Eure)

\* \* \* \* \*



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY  
MAYOR

JULIA GLANZ  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

---

## MINUTES

---

The Salisbury-Wicomico Planning and Zoning Commission met in special session on September 21, 2017 in Room 301, Council Chambers, Government Office Building, with the following persons in attendance:

**COMMISSION MEMBERS:**

Charles "Chip" Dashiell, Chairman  
Scott Rogers  
Marc Kilmer  
James McNaughton  
Jack Heath  
James Thomas (Absent)

**CITY STAFF:**

Anne Roane  
Brian Wilkins

**PLANNING STAFF:**

Jack Lenox, Director  
Gloria Smith, Planner  
Keith Hall, Planner  
Marilyn Williams, Technical Services Review



The meeting was called to order at 1:30 p.m. by Mr. Dashiell, Chairman.



**ANNOUNCEMENTS:**

Mr. Dashiell introduced and welcomed Anne Roane, new City Planner in the City's Infrastructure and Development Department.

Mr. Dashiell noted that Mr. Newell Quinton had resigned from the Commission for family reasons. The Commission appreciated his service and thoughtful contributions to the Commission. The search is underway for a County representative as a replacement



**MINUTES:**

Upon a motion by Mr. Rogers, seconded by Dr. McNaughton, and duly carried, the Commission APPROVED the minutes of the August 10, 2017 meeting as submitted. Mr. Heath abstained due to his absence at that meeting.



**#SP-1706-17A - PUBLIC HEARING – SALISBURY ZONING MAP AMENDMENT – To further Amend the Camden Historic District Boundaries.**

Mr. Dashiell recused himself for this request. Mr. Rogers assumed the Chair for this item.

Mrs. Susan Phillips, Director of Salisbury Housing and Community Development came forward. Mr. Lenox read the ad, administered the oath. Mrs. Gloria Smith presented the staff report explaining that the Commission had reviewed proposed boundary amendments for the Camden Historic District in August. Certain properties were proposed for removal from the regulatory requirements of the District.

At the August meeting, Mrs. Cheryl Meadows, Executive Director of Salisbury Neighborhood Housing Service had proposed also removing the houses on both sides of Smith Street to near Newton Street. She noted that these affected structures were also not contributing structures to the district. She explained that SNHS had been working in this area for many years to upgrade houses and that the Historic requirements were a deterrent to investments in these properties.

Mrs. Phillips added that the houses on both sides of Smith Street had had many changes such as vinyl siding and three-tab shingles so that they are no longer contributing structures to the District.

Upon a motion by Mr. Heath, seconded by Mr. Kilmer and duly carried, the Commission forwarded a favorable recommendation to the Mayor and City Council for approval of the amended Camden Historic District boundaries.



**#SP-1607-17B SIGN PLAN APPROVAL – T-Mobile**, rep. by TriStar Sign Management - 1305 South Salisbury Blvd. Shopping Center - M-117, P-3120, G-3

Mr. Ken Gioffre of TriStar Sign Management came forward. Mrs. Gloria Smith presented the Staff Report and explained that the applicant proposes a wall sign for T-Mobile is 3 ft. tall by 18 ft. 1 3/8 inches long (54.34 sq. ft.) and is proposed with white faces and aluminum returns.

The proposed wall sign is 14.34 sq. ft. larger than the wall sign approved for Your Doc's In. Materials submitted by the applicant indicates that 30 inch tall letters would yield a sign that is 15 ft. 1 1/8 inch in length for a total surface area of 37.74 sq. ft.

Mr. Gioffre explained that they preferred the sign submitted. They understand that another size was previously approved. He submitted an alternative sign proposal using 30 inch letters on a pink backer panel. The sign letters and the backer panel combined would yield a sign with 58.4 sq. ft. of sign surface area.

Mr. Kilmer asked about the Staff reason for recommending a 40 sq. ft. sign. Mrs. Smith explained the Code requirement for a Sign Plan for a shopping center, the signage previously approved for this center, and that the approved signage was used as a benchmark. She added that the Commission could approve a larger sign.

Dr. McNaughton asked about the color pink. Mr. Gioffre explained that it was part of the T-Mobile logo. Extensive discussion followed about the sizing of the proposed sign, the size of the backer board, and the size of the letters on the backer board.

Mr. Kilmer commented that he would not have a problem with a larger sign.

Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the Commission approved the proposed T-Mobile Sign as submitted with a maximum sign surface area of 40 sq. ft.

Discussion followed regarding the addition of the color pink, whether the backer was being counted as part of the sign surface area, and whether 30 inch letters could be used on the backer panel.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission approved the addition of the color pink to the approved sign colors for the shopping center. Mr. Heath opposed the motion.



**#SP-9704-17Z      SIGN PLAN AND BUILDING ELEVATIONS AMENDMENT – Target,**  
rep. by Kimley-Horn – 125 E. North Pointe Drive – The Commons  
Shopping Center - M-29, P-78, G-6

Ms. Tracey Lower of Kimley Horn came forward. Mrs. Gloria Smith presented the Staff Report and explained that the applicant proposes amendments to the Sign Plan and building elevations approved for Target in 1998. The proposed signage will consist mostly of the Target logo but will increase the sign surface area. The building color scheme will change to several shades of gray.

Mr. Rogers commented that the proposed changes would be a big improvement.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission approved the Sign Plan Amendment and Building Elevations Amendments for Target in The Commons shopping center.



**I&D #17-015      CONCEPT CERTIFICATE OF DESIGN AND SITE PLAN – Salisbury Town  
Center – Lot 1- Devreco – South Division Street, Camden Street &  
Circle Avenue - M-107, P-1071, G-14**

Mr. Brad Gillis and Mr. Ron Morgan came forward. Ms. Anne Roane presented the Staff Report and explained that the applicants propose two

new 30,000 sq. ft. commercial buildings with a plaza area, proposed water fountain and bench seating with this area fronting South Division Street. There is also new parallel parking proposed along Circle Ave. She noted that a Letter of Intent is needed as well as the items listed in red in the Staff Report. The property is located in the Central Business District, the Downtown Historic District, the Chesapeake Bay Critical Areas, and the Enterprise Zone. More details are needed as well as a conceptual Stormwater Management Plan and a Fire Service Plan. When the full package is received, it will need to be submitted to the Salisbury Historic District Commission and the Fire Department.

Ms. Roane noted that the Staff recommended resubmittal with all of the items being addressed.

Mr. Brad Gillis explained that this was an introduction to the project. The plan would be presented to the City and County Councils in work sessions. They felt it was important to bring the Planning Commission on board as soon as possible.

Mr. Gillis discussed the 1950's Sanborn map found by Jack Lenox and the Central Business District and Urban Renewal project of that time. The City implemented two steps of that Urban Renewal Plan: they purchased the buildings and demolished them. The area has been a parking lot since that time.

He explained that they are seeking input on Phase I. It is planned as a catalyst for development downtown. There have been no new buildings constructed downtown since the Paul Martin (State Office) building.

Mr. Morgan explained that they wanted the Commission's input and explained the Plan. This a large project for Salisbury. He explained that parking is not required because it is in a parking district. They would let the project grow with market demands. He explained the massing plan and that the buildings need to be at least two stories.

Dr. McNaughton asked if they were closing Phase III of the old project. Mr. Gillis responded that this would be step 3.

Mr. Kilmer asked if the project would be commercial or residential. Mr. Gillis responded that they are commercial developers and explained the financing of the project.

Mr. Dashiell asked for insight into the commercial development. Mr. Gillis explained Riverview Commons with the gift shop and Acorn Market and office users above. He wanted to focus on library patrons and the market would dictate the users that are attracted there.

Mr. Dashiell asked about restaurants and retail. Mr. Gillis explained perhaps a coffee shop and bakery. Shoppers today shop online. He discussed destination driven uses.

Mr. Morgan explained that Camden Street is seen as a service street.

Mr. Heath asked if the design could accommodate a third story. He explained that he was thinking of living space. The vacant space that had been downtown is gone and the rents are high. Mr. Gillis explained that this is their starting point. Facing south and east is more marketable.

Mr. Dashiell commented on what might be more marketable and opportunities for bringing the public downtown.

Mr. Kilmer asked about regulatory hurdles. Mr. Gillis explained that stormwater management might be one. They have done soil borings and ground pinning radar.

Dr. McNaughton asked how stormwater management might be addressed. Mr. Morgan explained that it was not defined yet. It was close to the river, green roofs or pervious pavers might be used. The site was all impervious now.

Mr. Dashiell comment that he appreciated the proposed seating and tying into the library was good. It would be a critical improvement to downtown and a terrific project.



## **COUNTY SUBDIVISION:**

### **Hidden Ponds Revised Final Plat Open Space Easement and Forest Conservation Area Amendments – M-47; P-782; G-19.**

Mr. Brock Parker came forward. Mrs. Gloria Smith presented the Staff Report. She summarized the report explaining that the modifications proposed to the plat. The applicants originally proposed a Forest Mitigation bank that is no longer needed. Other changes to the plat include modification of rear property lines on six lots, modification of a drainage easement for a relocated ditch, sewage reserve areas being re-established, flood protection setbacks for two lots, revised driveway locations and significant changes to the boundaries of

Lot 1A, Block 'B' to permit the owner to build farther from the road. Further approval of the Forest Conservation and Open Space Area modifications is required by the County Council at a Public Hearing.

Ms. Williams noted that the signatures of the lot owners on lots that are sold were required. Mr. Parker noted that the lot owners were willing to sign the plat.

Mr. Parker noted that the original plat had been recorded. He explained the ditch: the owner wanted to fill it in at the time but the Health Department would not allow that. The next wet season the lots were perked and there was no issue.

He explained the corrected plat. They were moving driveways, and removing additional Forest Conservation Areas. He explained the areas that had been planned as a Mitigation Bank that will now be Ag fields or meadows.

He explained Lot 1A. There are poultry houses nearby and the owner wants to move the house farther back on the lot.

Other minor tweaks are occurring that are housekeeping in nature.

Dr. McNaughton asked if all of these changes will occur. Mr. Parker responded yes, if all approvals are obtained. He added that the plat will be recorded and all actions will occur at one time.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission **APPROVED** the Revised Final Plat for Hidden Pond Subdivision, and recommended approval by the Wicomico County Council for the Open Space Easement and Forest Conservation area modifications, subject to the following Conditions of Approval:

**CONDITIONS:**

1. The Revised Final Plat shall comply with all requirements of the County Subdivision Regulations.
2. Health Department approval is required prior to the recordation of the Revised Final Plat.
3. The Revised Final Plat shall comply with all requirements of the Forest Conservation Program.



4. A Homeowners Association will be required to own and maintain all common areas and stormwater management facilities.
5. Revised Open space documents shall be required.
6. A Revised Long-term Forest Conservation Agreement is required.
7. This approval is subject to further review and approval and conditions imposed by the County Department of Public Works.
8. This approval is subject to approval by the Wicomico County Council of the Open Space Easement and Forest Conservation Area modifications.



There being no further business, the Commission meeting was adjourned at 2:55 p.m. by Mr. Dashiell.



This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Salisbury-Wicomico County Department of Planning, Zoning, and Community Development Office.

---

Charles "Chip" Dashiell, Chairman

---

John F. Lenox, Director

---

Recording Secretary

**WICOMICO COUNTY PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING  
SPECIAL EXCEPTION**

In accordance with the provisions of Sections 225-42, 225-57 and 225-155 of the Wicomico County Code, an application has been filed by Perdue Grain and Oilseed, LLC, for a Special Exception for a “Planned Industrial Park” and associated subdivision, on the west side of Zion Church Road in a Heavy Industrial (I-2) District.

**A PUBLIC HEARING WILL BE HELD ON**

**Thursday, October 19, 2017, at 1:35 P.M.** in the Council Chambers, Room 301, Third Floor, Government Office Building, Route 50 and North Division Street, Salisbury, Maryland to hear opponents and proponents, if there be any.

**The Commission reserves the right to close a part of this meeting as authorized by Section 10-508(a) of the Maryland Annotated Code.**

Charles R. “Chip” Dashiell, Chairman

Publication Dates:       October 5, 2017  
                                  October 12, 2017



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



BOB CULVER  
COUNTY EXECUTIVE

JACOB R. DAY  
MAYOR

JULIA GLANZ  
CITY ADMINISTRATOR

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## STAFF REPORT

### MEETING OF OCTOBER 19, 2017

**CASE NO:** WP-1701

**APPLICANTS:** Perdue AgriBusiness, LLC  
(Formerly Perdue Grain and Oilseed, LLC)

**PROPERTY OWNERS:** Perdue AgriBusiness, LLC

**LOCATION:** Zion Church Road (West Side)

1) Tax Map 39, Parcel 490  
2) Tax Map 30, Parcel 327  
3) Tax Map 30, Parcel 176  
4) Tax Map 30, Parcel 87

**ZONING:** Heavy Industrial (I-2)

**REQUEST:** (1) **Special Exception – Planned Industrial Park (PIP) District**  
(2) **Subdivision of Land consistent with PIP District**

#### I. INTRODUCTION:

The applicant is the owner of land on the west side of Zion Church Road, totaling approximately 298 acres. No construction or further development is proposed for the property at this time, and the Perdue industrial facility would continue to operate as it currently exists. For internal corporate structuring purposes, the applicant proposes to bifurcate the existing operations of “food” and “grain”. The Planned Industrial Park District (PIP) would permit the developed property to be subdivided while still complying with the bulk standards of the Zoning Code.

#### II. REVIEW/APPROVAL PROCESS:

Section 225-57 of the Zoning Code provides for the establishment of a Planned Industrial Park in the Heavy Industrial (H-2) District, on sites of a minimum of 15 contiguous acres. Such a PIP is subject to the issuance of a Special Exception by the Commission. Construction or further development within the PIP would be governed by an approved Development Plan.

**III. DESCRIPTION OF PROJECT SUBDIVISION:**

The PIP District permits a parcel or group of parcels to exist without internal setbacks so long as they meet the criteria outlined in Section 225-57. The lots proposed (See attached Subdivision) meet requirements for lot coverage, area, and dimension. Although no construction is proposed at this time, any and all new development in the future would be bound by the standards and procedures of the PIP District.

**IV. EVALUATION OF THE REQUEST:** Section 225-155 of the Wicomico County Zoning Code states the criteria for approval of Special Exceptions.

- (1) **The proposed use is consistent with the County Comprehensive Plan or a specific area plan for the physical development of the County, or portion, thereof, as adopted by the County Council.** The Comprehensive Plan identifies this site as an area for Industrial Use. This application seeks approval of the PIP District overlay and subdivision of property to ensure continued operation of a poultry research, growing, and processing facility. Perdue is well established in the County and at this particular location, and seeks to continue its strong relationship with the County, and its business and farming community. Protecting and furthering the poultry industry is pivotal to the County. The proposed PIP is consistent with the Comprehensive Plan.
- (2) **The proposed use will not adversely affect the health, safety and general welfare of the residents or workers in the area.** Following approval of the PIP, the Perdue facility will continue to operate as currently developed, approved, and functioning. This facility has been in operation on the property for generations, without adverse effect to residents or workers, and will continue to do so following approval of the PIP.
- (3) **The proposed use is compatible with and will not be detrimental to the use or development of adjacent properties or the general neighborhood.** The PIP District overlay will permit properties currently owned by the applicant to continue operation following subdivision, without detrimental effect to the surrounding area.
- (4) **The proposed use meets all of the standards set forth for each particular use for which a Special Exception may be granted.** The PIP District process was adopted by the County to provide for the establishment of industrial sites for a variety of industries and related activities which are cohesively designed. The facility components and buildings meet individual standards, while operating cohesively.
- (5) **The proposed use has been designed so as to minimize possible adverse effects on adjacent properties or on the immediately surrounding area.** The property has been developed for decades, and functions without adverse effects on adjacent properties or on the immediately surrounding area. No additional burdens or impacts will be produced.

- (6) **The proposed use will not adversely affect the transportation network or unduly burden water, sewer, school, park, and storm water management areas including streams or other public facilities.** The proposed PIP District will not adversely affect the transportation network, as no additional activity is proposed by this application. The property private water and sewer service. No additional runoff will occur.
- (7) **The proposed use will not adversely affect the environmental, archeological, or historical assets of particular interest to the community as may be identified in any adopted plan of the County.** As no construction or development is proposed by this application, approval of the overlay district will not adversely affect the environmental, archeological, or historical assets of the community.

**V. STAFF RECOMMENDATION:**

The Planning Staff recommends that the Commission **Adopt** the findings outlined above, and grant **Approval** of a Special Exception for the Planned Industrial Park District.

Further, the Staff recommends approval of the associated Subdivision, subject to the following conditions:

1. The Revised Final Plat shall comply with all requirements of the County Subdivision Regulations.
2. Health Department approval is required prior to the recordation of the Subdivision plat.
3. The subdivision plat shall comply with all requirements of the Forest Conservation Program.
4. The approval is subject to further review and approval and conditions imposed by the Wicomico County Department of Public Works.

COORDINATOR: Jack Lenox  
DATE: October 12, 2017



MCALLISTER  
DEAR  
SHOWALTER  
& WALKER

William W. McAllister, Jr.  
wmcallister@mdswlaw.com  
(410) 228-1432 (Direct)

September 19, 2017

John F. Lenox, AICP  
125 N. Division St.  
Room 201  
P.O. Box 870  
Salisbury, MD 21803

**Re: Special Exception Application for Planned Industrial Park Overlay and Subdivision of Perdue Grain & Oilseed, LLC Lands Located Along Zion Church Road**

Dear Mr. Lenox:

Please accept this letter and the attached narrative as formal Special Exception application for overlay of the Planned Industrial Park District and subdivision of the parcels owned by Perdue Grain and Oilseed, LLC along Zion Church Road, as described herein.

We have attached the subdivision plat for your office's review and comment and look forward to hearing from you in the near future. Should you require any additional information or materials please do not hesitate to reach out to me or my associate, Brendan Mullaney, at (410) 820-0250.

Sincerely,

William W. McAllister, Jr.

**PLANNING COMMISSION  
WICOMICO COUNTY, MARYLAND**

**NARRATIVE FOR APPROVAL OF (1) SPECIAL EXCEPTION PERMITTING  
PLANNED INDUSTRIAL DISTRICT OVERLAY AND (2) SUBDIVISION**

**APPLICANT:** Perdue Grain and Oilseed, LLC

**REQUEST:** Approval of overlay of the Planned Industrial Park District (“PIP District”) on certain parcels owned by Perdue Grain and Oilseed, LLC (“Applicant”) and approval of subdivision of those same parcels as defined by this application.

**INTRODUCTION:**

Applicant is the fee simple owner of certain parcels of land located along Zion Church Road in Salisbury, Maryland, known as (1) Parcel 490 of Wicomico County Tax Map 39, (2) Parcel 327 of Wicomico County Tax Map 30, (3) Parcel 176 of Tax Map 30, and (4) Parcel 87 of Wicomico County Tax Map 30 (collectively, the “Property”)<sup>1</sup>. For internal corporate structuring purposes, designed to bifurcate the distinct operations of “food” and “grain” on the Property, Applicant requires the subdivision of the Property and wishes, with that goal in mind, to apply the PIP District to the Property which will permit the developed Property to be subdivided while still complying with bulk standards required by the Wicomico County Zoning Code (the “Code”). A subdivision plat demonstrating applicable bulk standards and proposed subdivision (“Subdivision Plat”) has been submitted in conjunction with this narrative. This application will permit Applicant to subdivide the Property as desired but, at this point, there is no construction or development proposed for the Property. Following approval of this application, the industrial Perdue facility will continue to operate as it currently exists.

**DISCUSSION:**

**Planned Industrial Park Overlay District**

This application is submitted pursuant to Section 225-57 of the Code, which permits the PIP overlay in the Light Industrial District (“I-1”) and Heavy Industrial District (“I-2”). Application for PIP District overlay requires a Development Plan, as defined by Section 225-13(D) of the Code, which criteria are met by this application and the attached subdivision and site plan. Section 225-57(B) of the Code specifies that a PIP may be permitted as a Special Exception with the approval of the Planning Commission. This application satisfies the Special Exception criteria outlined by Section 225-155 as follows:

---

<sup>1</sup> The parcels which are defined collectively herein as the Property were conveyed to Applicant by Perdue Agribusiness Incorporated by special warranty deed dated September 19, 2012 and recorded among the Land Records of Wicomico County, Maryland in Liber MSB 2488, folio 369.

**(1) *The proposed PIP District is consistent with the Comprehensive Plan or a specific area plan for the physical development of the County or a portion thereof, as adopted by the County Council.***

The Wicomico Mission Statement<sup>2</sup>, copied here in its entirety because of its applicability, demonstrates that permitting this PIP District overlay is aligned in every way with the goals and ideals of the County.

The primary mission of Wicomico County is to provide for our citizens a healthy and safe environment, convenient transportation, broad range of housing types, and sufficient public facilities and services, while maintaining the rural nature of the County. To accomplish this mission, Wicomico County realizes that it has to protect its valuable natural resources and open space, as well as, ensure that a viable agricultural economy exists to maintain the value of agricultural land and strengthen the overall economy of the region.

This application seeks approval of the PIP District overlay and subdivision of the Property in order to ensure continued operation of a poultry research, growing, and processing facility. Perdue has been located within the County for decades and wishes to continue its strong relationship with the County and its businesses and farming community. The corporate restructuring which necessitates this subdivision will not impact or alter the Perdue processes, facility, or positive impacts to the County's economy and agricultural priorities.

Protecting and furthering the poultry industry is pivotal to the agricultural community in the County because a significant portion of the agricultural products go to the poultry industry located in the County and around the Eastern Shore of Maryland. The poultry industry, in many ways, works with farmers and grain producers to ensure that agricultural land is profitable and can remain in open space for generations to come. The proposed PIP District is consistent with the Comprehensive Plan as adopted by the County Council.

**(2) *The proposed PIP District will not adversely affect the health, safety, and general welfare of the residents or workers in the area.***

Following approval of the PIP District overlay and subdivision, the Perdue facility situated on the Property will continue to operate as currently developed, approved, and functioning. The legacy facility has been in operation on the Property for generations without adversely affecting the health, safety, and general welfare of the residents or workers in the area and will continue to do so following approval of the PIP District and subdivision.

**(3) *The proposed PIP District is compatible with and will not be detrimental to the use or development of adjacent properties or the general neighborhood.***

The PIP District overlay will permit properties currently owned by Applicant to continue operation following subdivision. The Property has been operated as a poultry research and

---

<sup>2</sup> Wicomico County, Maryland Comprehensive Plan, p. I-1



processing facility for decades without detrimental effect to the use or development of adjacent properties or the neighborhood in general.

(4) *The proposed PIP District meets all of the standards set forth for each particular use for which a special exception may be granted.*

The PIP District was adopted by the County to provide for the establishment of industrial sites for a variety of industries and related activities within industrial areas which are cohesively designed. The facility situated on the Property has been designed for operation as a poultry and agriculture research and processing facility whose components and buildings operate cohesively and support each other. The PIP District may be applied to the Property provided the PIP District criteria and purpose are satisfied. The facility on the Property has common ownership and is built to function as a system whose divisions and individual infrastructure support the whole.

(5) *The proposed PIP District has been designed so as to minimize possible adverse effects on adjacent properties or on the immediately surrounding area.*

The Property has been developed over decades to function without adverse effects on adjacent properties or the immediately surrounding area. Following approval of the PIP District and subdivision, no additional burden or impacts will be produced by the Property.

(6) *The proposed PIP District will not adversely affect the transportation network or unduly burden water, sewer, school, park, stormwater management areas, including streams, or other public features.*

The proposed PIP District will not adversely affect the transportation network because no additional traffic burden is proposed by this application. The Property is not supported by public water and sewer and thus will not have any impacts on those utilities. No additional runoff will occur and no public features will otherwise be affected by the approval of this application.

(7) *The proposed PIP District will not adversely affect the environmental, archeological, or historical assets of particular interest to the community as may be identified in any adopted plan of the County.*

Because no construction or development is proposed by this application, approval of the PIP District overlay will not adversely affect the environmental, archeological, or historical assets of the community.

### Subdivision

As envisioned for the PIP District, the infrastructure on the Property works collaboratively within the “food” and “grain” processes. The PIP District permits a parcel or group of parcels, so long as they meet the criteria outlined in Section 225-57, to exist without internal setbacks and with other bulk standards which facilitate logical and orderly industrial growth and operation. As demonstrated by the Subdivision Plat submitted in conjunction with

**this narrative, the Property and the lots which are to be designated PIP District meet the lot coverage, minimum acreage, road standards, and bulk standards which are applicable to the PIP District. Although no construction is proposed at this time, any and all new development will be bound by the standards which apply to the PIP District.**

**For the foregoing reasons, the Planned Industrial Park District overlay and subdivision, as described herein, should be approved by the Planning Commission. The subdivision and Special Exception PIP District conform with applicable standards and are consistent with the County's Comprehensive Plan.**

MD STATE GRID  
NAD 83/2011

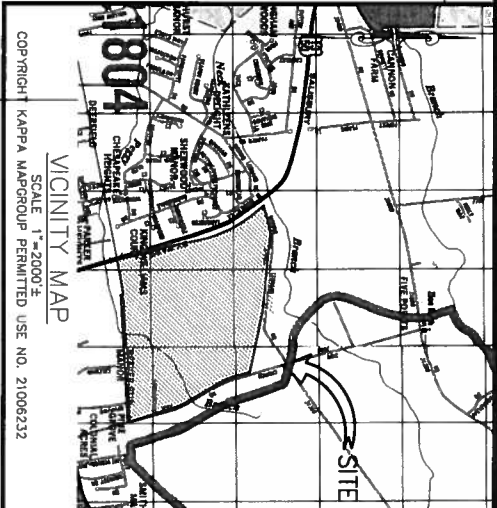
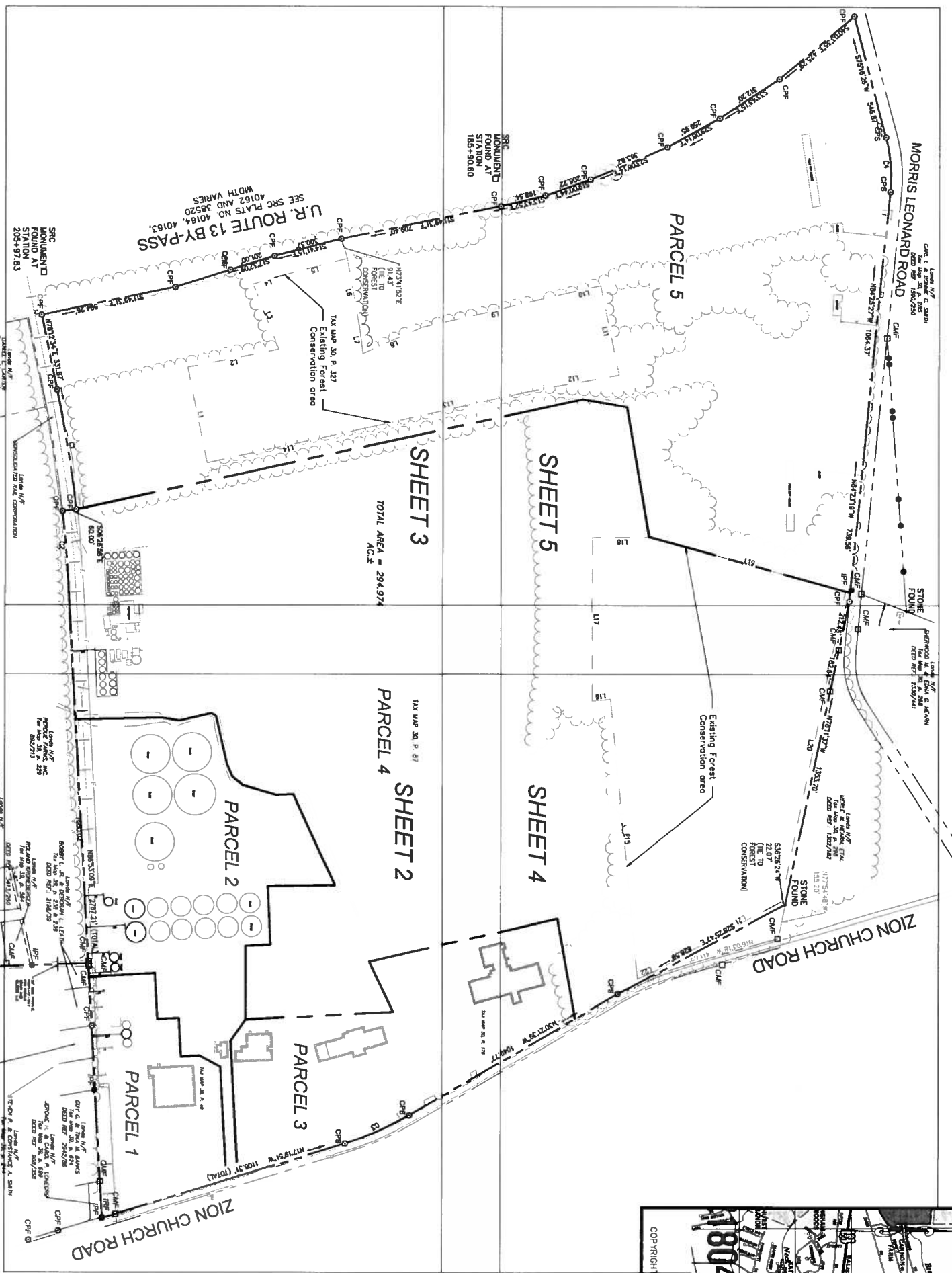


**FOREST CONSERVATION LINE TABLE**

LINE	LENGTH	BEARING
L1	428.54'	S78°27'16"W
L2	402.62'	N11°21'09"W
L3	504.63'	S86°31'47"W
L4	122.18'	N10°48'53"W
L5	122.18'	N10°48'53"W
L6	308.41'	N79°50'27"E
L7	110.86'	N62°27'50"E
L8	283.00'	N13°20'10"W
L9	641.09'	N13°20'10"W
L10	106.55'	N10°14'47"E
L11	308.55'	N10°14'47"E
L12	393.44'	S10°12'44"E
L13	722.96'	S12°20'29"E
L14	718.95'	S12°20'29"E
L15	1428.92'	S82°41'46"W
L16	214.63'	S69°38'21"W
L17	261.87'	N00°03'21"W
L18	1883.99'	N15°38'42"E
L19	1883.99'	N15°38'42"E
L20	68.06'	S24°12'47"E
L21	98.06'	S24°12'47"E
L22	98.06'	S24°12'47"E

**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD DIR	DELTA ANGLE
C1	5614.59'	531.97'	590.53257W	575.43°	
C2	5554.59'	314.25'	305.637	374.48°	
C3	1342.00'	306.33'	N23°50'45.7W	207°17'29"	
C4	625.00'	237.81'	S23°28'26"E	141°8'21"	
C5	1313.00'	328.99'	S23°28'26"E	141°8'21"	



**OWNER'S & SURVEYOR'S CERTIFICATION**

WE CERTIFY THAT THE REQUIREMENTS OF "REAL PROPERTY" SECTION 3-108 OF THE ANNOTATED CODE OF MARYLAND, LATEST EDITION, CONCERNING THE MARKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH TO THE BEST OF THE KNOWLEDGE AND BELIEF OF THE SURVEYOR AND THE PURPOSE OF THIS PLAT.

OWNER: PERDUE GRAIN & OIL SEED LLC  
DATE: \_\_\_\_\_

SURVEYOR: MARK C. BENZIN  
DATE: \_\_\_\_\_



APPROVAL	APPROVAL	APPROVAL
WICOMICO COUNTY DEPARTMENT OF PLANNING & ZONING	WICOMICO COUNTY HEALTH DEPARTMENT EXISTING FACILITIES NOT EVALUATED FOR THE PURPOSE OF THIS PLAT.	WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS
DATE: _____ BY: _____	DATE: _____ BY: _____	DATE: _____ BY: _____

- NOTES:**
1. ASSESSMENT MAP NO. 30, PARCELS 87, 327, 490 AND 176
  2. DEED REFERENCE: 3488/369
  3. PLAT REFERENCE: 16-837
  4. PROPERTY IS LOCATED IN FLOOD ZONE C - AREAS OF ANNUAL FLOODING FROM FLOOD COMMUNITY PANEL NUMBER 52507500193C AND 2400790020C, EFFECTIVE DATE SEPTEMBER 28, 1984
  5. THIS SURVEY DOES NOT VERIFY THE EXISTENCE OR NONEXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS OTHER THAN SHOWN.
  6. TOTAL AREA OF SURVEY: 287,585 AC ±
  7. SOME EXISTING SITE FEATURES (SHEDS, POULTRY HOUSES, TANKS ETC.) HAVE BEEN DIGITALLY CREATED USING GOOGLE EARTH IMAGERY. HATCHED BUILDINGS WERE FIELD LOCATED
  8. THIS PROPERTY IS LOCATED WITHIN AN AREA WHICH ALLOWS AGRICULTURAL OPERATIONS. THIS "RIGHT TO FARM" IS PROTECTED UNDER CHAPTER 186 OF THE WICOMICO COUNTY CODE
  9. SITE IS SERVED BY ON-SITE COMMUNITY WATER AND WASTE WATER TREATMENT FACILITY
  10. THE APPROVAL OF THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS DOES NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY TO COMPLY WITH ALL OTHER APPLICABLE FEDERAL, STATE, AND LOCAL LAWS.

<p>FOR <b>PERDUE GRAIN AND OILSEED, LLC</b> ZION CHURCH ROAD FACILITY</p> <p>PARSONS ELECTION DISTRICT WICOMICO COUNTY, MARYLAND</p>		<p>DATE: 9/13/17</p> <p>JOB NUMBER: D2170063</p> <p>SCALE: 1"=250'</p> <p>DRAWN BY: ML</p> <p>DESIGNED BY: MB</p> <p>APPROVED BY: MB</p> <p>FOLDER REFERENCE:</p>	<p><b>McCRONE</b></p> <p>ENGINEERS ■ SURVEYORS ■ PLANNERS</p> <p>ANNAPOLIS ■ CENTREVILLE ■ ELKTON ■ SALISBURY ■ DELAWARE</p> <p>119 KAYLOR HILL ROAD, SUITE 6 SALISBURY, MD 21801 (410) 548-1492</p> <p>www.mccrone-engineering.com</p> <p>Copyright © 2017</p>	<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>REV. #</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	REV. #	DATE	DESCRIPTION																															<p>MARK C. BENZIN, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF MARYLAND, LICENSE NO. 207 DEPRATION DATE FEBRUARY 01, 2018</p> <p>SEAL _____ DATE _____</p>
REV. #	DATE	DESCRIPTION																																				



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY  
MAYOR

JULIA GLANTZ  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## STAFF REPORT

### MEETING OF OCTOBER 19, 2017

**CASE NO:** WP-0904-17A  
**APPLICANT:** Delmarva Power Sports  
**PROPERTY OWNER:** CPI Properties, LLC  
**LOCATION:** Southerly side of Beaver Run Drive, Beaver Run Business Center.  
County Tax Map #39  
Parcel # 264; Grid #6; Lot #16AA  
**ZONING:** LB-1 Light Business and Institutional District  
**REQUESTS:** **ADMINISTRATIVE APPROVAL – Modified Site Plan Approval – Sales of Motorcycles and ATV's**

#### I. REQUEST:

##### A. Introduction.

The applicant is requesting approval of a Modified Site Plan for construction of a 24,000 sq. ft. Motorcycle and ATV sales facility on this site. (See Attachments #1-3.)

The request was originally approved in June, 2009 and received several six-month extensions before expiring in 2013. The Special Exception and Site Plan were re-approved in January 2017 and a six-month extension was granted in July 2017.

##### B. Development Scheme.

The Site Plan indicates the location of the proposed building, paved parking, landscaping, dumpster area, large vehicle and small vehicle loading docks, forest conservation area and sewage disposal area. The building now totals 24,000 sq. ft. and contains covered porches on parts of three sides of the building. The loading

dock has been relocated from the 2009 Plan and includes a dock for large vehicles as well as one for small vehicles.

**B. Site Description.**

Lot #16AA in Beaver Run Business Center totals 5.31 acres of land, is currently undeveloped, but site work has begun for this development.

**C. Surrounding Area Development.**

This site is located in a business park approved by the Wicomico County Board of Appeals in 1988 (#WA-8811). The Board amended the Conditions for the park in 1994. In September 2004, the zoning of the business center changed to LB-1 Light Business and Institutional.

To the north across Beaver Run Drive is Delaware Lumber Co. and Shore Comfort Services is located on the west adjoining lot.

**D. Access to the Site.**

One access drive on the northerly side of Beaver Run Drive is proposed to serve this site.

**II. SITE PLAN REVIEW:**

Section 225-38D of the Wicomico County Code requires review and approval of a Site Plan by the Planning Commission for all development in the Light Business and Institutional District to protect adjacent residential areas, present an appearance of openness and uncluttered development and limit intensity of use to levels compatible with the character of the area. When a use also requires a Special Exception, the Code requires that approval to be granted by the Planning Commission.

The Planning Staff has determined that the Site and Landscaping Plan is in general conformance with the Conditions of Approval imposed on Beaver Run Business Center in 1988. The proposed Modified Site Plan is included as **Attachment #1**.

**A. Code Requirements.**

The use of this site for a Motorcycle and ATV Sales is consistent with uses permitted by Special Exception in the Light Business and Institutional District (as amended by Legislative Bill #2009-3 in March, 2009). In addition, at the time of approval of the business park, Conditions of Approval were imposed by the Board relative to general park development, on-site signs, setbacks for buildings and structures, and landscaping. Staff notes the following with regard to this site and the Code/Board requirements for setbacks, parking, paving, and landscaping:

1. **Setbacks:** The Board conditions require a 50 ft. front setback, 30 ft. southerly property line setback, and 15 ft. side setbacks. The placement of the proposed building meets or exceeds these requirements.

2. **Parking.** The Code requires parking at one space per 200 sq. ft. of floor area and one per two employees. The Plan indicates that there are 85 paved or concreted parking spaces (including 4 handicapped spaces) for this 24,000 sq. ft. building.
3. **Landscaping areas.** The Beaver Run Conditions of Approval require the following:
  - (a) A 50 ft. setback shall be required from all lot lines that abut the internal street with the first 15 ft. devoted to a landscape strip.
  - (b) A 15 ft. side yard setback is required for each use with 5 ft. adjacent to all property lines devoted to a landscaped strip.
  - (c) For lots abutting U.S. Route 50, a 30 ft. building setback is required along the entire southerly property line with 25 ft. devoted to a landscaped strip.

A considerable portion of this lot is forested and an area is proposed for retention. Specific landscaping materials were not listed for the planting area along U.S. Route 50.

4. **Building Elevations.** The applicant has submitted building elevations for the U.S. Route 50 frontage of the building, as well as the Beaver Run Drive frontage of the building. The plans indicate that the building will be a steel-framed building with a seamed metal roof. (See Attachments #2-3.)
5. **Signage.** In 2009 the applicant submitted a building elevation for the U.S. Route 50 frontage of the building indicating the location of four 50 sq. ft. signs for a total of 200 sq. ft. of signage. The Business Park condition adopted by the Board of Appeals in 1988 and amended in 1994 permits two wall signs on the buildings fronting along U.S. Route 50. The new elevations show signage only on the Beaver Run frontage of the building.
6. **Forest Conservation.** The subdivision plat for this property contains a Forest Conservation area along both sides of Holloway Branch at the easterly end of the site. A Forest Conservation Area is shown on the Site Plan.

### III. PLANNING COMMENTS:

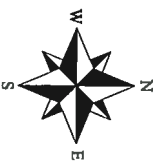
On May 9, 2009 the County Council approved Legislative Bill #2009-3 approving an amendment to Section 225-67 of the Code adding Motorcycle and ATV Sales as a use permitted by Special Exception in the LBI District.

### IV. STAFF RECOMMENDATION:

Staff recommends that the Planning Commission grant Modified Site Plan Approval for Delmarva Power Sports in Beaver Run Business Center – Lot #16AA, subject to the following original Conditions:

1. The site shall be developed in accordance with the approved Modified Site and Landscaping Plan.
2. All plant materials larger than six (6) inches in diameter shall be retained along the Route 50 frontage of the site.
3. This development is subject to any applicable Conditions of Approval imposed by the Wicomico Board of Appeals in 1988 or 1994.
4. On-site signage shall be in accordance with the requirements of the Conditions of Approval for Beaver Run Business Park OR as approved by the Wicomico County Board of Zoning Appeals.
5. Subject to further review and approval, if required, by the Wicomico County Public Works Department.

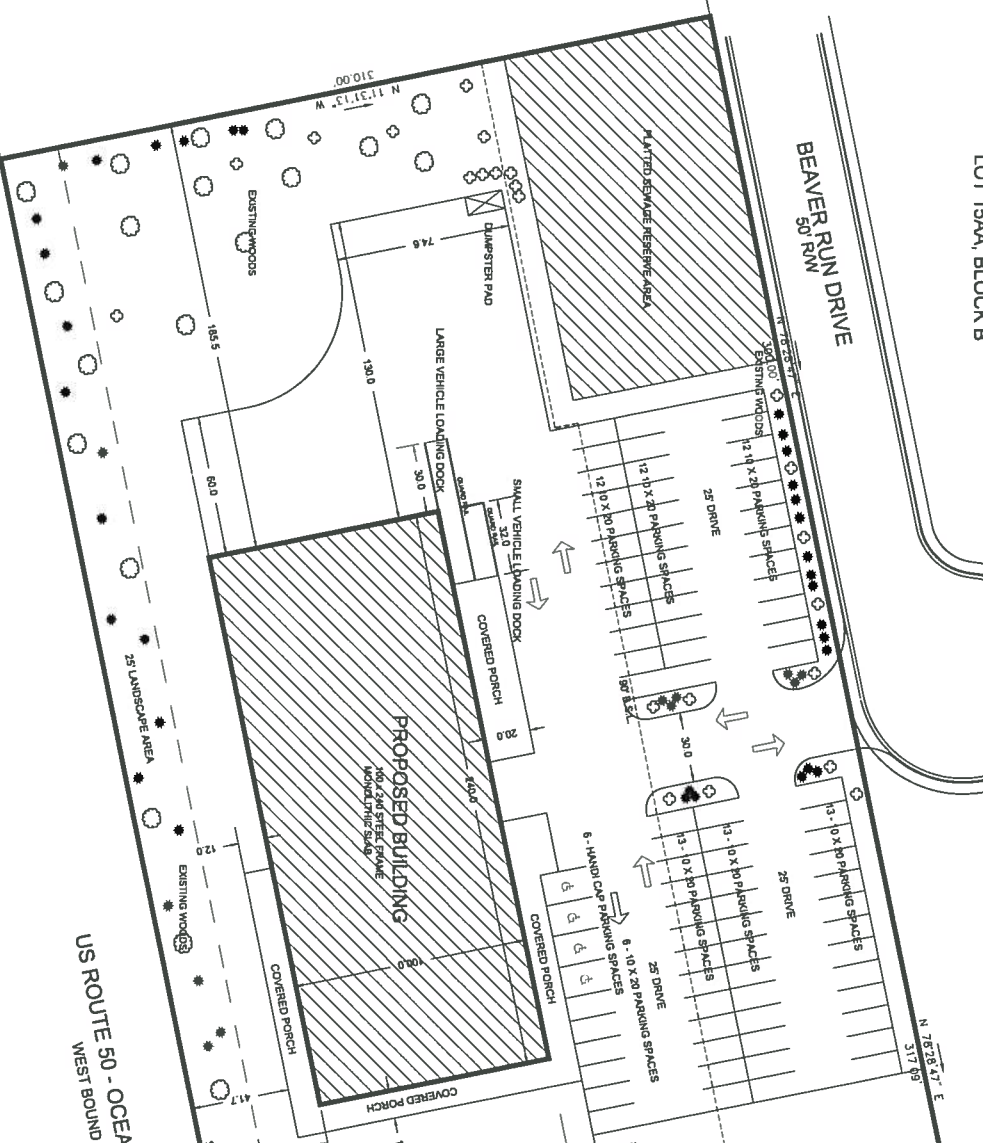
COORDINATOR: Gloria Smith, Planner  
DATE: October 11, 2017



LOT 15AA, BLOCK B

BEAVER RUN DRIVE  
50' R/W

LOT 15



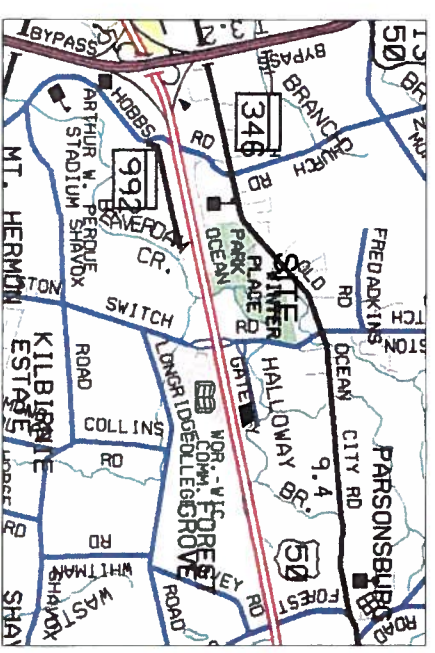
US ROUTE 50 - OCEAN GATEWAY  
WEST BOUND LANE

LOT 16B, BLOCK A  
TOTAL AREA 5.31 ACRES +/-

LOT 16B, BLOCK A  
5.31 AC +/-

HALLOWAY BRANCH

HALLOWAY BRANCH



OWNERS ADDRESS:  
CPI PROPERTIES, INC  
1611 NORTH SALESBURY BLVD  
SALESBURY, MD 21801-3328

PROPERTY ADDRESS:  
BEAVER RUN DRIVE  
SALESBURY, MD 21804

DEED REFERENCE 3071468  
PLAT REF AS SHOWN  
TOTAL LOT AREA 5.31 AC +/-  
CURRENT ZONE B-1  
FOREST CONSERVATION EASEMENTS 3109437  
PROPOSED BUILDING  
100 X 240' MONOLITHIC CONCRETE SLAB  
PROPOSED USE, SHOWROOM & SALES, SERVICE AREA AND WAREHOUSE  
TOTAL PARKING AREAS  
10' X 20' 81  
HANDICAP 4  
TOTAL 85

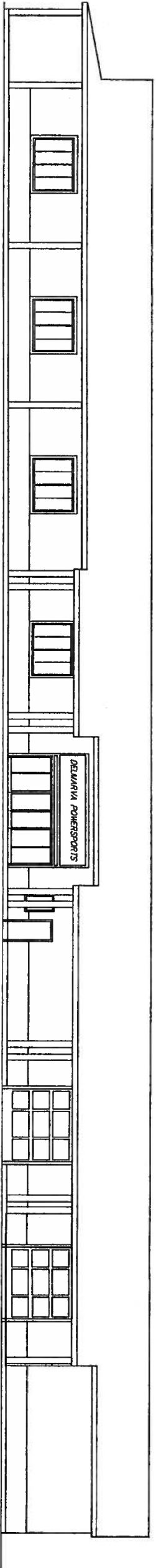


TITLE	SITE PLAN FOR CPI PROPERTIES, INC.	
COUNTY	WICOMICO	STATE MD
TAX DISTRICT	03	SCALE 1" = 40'
TAX MAP	GRD	PARCEL
39	06	284
DEED REF	3071/468	
PLAT REF	16/656	
DATE	09/02/19	REV 10/1/2017

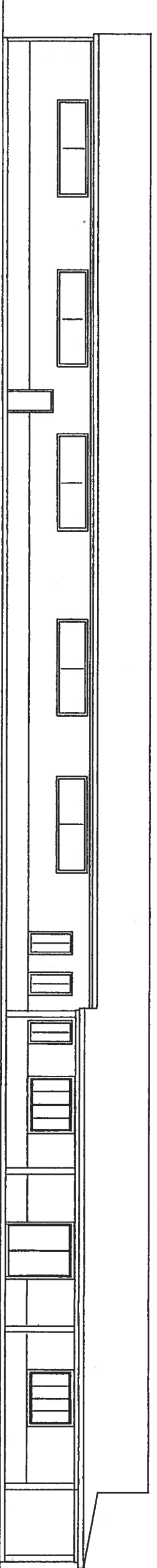


Attachment #1

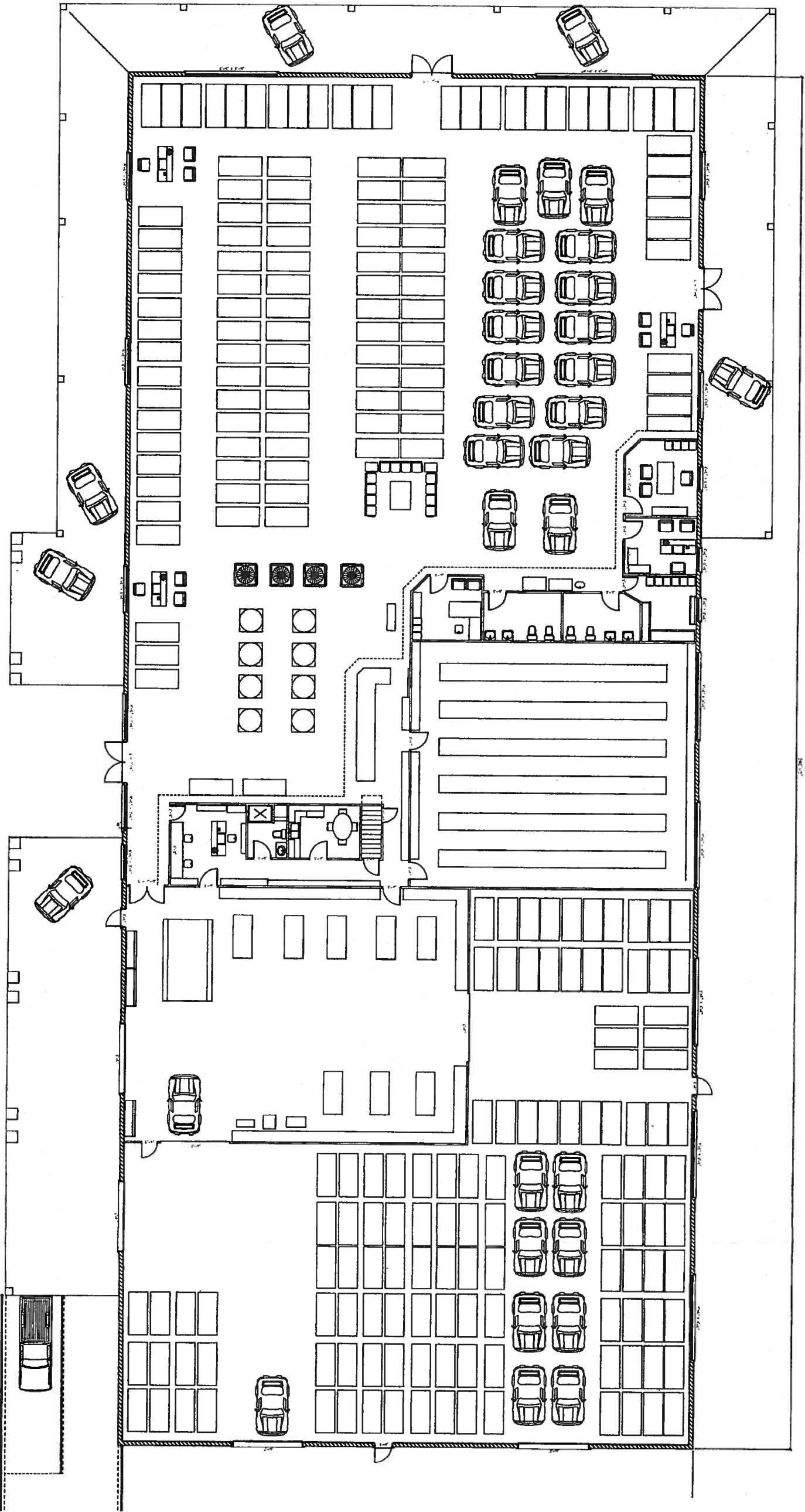




BEAVER RUN DR



RT 50



RETAIL/SERVICE SQ FT-16700  
 WAREHOUSE SQ FT-7300  
 TOTAL SQ FT-24000  
 PARKING @ 1/200 SQ FT 84 SPACES



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955

JACOB R. DAY  
MAYOR

JULIA GLANZ  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

---

## COUNTY SUBDIVISION ANALYSIS

---

**MEETING OF OCTOBER 19, 2017**

**Subdivision Name:** Corrected Plat - Parcel A Sassafras Meadows LLC    **Section:**

**Location:** West Road

**DPW#:**

**Map:** 29

**Parcel:** 229

**Grid:** 19

**Acres:** 40.23

**Subdivision Acreage:**

**Lots:**

**Applicant:** Parker and Associates Inc.  
528 Riverside Drive  
Salisbury, MD 21801

**Owner:** Land Holding LLC  
c/o 943000647  
PO Box 25999  
Shawnee Mission, KS 66225

**Zoning:** R-10A Residential

**Jurisdiction:** City of Salisbury and Wicomico County    **Type of Plat:** Corrected Plat

**Type of Development Proposed:** Boundary Line Correction and Forest Conservation Relocation

### I. EXPLANATION OF REQUEST.

A resubdivision plat for Sassafras Meadows LLC was recorded in 2004 (Plat 14/733), and a subsequent re-subdivision plat of Parcel A was recorded in 2008 (Plat 15/544). Both plats incorrectly showed a common property line with adjoining Lot 1, Block Q, "Westside Manor", otherwise known as 1410 West Road.

In the 2008 plat (Plat 15/544), a forest conservation easement was placed on Parcel A. Since the common property line between Parcel A and Lot 1, Block Q of Westside Manor was shown incorrectly, a forest conservation easement was erroneously placed on a portion of Lot 1, Block Q.

A plat correcting the common property boundary lines between these two parcels and relocating the portion of the forest conservation easement placed on Lot 1 is submitted for review.

**II. RECOMMENDATION.**

The Planning Staff recommends approval of the boundary line revision and the relocation of the forest conservation area as shown on the corrected plat.

**III. SUBDIVISION STATUS.**

**A. WAIVERS REQUIRED:**

N/A.

**B. FOREST CONSERVATION:**

The plat must comply with the requirements of the Forest Conservation Program. A review by legal counsel has determined that the Wicomico County Council will not need to approve the proposed Forest Conservation Area modifications, as the portion in question was never properly encumbered.

**C. CHESAPEAKE BAY CRITICAL AREA:**

N/A

**D. PROPOSED CONDITIONS:**

1. The Revised Final Plat shall comply with all requirements of the City and County Subdivision Regulations.
2. Health Department approval is required prior to the recordation of the Corrected Plat.
3. The Corrected Plat shall comply with all requirements of the Forest Conservation Program.
4. A Revised Long-term Forest Conservation Agreement is required.
5. This approval is subject to further review and approval and conditions imposed by the City of Salisbury and the Wicomico County Department of Public Works.
6. It is recommended that the 230 foot piece of land acquired by the original owners of Lot 1, Block Q in "Westside Manor" be formally combined with Lot 1 as a function of this plat, and the owner of the lot be an additional signer on this plat.
7. The corporate limit line currently runs through Lot 1, Block Q due to the property line error on the plats for Sassafras Meadows LLC. The owner of Lot 1 will be provided a choice of either full annexation or de-annexation. This change to the corporate limit

line will be required prior to any approvals of improvements to the lot.

**F. PLANNING AND PUBLIC WORKS STAFF COMMENTS:**

Chandler & Carey, Inc. were the original developers of “Westside Manor” located on West Road, and they owned land which would eventually become known as “Sassafras Meadows” and Parcel A owned by Sassafras Meadows, LLC.

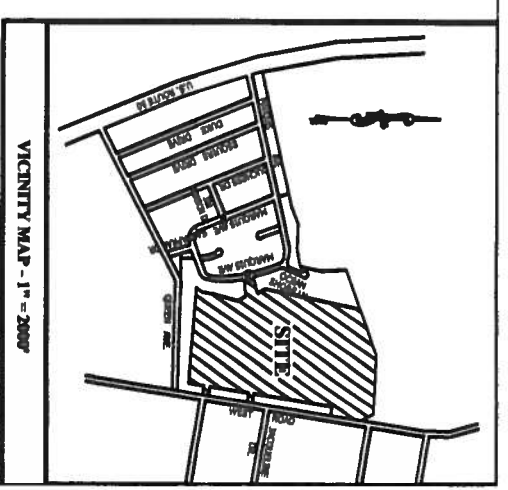
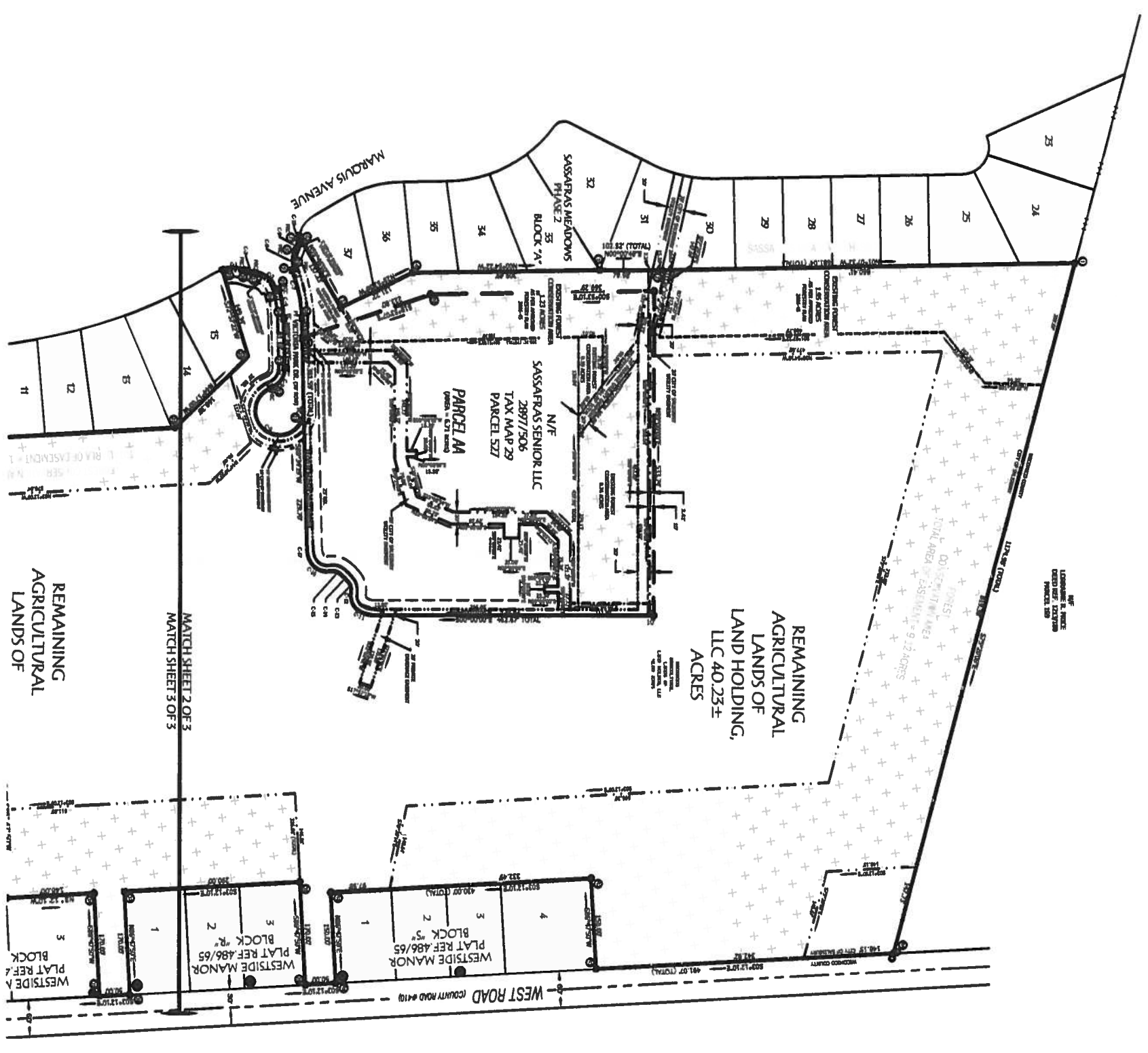
The first sale of Lot 1, Block Q in “Westside Manor” included an additional 230 foot piece of land added to the rear of Lot 1, Block Q. This addition to Lot 1 is reflected in a deed from Chandler & Carey, Inc. to Edward and Lola White and Eleanor Harmon (Deed 551/308). Subsequent deeds for Lot 1, Block Q “Westside Manor” describe the lot as containing this extra land.

However, when a plat of a “Resubdivision For Sassafras Meadows, LLC” was created in 2004 (Plat 14/733) for the land adjoining Lot 1, Block Q, it did not take into account the additional land added to Lot 1 – it reflected the common boundary line as it appeared on the plat for “Westside Manor”.

A subsequent plat of a “Resubdivision of Parcel A” recorded in 2008 (Plat 15/544) continued to show Lot 1, Block Q without the additional 230 feet of land, and it also placed a forest conservation easement on a portion of Lot 1.

A corrected plat is needed to: 1) accurately reflect the common property line between Parcel A, Sassafras Meadows LLC and Lot 1, Block Q “Westside Manor”; and 2) relocate the forest conservation easement area from Lot 1 to another area of Parcel A.

COORDINATOR: Gloria Smith, Planner/Marilyn Williams/Les Sherrill, Technical Review  
REVISION DATE: October 12, 2017



**REVISIONS**

NO.	DATE	BY	FOR
1	12/20/18	AKG	ADD
2	1/24/19	AKG	ADD
3	1/24/19	AKG	ADD
4	1/24/19	AKG	ADD
5	1/24/19	AKG	ADD
6	1/24/19	AKG	ADD
7	1/24/19	AKG	ADD
8	1/24/19	AKG	ADD
9	1/24/19	AKG	ADD
10	1/24/19	AKG	ADD
11	1/24/19	AKG	ADD
12	1/24/19	AKG	ADD
13	1/24/19	AKG	ADD
14	1/24/19	AKG	ADD
15	1/24/19	AKG	ADD
16	1/24/19	AKG	ADD
17	1/24/19	AKG	ADD
18	1/24/19	AKG	ADD
19	1/24/19	AKG	ADD
20	1/24/19	AKG	ADD
21	1/24/19	AKG	ADD
22	1/24/19	AKG	ADD
23	1/24/19	AKG	ADD
24	1/24/19	AKG	ADD
25	1/24/19	AKG	ADD
26	1/24/19	AKG	ADD
27	1/24/19	AKG	ADD
28	1/24/19	AKG	ADD
29	1/24/19	AKG	ADD
30	1/24/19	AKG	ADD
31	1/24/19	AKG	ADD
32	1/24/19	AKG	ADD
33	1/24/19	AKG	ADD
34	1/24/19	AKG	ADD
35	1/24/19	AKG	ADD
36	1/24/19	AKG	ADD
37	1/24/19	AKG	ADD
38	1/24/19	AKG	ADD
39	1/24/19	AKG	ADD
40	1/24/19	AKG	ADD
41	1/24/19	AKG	ADD
42	1/24/19	AKG	ADD
43	1/24/19	AKG	ADD
44	1/24/19	AKG	ADD
45	1/24/19	AKG	ADD
46	1/24/19	AKG	ADD
47	1/24/19	AKG	ADD
48	1/24/19	AKG	ADD
49	1/24/19	AKG	ADD
50	1/24/19	AKG	ADD

**CORRECTED PLAT OF THE**  
**RESUBDIVISION PLAT**  
 OF  
**PARCEL A**  
**Attachment #1**  
 Corrected Plat of Resubdivision of Parcel A

**SHREVE & PARKER**  
 SURVEYING & MAPPING  
 1100 WEST 12TH STREET  
 SUITE 200  
 DENVER, CO 80202  
 PHONE: 303.733.8888  
 FAX: 303.733.8889  
 WWW.SHREVEANDPARKER.COM

**SHEET 2 OF 3**





## **Infrastructure and Development Staff Report**

Meeting of October 19, 2017

### **I. BACKGROUND INFORMATION:**

**Project Name:** Penn Freightliner

**Applicant/Owner:** Penn Freightliner

16777 Halfway Blvd.

Hagerstown, MD 21740

**Infrastructure and Development Project No.:** 17-008

**Nature of Request:** Preliminary Comprehensive Development Plan Approval, per Section 17.180.010 of the Salisbury Municipal Code

**Location of Property:** West Rd. parcel 375 – bordered by Rt 50 bypass on the north, West Rd to the south & Ed Taylor Rd to the east  
(attachment #1)

**Total Area of Disturbance:** approx. 14.6 acres (lots A & B)

**Zoning District:** Planned Development District #2 – Westwood Commercial Park

**Tax Map and Parcel:** 29/part of 375

**Area:** 26.35 acres

### **II. HISTORY:**

This property was annexed into the City through Resolution No. 1447 'West Road – Westwood and Sassafras Annexation' as part of a larger tract of land. Annexation effective on 1/25/2007 (attachment #2.) The area was originally zoned as Light Industrial and Light Business and Institutional, but reassigned as Planned Development District #2 on 9/22/2008 through Ordinance No. 2064 (attachment #3.) Ordinance No. 2420 amended PDD #2 to allow for 'sales and service of commercial trucks, heavy equipment, etc.' (attachment #4.)

### **III. DISCUSSION:**

The 26.3 acre parcel is currently undeveloped. The applicant proposes to subdivide the parcel into three lots and to develop two (Lot A- and Lot B-) into commercial buildings intended for sales and service of commercial trucks and heavy equipment including





open display lots for same. The remaining lot will be for future development. Existing water, sewer, electric and gas service are in the vicinity but have not been extended to this site. See applicant's submittal for statement of costs, statement of ownership, expected schedule of development and impact to surrounding area.

#### **IV. PLANNING AND ZONING:**

1. The following Chapters of the Salisbury Municipal Code are applicable to this project:  
Chapter 17.122-Planned Development District No. 2-Westwood Commerce Park  
Chapter 17.080-Comprehensive Development Plan  
Chapter 17.196-Off-street Parking and Loading Standards;
2. The project is also subject to additional standards and set forth in Ordinance No. 2064 and referred in Chapter 17.122 a the "...preliminary development plan dated September 27, 2007,..." These standards were developed specifically for the Westwood Commercial Park. (See Attachment 5);
3. After Preliminary Comprehensive Plan approval, the applicant will address comments from this Staff Report, as well as, all applicable requirements per Chapters 17.122, 17.080 and 17.196 in the Comprehensive Development Plan that will be presented to the Planning Commission for final approval;
4. Site Access: Lot 'A' access to be from West Rd. Lot 'B' access from Ed Taylor Rd.;
5. Surrounding Area Development: All surrounding areas with the exception of the north side of the bypass are also part of PDD #2;
6. Density of Development is consistent with Ordinance No. 2064;
7. Building Coverage / Open Space is consistent with Ordinance No. 2064;
8. Building Architecture / Scheme: see applicant's submittal of new Scanton, PA facility;
9. Building Elevations / Floor plans to be provided with stormwater management plan; and
10. Comments specific to the plan submitted:
  - Show the setback lines;
  - Indicate the building fronts;
  - Remove the head-in parking facing West Road, to move the proposed developed areas south 20' to allow for additional buffer planting along the Route 50 bypass, entrance ramp the runs along the northern edge of the site; and
  - Indicated on the plan the amounts of pervious and impervious paving.



**V. ENGINEERING:**

- Water / sewer service will have to be extended along West Rd to service the property.

**VI. FOREST CONSERVATION ACT:**

The site has been partially cleared. Forest Conservation Plan requirements for clearing all trees on-site have been addressed. Forest Conservation Approval was completed on 6/26/2006 with FCA #2000-05.

**VII. CHESAPEAKE BAY CRITICAL AREA: N/A**

**VIII. DOWNTOWN HISTORIC DISTRICT COMMISSION: N/A**

**IX. FIRE DEPARTMENT REVIEW:**

See attachment #6

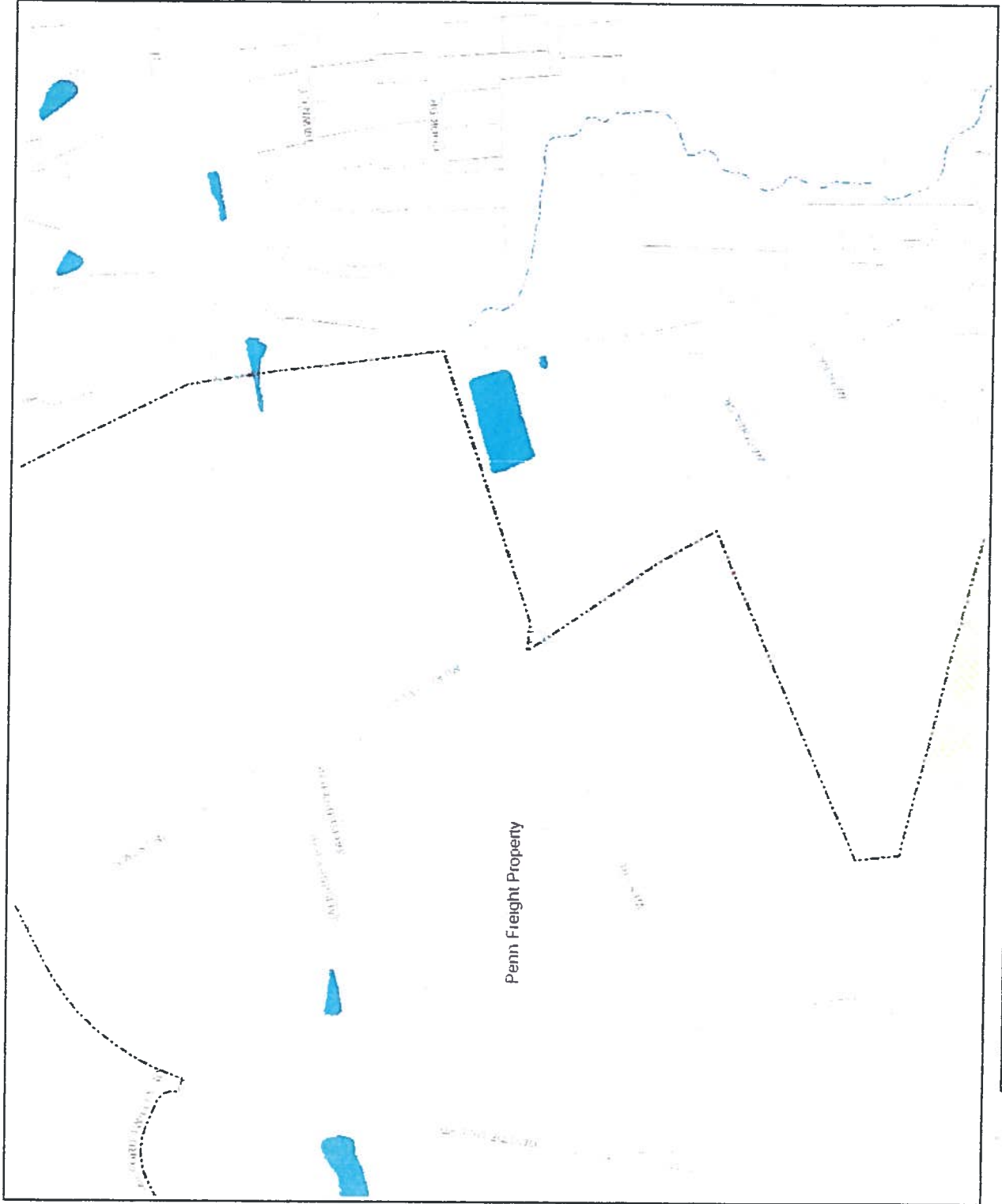
**X. BOARD OF EDUCATION: N/A**

**XI. STAFF RECOMMENDATION:**

Staff recommends approval of Preliminary Comprehensive Development Plan. Further detailed review will be undertaken by Salisbury Department of Infrastructure & Development for compliance with all state and local regulations.

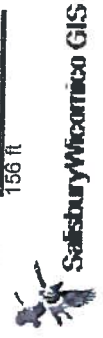
# CITY OF SALISBURY

## Salisbury Zoning

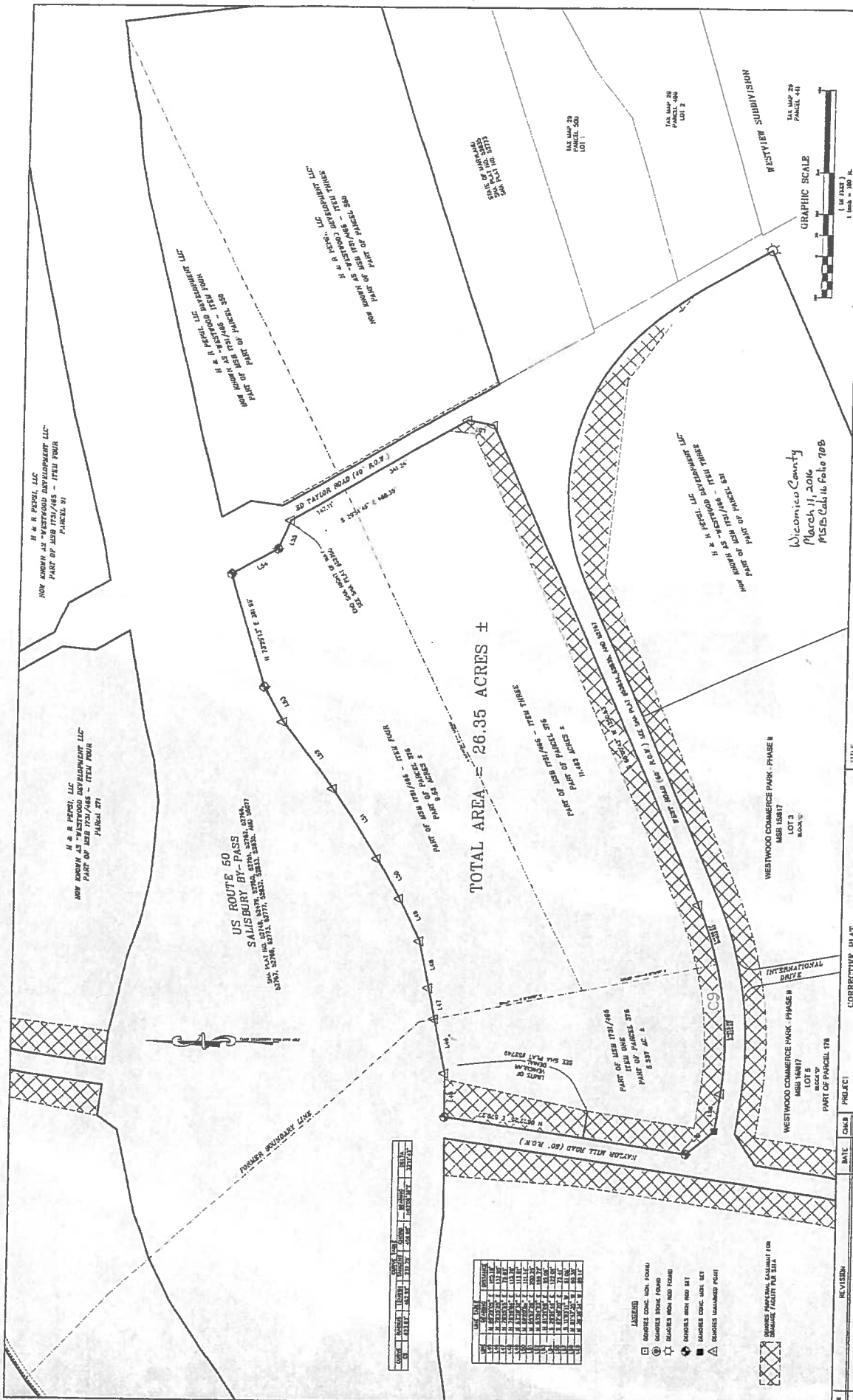


Penn Freight Property

## Penn Freight Property - PDD Zoning



156 ft



NO.	BEARING	DISTANCE	AREA	PERCENT
1	N 89° 15' 00" W	100.00	100.00	100.00
2	S 89° 15' 00" E	100.00	100.00	100.00
3	S 0° 00' 00" E	100.00	100.00	100.00
4	N 89° 15' 00" W	100.00	100.00	100.00
5	N 0° 00' 00" E	100.00	100.00	100.00
6	N 89° 15' 00" W	100.00	100.00	100.00
7	S 89° 15' 00" E	100.00	100.00	100.00
8	S 0° 00' 00" E	100.00	100.00	100.00
9	N 89° 15' 00" W	100.00	100.00	100.00
10	N 0° 00' 00" E	100.00	100.00	100.00
11	N 89° 15' 00" W	100.00	100.00	100.00
12	S 89° 15' 00" E	100.00	100.00	100.00
13	S 0° 00' 00" E	100.00	100.00	100.00
14	N 89° 15' 00" W	100.00	100.00	100.00
15	N 0° 00' 00" E	100.00	100.00	100.00
16	N 89° 15' 00" W	100.00	100.00	100.00
17	S 89° 15' 00" E	100.00	100.00	100.00
18	S 0° 00' 00" E	100.00	100.00	100.00
19	N 89° 15' 00" W	100.00	100.00	100.00
20	N 0° 00' 00" E	100.00	100.00	100.00

- ▲ MARKERS
- QUARTER CONC. MON. FOUND
- QUARTER WOOD SIGN FOUND
- QUARTER WOOD SIGN FOUND
- QUARTER WOOD SIGN SET
- QUARTER CONC. MON. SET
- QUARTER WOOD SIGN POINT
- MARKERS PERMANENT CASUALTY FOR BURIAL/FACILITY PER STATE

**Frank G. Lynch, Jr. & Associates, Inc.**  
 SURVEYING  
 1000 WASHINGTON ROAD, SUITE 100, WASHINGTON, MD 20781  
 (301) 461-8333 (301) 8773  
 FAX (301) 461-8333  
 LICENSE NO. 1000  
 REGISTERED PROFESSIONAL SURVEYOR



**BOUNDARY SURVEY**  
 THIS PLAT IS TO SUPPLEMENT THE PLAT ENTITLED "MONUMENTARY SURVEY OF LANDS OF H & R PEREL, LLC" AS RECORDED IN PLAT CANNOT 10014, P. 661 ON 11-30-2018.

**CONJECTURE PLAT**  
 LANDS OF  
 H & R PEREL, LLC  
 NOW KNOWN AS "WESTWOOD DEVELOPMENT LLC"  
 TO BE ACQUIRED BY "ARADISE PROPERTIES, LLC"  
 PLAT MAP 51, PARCEL 376  
 SALISBURY ELECTION DISTRICT  
 WICOMICO COUNTY, MARYLAND

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

GRAPHIC SCALE  
 1" = 100' ±  
 1" = 200' ±  
 1" = 300' ±



Exhibit "B"

As amended on October 9, 2006

CONDITIONS OF ANNEXATION  
"WEST ROAD - WESTWOOD AND SASSAFRAS ANNEXATION"

A. SERVICES AND TAXES

- 1. Property taxes will be assessed at the first semi-annual taxing period following annexation.
- 2. Existing development areas will be given City services upon request and availability. Services requiring engineering design, construction or budget funding will be initiated with the request and completed as soon as practical.
- 3. Services for developing areas will be provided based upon availability in accordance with City policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved. Note: No request for water and sewer service will be considered complete until all applicable fees, charges and assessments are paid.

B. GENERAL PROVISIONS

- 1. All EXISTING DEVELOPMENT which is served by onsite water and/or sewer systems may maintain those systems as long as they are in good working order and pose no threat to the environment, City water supply or until ordered to abandon the system(s) by the County Health Department or State Department of the Environment. Prior to connection, the property owner must initiate and complete a request for service with the City Department of Public Works. The application is not considered complete until all appropriate fees, charges and/or assessments are paid.
- 2. NEWLY DEVELOPING PROPERTIES will be required to use any City water and sewer system available at the time of construction or made available in conjunction with construction. All appropriate fees, charges and/or assessments must be paid before connection to the City service lines is completed.
- 3. WATER AND SEWER and other improvements and services will be made available to the extent possible to all parcels within the newly annexed areas in accordance with the City Policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved.
- 4. ZONING of the entire annexation area will be as follows, as recommended by the Salisbury/Wicomico County Planning & Zoning Commission: A Zoning classification of Light Business and Institutional shall be applied to those areas currently zoned County Light Business and Institutional. A Zoning classification of Light Industrial shall be

## CONDITIONS OF ANNEXATION

"WEST ROAD - WESTWOOD AND SASSAFRAS ANNEXATION"

applied to those areas currently zoned County Light Industrial. The area currently zoned County R-8 Residential shall be zoned R-10A Residential upon annexation to the City of Salisbury.

C. MISCELLANEOUS

1. As a condition of annexation, the petitioners shall pay the cost of annexation including, but not limited to, advertising costs associated with the annexation.
2. The City of Salisbury accepts no responsibility for the construction, maintenance or upkeep of any existing roadway, public or private, until such is brought up to City standards at the expense of the developer(s) and accepted by the Director of Public Works
3. All new streets or roadways shall be constructed at the expense of the developer(s) to City standards and accepted by the Director of Public Works prior to dedication. Dedication shall be by fee simple ownership.

D. SPECIAL CONDITIONS

1. Development of this site shall be in accordance with Comprehensive Development Plans approved by the Salisbury Planning Commission.
2. A future phase of Sassafra Meadows will be reserved for "Affordable Senior Housing". "Affordable Senior Housing" is defined as housing restricted by deed for a period of forty years to serve a population 55 years old or older which has an income equal to or less than 60% of the area median income.

West Rd.  
Cond.ann.

OUTLINE OF SERVICES AND FACILITIES  
"WEST ROAD - WESTWOOD AND SASSAFRAS ANNEXATION"

1. LAND USE PLAN

The land to be annexed consists of the developments known as "Westwood Commerce Park" and "Sassafras Meadows". The current zoning of the "Westwood Commerce Park" area is "Light Business and Institutional" and "Light Industrial" under Wicomico County zoning regulations. "Sassafras Meadows" is currently zoned R-8 Residential. Zoning of the entire annexation area will be as follows, as recommended by the Salisbury/Wicomico County Planning & Zoning Commission: A Zoning classification of Light Business and Institutional shall be applied to those areas currently zoned County Light Business and Institutional. A Zoning classification of Light Industrial shall be applied to those areas currently zoned County Light Industrial. The area currently zoned County R-8 Residential shall be zoned R-10A Residential.

Development plans for "Westwood Commerce Park" include approximately 49 sites that will consist of offices, light manufacturing, distribution centers and perhaps accessory or related retail. "Sassafras Meadows" is expected to contain 126 single family homes and approximately 276 multi-family units.

2. LAND FOR PUBLIC FACILITIES

Utility easements for water and sanitary sewer mains throughout the sites may be required to be deeded to the City of Salisbury. These lands will be identified on the final approved site plans and will be dependent upon development configuration. No other public facilities are anticipated.

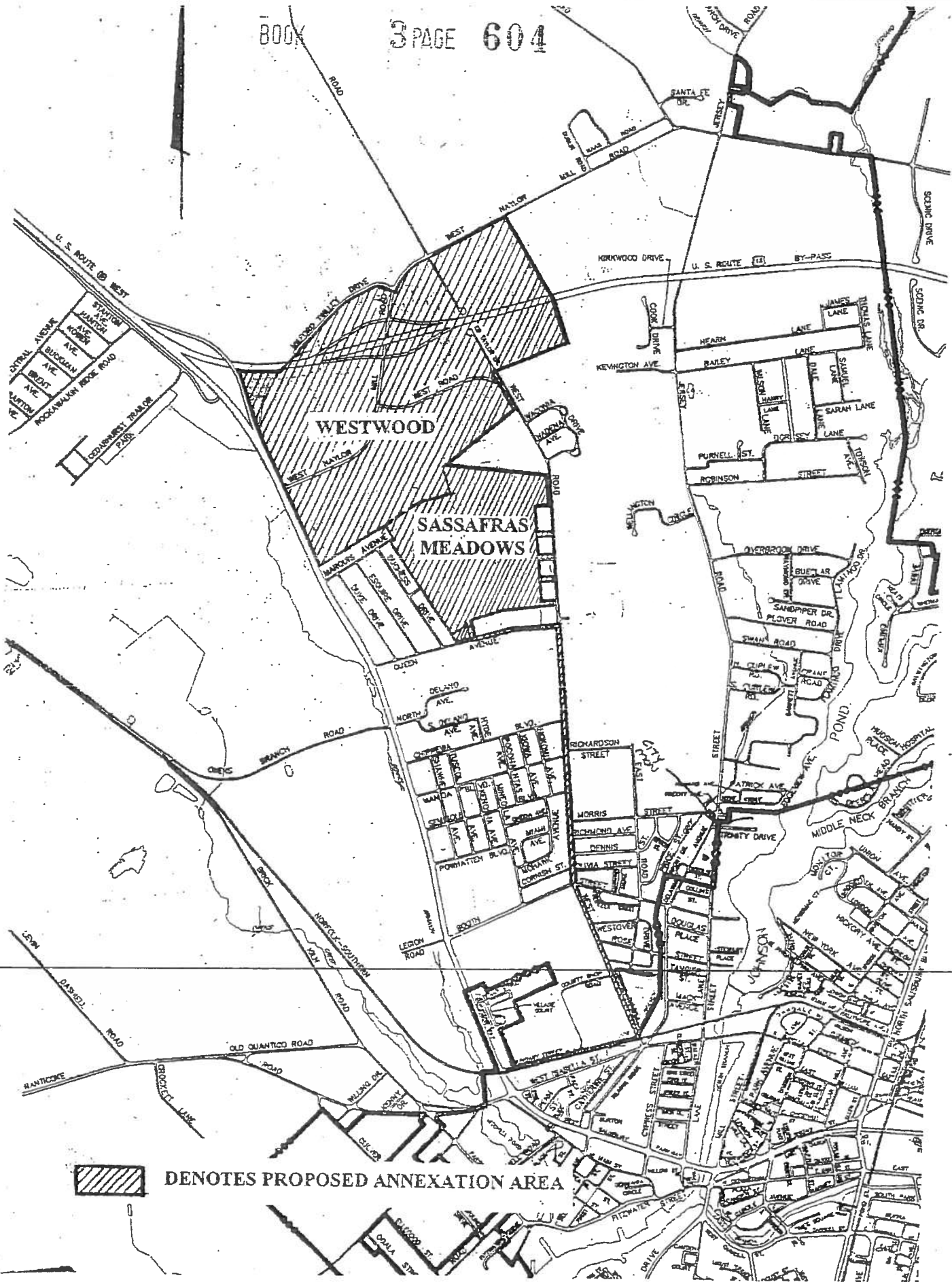
3. EXTENSION OF MUNICIPAL SERVICES

City of Salisbury water and sewer mains currently serve the "Westwood Commerce Park" and "Sassafras Meadows" developments.

Storm water will be managed on both sites. Discharge from "Westwood Commerce Park" is into the State of Maryland system running along U.S. Route 50. Storm water from "Sassafras Meadows" discharges into the Wicomico County system located in West Road.

All City services can be available.





**WEST ROAD - WESTWOOD & SASSAFRAS  
PROPOSED ANNEXATION**

# City of Salisbury



MARYLAND

## ORDINANCE NO. 2064

AN ORDINANCE OF THE MAYOR AND THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND PURSUANT TO CHAPTERS 17.108 AND 17.228 OF TITLE 17, ZONING, OF THE SALISBURY MUNICIPAL CODE, AND SECTION 4.04 OF ARTICLE 66B OF THE ANNOTATED CODE OF MARYLAND, FOR THE PURPOSE OF ESTABLISHING IN ACCORDANCE WITH CHAPTER 17.110, WESTWOOD COMMERCE PARK PLANNED DEVELOPMENT DISTRICT #2 BINDING ON THE SOUTHERLY SIDE OF LANDS NOW OR FORMERLY OWNED BY NAYLOR MILL ASSOCIATES, STORER CABLE COMMUNICATIONS OF DELMARVA, SOARING VISTAS PROPERTIES, INC., AND WILLIAM L. JR. AND BARBARA TWILLEY, THE WESTERLY SIDE OF LANDS NOW OR FORMERLY OWNED BY THE KOREAN PRESBYTERIAN CHURCH OF SALISBURY, MABEL M. WATERS, FAYE Y. WATERS, HABITAT ON MD'S LOWER SHORE, INC., AND BERTINA E. JONES; THE NORTHERLY SIDE OF LANDS NOW OR FORMERLY OWNED BY THE CHURCH OF GOD K/A THE FAMILY WORSHIP CENTER, GREEN ACRES MEMORIAL PARK, INC., RONALD R. PHIPPEN, THEODORE AND JOANNE JONES, CHESTER, EUGENE AND CHARLES PARKER, GERALD B. AND EUNICE LONG, SPENCER J. AND GENEVIEVE BROWN, PERCIVAL AND VERA M. SMITH, CEDAR HILL HOMES, LLC, EMMETT S. AND LIZZIE M. SMITH, AND DANIEL J. AND LORETTA SAVOY, AND THE EASTERLY SIDE OF U.S. ROUTE 50.

**WHEREAS**, an application for reclassification of zone from Light Industrial and Light Business and Institutional to a Planned Development District known as Westwood Commerce Park has been received in accordance with Chapters 17.108, 17.110, and 17.228 of Title 17 of the Salisbury Municipal Code; and,

**WHEREAS**, a Public Hearing on a Preliminary Development Plan for Westwood Commerce Park PDD #2 was held by the Planning Commission in accordance with the provisions of Chapters 17.108 and 17.228 of Title 17 of the Salisbury Municipal Code on January 18, 2007 and given approval; and,

**WHEREAS**, the Planning Commission did recommend establishment of Planned Development District No. 2 – Westwood Commerce Park, in accordance with the provisions of Chapters 17.108, 17.110 and 17.228 at its Public Hearing on November 29, 2007;

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that the Salisbury Municipal Code and Zoning Map of the City of Salisbury are hereby amended and supplemented as follows:

ADD the following new district in its entirety:

**CHAPTER 17.122**

**Planned Development District No. 2**

**Westwood Commerce Park**

<b>Section 17.122.010.</b>	<b>Purpose.</b>
<b>Section 17.122.020.</b>	<b>Area of Reclassification.</b>
<b>Section 17.122.030.</b>	<b>Permitted uses.</b>
<b>Section 17.122.040.</b>	<b>Accessory uses and structures.</b>
<b>Section 17.122.050.</b>	<b>Development standards.</b>
<b>Section 17.122.060.</b>	<b>Street standards.</b>
<b>Section 17.122.070.</b>	<b>Amendments.</b>
<b>Section 17.122.080.</b>	<b>Final Development Plan.</b>

**Section 17.122.090. Control of Development During Construction and After Completion.**

**Section 17.122.010. Purpose.**

The purpose of Planned Development District No. 2 is to provide for the development of certain lands binding on the southerly side of lands now or formerly owned by Naylor Mill Associates, Storer Cable Communications of Delmarva, Soaring Vistas Properties, Inc., and William L. Jr. and Barbara Twilley, the westerly side of lands now or formerly owned by the Korean Presbyterian Church of Salisbury, Mabel M. Waters, Faye Y. Waters, Habitat on MD's Lower Shore, Inc., and Bertina E. Jones; the northerly side of lands now or formerly owned by the Church of God K/A The Family Worship Center, Green Acres Memorial Park, Inc., Ronald R. Phippen, Theodore and Joanne Jones, Chester, Eugene and Charles Parker, Gerald B. and Eunice Long, Spencer J. and Genevieve Brown, Percival and Vera M. Smith, Cedar Hill Homes, LLC, Emmett S. and Lizzie M. Smith, and Daniel J. and Loretta Savoy, and the easterly side of U.S. Route 50, with light industrial, regional commercial and neighborhood business type uses in a business park type setting.

The following regulations have been designed to carry out these purposes and are further implemented in the approved Preliminary Development Site Plan and approved Development Standards Plan dated September 27, 2007.

**Section 17.122.020. Area of Reclassification.**

The area to be rezoned as Planned Development District No. 2 – Westwood Commerce Park, consists of 264 acres of land binding upon the northerly side of U.S. Route 50, both sides of the West Naylor Mill Road, both sides of West Road, both sides of Ed Taylor Drive and the southerly side of Milford Twilley Drive, being the same as shown on the Preliminary Subdivision Plat prepared by ESP Design Services, Inc., and dated February 19, 2003. The site is further identified as Parcel #141 on State Tax Map #28 and Parcels No. 91, 141, 375, and 376 on State Tax Map #29.

**Section 17.122.030. Permitted uses.**

Permitted uses shall be as follows:

- A. Uses permitted inherently or by special exception in Chapter 17.32, Neighborhood Business District, except that Neighborhood Shopping Centers and Apartments shall be excluded.
- B. Uses permitted inherently or by special exception in Chapter 17.40, Regional Commercial District, except that Retail department or general merchandise stores and Hospitals shall be excluded.

**C. Uses permitted inherently or by special exception in Chapter 17.76, Light Industrial District.**

Section 17.122.040. Accessory uses and structures.

**Accessory uses and structures shall be as follows:**

- A. Communication towers for broadcasting and receiving, not exceeding seventy-five (75) feet in height;**
- B. Day care services for employees or patrons of a permitted use.**
- C. Uses and structures clearly incidental to, customary to and associated with the permitted use.**

---

- D. Gasoline pumps as an accessory use to a convenience store in accordance with Section 17.04.220**
- E. Off-street parking lot or structure.**
- F. Off-street loading and unloading facilities.**
- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site, excluding the outside storage of materials and open lot display of any kind.**

Section 17.122.050. Development standards.

**Development standards for Planned Development District No. 2 shall be as follows:**

- A. Approval requirements. Prior to the development of any lot in the Planned Development District, a Comprehensive Development Plan, including a Sign Plan, as defined in Section 17.04.120 and Section 17.180, shall be submitted to the Planning Commission for its review and approval.**
- B. Minimum lot requirements:**
  - 1. Lot area: one and one-half (1.5) acres.**
  - 2. Lot width: eighty (80) feet.**
  - 3. Individual lot or building areas shall be as shown on the Final Subdivision Plat.**
- C. Minimum yard and perimeter requirements:**
  - 1. Front yard: 20 feet**
  - 2. Side yard: 10 feet (two required).**

3. Rear yard: 15 feet.
- D. Height: 50 feet.
- E. Parking shall be provided in accordance with Chapter 17.196. No open lot storage of unlicensed or inoperable vehicles shall be permitted.
- F. Landscaping and Open Space. Landscaping and open space, including perimeter plantings, shall be provided in accordance with the Preliminary Development Plan dated September 27, 2007, subject to any subsequent modifications thereto required by the Salisbury Planning Commission or City Council. Individual site landscaping shall be provided on a Landscaping Plan submitted in accordance with Chapter 17.180 as a part of the Comprehensive Development Plan.
- G. Signs. A Sign Plan, accompanied by written approval of the developer, shall be approved by the Salisbury Planning and Zoning Commission for each lot in Westwood Commerce Park PDD #2 as a part of the Comprehensive Development Plan.

Section 17.122.060. Street standards.

Accessways and street entrances shall be provided as shown on the Preliminary Development Site Plan dated September 27, 2007, subject to any subsequent modification thereto required by the City Council or Salisbury Department of Public Works and shown on the Final Development Plan.

Section 17.122.070. Amendments.

Amendments to Planned Development District No. 2 shall be in accordance with the procedures established in Chapters 17.108, 17.110, and 17.228.

Section 17.122.080. Final Development Plan.

Development of the site shall be in general conformance with the approved Preliminary Comprehensive Site Plan and Landscaping Plan dated September 27, 2007, approved by the City Council. The Preliminary Development Site Plan shall be recorded in the Land Records of Wicomico County.

Section 17.122.090. Control of Development During Construction and After Completion.

**Development of Planned Development District No. 2 shall be controlled by the Final Development Plan as approved by the Planning Commission and any amendments thereto and Comprehensive Development Plans approved for individual site development. Where specific regulations are not addressed in this District, all other regulations of Title 17, Zoning, of the Salisbury Municipal Code shall govern.**

**AND BE IT FURTHER ENACTED AND ORDAINED BY THE**

---

**COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that this Ordinance shall take effect from and after the date of its final passage but in no event until ten (10) days after the date of the Council's Public Hearing, and,

**THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the 11<sup>th</sup> day of August, 2008, and having been published as required by law, in the meantime, was finally passed at its meeting on the \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Louise Smith  
President of the City Council of  
the City of Salisbury

Approved by me this \_\_\_\_\_  
day of \_\_\_\_\_, 2008.

Witness:

\_\_\_\_\_  
Barrie Parsons Tilghman  
Mayor of Salisbury

\_\_\_\_\_  
Brenda J. Colegrove  
City Clerk



Tel: 410-548-4860

CITY OF SALISBURY - WICOMICO COUNTY  
DEPARTMENT OF PLANNING, ZONING  
AND COMMUNITY DEVELOPMENT



Fax: 410-548-4955

SALISBURY PLANNING COMMISSION

RESOLUTION OF DECISION AND  
FINDINGS OF FACT

WESTWOOD COMMERCE PARK PDD #2

SALISBURY-WICOMICO  
FILE COPY  
PLANNING

The Salisbury Planning Commission reviewed and considered all testimony and written evidence presented a public hearing held in the request of Westwood Development, LLC to rezone 264.38 acres of land to Westwood Commerce Park PDD #2. The rezoning site is located on the easterly side of U.S. Route 50 on both sides of Naylor Mill Road and both sides of the Salisbury Bypass. The site is currently zoned Light Industrial and Light Business and Institutional.

The Commission does hereby make the following Findings of Fact in accordance with the provisions of Sections 17.108 and 17.110 of Title 17, Zoning, of the Salisbury Municipal Code.

A. SPECIFIC FINDINGS OF FACT:

1. **Neighborhood.** The neighborhood is generally bounded by Log Cabin Road, Naylor Mill Road, and Jersey Road on the east, Adventist Drive and Queen Avenue on the south, Business U.S. Route 50 on the west and the borders of Parcels 122, 73, 25, 238, 28, and 22 on the north.
2. **Population Change.** Planning Department analysis of the "neighborhood" through GIS data and Planning Department data found that 52 new single-family units have been constructed in the designated "neighborhood" since the 2004 Comprehensive rezoning of the County. These new residences have resulted in an approximate population increase of 130 persons in the neighborhood.
3. **Availability of Public Services.** The subject project site will have access to City water and sewer services via lines (12-inch sewer and 12 inch water lines) that have been installed to serve Westwood and Sassafras Meadows.
4. **Transportation Patterns.** The site is located on both sides of Naylor Mill Road and both sides of the Salisbury Bypass at the intersection of the Bypass and Business Route 50. The sites will have access to Naylor Mill Road via interior streets and access to U.S. Route 50 and the Salisbury Bypass via Naylor Mill Road. These plans create adequate



transportation patterns for this property that should not be detrimental to the adjoining residential areas.

5. **Compatibility with Existing and Proposed Development.** The development of this site with business and light industrial lots is compatible with the recommended development for these properties as well as the existing zoning of the properties. With proper screening, there should be minimal impacts on adjoining residential development.
6. **Relationship to Comprehensive Plan.** On September 22, 1997, the Salisbury City Council adopted the 1997 Metro Core Comprehensive Plan. This Plan designates this site as "Urban Corridor", a land use designation for intensive commercial, institutional, and employment development at key intersections of major routes.
7. **Change in the Character of the Area/Mistake in the Existing Zoning.** Planned Development Districts are "floating zones" which become "fixed" to a specific location after proof that the proposed plan meets all criteria for the development district when the Preliminary Development Plan is approved. An applicant for a rezoning to a Planned Development District does not need to prove change in the neighborhood or mistake in the original zoning, only that the specific project has been designed in accordance with the purposes and standards of the district.

**B. DECISION:**

**THEREFORE**, after review and consideration of all written evidence and testimony during the public hearing, thereon, the Commission, for the reasons stated, hereby finds as follows:

1. The rezoning of the subject tract to Westwood Commerce Park PDD #2 is consistent with the uses permitted in a Planned Development District as defined in Sections 17.108 and 17.110 of the Salisbury Municipal Code. The proposed district is designed to have minimal impact on the adjoining residential uses. The site layout, building design, landscaping/screening and sign plans for individual lots will be approved by the Salisbury Planning Commission in accordance with a Comprehensive Development Plan.
2. The subject tract is in a transitional area at the edge of the Salisbury Metro Core area. It is bisected by the Salisbury Bypass as well as Naylor Mill Road. Proposed development on the individual sites includes uses similar to those permitted in the current zoning districts. The proposed uses will not require a substantially greater demand for services (water, sewer, transportation, etc.) than the nearby single and multi-family uses on nearby sites.

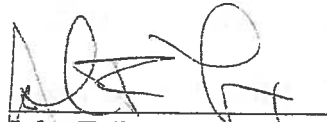
3. The proposed interior street network and site entrances have been designed to minimize impact on adjoining properties and through traffic on Naylor Mill Road. The Landscaping Plan will create buffers within the development.

**NOW, THEREFORE**, upon a motion by Mr. Magill, seconded by Mr. Bounds and duly carried, the Salisbury Planning Commission hereby adopts these Findings of Fact and hereby directs that one copy of these signed and certified Findings be attached to and made a part of the minutes of this meeting.

**APPROVED THIS 20th DAY OF March, 2008.**

  
Corinne S. Les Callette  
Chairman

Witness:

  
John F. Lenox, Planning Director  
Secretary to the Commission

**ORDINANCE NO. 2420**

**AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND, PURSUANT TO CHAPTER 17.228 OF TITLE 17, ZONING OF THE SALISBURY MUNICIPAL CODE AND SECTION 4.04 OF ARTICLE 66B OF THE ANNOTATED CODE OF MARYLAND FOR THE PURPOSE OF AMENDING SECTIONS 17.122.030 AND 17.122.040G TO ADD SALES AND SERVICE OF COMMERCIAL TRUCKS, HEAVY EQUIPMENT, ETC. AS PERMITTED USES AND PERMIT OPEN LOT DISPLAYS IN WESTWOOD COMMERCE PARK PDD #2.**

**WHEREAS**, the ongoing application, administration and enforcement of Title 17, Zoning of the Salisbury Municipal Code, demonstrates a need for periodic review, evaluation, and amendments that will keep Title 17 current; and

**WHEREAS**, the Mayor and City Council may amend Title 17, Zoning, of the Salisbury Municipal Code, pursuant to the authority granted by Article 66B of the Maryland Annotated Code and in accordance with specific provisions of Chapter 17.228, Amendments and Rezoning, of Title 17, Zoning; and

**WHEREAS**, the Mayor and City Council requested that the Salisbury Planning and Zoning Commission periodically review Title 17 in light of existing procedural practices and input from the City Council and members of the public; and

**WHEREAS**, Krause Properties, LLC submitted an application to amend the text of Westwood Commerce Park PDD #2; and

**WHEREAS**, a Public Hearing on the proposed amendment was held by the Planning Commission in accordance with the provisions of Chapter 17.228, of Title 17, Zoning, of the Salisbury Municipal Code on March 16, 2017; and

**WHEREAS**, the Planning Commission did recommend approval of the proposed text amendments to Sections 17.122.030, and 17.122.040G;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that Title 17, Zoning, of the Salisbury Municipal Code is hereby amended as follows:

**AMEND SECTION 17.122.030, PERMITTED USES, BY ADDING ITEM D AS FOLLOWS:**

- D. HEAVY EQUIPMENT SALES, SERVICE AND REPAIR: SELLING, LEASING, AND REPAIRING VEHICLES AND/OR MACHINERY THAT MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMERCIAL TRUCKS (INCLUDING TRACTOR TRAILERS), AGRICULTURAL EQUIPMENT, CONSTRUCTION/EXCAVATION EQUIPMENT, MOBILE CRANES, BOATS/YACHTS, BUSES, OR SIMILAR HEAVY EQUIPMENT. ACCESSORY USES MAY INCLUDE, BUT ARE NOT LIMITED TO, BODY SHOP (INCLUDING PAINTING), MACHINE SHOP, OUTSIDE DISPLAY AREAS, PARTS SALES, AND OFFICE USES, BUT EXCLUDES DISMANTLING OR SALVAGE.**


**AMEND SECTION 17.122.040, ACCESSORY USES AND STRUCTURES, BY AMENDING ITEM G AS FOLLOWS:**


- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site. ~~excluding~~ The outside storage of materials and open lot display ~~of any kind~~ IS SUBJECT TO APPROVAL BY THE SALISBURY PLANNING COMMISSION AS PART OF THE APPROVED COMPREHENSIVE DEVELOPMENT PLAN.**

AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that this Ordinance shall take effect from and after the date of its final passage, but in no event until ten (10) days after the date of the Council's Public Hearing, and


THE ABOVE ORDINANCE was introduced at a meeting of the Council on the 24 day of April, 2017, and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 8 day of May, 2017.

ATTEST:

  
Kimberly R. Nichols  
City Clerk

  
John R. Heath, President  
Salisbury City Council

Approved by me this 16<sup>th</sup>  
day of May, 2017.

  
Jacob R. Day  
Mayor, City of Salisbury



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
P.O. BOX 870  
125 NORTH DIVISION STREET, ROOMS 203 & 201  
SALISBURY, MARYLAND 21803-4860  
410-548-4860  
FAX: 410-548-4955




JACOB R. DAY  
MAYOR

JULIA GLANTZ  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

March 17, 2017

**TO:** Julia Glantz, City Administrator  
**FROM:** John F. Lenox, AICP, Director, Salisbury/Wicomico Planning & Zoning   
**SUBJECT:** **PUBLIC HEARING – Text Amendment – To add Sales and service of Commercial Trucks, Heavy Equipment, etc. and to permit open lot displays in Westwood Commerce Park PDD #2 - Planning Commission Recommendation**

## I. INTRODUCTION.

On March 16, 2017, the Salisbury Planning Commission held a public hearing on a request by Krause Properties, LLC and Westwood Development, LLC to amend the text of Westwood Commerce Park PDD #2 in order to add sales, service and repair, including a body shop, for commercial trucks as well as open lot display. (See Attachments A-C.)

## II. RECOMMENDATION.

The Salisbury Planning Commission forwarded a **Favorable** recommendation to the Mayor and Council for proposed amendments as follows.

**AMEND SECTION 17.122.030, PERMITTED USES, BY ADDING ITEM D AS FOLLOWS:**

**D. HEAVY EQUIPMENT SALES, SERVICE AND REPAIR: SELLING, LEASING, AND REPAIRING VEHICLES AND/OR MACHINERY THAT MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMERCIAL TRUCKS (INCLUDING TRACTOR TRAILERS), AGRICULTURAL EQUIPMENT, CONSTRUCTION/EXCAVATION EQUIPMENT, MOBILE CRANES, BOATS/YACHTS, BUSES, OR SIMILAR HEAVY EQUIPMENT. ACCESSORY USES MAY INCLUDE, BUT ARE NOT LIMITED TO, BODY SHOP (INCLUDING PAINTING), MACHINE SHOP, OUTSIDE DISPLAY AREAS, PARTS SALES, AND OFFICE USES, BUT EXCLUDES DISMANTLING OR SALVAGE.**

**AMEND SECTION 17.122.040, ACCESSORY USES AND STRUCTURES, BY AMENDING ITEM G AS FOLLOWS:**

**G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site. ~~excluding~~ The outside storage of**

**materials and open lot display of any kind IS SUBJECT TO APPROVAL BY THE SALISBURY PLANNING COMMISSION AS PART OF THE APPROVED COMPREHENSIVE DEVELOPMENT PLAN.**

Unless you or the Mayor has further questions, please forward this memo and its attachments to the City Council.

### **III. BACKGROUND.**

When the text for PDD #2 was reviewed and approved by the Commission and the Council in 2008, uses permitted inherently or by special exception in the Neighborhood Business, Regional Commercial and Light Business and Institutional districts were included, except for certain specific uses that were excluded. The exclusions included Neighborhood shopping centers, Apartments, Hospitals, and Retail department or General merchandise stores. In addition, open lot display of any kind was also prohibited.

The Zoning Code currently contains no definitions for automotive sales or equipment sales. Automotive sales are considered retail sales and the accompanying garages and body shops are considered accessory uses. In addition, outside displays are not permitted in Westwood Commerce Park. It was anticipated that all storage would be inside.

Unlike most text amendment requests, this proposal only affects one district, the Westwood Commerce Park PDD #2. There are several large lots remaining in Westwood that could lend themselves to such a use. The park has good access from major highways at either an exit or a signalized intersection.

Proposed restrictions were included in their request. However, the Westwood Commerce Park PDD #2 regulations require submission of a Comprehensive Development Plan for development of each lot/site in the park. The proposed conditions can be incorporated into the Conditions of Approval for site development on a case-by-case basis.

Attachments



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY  
MAYOR

JULIA GLANZ  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## STAFF REPORT

### MEETING OF MARCH 16, 2017

**CASE NO.:** #SP-1703

**APPLICANT:** Krause Properties, LLC, rep. by John McClellan

**REQUEST:** **PUBLIC HEARING – Text Amendment - To amend Title 17, Zoning, Section 17.122.030, Permitted uses - to add Sales and service of Commercial Trucks, Heavy Equipment, etc. and Section 17.122.040G – to permit open lot displays in Westwood Commerce Park PDD #2.**

#### I. REQUEST:

Mr. John McClellan, on behalf of the Krause Properties, LLC and Westwood Development, LLC, has submitted a request to amend the text of Westwood Commerce Park PDD #2 in order to add sales, service and repair, including a body shop, for commercial trucks. If approved, open lot display must also be included. (See Attachments #1 and 2.)

In accordance with the requirements of Section 17.228 of the Salisbury Municipal Code, the Planning Commission must hold a Public Hearing on proposed Text Amendments to the Code. The Commission must forward a recommendation (within six months) to the City Council. The City Council must also hold a public hearing before granting final approval to Code text amendments (by Ordinance).

#### II. DISCUSSION:

Krause Properties is the owner of a 26.35 acre parcel in the Westwood Commerce Park PDD #2. A prospective purchaser of the property desires to establish a commercial truck dealership for sales, service, and a body shop for commercial trucks.

**Attachment #A**



When the text for PDD #2 was reviewed and approved by the Commission and the Council in 2008, uses permitted inherently or by special exception in the Neighborhood Business, Regional Commercial and Light Business and Institutional districts were included, except for certain specific uses that were excluded. The exclusions included Neighborhood shopping centers, Apartments, Hospitals, and Retail department or General merchandise stores. In addition, open lot display of any kind was also prohibited.

The Zoning Code currently contains no definitions for automotive sales or equipment sales. Automotive sales are considered retail sales and the accompanying garages and body shops are considered accessory uses. In addition, outside displays are not permitted in Westwood Commerce Park. It was anticipated that all storage would be inside. (See Attachment #6.)

The applicant submitted the following language for inclusion in the PDD:

*"Heavy equipment sales, service and repair: Selling, leasing, and repairing vehicles and/or machinery that are larger than that which is typically stored upon one residential lot. Examples include, but are not limited to, commercial trucks (including tractor trailers), farm equipment, excavation equipment, mobile cranes, yachts, busses, etc. Accessory uses may include, but are not limited to, body shop (including painting), outside display areas, parts sales, and office uses."*

Staff found the following definitions for Equipment Sales and Equipment Repair Services:

*"Equipment Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments."*

*"Equipment Repair Services: Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm equipment repair services and machine shops, but exclude dismantling or salvage."*

When drafted in 2008, the text of Westwood Commerce Park PDD #2 excluded outdoor storage and open lot display in the Accessory uses section. At that time, uses that included a sales lot were not anticipated for this development.

Open lot display will be a necessary part of the proposed use. The applicants have proposed several restrictions in connection with the proposed heavy equipment sales. These restrictions address service and repair being conducted entirely within an enclosed building, display areas treated with an all-weather material, prohibiting

storage of junk vehicles or equipment on the site, and prompt removal of repaired vehicles from the site. The Code requires a Comprehensive Development Plan for development of each of the lots or sites in Westwood Commerce Park. The proposed restrictions can be incorporated into the Conditions of Approval for the affected site or sites.

However, for Light Industrial uses, while manufacture or assembly generally occurs within a building, often requires materials that may need to be stored outside. The applicants have indicated that they have received inquiries about properties with uses that would require outdoor storage. Consideration for effective screening of such materials will be required at the time of Comprehensive Development Plan approval. The Special Development Standards section of the Code (Section 17.220) requires a 10 ft. landscaping/screening area around storage yards and a 6-8 ft. solid fence or fencing with slats.

### **III. PLANNING COMMENTS/CONCERNS.**

Unlike most text amendment requests, this proposal only affects one district, the Westwood Commerce Park PDD #2. There are several large lots remaining in Westwood that could lend themselves to such a use. The park has good access from major highways at either an exit or a signalized intersection.

As previously noted, the applicant included several proposed restrictions in their request. The Westwood Commerce Park PDD #2 regulations require submission of a Comprehensive Development Plan for development of each lot/site in the park. The proposed conditions can be incorporated into the Conditions of Approval for site development as needed.

Modification of Item G in the Accessory uses has been modified to accommodate outdoor storage and open lot display on a case-by-case basis.

### **IV. RECOMMENDATION.**

Staff recommends that the Commission forward a **FAVORABLE** recommendation to the Mayor and Council for the proposed amendment that would permit Heavy Equipment sales, service and repair in the Westwood Commerce Park PDD #2, as follows:

**AMEND SECTION 17.122.030, PERMITTED USES, BY ADDING ITEM D AS FOLLOWS:**

- D. HEAVY EQUIPMENT SALES, SERVICE AND REPAIR: SELLING, LEASING, AND REPAIRING VEHICLES AND/OR MACHINERY THAT MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMERCIAL TRUCKS (INCLUDING TRACTOR TRAILERS), AGRICULTURAL EQUIPMENT, CONSTRUCTION/EXCAVATION EQUIPMENT, MOBILE CRANES, BOATS/YACHTS, BUSES, OR**

**SIMILAR HEAVY EQUIPMENT. ACCESSORY USES MAY INCLUDE, BUT ARE NOT LIMITED TO, BODY SHOP (INCLUDING PAINTING), MACHINE SHOP, OUTSIDE DISPLAY AREAS, PARTS SALES, AND OFFICE USES, BUT EXCLUDES DISMANTLING OR SALVAGE.**

**AMEND SECTION 17.122.040, ACCESSORY USES AND STRUCTURES, BY AMENDING ITEM G AS FOLLOWS:**

- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site. ~~excluding~~ The outside storage of materials and open lot display ~~of any kind~~ IS SUBJECT TO APPROVAL BY THE SALISBURY PLANNING COMMISSION AS PART OF THE APPROVED COMPREHENSIVE DEVELOPMENT PLAN.**

COORDINATOR: Gloria Smith, Planner  
DATE: March 1, 2017

February 22, 2017

Gloria Smith  
City of Salisbury / Wicomico County  
Dept. of Planning, Zoning, and Community Development  
PO Box 870  
125 North Division St.  
Salisbury, MD 21803

2/23/17 gsj

RE: Zoning Text Amendment

Dear Gloria,

I am writing as representative of Kraus Properties, LLC owner of the 26.35 acre parcel (Map 29 Parcel 375) located in Westwood Commerce Park.

This letter will serve as a request to amend the text for the zoning code governing Westwood Commerce Park. We are in negotiation with a regional company that operates a dealership for the sales, service, and body shop of heavy trucks.

The following language has been requested:

HEAVY EQUIPMENT SALES, SERVICE AND REPAIR

Selling, leasing, and repairing vehicles and/or machinery that are larger than that which is typically stored upon one residential lot. Examples include but are not limited to commercial trucks (including tractor trailers), farm equipment, excavation equipment, mobile cranes, yachts, busses, etc. Accessory uses may include but are not limited to body shop (including painting), outside display areas, parts sales, and office uses.

With possible restrictions such as:

- A. All service and/or repair activities shall be conducted within a wholly-enclosed building.
- B. All exterior storage/display areas shall be covered in an all-weather, dust-free surface.
- C. The storage of junked vehicles, boats, machinery, trucks, trailers, mobile homes and heavy equipment vehicles on the property is prohibited.
- D. All vehicles shall be repaired and removed promptly from the premises.

If you need to alter the requested language to more closely follow existing codes, we are certainly open to your suggestions.

Gloria Smith  
February 22, 2017  
Page 2

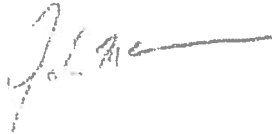
As you know, I also represent Westwood Development LLC – the owners of the balance of the Westwood lands. I have spoken with them and they fully support the text amendment as they feel it improves the marketability of the park. A letter of support from them is forthcoming.

I believe this proposed use (and similar uses under this requested text) would be an ideal use for lots in Westwood. It would be very similar to what we see in other markets with planned business parks along major highways.

A check for the application fee of \$200 has been mailed to your office

Please contact me with any questions

Sincerely,



John McClellan, CCIM  
Senior Advisor  
[john.mcclellan@svn.com](mailto:john.mcclellan@svn.com)

cc: Kraus Properties, LLC  
Westwood Development LLC



WESTWOOD DEVELOPMENT LLC • 2135 LILLIAN ST • HEBRON, MD 21830

February 22, 2017

Gloria Smith  
City of Salisbury / Wicomico County  
Dept. of Planning, Zoning, and Community Development  
P.O. Box 870  
125 North Division St.  
Salisbury, MD 21803

PLANNING DEPARTMENT  
RECEIVED  
DATE 2/23/17 BY *gp*

RE: Zoning Text Amendment

Dear Ms Smith,

I represent the owners of Westwood Development LLC who are developing the Westwood Commerce Park in Salisbury.

We are in full support of the zoning text amendment that has been requested by John McClellan for the Kraus Properties, LLC located in the Westwood Commerce Park.

Thank you for your consideration.

Sincerely,

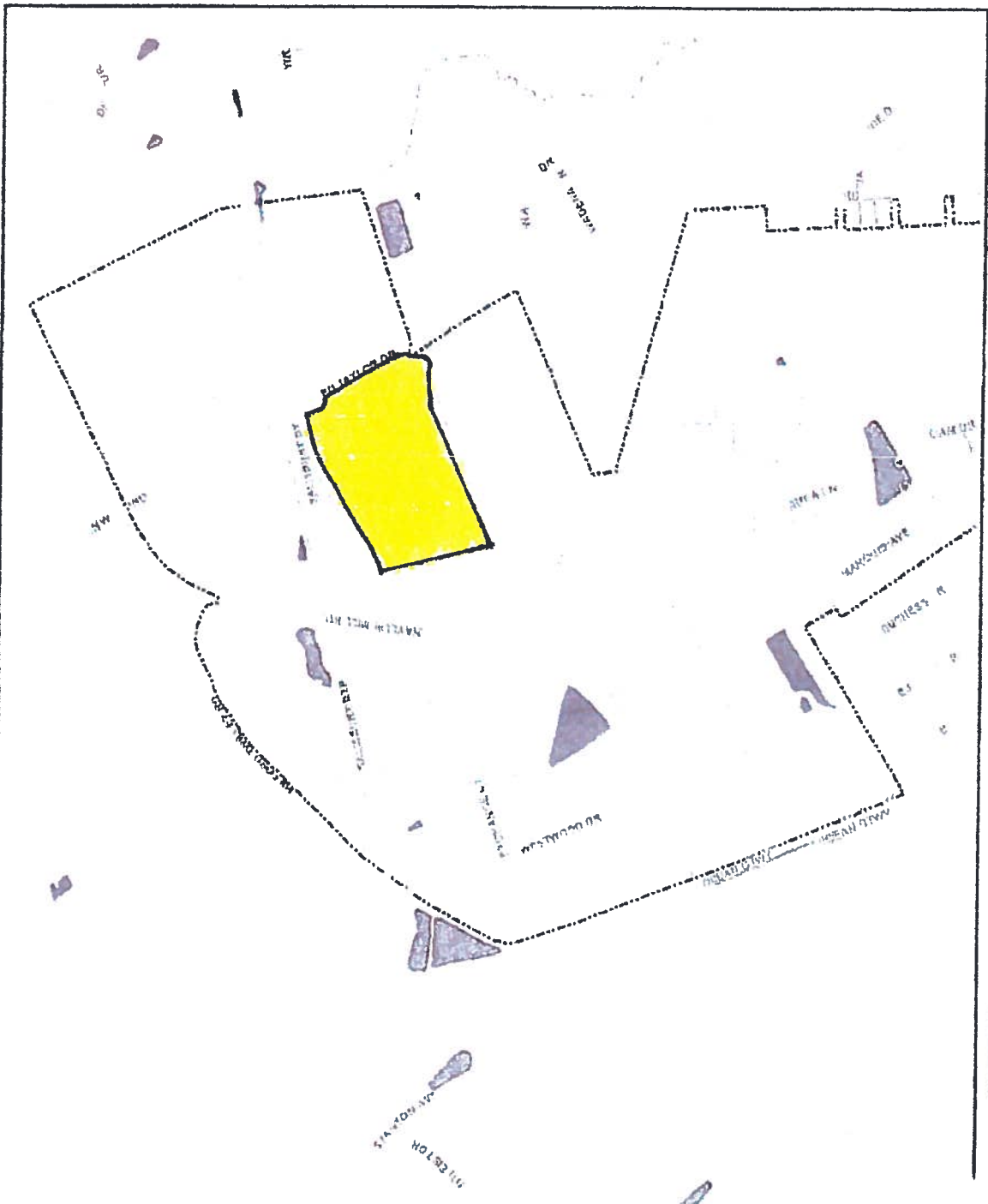
Jay Pearce  
Operations Manager  
410-430-1455

**Attachment #2**

# CITY OF SALISBURY

## Salisbury Zoning

- Permitted
- With a Permit Area
- Streets
- Water Bodies
- Street Networks
- Salisbury BZA Cases
- Municipal Areas
- CAD
- District
- Franchise
- Hotels
- Mansions
- Playable
- Salisbury
- Shipyards
- VMA/CA
- Parcels
- Districts
- Historic Districts
- Downtown
- Historic District
- Downtown Historic District
- Historic District
- Salisbury Zoning
- College & University
- Conversion
- CBD
- LB
- General Commercial
- Reg. Comm.
- MUR
- Select Commercial
- Hospital
- Industrial
- Land
- Land
- Neighborhood Business
- OSK
- OSK
- PDD
- PRD
- R-5
- R-5A
- R-8
- R-8A
- R-10
- R-10A
- Residential Reassignment
- Street Closures



279 R

Salisbury Wastewater GIS



Attachment #4



**Sections 17.122.030 and 17.122.040 with proposed Amendments:**

**Section 17.122.030. Permitted uses.**

Permitted uses shall be as follows:

- A. Uses permitted inherently or by special exception in Chapter 17.32, Neighborhood Business District, except that Neighborhood Shopping Centers and Apartments shall be excluded.
- B. Uses permitted inherently or by special exception in Chapter 17.40, Regional Commercial District, except that Retail department or general merchandise stores and Hospitals shall be excluded.
- C. Uses permitted inherently or by special exception in Chapter 17.76, Light Industrial District.
- D. **HEAVY EQUIPMENT SALES, SERVICE AND REPAIR: SELLING, LEASING, AND REPAIRING VEHICLES AND/OR MACHINERY THAT MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMERCIAL TRUCKS (INCLUDING TRACTOR TRAILERS), AGRICULTURAL EQUIPMENT, CONSTRUCTION/EXCAVATION EQUIPMENT, MOBILE CRANES, BOATS/YACHTS, BUSES, OR SIMILAR HEAVY EQUIPMENT. ACCESSORY USES MAY INCLUDE, BUT ARE NOT LIMITED TO, BODY SHOP (INCLUDING PAINTING), MACHINE SHOP, OUTSIDE DISPLAY AREAS, PARTS SALES, AND OFFICE USES, BUT EXCLUDES DISMANTLING OR SALVAGE.**

**Section 17.122.040. Accessory uses and structures.**

Accessory uses and structures shall be as follows:

- A. Communication towers for broadcasting and receiving, not exceeding seventy-five (75) feet in height;
- B. Day care services for employees or patrons of a permitted use.
- C. Uses and structures clearly incidental to, customary to and associated with the permitted use.
- D. Gasoline pumps as an accessory use to a convenience store in accordance with Section 17.04.220
- E. Off-street parking lot or structure.
- F. Off-street loading and unloading facilities.
- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site. ~~excluding~~ **THE OUTSIDE STORAGE OF MATERIALS AND OPEN LOT DISPLAY OF ANY KIND SHALL BE AS APPROVED BY THE SALISBURY PLANNING COMMISSION AS PART OF THE APPROVED COMPREHENSIVE DEVELOPMENT PLAN.**

**CHAPTER 17.122**

**Planned Development District No. 2  
Westwood Commerce Park  
Added 9/8/2008 by Ordinance #2064**

**Section:**

<b>17.122.010.</b>	<b>Purpose.</b>
<b>17.122.020.</b>	<b>Area of Reclassification.</b>
<b>17.122.030.</b>	<b>Permitted uses.</b>
<b>17.122.040.</b>	<b>Accessory uses and structures.</b>
<b>17.122.050.</b>	<b>Development standards.</b>
<b>17.122.060.</b>	<b>Street standards.</b>
<b>17.122.070.</b>	<b>Amendments.</b>
<b>17.122.080.</b>	<b>Final Development Plan.</b>
<b>17.122.090.</b>	<b>Control of Development During Construction and After Completion.</b>

**Section 17.122.010. Purpose.**

The purpose of Planned Development District No. 2 is to provide for the development of certain lands binding on the southerly side of lands now or formerly owned by Naylor Mill Associates, Storer Cable Communications of Delmarva, Soaring Vistas Properties, Inc., and William L. Jr. and Barbara Twilley, the westerly side of lands now or formerly owned by the Korean Presbyterian Church of Salisbury, Mabel M. Waters, Faye Y. Waters, Habitat on MD's Lower Shore, Inc., and Bertina E. Jones; the northerly side of lands now or formerly owned by the Church of God K/A The Family Worship Center, Green Acres Memorial Park, Inc., Ronald R. Phippen, Theodore and Joanne Jones, Chester, Eugene and Charles Parker, Gerald B. and Eunice Long, Spencer J. and Genevieve Brown, Percival and Vera M. Smith, Cedar Hill Homes, LLC, Emmett S. and Lizzie M. Smith, and Daniel J. and Loretta Savoy, and the easterly side of U.S. Route 50, with light industrial, regional commercial and neighborhood business type uses in a business park type setting.

The following regulations have been designed to carry out these purposes and are further implemented in the approved Preliminary Development Site Plan and approved Development Standards Plan dated September 27, 2007.

**Section 17.122.020. Area of Reclassification.**

The area to be rezoned as Planned Development District No. 2 – Westwood Commerce Park, consists of 264 acres of land binding upon the northerly side of U.S. Route 50, both sides of the West Naylor Mill Road, both sides of West Road, both sides of Ed Taylor Drive and the southerly side of Milford Twilley Drive, being the same as shown on the Preliminary Subdivision Plat prepared by ESP Design Services, Inc., and dated February 19, 2003. The site is further identified as Parcel #141 on State Tax Map #28 and Parcels No. 91, 141, 375, and 376 on State Tax Map #29.

**Section 17.122.030. Permitted uses.**

Permitted uses shall be as follows:

- A. Uses permitted inherently or by special exception in Chapter 17.32, Neighborhood Business District, except that Neighborhood Shopping Centers and Apartments shall be excluded.
- B. Uses permitted inherently or by special exception in Chapter 17.40, Regional Commercial District, except that Retail department or general merchandise stores and Hospitals shall be excluded.
- C. Uses permitted inherently or by special exception in Chapter 17.76, Light Industrial District.

**Section 17.122.040. Accessory uses and structures.**

Accessory uses and structures shall be as follows:

- A. Communication towers for broadcasting and receiving, not exceeding seventy-five (75) feet in height;
- B. Day care services for employees or patrons of a permitted use.
- C. Uses and structures clearly incidental to, customary to and associated with the permitted use.
- D. Gasoline pumps as an accessory use to a convenience store in accordance with Section 17.04.220
- E. Off-street parking lot or structure.
- F. Off-street loading and unloading facilities.
- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site, excluding the outside storage of materials and open lot display of any kind.

**Section 17.122.050. Development standards.**

Development standards for Planned Development District No. 2 shall be as follows:

- A. Approval requirements. Prior to the development of any lot in the Planned Development District, a Comprehensive Development Plan, including a Sign Plan, as defined in Section 17.04.120 and Section 17.180, shall be submitted to the Planning Commission for its review and approval.
- B. Minimum lot requirements:
  - 1. Lot area: one and one-half (1.5) acres.
  - 2. Lot width: eighty (80) feet.
  - 3. Individual lot or building areas shall be as shown on the Final Subdivision Plat.

- C. Minimum yard and perimeter requirements:
  - 1. Front yard: 20 feet.
  - 2. Side yard: 10 feet (two required).
  - 3. Rear yard: 15 feet.
- D. Height: 50 feet.
- E. Parking shall be provided in accordance with Chapter 17.196. No open lot storage of unlicensed or inoperable vehicles shall be permitted.
- F. Landscaping and Open Space. Landscaping and open space, including perimeter plantings, shall be provided in accordance with the Preliminary Development Plan dated September 27, 2007, subject to any subsequent modifications thereto required by the Salisbury Planning Commission or City Council. Individual site landscaping shall be provided on a Landscaping Plan submitted in accordance with Chapter 17.180 as a part of the Comprehensive Development Plan.
- G. Signs. A Sign Plan, accompanied by written approval of the developer, shall be approved by the Salisbury Planning and Zoning Commission for each lot in Westwood Commerce Park PDD #2 as a part of the Comprehensive Development Plan.

**Section 17.122.060. Street standards.**

Accessways and street entrances shall be provided as shown on the Preliminary Development Site Plan dated September 27, 2007, subject to any subsequent modification thereto required by the City Council or Salisbury Department of Public Works and shown on the Final Development Plan.

**Section 17.122.070. Amendments.**

Amendments to Planned Development District No. 2 shall be in accordance with the procedures established in Chapters 17.108, 17.110, and 17.228.

**Section 17.122.080. Final Development Plan.**

Development of the site shall be in general conformance with the approved Preliminary Comprehensive Site Plan and Landscaping Plan dated September 27, 2007, approved by the City Council. The Preliminary Development Site Plan shall be recorded in the Land Records of Wicomico County.

**Section 17.122.090. Control of Development During Construction and After Completion.**

Development of Planned Development District No. 2 shall be controlled by the Final Development Plan as approved by the Planning Commission and any amendments thereto and Comprehensive Development Plans approved for individual site development. Where specific regulations are not addressed in this District, all other regulations of Title 17, Zoning, of the Salisbury Municipal Code shall govern.



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548 4860

FAX: 410-548-4955



JACOB R. DAY  
MAYOR

JULIA GLANZ  
ACTING CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

March 17, 2017

Mr. John McClellan  
206 E. Main Street  
Salisbury, MD 21801

**#SP-1703 - PUBLIC HEARING - TEXT AMENDMENT - To add Sales and Service of Commercial trucks, Farm equipment, Excavation equipment, etc. in Westwood Commerce Park PDD #2.**

Dear Mr. McClellan:

The Salisbury Planning Commission at its March 16, 2017, meeting, forwarded a **FAVORABLE** recommendation to the Mayor and City Council for the proposed amendment that would permit Heavy Equipment sales, service and repair in the Westwood Commerce Park PDD #2, as follows:

**AMEND SECTION 17.122.030, PERMITTED USES, BY ADDING ITEM D AS FOLLOWS:**

- D. HEAVY EQUIPMENT SALES, SERVICE AND REPAIR: SELLING, LEASING, AND REPAIRING VEHICLES AND/OR MACHINERY THAT MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMERCIAL TRUCKS (INCLUDING TRACTOR TRAILERS), AGRICULTURAL EQUIPMENT, CONSTRUCTION/EXCAVATION EQUIPMENT, MOBILE CRANES, BOATS/YACHTS, BUSES, OR SIMILAR HEAVY EQUIPMENT. ACCESSORY USES MAY INCLUDE, BUT ARE NOT LIMITED TO, BODY SHOP (INCLUDING PAINTING), MACHINE SHOP, OUTSIDE DISPLAY AREAS, PARTS SALES, AND OFFICE USES, BUT EXCLUDES DISMANTLING OR SALVAGE.**

**AMEND SECTION 17.122.040, ACCESSORY USES AND STRUCTURES, BY AMENDING ITEM G AS FOLLOWS:**

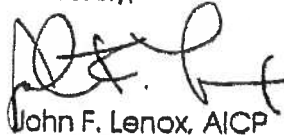
- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site. ~~excluding~~ The outside storage of materials and open lot display of ~~any kind~~ IS SUBJECT TO APPROVAL BY THE SALISBURY PLANNING COMMISSION AS PART OF THE APPROVED COMPREHENSIVE DEVELOPMENT PLAN.**

Mr. John McClellan  
March 17, 2017

Page 2

If you have any questions concerning this matter, please don't hesitate to contact Gloria Smith or myself at 410-548-4860.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Lenox". The signature is stylized with a large initial "J" and a long horizontal stroke extending to the right.

John F. Lenox, AICP  
Director  
Salisbury/Wicomico Planning & Zoning

cc: Mike Moulds, Director of City Public Works Department  
Bill Holland, Director of Building, Permits, and Inspections Department  
Assessments



## City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JACOB R. DAY  
MAYOR

JULIA GLANTZ  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

### ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND, PURSUANT TO CHAPTER 17.228 OF TITLE 17, ZONING OF THE SALISBURY MUNICIPAL CODE AND SECTION 4.04 OF ARTICLE 66B OF THE ANNOTATED CODE OF MARYLAND FOR THE PURPOSE OF AMENDING SECTIONS 17.122.030 AND 17.122.040G TO ADD SALES AND SERVICE OF COMMERCIAL TRUCKS, HEAVY EQUIPMENT, ETC. AS PERMITTED USES AND PERMIT OPEN LOT DISPLAYS IN WESTWOOD COMMERCE PARK PDD #2.**

**WHEREAS**, the ongoing application, administration and enforcement of Title 17, Zoning of the Salisbury Municipal Code, demonstrates a need for periodic review, evaluation, and amendments that will keep Title 17 current; and

**WHEREAS**, the Mayor and City Council may amend Title 17, Zoning, of the Salisbury Municipal Code, pursuant to the authority granted by Article 66B of the Maryland Annotated Code and in accordance with specific provisions of Chapter 17.228, Amendments and Rezoning, of Title 17, Zoning; and

**WHEREAS**, the Mayor and City Council requested that the Salisbury Planning and Zoning Commission periodically review Title 17 in light of existing procedural practices and input from the City Council and members of the public; and

**WHEREAS**, Krause Properties, LLC submitted an application to amend the text of Westwood Commerce Park PDD #2; and

**Attachment #C**

**WHEREAS**, a Public Hearing on the proposed amendment was held by the Planning Commission in accordance with the provisions of Chapter 17.228, of Title 17, Zoning, of the Salisbury Municipal Code on March 16, 2017; and

**WHEREAS**, the Planning Commission did recommend approval of the proposed text amendments to Sections 17.122.030, and 17.122.040G;

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND**, that Title 17, Zoning, of the Salisbury Municipal Code is hereby amended as follows:

**AMEND SECTION 17.122.030, PERMITTED USES, BY ADDING ITEM D AS FOLLOWS:**

- D. HEAVY EQUIPMENT SALES, SERVICE AND REPAIR: SELLING, LEASING, AND REPAIRING VEHICLES AND/OR MACHINERY THAT MAY INCLUDE, BUT ARE NOT LIMITED TO, COMMERCIAL TRUCKS (INCLUDING TRACTOR TRAILERS), AGRICULTURAL EQUIPMENT, CONSTRUCTION/EXCAVATION EQUIPMENT, MOBILE CRANES, BOATS/YACHTS, BUSES, OR SIMILAR HEAVY EQUIPMENT. ACCESSORY USES MAY INCLUDE, BUT ARE NOT LIMITED TO, BODY SHOP (INCLUDING PAINTING), MACHINE SHOP, OUTSIDE DISPLAY AREAS, PARTS SALES, AND OFFICE USES, BUT EXCLUDES DISMANTLING OR SALVAGE.**

**AMEND SECTION 17.122.040, ACCESSORY USES AND STRUCTURES, BY AMENDING ITEM G AS FOLLOWS:**

- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site. ~~excluding~~ The outside storage of materials and open lot display ~~of any kind~~ **IS SUBJECT TO APPROVAL BY THE SALISBURY PLANNING COMMISSION AS PART OF THE APPROVED COMPREHENSIVE DEVELOPMENT PLAN.****

**AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY, MARYLAND**, that this Ordinance shall take effect from and after the date of its final passage, but in no event until ten (10) days after the date of the Council's Public Hearing, and



**THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the \_\_\_\_ day of \_\_\_\_\_, 2017, and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2017.

**ATTEST:**

\_\_\_\_\_  
Kim Nichols  
City Clerk

\_\_\_\_\_  
John "Jack" Heath, President  
Salisbury City Council

Approved by me this  
day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jacob R. Day  
Mayor of the City of Salisbury

the city of Salisbury department of public works (DPW) and may be modified at DPW's discretion as the final design is developed.

(Ord. 2026 § 1 (part), 2007)

#### 17.121.070 - Amendments.

Amendments to Planned Residential District No. 11 shall be in accordance with the provisions of Section 17.108.090 of this code.

(Ord. 2026 § 1 (part), 2007)

#### 17.121.080 - Final development plan.

- A. The preliminary development plan as approved by the Salisbury planning commission, shall be recorded in the Land Records of Wicomico County. Development of the site shall be in general conformance with these plans.
- B. A final development plan for each parcel of development or any proposed phase of development shall be submitted to and approved by the planning commission in accordance with Section 17.108.100.

(Ord. 2026 § 1 (part), 2007)

#### 17.121.090 - Control of development after completion.

- A. Specific development of Planned Residential District No. 11 shall be controlled by the final development plan as approved by the planning commission and any amendment thereto.
- B. Where specific regulations are not addressed in this chapter, all other regulations of Title 17 shall govern. In the event of any conflict between the provisions of this chapter and other provisions of Title 17, the requirements of this chapter shall apply.

(Ord. 2026 § 1 (part), 2007)

### Chapter 17.122 - PLANNED DEVELOPMENT DISTRICT NO. 2— WESTWOOD COMMERCE PARK

#### Sections:

#### 17.122.010 - Purpose.

The purpose of planned development district No. 2 is to provide for the development of certain lands binding on the southerly side of lands now or formerly owned by Naylor Mill Associates, Storer Cable Communications of Delmarva, Soaring Vistas Properties, Inc., and William L. Jr. and Barbara Twilley, the westerly side of lands now or formerly owned by the Korean Presbyterian Church of Salisbury, Mabel M.

Waters, Faye Y. Waters, Habitat on MD's Lower Shore, Inc., and Bertina E. Jones; the northerly side of lands now or formerly owned by the Church of God K/A The Family Worship Center, Green Acres Memorial Park, Inc., Ronald R. Phippen, Theodore and Joanne Jones, Chester, Eugene and Charles Parker, Gerald B. and Eunice Long, Spencer J. and Genevieve Brown, Percival and Vera M. Smith, Cedar Hill Homes, LLC, Emmett S. and Lizzie M. Smith, and Daniel J. and Loretta Savoy, and the easterly side of U.S. Route 50, with light industrial, regional commercial and neighborhood business type uses in a business park type setting.

The following regulations have been designed to carry out these purposes and are further implemented in the approved preliminary development site plan and approved development standards plan dated September 27, 2007.

(Ord. 2064 (part), 2008)

#### 17.122.020 - Area of reclassification.

The area to be rezoned as planned development district No. 2—Westwood Commerce Park, consists of two hundred sixty-four (264) acres of land binding upon the northerly side of U.S. Route 50, both sides of the West Naylor Mill Road, both sides of West Road, both sides of Ed Taylor Drive and the southerly side of Milford Twilley Drive, being the same as shown on the preliminary subdivision plat prepared by ESP Design Services, Inc., and dated February 19, 2003. The site is further identified as Parcel #141 on State Tax Map #28 and Parcels No. 91, 141, 375, and 376 on State Tax Map #29.

(Ord. 2064 (part), 2008)

#### 17.122.030 - Permitted uses.

Permitted uses shall be as follows:

- A. Uses permitted inherently or by special exception in Chapter 17.32, Neighborhood Business District, except that neighborhood shopping centers and apartments shall be excluded.
- B. Uses permitted inherently or by special exception in Chapter 17.40, Regional Commercial District, except that retail department or general merchandise stores and hospitals shall be excluded.
- C. Uses permitted inherently or by special exception in Chapter 17.76, Light Industrial District.

(Ord. 2064 (part), 2008)

#### 17.122.040 - Accessory uses and structures.

Accessory uses and structures shall be as follows:

- A. Communication towers for broadcasting and receiving, not exceeding seventy-five (75) feet in height;

- B. Day care services for employees or patrons of a permitted use;
- C. Uses and structures clearly incidental to, customary to and associated with the permitted use;
- D. Gasoline pumps as an accessory use to a convenience store in accordance with Section 17.04.220;
- E. Off-street parking lot or structure;
- F. Off-street loading and unloading facilities;
- G. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use on a site, excluding the outside storage of materials and open lot display of any kind.

(Ord. 2064 (part), 2008)

**17.122.050 - Development standards.**

Development standards for planned development district No. 2 shall be as follows:

- A. Approval Requirements. Prior to the development of any lot in the planned development district, a comprehensive development plan, including a sign plan, as defined in Section 17.04.120 and Chapter 17.180, shall be submitted to the planning commission for its review and approval. *definition*
- B. Minimum Lot Requirements.
  - 1. Lot area: one and one-half acres.
  - 2. Lot width: eighty (80) feet.
  - 3. Individual lot or building areas shall be as shown on the final subdivision plat.
- C. Minimum Yard and Perimeter Requirements.
  - 1. Front yard: twenty (20) feet.
  - 2. Side yard: ten feet (two required).
  - 3. Rear yard: fifteen (15) feet.
- D. Height: fifty (50) feet.
- E. Parking shall be provided in accordance with Chapter 17.196. No open lot storage of unlicensed or inoperable vehicles shall be permitted.
- F. Landscaping and Open Space. Landscaping and open space, including perimeter plantings, shall be provided in accordance with the preliminary development plan dated September 27, 2007, subject to any subsequent modifications thereto required by the Salisbury planning commission or city council. Individual site landscaping shall be provided on a landscaping plan submitted in accordance with Chapter 17.180 as a part of the comprehensive development plan.
- G. Signs. A sign plan, accompanied by written approval of the developer, shall be approved by the Salisbury planning and zoning commission for each lot in Westwood Commerce Park PDD No. 2 as a part of the comprehensive development plan.

(Ord. 2064 (part), 2008)

PDD

A copy of all covenants, deed restrictions and bylaws as required by Section 17.04.240, shall accompany the preliminary plat.

- C. A landscaping plan showing areas to be landscaped or maintained as natural areas with all sizes and species in accordance with the provisions of Chapter 17.220, shall accompany the plat for approval by the planning commission.
- D. The final subdivision plat, in addition to the information required by the subdivision regulations, Title 16, shall show building envelopes, dimensions of yards and the size and location of accessory buildings to be situated within any front yard.

(Prior code § 150-224)

## Chapter 17.180 - COMPREHENSIVE DEVELOPMENT PLAN

### Sections:

#### 17.180.010 - Purpose—Application.

Where the provisions of this title require submission and approval of a comprehensive development plan as defined in Section 17.04.120, the following regulations shall apply. The comprehensive development plan is required of certain developments identified in this chapter for approval by the planning commission in order to ensure that the proposed development is planned in proper relationship to the configuration of the site in such a manner as to comply with all requirements of this chapter; the proposed development is planned and located on the site in a manner which will minimize any adverse impact on adjoining areas and future development; and the proposed development is properly coordinated with existing city plans and policies. Required plans shall be submitted to the planning director for distribution to all those agencies or department heads involved in or affected by the proposed development, such as the department of building, permitting and inspections, fire chief/fire marshal, department of public works, board of education and the department of recreation and parks.

- A. **Preliminary Comprehensive Development Plan.** A preliminary comprehensive development plan is the first step in the process of project design or layout of a development. It is intended to provide the planning commission an opportunity to assess the proposed project while in an early planning stage, prior to the developer incurring the expense of preparing a detailed comprehensive development plan. An early review of the concept of the development in preliminary form will enable both the applicant and the planning commission to assess the proposed development and make recommendations relating to existing land use in the area, future plans for development in the area, the adequacy of on- and off-site facilities to serve the proposed development and the

functional, public safety and aesthetic considerations relating to the development. Five copies, drawn to scale, of a preliminary comprehensive development plan may be submitted, at the option of the developer, and shall include the following.

1. The existing general topographic character of the land and existing natural features of the site;
2. The proposed approximate location, as appropriate, of all roads, vehicular and pedestrian accessways, buildings, the building footprints, parking areas, including the type and size of all spaces, open spaces, recreation facilities, natural features, drainageways, fire-fighting facilities, existing zoning, abutting property owners, stormwater management areas, setbacks for all property lines, landscaping areas and on-site loading and unloading spaces. In addition, the proposed location of any on-site refuse disposal or recycling areas and facilities, or both, as may be required by the city, shall be shown. The location shall be as determined by the director of public works. All such areas or facilities shall be shown together with measures necessary to provide screening in accordance with the requirements of Chapter 17.220.
3. The approximate density of residential development or the square footage of buildings;
4. A general indication of the stages and timing of construction if the project is to be developed in stages; and
5. A description of the considerations taken into account in preparing the overall development concept and any special considerations given to the location of streets, buildings, parking areas and other facilities proposed on the site.

B. Comprehensive Development Plan. A comprehensive development plan shall be submitted and shall include the following elements. If a preliminary comprehensive development plan has been submitted and reviewed by the planning commission, all recommendations and suggested changes shall be incorporated in the final development plans submitted.

1. Five copies of a comprehensive site plan showing the proposed development in its entirety, drawn to scale by an architect, surveyor, engineer or other person qualified to prepare a site plan acceptable to the city of Salisbury, shall be submitted to the planning director for distribution to all those agencies or department heads involved in or affected by the proposed development, such as the department of building, housing and zoning, fire chief/fire marshal, department of public works, planning department, board of education and the department of recreation and parks.
2. The comprehensive site plan shall show the proposed location and dimensions of all roads, vehicular and pedestrian accessways, buildings, the building footprints, parking areas, including the type and size of all spaces, open spaces, recreation facilities, natural features, drainageways, fire-fighting facilities, existing zoning, abutting property owners, stormwater management areas, setbacks from all property lines and on-site loading and unloading spaces. In addition, the proposed location of any on-site refuse disposal or recycling areas and facilities

**CITY OF SALISBURY**

**REQUEST FOR CONSIDERATION OF A  
PROPOSED ORDINANCE OR CHARTER CHANGE**

Submitted to: City Administrator



Date: March 3, 2008

Submitted by: Jack Lenox, Director of Planning & Zoning

Reason for request: To establish Westwood Commerce Park PDD #2

**SALISBURY-WICOMICO  
FILE COPY  
PLANNING**

Section to be amended (if amending Code or Charter): Add Section 17.122

Recommendation/proposal: Favorable recommendation forwarded by Salisbury Planning Commission following public hearing on November 29, 2007.

Reviewed by:

\_\_\_\_\_  
John R. Pick, City Administrator                      Date

\_\_\_\_\_  
Barrie P. Tilghman, Mayor                              Date

Recommended date for Council Agenda  
\_\_\_\_\_

Received by City Clerk's Office and  
forwarded to City Council President

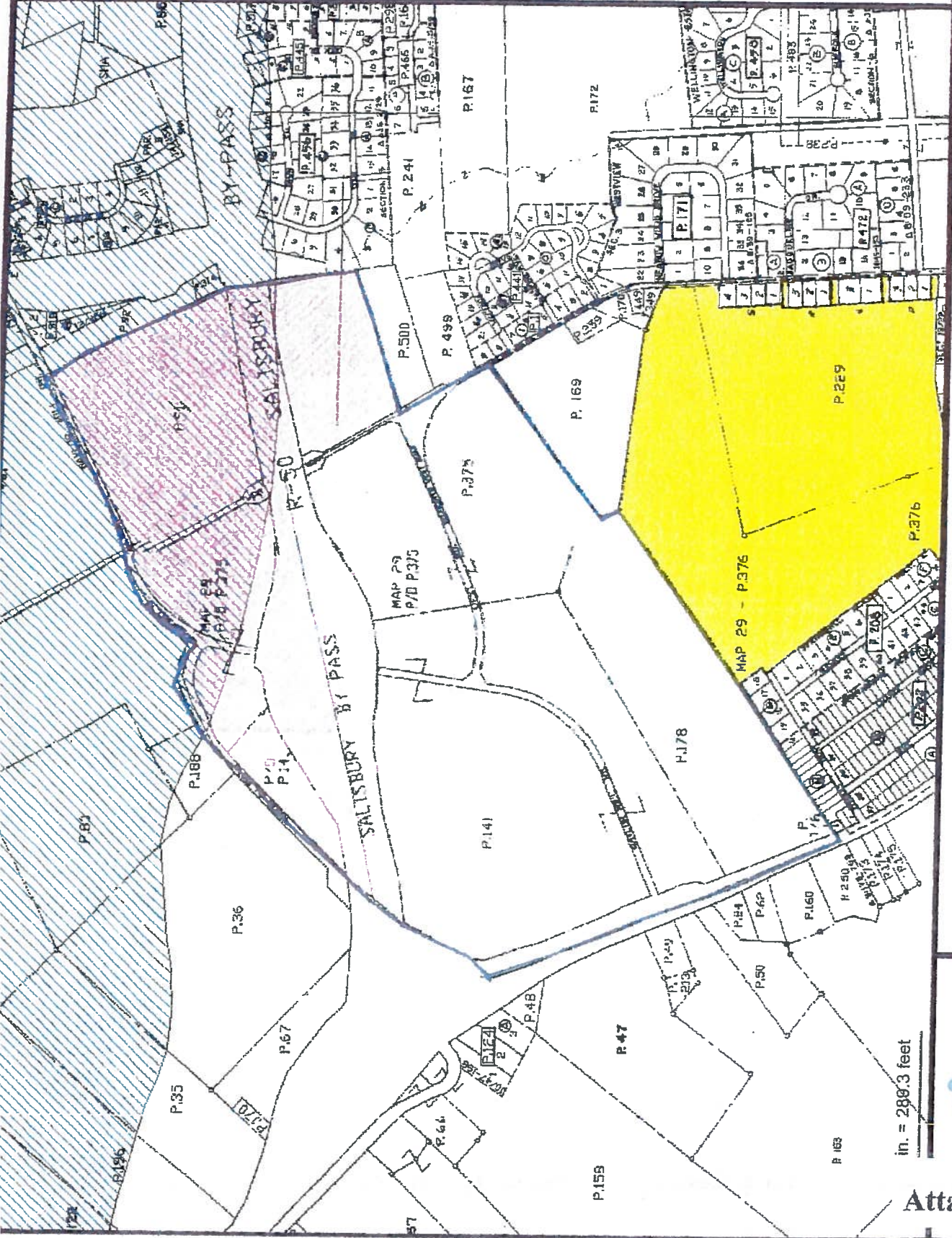
\_\_\_\_\_  
Brenda J. Colegrove, City Clerk                      Date

Action by City Council President

Schedule for upcoming meeting: \_\_\_\_\_

Obtain more information: \_\_\_\_\_

	Paleochannel
	Tax Maps
	Water
	Salis Zoning 11-14-07
	CBU
	College & University
	Community
	Conservation
	Historic
	Industrial
	Industrial Park
	LBI
	Light Industrial
	Neighborhood Business
	OSI
	OSK
	PDD
	PRD
	R 10
	K 10A
	K 5
	R 5A
	K 6
	R 6A
	Regional Commercial
	Restaurant/Recreation
	Select Commercial



# Westwood PDD - City Zoning



in. = 288.3 feet



## 9. Development Standards

- a) Buildings: The front facade and street side facades shall be made of bricks, stones, architectural concrete panels, architectural metals, architectural woods and/or glasses.
- b) All electrical and air conditioning structures, including towers and air handling units, regardless of location and whether on the roof or otherwise, shall be concealed by landscaping or by decorative screening materials which form an integral part of the design.
- c) No materials, supplies, or products shall be stored, temporary stored, or permitted to remain on the premises outside a permanent structure without the prior written consent of the Developer or the Westwood Owner's Association.
- d) The maximum impervious area for development on any Lot will be 80% of the Lot's developable area. Areas designated for forest conservation shall not be included in determining a Lot's developable area.

## 10. Parking

- a) All present and future vehicular parking, including trucks, trailers, employee and visitor parking shall be provided on the premises and shall comply with all the provisions of the applicable zoning regulations.
- b) Parking is prohibited on all public streets within the Westwood Commerce Park area.
- c) Sufficient off-street parking shall be provided and planned for employees, customers, and visitors.
- d) Parking lots shall be located no closer than twenty feet (20') from the front property line, subject to approval of the Developer and the Corporation.
- e) All parking areas and drives located to the sides, rear, and front of any building shall be improved with concrete, asphalt, or equivalent within twelve (12) months from time of occupancy of the building improvement constructed on the Lot.

## 11. Setback Requirements

- a) Front Yard: No building shall be constructed on a Lot nearer than seventy feet (70') of the right-of-way of any public street or highway. In the case of corner Lots, no building shall be constructed within the designated setback of both abutting public streets or highways.
- b) Side Yard: The minimum side yard set-back shall be thirty feet (30'). In the event that two (2) adjoining sites shall be owned by the grantee and in the improvements of such sites a building shall be erected on these combined sites, then the side yard requirements on the interior line are waived.
- c) Rear Yard: The minimum rear yard set-back shall be twenty feet (20'), except the Lots abutting U.S. Highway 50 bypass and 50 business, which will have a setback of one hundred feet (100') from U.S. Highway 50 bypass and 50 business.

## 12. Signs

- a) A scale drawing of any sign, trademark, or advertising device to be used on any Lot or exterior of any building or structure shall be submitted to the Developer and the Corporation for approval. Normally, the occupant's trademark and/or trade name may be displayed on the building in the manner in which they are generally used by the occupant.
- b) Signs within the Park shall comply with both Wicomico County and City of Salisbury's Sign Ordinances in effect on the date a sign is installed.
- c) Billboards are not permitted.
- d) All lettering and company logos shall be comprised of individually cut or fabricated letters. No panel or wood signs are permitted. Lighted signs on buildings must be internally illuminated without a halo. Ground signs shall be either internally illuminated, or illuminated by ground-mounted fixtures. Fixture must be screened from view from the street.

### 13. Landscaping/Fencing

- a) The front yard setback area of each Lot shall be landscaped with an effective combination of street trees, trees, ground cover, and shrubbery. All unpaved areas not utilized for parking shall be landscaped in a similar manner. The entire area of any property fronting on the U.S. Highway 50 bypass and 50 business shall be densely landscaped with a combination of landscape plantings and berming to create an effective visual screen on all use areas with the exception of the building facade.
- b) Side and rear yard setback areas not used for parking or storage shall be landscaped utilizing ground cover and/or shrubs and trees.
- c) Areas used for parking shall be landscaped and/or fenced in such a manner as to interrupt or screen said areas from view from access streets, freeways, and adjacent properties. Plant materials used for this purpose shall consist of lineal or grouped masses or shrubs and/or trees.
- d) Undeveloped areas proposed for future expansion shall be maintained and landscaped, as required by the Corporation and applicable Codes.
- e) Architectural review by the Developer and the Corporation will take into account the appearance of all buildings, parking areas, and storage areas as viewed from U.S. Highway 50.
- f) Lots within the Park may be fenced with materials including brick, wood, decorative masonry, or chain link with decorative slating. Alternate materials may be approved by the Developer and the Corporation on a case-by-case basis. Fence height shall not exceed eight feet (8'). Fences must be kept in good repair and wood must be painted or stained. Fences shall not be permitted in the front of any building. Provisions must be made for access by emergency response personnel and equipment to all sides of any building.

**14. Outdoor Storage**

- a) No outside storage of any kind shall be permitted unless such storage material is visually screened from all access streets, U.S. Highway 50, and adjacent properties with a suitable fence and/or berm at least six feet (6') in height. Said screening shall provide for a complete opaque screen.
- b) No storage shall be permitted between a frontage street, or public street, highway, and building line.
- c) No waste materials or refuse may be dumped or permitted to remain on any part of the property outside of the building.
- d) Storage of fuel, oil, or other bulk fluids must be in above-ground tanks, with suitable visual screening provided.
- e) Fences, walls, or hedges may not exceed forward of building setback lines.

**16. Loading Docks**

Loading docks shall not face interior park roadways. Loading docks shall not be located on the same side of the building as the main entrance to the property.

**17. Refuse Collection Areas**

- a) All outdoor refuse collection areas shall be visually screened from access streets, U.S. Highway 50, and adjacent properties by a complete opaque screen. No refuse collection areas shall be permitted between a frontage street, or public street, or highway and the building line.
- b) No rubbish may be burned on the premises within the Park.



City of  
**Salisbury**  
Jacob R. Day, Mayor

September 21, 2017

Anne Roane  
City Planner  
City of Salisbury  
Infrastructure & Development Department  
125 N. Division Street, Room 202  
Salisbury, MD 21801

**RE: Development Plan for Penn Freightliner**

Ms. Roane:

The Development Plan for the Penn Freightliner project, at the corner of Ed Taylor Drive and West Road, was reviewed by my office to ensure a safe, effective, and efficient response to the area in the event of an emergency. At this time we have no concerns that need to be addressed.

As the project moves forward, should you need anything further from my office please feel free to reach out.

Sincerely,

Eric Cramer  
Fire Marshal  
City of Salisbury Fire Department

---

Salisbury Fire Department  
Headquarters, Station 16  
325 Cypress St. Salisbury, Maryland 21801  
410-548-3122  
[www.salisburyfd.com](http://www.salisburyfd.com)

**ATTACHMENT 6**

**OUTLINE DEVELOPMENT PLAN**

**FOR**

**PENN FREIGHTLINER  
SALISBURY, MARYLAND**

PREPARED FOR:  
Penn Freightliner  
16777 Halfway Blvd  
Hagerstown, MD 21740

PREPARED BY:  
AWB ENGINEERS  
1942 NORTHWOOD DRIVE  
SALISBURY, MD 21801  
(410) 742-7299  
AWB PROJECT #161208

DATE: September 19, 2017

## EXPLANATION OF PLANNED DEVELOPMENT

Penn Freightliner intends to develop two (2) truck sales and service buildings, associated parking, and access entrances on the eastern portion of the parcels. The existing parcel will be sub-divided based on final site requirements. The site has been partially cleared, and Forest Conservation Plan requirements for clearing of all trees on-site have been addressed. Forest Conservation Approval was completed on 6-26-2006 with the FCA #2000-05.

The parcel is bordered by the Route 50 bypass to the north, Ed Taylor Drive to the east, and West Road to the south. The existing parcel is undeveloped, but water and sewer service has been extended to the south-west corner. Existing electrical power and natural gas services are near the site, but no service extensions have been extended to this specific parcel.

In order to adhere to the requirements and regulations of the Planned Development District No. 2 – Westwood Commerce Park, the following standards were considered and met:

- Minimum Lot Requirements for each parcel to be subdivided are greater than 1.5 acres and the lot width for each parcel is greater than 80'
- Minimum Yard setbacks have been met. Front yard at 20', side yard at 10', and rear yard and 15' have been shown and considered during conceptual layouts
- Parking for the parcels shall follow Chapter 17.196 with no open lot storage of unlicensed or inoperable vehicles
- Upon finalization of conceptual plans of site layout design and stormwater design, landscaping and open spaces shall be provided around the perimeter where open spaces allow
- The proposed use of the property will be for sales & service of commercial trucks and heavy equipment, as well as open display lots for same. The allowed uses (as noted in Westwood Commerce Park Planned Development District #2 overlay zone) was amended by Salisbury Ordinance 2420 to include these uses. A copy of Ordinance 2420 is enclosed.

### **STATEMENT OF COSTS**

It is anticipated that the estimated costs for the buildings A & B will be \$100 to \$125 per sf, and the estimated cost for on-site site development will be \$6,000 to \$10,000 per acre. As such, the estimated costs for Building A will be \$3 to \$4 million and the estimated cost for Building B will be \$5 to \$6.5 million, including parcel development costs. The future owner, Penn Freightliner, owns over 13 similar dealership operations in multiple states, and as such, has adequate access to capital for financing the proposed construction on this site.

### **STATEMENT OF OWNERSHIP**

The entire 26.35 acre parcel is owned by Mr. Leonard Kraus. Penn Freightliner has entered into contract to purchase a portion of the 26.35 acre parcel from Mr. Leonard Kraus. Upon agreement on final contract to purchase, it is anticipated that Mr. Kraus would subdivide the property and sell the subject parcels to Penn Freightliner.

### **EXPECTED SCHEDULE OF DEVELOPMENT**

It is anticipated that the final sale of the parcels to Penn would be completed by the end of 2017, and subdivision would be completed by 1Q 2018. It is estimated that final design documents & permitting would be complete by 3Q 2018, and construction would commence 1Q 2019 and would be completed by 4Q 2019. This schedule could be extended, as the owner may elect to complete building A and building B as separate, sequential projects.

### **IMPACT TO SURROUNDING AREA**

The proposed buildings would provide sales and service for commercial vehicles in an area that is adjacent to an existing major, limited access arterial roadway, Route 50 By-Pass. The Route 50 By-pass is an established, high-volume traffic route, and has been in continuous use for over a decade by commercial vehicles. As such, no significant impact to the existing, surrounding area is anticipated.



**Exterior Elevation Examples**

*(photos from New Stanton PA facility built by Penn Freightliner)*



**Figure 1 - Sample North elevation (approach)**



**Figure 2 - Sample North Elevation - Service Write-up and Customer Entrance**

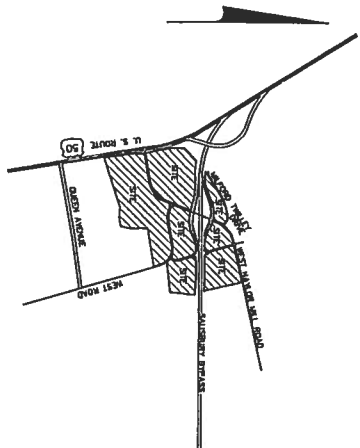


Figure 3 - Service Entrance



Figure 4 - Sample East & West Elevations - Service Bay Access





LOCATION MAP - NOT TO SCALE

**PROJECT DATA**

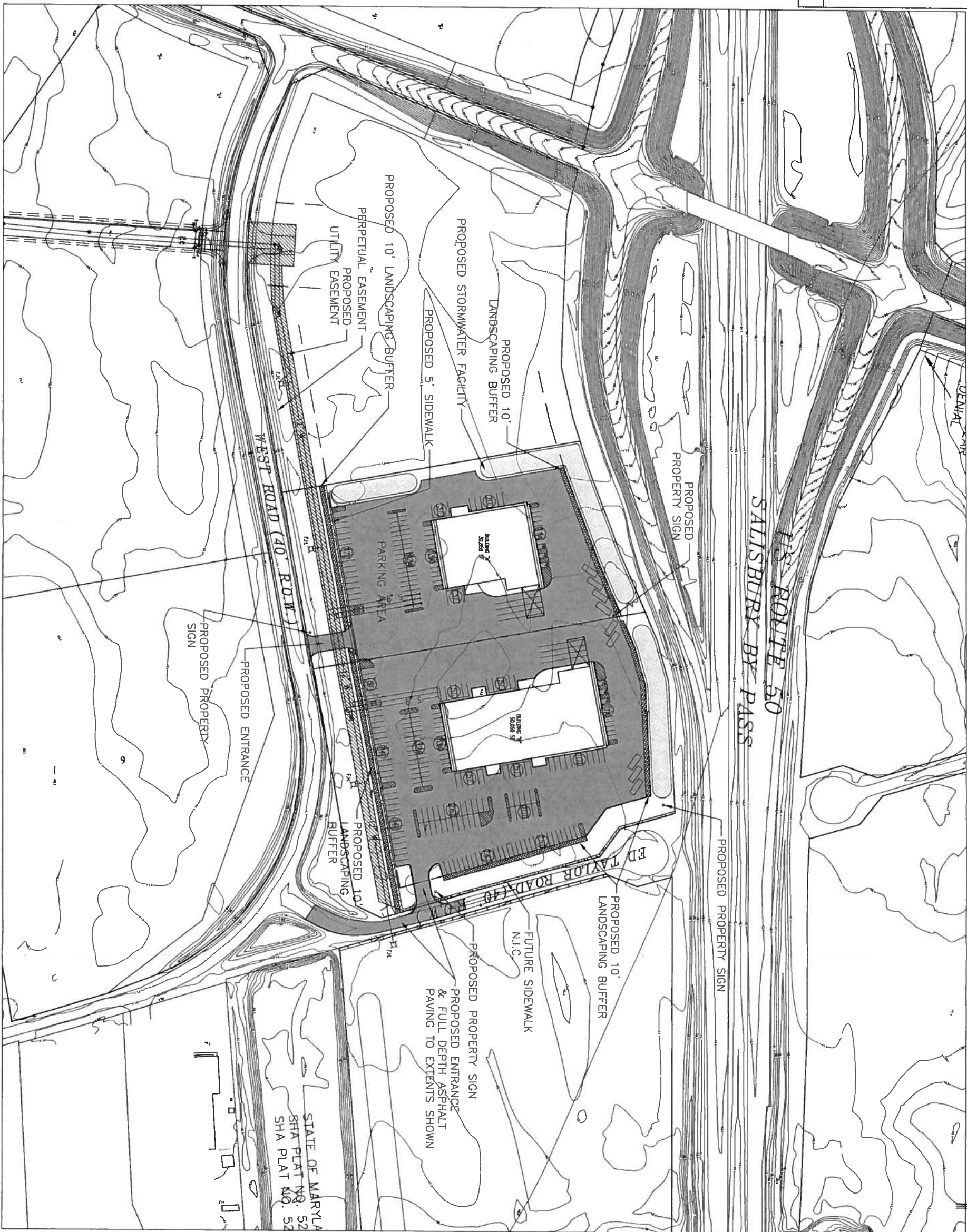
BUILDING AREA	EXISTING	PROPOSED	BUILDING AREA*	4,000 S.F.	BUILDING A: 30,000 S.F.	BUILDING B: 50,000 S.F.
ZONING	PLANNED DEVELOPMENT DISTRICT NO. 2 - WESTWOOD COMMERCE PARK					
PARKING SPACES	REQUIRED	H/C	PROVIDED	H/C		
BUILDING A	27	2	54	3		
BUILDING B	33	2	66	3		

THIS PROPERTY HAS BEEN PARTIALLY CLEARED WITH FOREST CONSERVATION PLAN APPROVAL NUMBER: FOL #200-05 DATE: 6-26-2008

MINIMUM BUILDING HEIGHT: 5'

SETBACKS:

FRONT YARD	20'
SIDE YARD	10'
REAR YARD	15'

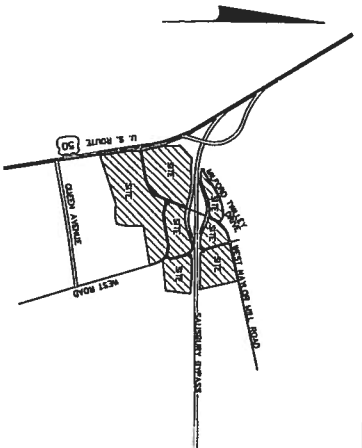


COPYRIGHT © 2006, ANDREW W. BOOTH & ASSOCIATES, INC.

THE INFORMATION PRESENTED ON THIS PLAN IS PRELIMINARY IN NATURE AND SHOULD NOT BE RELIED UPON FOR FINAL PLANNING OR CONSTRUCTION. THE USER MUST OBTAIN NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES. THE USER SHALL BE RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED AS A RESULT OF THIS PROJECT DUE TO FINANCIAL OR OTHER CHANGES AND NOT THE RESPONSIBILITY OF AND DESIGNER OR ITS SUBCONTRACTORS.

<p>DATE: PRELIMINARY SCALE: 1" = 100' DRAWN: HNS PRODUCED: GMD JOB: 1617208 FILE: GMD-1</p>	<p><b>OUTLINE DEVELOPMENT PLAN</b> <b>WESTWOOD COMMERCE PARK</b> SALISBURY, MD</p>		<p><b>ANDREW W. BOOTH &amp; ASSOCIATES, INC.</b> 1942 NORTHWOOD DRIVE, SALISBURY, MARYLAND 21801-7824 PH: (410) 742-7299 FAX: (410) 742-0275</p>	<table border="0"> <tr><td>05 JUN 17</td><td>BT</td><td>RELEASE</td></tr> <tr><td>16 MAR 17</td><td>GMD</td><td></td></tr> <tr><td>17 MAR 17</td><td>GMD</td><td></td></tr> <tr><td>01 AUG 17</td><td>HNS</td><td></td></tr> <tr><td>19 SEP 17</td><td>HNS</td><td></td></tr> </table>	05 JUN 17	BT	RELEASE	16 MAR 17	GMD		17 MAR 17	GMD		01 AUG 17	HNS		19 SEP 17	HNS	
05 JUN 17	BT	RELEASE																	
16 MAR 17	GMD																		
17 MAR 17	GMD																		
01 AUG 17	HNS																		
19 SEP 17	HNS																		

SK-1.1



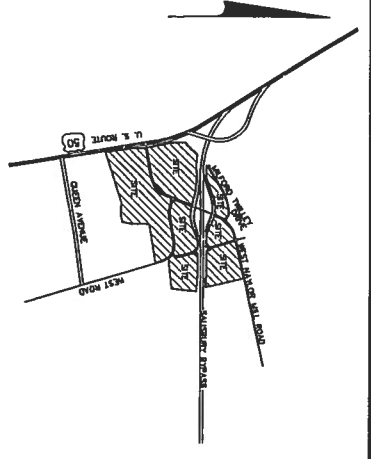
THE INFORMATION PRESENTED ON THIS PLAN IS PRELIMINARY IN NATURE AND SHOULD NOT BE RELIED UPON FOR FINAL PLACING OR CONSTRUCTION. THE USER MUST RECOGNIZE THAT THE INFORMATION PLANS ARE DEVELOPED, BASED ON AVAILABLE PUBLIC RECORDS OR SURVEYS IN THE DECISION OF THE PROJECT. THE USER MUST RECOGNIZE THAT THE INFORMATION IS NOT THE RESPONSIBILITY OF THE ENGINEER OR ARCHITECT.

STATE OF MARYLAND  
SHA PLAT NO. 52835  
SHA PLAT NO. 52773

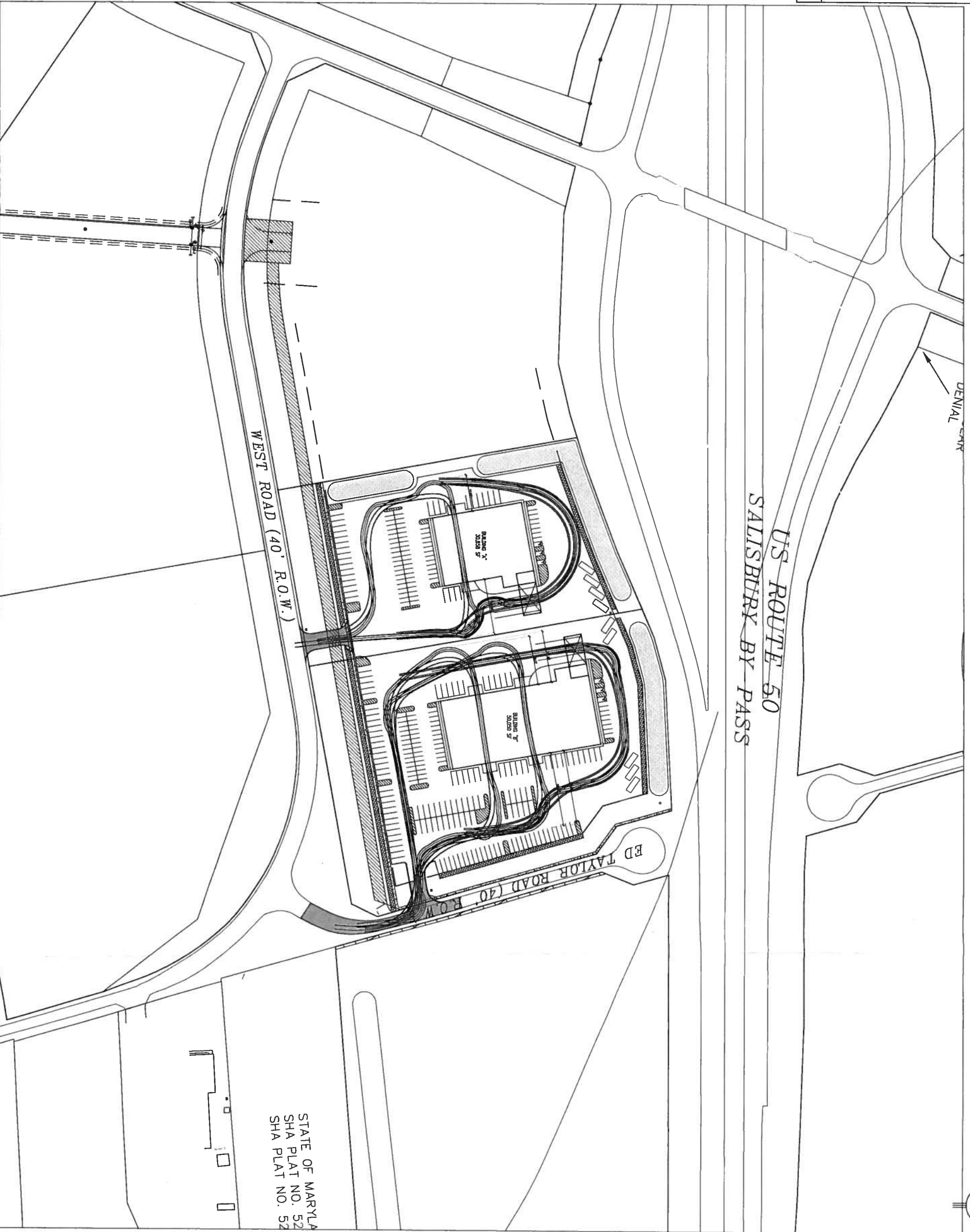


COPYRIGHT © 2006, ANDREW W. BOOTH & ASSOCIATES, INC.

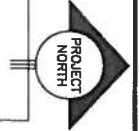
WESTWOOD COMMERCIAL PARK AND ASSOCIATES, LLC		ANDREW W. BOOTH & ASSOCIATES, INC. 1942 NORTHWOOD DRIVE, SALISBURY, MARYLAND 21801-7824 PH. (410) 742-7299 FAX. (410) 742-0273	RELEASE
			BY
OUTLINE DEVELOPMENT PLAN MAP WESTWOOD COMMERCIAL PARK SALISBURY, MD	DATE: PRELIMINARY SCALE: 1"=100' DRAWN: HNS CHECKED: GMD PROJ. NO.: 161208 FILE: GMD-1	SHEET SK-112	PROJECT NORTH 19 SEP 17 HNS



LOCATION MAP - NOT TO SCALE



STATE OF MARYLAND  
SHA PLAT NO. 52  
SHA PLAT NO. 52



COPYRIGHT © 2006, ANDREW W. BOOTH & ASSOCIATES, INC.

<p>DATE: PRELIMINARY SCALE: 1"=100' DRAWN: HMS PROJECT: GMD</p>	<p>WESTWOOD COMMERCE PARK</p>		<p>ANDREW W. BOOTH &amp; ASSOCIATES, INC. 1942 NORTHWOOD DRIVE, SALISBURY, MARYLAND 21801-7824 PH. (410) 742-7299 FAX. (410) 742-0273</p>	RELEASE	BY
				19 SEP 17	HMS
<p>JOB: 1612008 FILE: GMD-1</p>	<p>OUTLINE DEVELOPMENT PLAN TRUCK MANEUVERING WESTWOOD COMMERCE PARK SALISBURY, MD</p>				
<p>SHEET SK-1.3</p>					

THE INFORMATION PROVIDED ON THIS PLAN IS PRELIMINARY IN NATURE AND SHOULD NOT BE RELIED UPON FOR FINAL DESIGN OR CONSTRUCTION. THE USER MUST RECOGNIZE THAT THE INFORMATION PROVIDED IS FOR GENERAL REFERENCE ONLY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL DATA AND INFORMATION PROVIDED. THE USER SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS ON THIS PLAN.



## **PLANNING AND ZONING COMMISSION**

### **INFRASTRUCTURE AND DEVELOPMENT**

**MEETING OF OCTOBER 19, 2017**

**CASE NO.** SP-8713-17NN

**APPLICANT:** Tuesday Morning, represented by Atlantic Sign & Lighting.

**PROPERTY**

**OWNERS:** RPI Salisbury Mall, LLC

**LOCATION:** Easterly side of Centre Drive, part of the former JC Penney building.

Tax Map: #119

Parcel #237, Grid #15, Parcel 1

**ZONING:** General Commercial District

**REQUEST:** (a) **Revised Building Elevation Colors**  
(b) **Sign Plan Amendment**

### **I. SUMMARY OF REQUEST:**

Richard Hall of Atlantic Sign & Lighting has submitted a Revised Building Elevation and Sign Plan for modification of the former JC Penney space, which was previously approved for Tuesday Morning in June of 2017. The revisions include a modified wall sign and the introduction of a new color to the Centre of Salisbury color palette.

### **II. BACKGROUND:**

In September of 1987, the Salisbury Board of Zoning Appeals granted a Special Exception for the construction of a Regional Shopping Center known as The Centre at Salisbury. Subsequently, the Planning Commission approved a Final Comprehensive Development Plan in March of 1988.

At the time of the approvals for the Centre, separate sign plans/building elevations were approved for anchor tenants, including J.C. Penney, which is now occupied by Home Goods and Tuesday Morning.



On June 15, 2017, the Planning Commission granted a Final Comprehensive Development Plan for Home Goods, which included building elevations revisions and a sign plan.

### III. PROPOSAL:

#### A. Building Elevation:

A color elevation for the front of the building was submitted. (See **Attachment.**) Wall signage is also shown on the elevation.

Architectural modifications to the building façade remains the same as approved by the Planning Commission in June of 2017. However, the building color will be revised to include the color white on the EFIS façade. The previously approved color was "Amarillo #113". Additionally, the color "Tuesday Morning Blue" will be added to the building's EFIS façade as a contrasting background for the proposed sign revision.

#### B. Sign Plan:

The Planning Commission previously approved a 155 sq. ft. wall sign which contained 4 ft. 2 inch tall letters and an overall length of 37 ft. 2 inches with red faces. The revised plans indicate that the newly proposed wall sign will consist of a single row of 4 ft. 6 inch tall letters with an overall length of 24 ft. 10 and 1/8 inches. The total square footage of this sign will be 123.47 square feet. In addition, a 2.5 sq. ft. blade sign is proposed. The blade sign will match the color of the building façade, with white letters on the "Tuesday Morning Blue" background. The blade sign is proposed to be mounted 10 feet above grade, on the south column near the building entrance. (See **Attachment #1.**)

### IV. RECOMMENDATION:

Staff recommends **Approval** of the Revised Building Elevation Colors as submitted.

Staff recommends **Approval** of the Revised Sign Plan for the wall sign only.

Other tenants with exterior entrances/storefronts have not incorporated blade signs as part of the approved sign plan, and incorporating such signage would be inconsistent with the overall sign plan for the remainder of the mall. **Denial** of this request is recommended.

COORDINATOR: Henry Eure  
DATE: October 10, 2017

---



**Tuesday Morning**

**Store: #774 - Salisbury, MD**

# Tuesday Morning

Kieffer & Co, Inc. will coordinate installation with the mall operations manager.

Sign Manufacturer to supply Insurance Certificate to on site Rouse Representative prior to sign installation.

TT must repair and/or repaint any visible damage (existing or new) to storefront after installation.



Landlord Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Customer Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

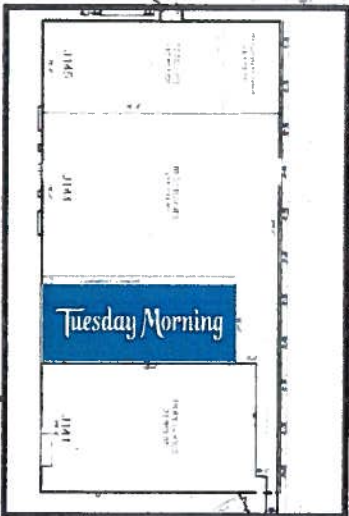
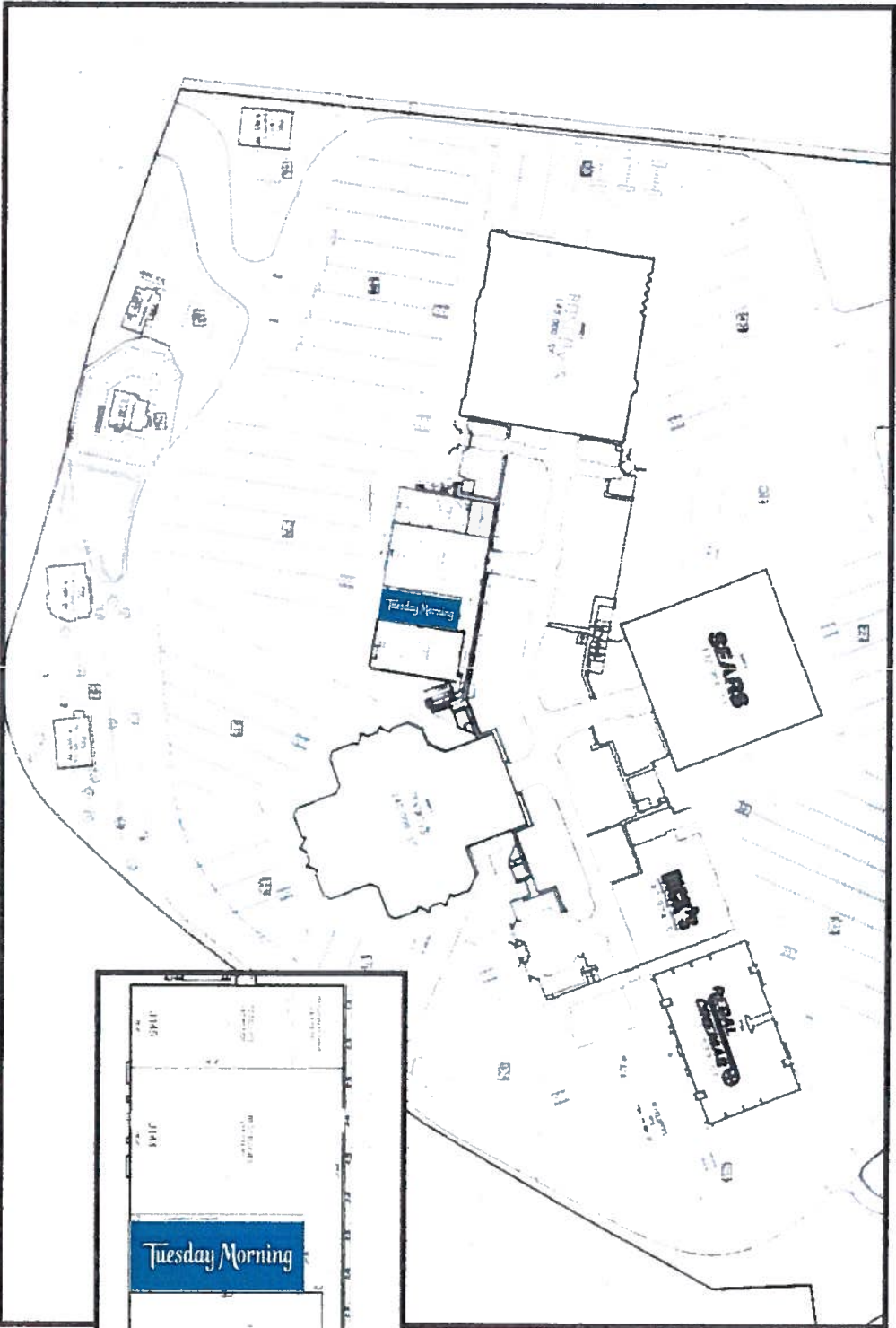
Date: \_\_\_\_\_

**ATTACHMENT 1**

**ADDRESS: 2300 N. Salisbury Blvd. | Salisbury, MD.**

**Kieffer  
& CO., INC.**

# Tuesday Morning



ACCOUNT: TUESDAY MORNING 4774  
 LOCATION: SALISBURY, MD  
 ACT. NO.: LC  
 DATE: 06/22/17  
 ESTIMATOR: JYS  
 COMMENTS:  
 c/u US  
 LISTED

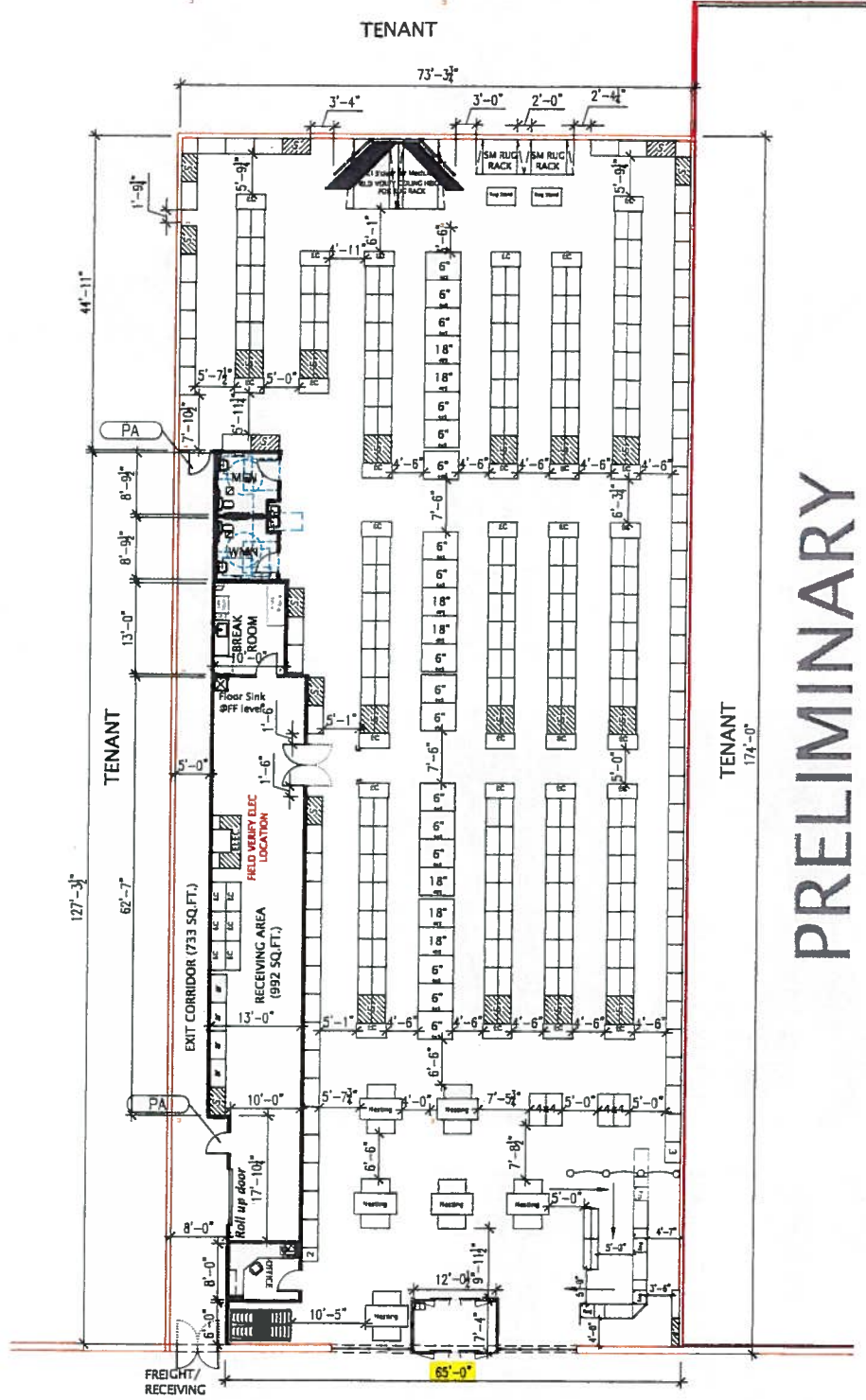
PRODUCTION PERCENTAGE	PRINTED DATE
100%	06/22/17
90%	
80%	
70%	
60%	
50%	
40%	
30%	
20%	
10%	
0%	

This is an original unapproved drawing submitted for use in connection with the project. Any use or modification of this drawing without the written permission of Kieffer Starlite is prohibited.

585 Bond Street, Lincolnshire, Illinois 60069  
 PHONE: (877) 543-3337 FAX: (847) 520-1543  
 WWW.KIEFFERSTARLITE.COM

**SITE PLAN**

**Tuesday Morning**



**PRELIMINARY**

**FLOOR PLAN**

This is an architectural drawing submitted for use in connection with a project being planned for you by Kieffer Holdings Co. It is not to be reproduced, copied or published in any fashion without the written permission of Kieffer Holdings Company.

585 Bond Street, Lincolnshire, Illinois 60069  
 PHONE: (877) 643-3337 FAX: (847) 520-1543  
 www.kiefferdesigns.com

REVISION	PRODUCTION/PROCESSING

**Kieffer | Starlite**  
 National Sign Manufacturers and Consultants

ACCOUNT: TUESDAY MORNING ATTA  
 LOCATION: ST. LOUIS, MO  
 ACT. REF.: LC  
 DATE: 08/22/17  
 COMPANY/FILES

DESIGNER: MCKENNA, JVS  
 DRAWN BY: JVS  
 CHECKED BY: JVS  
 APPROVED BY: JVS

UL US LISTED

# Tuesday Morning

# Survey Photos | Salisbury, MD

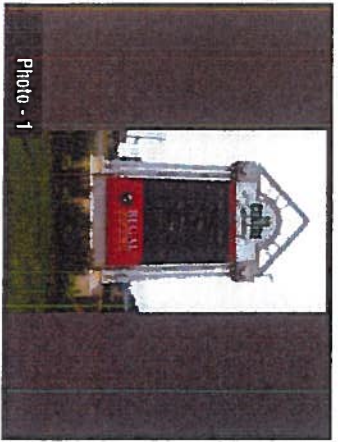


Photo - 1



Photo - 2



FRONT ELEVATION - Photo 3



FRONT ELEVATION - Photo 4



FRONT ELEVATION - Photo 5



FRONT ELEVATION - Photo 6



Photo - 7



Photo - 8



Photo - 9



Photo - 10



Photo - 11



Photo - 12

**K Kieffer | Starlite**  
National Sign Manufacturers and Consultants

Account: **TUESDAY MORNING 2774**

Location: **Salisbury, MD**

Account: **LC**      Customer: **TYS**

Date: **06/22/17**

Comments:

PROPOSITION PROFESSION

REVISIONS:

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

This is an original independent drawing submitted for use in connection with the proposed project and shall not be used for any other purpose without the written permission of Kieffer Sign Company.

585 Bond Street, Lincolnshire, Illinois 60069  
PHONE: (877) 543-3337 FAX: (847) 526-1543  
WWW.KIEFFERSIGNS.COM

**SURVEY**

# Tuesday Morning

CUSTOM Internally Illuminated Remote LED Letter Set  
On a Painted Facade  
West Elevation (N. Salisbury Blvd.)



### SIGN CODE:

Sign Code: 2 SQ.FT. PER LINEAR FT OF FRONTAGE.  
65ft x 2 SF/LIN FT = 130 SQ.FT. ALLOWED  
LL NONE  
Criteria:

Internally Illuminated Remote Letters  
Letter Set - REF: DWG. #B73340A  
SQUARE FOOTAGE = 123.47

NOTE: BLADE SIGN - Reference Drawing #B73340C  
for Decoration and Specifications

FOR PURPOSES OF SIGNAGE ONLY.  
NO ELEVATION APPROVAL CONTAINED HEREIN

**KS Kieffer | Starlite**  
National Sign Manufacturers and Consultants

ACCOUNT	LOCATION	ADDRESS	CITY	STATE	ZIP	DATE	COMPANY FILE	REVISIONS:
JUESDAY MORNING #774	SALISBURY, MD	GENSLER, ILL		US				PRODUCTION PROCESSING
								1
								2
								3
								4
								5
								6
								7
								8
								9
								10

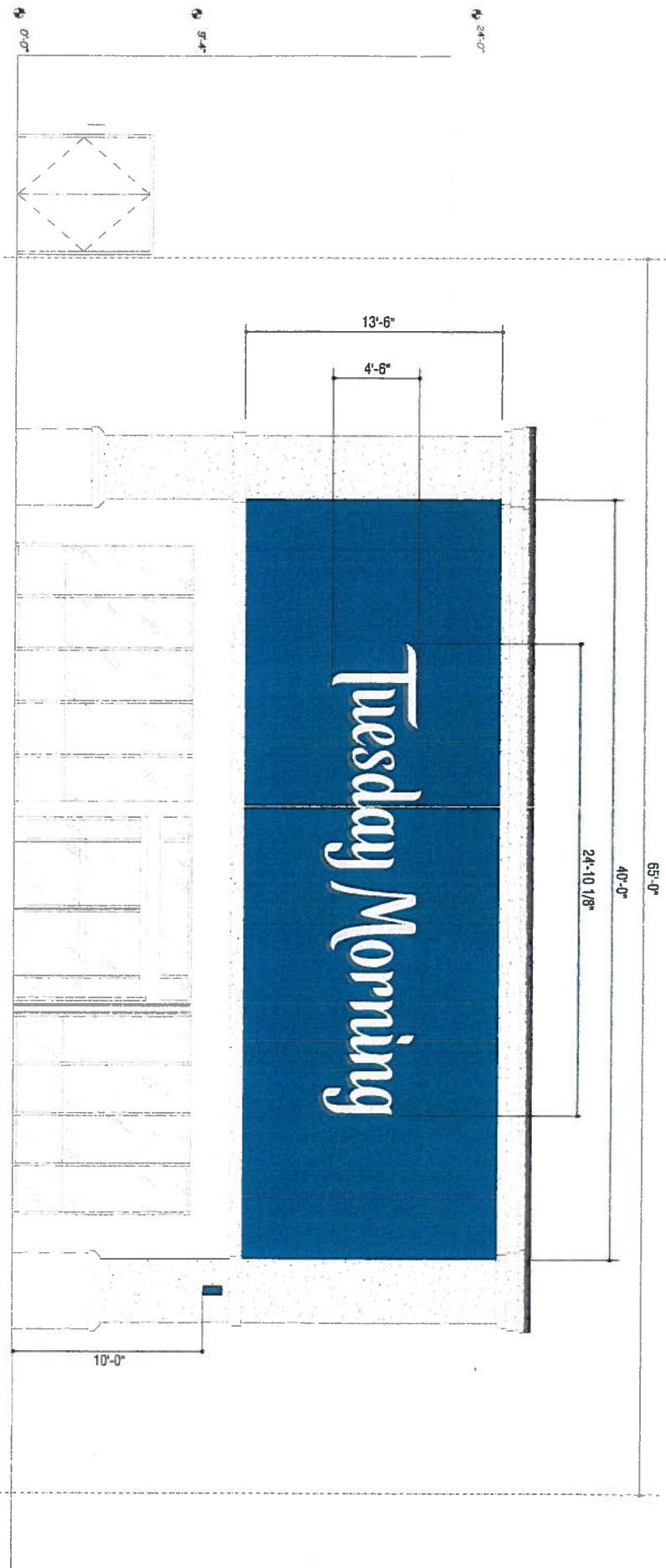
This is an optional unpublished drawing submitted for each of construction with a project being planned for you by Kieffer Starlite Co. It is not to be reproduced, copied or submitted in any fashion without the written permission of Kieffer Starlite Company.

585 Bond Street, Lincolnshire, Illinois 60069  
PHONE: (877) 543-3337 FAX: (847) 520-1543  
www.kiefferstarlite.com

**B73340**

# Tuesday Morning

Scaled Dimensions of Facade  
West Elevation (N. Salisbury Blvd.)



**FOR PURPOSES OF SIGNAGE ONLY.  
NO ELEVATION APPROVAL CONTAINED HEREIN**

Internally Illuminated Remote Letters  
Letter Set - REF: Dwg. #B73340A  
**SQUARE FOOTAGE = 123.47**

**SIGN CODE:**  
Sign: 2 SQ.FT. PER LINEAR FT OF FRONTAGE.  
Code: 65ft x 2 SF/LIN FT = 130 SQ.FT. ALLOWED  
LL: NONE  
Criteria:

**K Kieffer | Starlite**  
National Sign Manufacturers and Consultants

PROJECT INFORMATION		PERMITS	
ACCOUNT:	JESDAY MORNING #72	PROJECT NO:	PROJ072
LOCATION:	SALISBURY, MD	DATE:	08/22/17
CLIENT:	LC	DESIGNER:	JVS
DATE:	08/22/17	SCALE:	AS SHOWN
CHARACTER:	CHARACTER	STATUS:	AS SHOWN
		REVISIONS:	
		A:	Add TM elevation
		B:	Rev with new elevation
		C:	
		D:	
		E:	
		F:	
		G:	
		H:	
		I:	
		J:	
		K:	
		L:	
		M:	
		N:	
		O:	
		P:	
		Q:	
		R:	
		S:	
		T:	
		U:	
		V:	
		W:	
		X:	
		Y:	
		Z:	

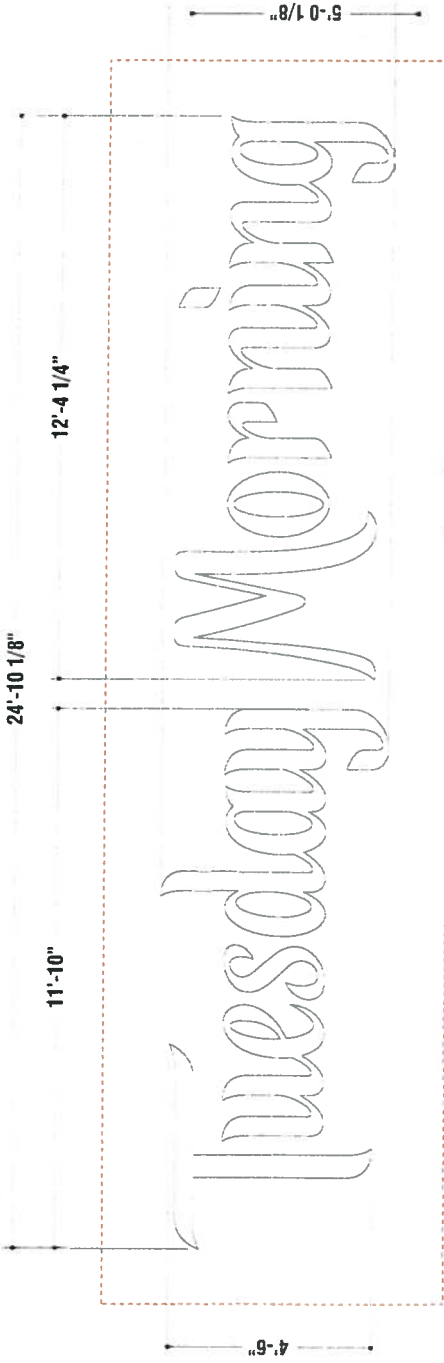
This is an original unaltered drawing submitted for use in connection with a project being planned by you. It is not to be reproduced without the written permission of Kieffer | Starlite Company.

585 Bond Street, Lincolnton, North Carolina 28089  
PHONE: (817) 543-3337 FAX: (817) 520-1543  
WWW.KIEFFERSTARSIGN.COM

**TM elevation**

# Tuesday Morning

## CUSTOM Internally Illuminated Remote LED Letter Set On a Painted Facade West Elevation (N. Salisbury Blvd.)



**NEW LETTERSET RATIO 12 7/10" OFFSET ( 166.66%)**

**NOTE: Sign Facade painted Tuesday Morning Blue BY OTHERS. Blue Paint varies depending on type of wall texture.**

### Remote Channel Letter Specifications

SCALE: 3/8" = 1'-0"

**LED Illuminated Channel Letters**

<b>A</b> ILLUMINATION	LED TYPE	AGLIGHT
<b>B</b> POWER SUPPLY	COLOR	WHITE
<b>C</b> FACE	MATERIAL	ASYLIC
<b>D</b> RETAINER	COLOR	# 72/28 WHITE
<b>E</b> REFIN	TYPE	N/A
<b>F</b> BACK	COLOR	WHITE
<b>G</b> HOUSING	DEPTH	SEE NOTES
<b>H</b> ELECTRICAL	MATERIAL	1/2" X 5.3" ALUMINUM
<b>I</b> SWITCH	TYPE	TYPE 5"
	TYPE	ALUMINUM
	TYPE	PERMANENT
	TYPE	PERMANENT
	TYPE	PASS THRU
	TYPE	DISCONNECT/Toggle
	TYPE	BY ELECTRICIAN

\*NIP (NIP) PER IFC STANDARDS  
 \*CALIF. REQUIRED  
 \*ALL LISTED PRODUCTS - NO VISIBLE LABELS  
 \*ALL ELECTRICAL OUTS LOCATED FOR REMOTE APPLICATION

### COLOR SPECIFICATIONS:

#### Paint Specifications

White Trim Cap & Returns

#### BORDER PROCESS - PAINT COLOR



TUM0011085S - Tuesday Morning Blue (Demandit)

TUM0011022S - Tuesday Morning Blue (Sandpebble Fine NTX)

ELECTRICAL REQUIREMENTS	
Total:	TBD Amps
# of 120V, 20A Circuits Required To Be Determined	
ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND & NEUTRAL) AND SHALL NOT BE SHARED W/ OTHER LOADS.	

#### CUSTOMER TO PROVIDE:

(For New / Remodel Construction) ADEQUATE BEHIND THE WALL BACKING & ACCESS AS REQUIRED TO INSTALL SIGNAGE. CUSTOMER TO FWD COPY OF FINAL APPROVED SIGNAGE DRAWINGS TO BUILDING SITE CONTACT SO THAT THESE PROVISIONS CAN BE MADE DURING CONSTRUCTION AND PRIOR TO INSTALLATION.

ALL BRANCH (PRIMARY ELECTRICAL SERVICE) CIRCUITS AND FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT) TO BE BY CERTIFIED ELECTRICIAN:

- All branch circuits for signs must be totally dedicated to signs (including dedicated ground & dedicated neutral per circuit).
- Sign circuits must not be shared w/ other loads such as lighting, air conditioning & other equipment.
- Properly sized ground wire that can be traced back to the breaker panel must be provided.
- Number and size of circuits for each sign to meet Kieffer Sign's requirement.

Any decision from the above recommendations may result in:

- Change in or improper operation of the sign(s).
- Delays and additional costs.

**Notes:** Certain electrical components of signs will call approximately 4 signs are not shut-off for a period of time, once, each day. For best performance, we recommend signs to be connected to an automatically shut-off device such as an Energy Management System. Time Clock or Photo Cell that will automatically shut-off the sign for a period of time, each day. Failure to do so will cause damage to the electrical components of the sign and void the warranty.

#### INSTALLER IS RESPONSIBLE FOR:

PROVIDING & INSTALLING ALL COMPONENTS REQUIRED TO RUN SECONDARY WIRING (CONNECTORS, GTO CONDUIT, ETC.) TBD BY LOCAL CODE & SITE CONDITIONS.

#### ELECTRICAL NOTES:

- INSTALLATION OF THESE ELECTRICAL SIGNS SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF THE N.E.C. I.L. 48 IMB / OR OTHER APPLICABLE CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

PROVIDER ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

SEALING BUILDING PENETRATIONS W/ SILICONE TO PREVENT MOISTURE PENETRATION AT EXTERIOR LOCATIONS.



ACCOUNT: TUESDAY MORNING BZ74  
 LOCATION: Salisbury, MD  
 ACT REF: LC  
 DATE: 08/22/17  
 CONFIRMABLES

PRODUCTION PROGRAM  
 001  
 002  
 003  
 004  
 005

REVISIONS

SHEET NO. DATE

This is an original unaltered drawing submitted for use in connection with a project being planned by you for Kieffer Holding Co. It is not to be reproduced, copied or exhibited in any fashion without the written permission of Kieffer Holding Company.

585 Bond Street, Lincolnshire, Illinois 60069  
 PHONE: (877) 543-3337 FAX: (847) 520-1643  
 WWW.KIEFFERSIGNS.COM

B73340A

Tuesday Morning

D/F Illuminated Tenant Pylon



**NO TUESDAY MORNING  
TENANT SPACE**

**K Kieffer | Starlite**  
National Sign Manufacturers and Consultants

ACCOUNT:	TUESDAY MORNING 2724	PROJECT/INIT/PROJ NAME:		REVISED:	
LOCATION:	Salisbury, MD	DATE:	06/22/17	DATE:	
CLIENT:	LG	DESIGNER:	ITS	DATE:	
DATE:	06/22/17	CONTRACT:		DATE:	
COMMENTS:					

This is an original independent drawing submitted for use in connection with a project being prepared by Kieffer Starlite Co. It is not to be reproduced or used in any way without the written permission of Kieffer Starlite Company.

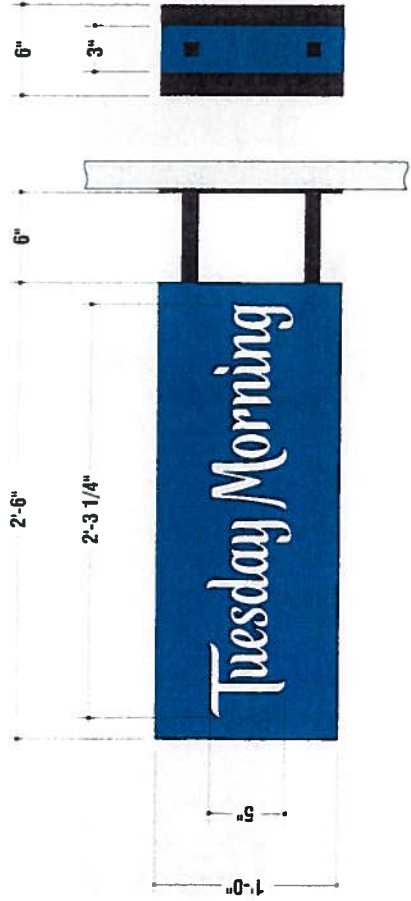
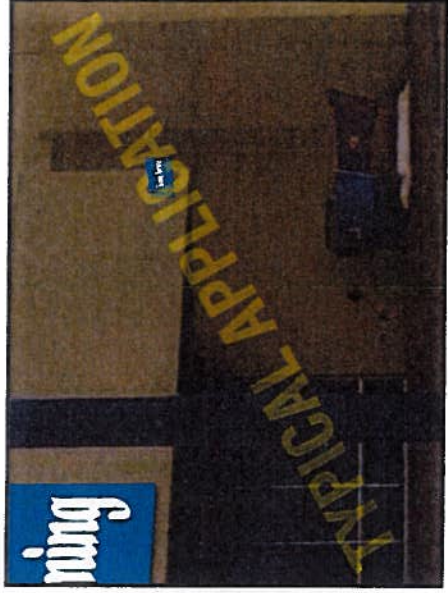
565 Bond Street, Lincolnshire, Illinois 60069  
PHONE: (877) 543-3337 FAX: (847) 528-1543  
WWW.KIEFFERSTARLITE.COM

**B73340B**



# Tuesday Morning

D/F Non-Illuminated Blade Sign



**D/F Non-Illuminated Blade Sign**

SCALE: 1 1/2" = 1'-0"

Fabricated Aluminum blade Sign with Vinyl Copy  
 Support Arms and Mounting Plate to be Painted Black and Sign Body Painted to Match Pantone 315c  
 Vinyl copy to be 3M #7725-10 White Opaque Vinyl.

**Mounting Notes**

- 3/8" Aluminum Mounting Plate with (4) Mounting Points
- Two (2) 1" Square Aluminum Mounting Bars to support Sign Body
- 1 1/2" Aluminum Channel Frame with Aluminum Sheet Overlay for Face.

**COLOR SPECIFICATIONS:**

Specifications

- Match PMS 315c Faces - 1st Surface
- 3M #7725-10 White



ACCOUNT: TUESDAY MORNING #774  
 LOCATION: Salisbury, MD  
 ACT. REP. LC  
 DATE: 08/22/17  
 COMPANY FILES  
 C O U N T Y U S LIMITED

PRODUCT LINE PROCESSING  
 ORDER #  
 QTY  
 DATE

INITIALS DATE:

INITIALS	DATE

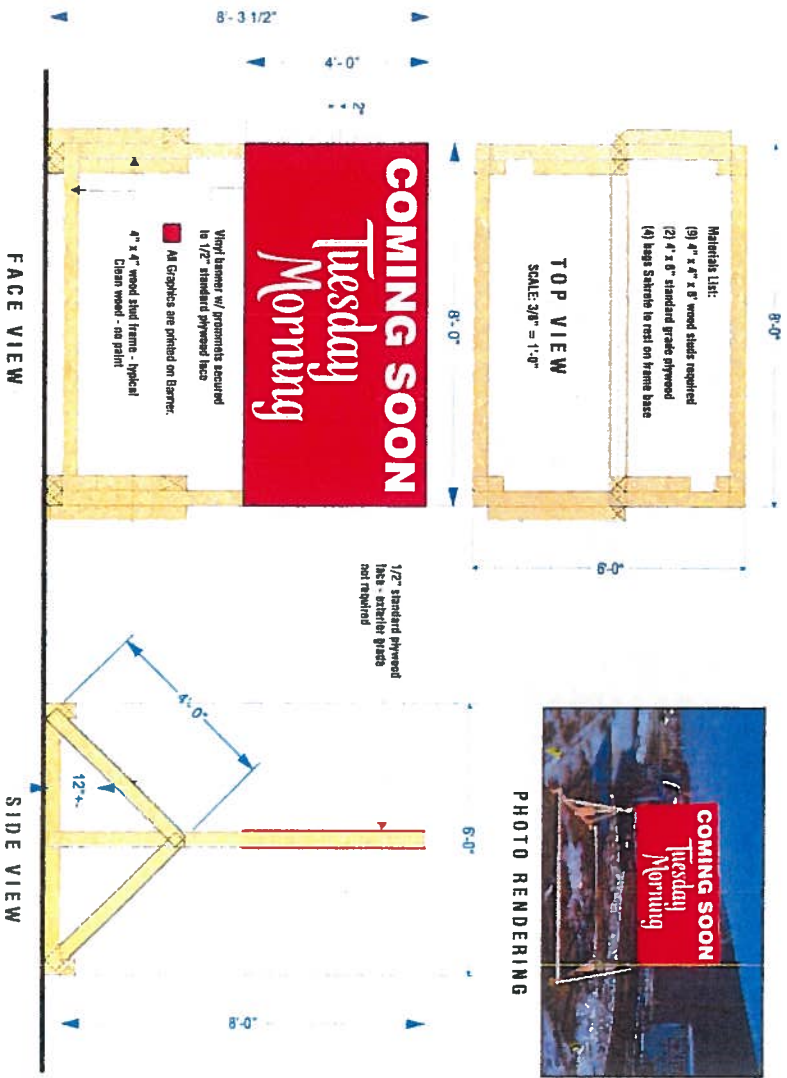
This is an original unsealed drawing submitted for each in connection with a project being prepared for you by Kieffer | Starlite Co. It is not to be reproduced, copied, altered, or used without the written permission of Kieffer | Starlite Company.

585 Pond Street, Lincolnton, Illinois 60069  
 PHONE: (877) 543-3337 FAX: (847) 520-1543  
[www.kieffersigns.com](http://www.kieffersigns.com)



# Tuesday Morning

Lease Banner Package  
LEASE EXECUTION PLUS 10 DAYS



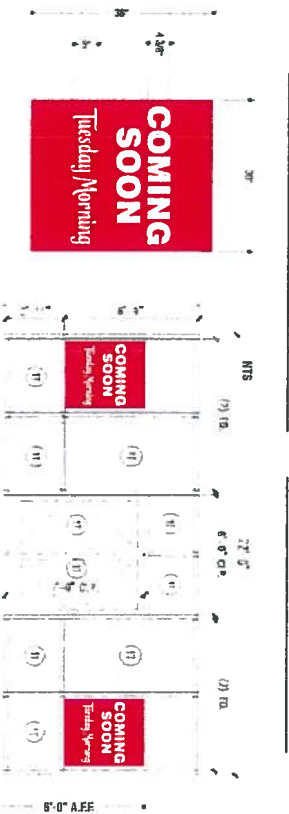
Temporary S/F Banner - Coming Soon

**GENERAL SPECIFICATIONS:**

Single-sided banner w/ flat cut vinyl film applied to first

**COLOR SPECIFICATIONS:**

All Graphics are printed on Banner



**Kieffer | Starlite**  
 National Sign Manufacturers and Consultants

ACCOUNT: TUESDAY MORNING 2724	PRODUCTION NAME: 5006	REVISIONS:
LOCATION: Salisbury, MD	DATE: 06/22/17	
ACT: LC	REVISION: TJS	
COMPANIES:	CLIENT: US	
	DESIGNED BY:	
	DRAWN BY:	
	CHECKED BY:	
	APPROVED BY:	
	DATE:	
	SCALE:	
	STATUS:	
	PROJECT:	
	CLIENT:	
	ADDRESS:	
	CITY:	
	STATE:	
	COUNTRY:	
	PHONE:	
	FAX:	
	EMAIL:	
	WEBSITE:	
	LOGO:	
	OTHER:	

INITIALS & DATE:

This is an original unreplicated drawing submitted for use in connection with the manufacture of the sign. It is not to be reproduced, copied or published in any fashion without the written permission of Kieffer Starlite Holding Company.

585 Road Street, Lincolnshire, Illinois 60069  
 PHONE: (877) 562-3337 FAX: (847) 520-1543  
 WWW.KIEFFERSTARLITE.COM

**B73340D**

# Tuesday Morning

**Relo Banner Package**  
**MONDAY. WEEK 10 INSTALL**

12'-0"



**NOTE: EXACT INFORMATION T.B.D. (DO NOT ATTACH TO GLASS MULLIONS).**

## Temporary S/F Banner - Relocation

SCALE: 1" = 1'-0"  
 40 Sq Ft

### GENERAL SPECIFICATIONS:

Single-sided banner w/ flat cut vinyl film applied to first surface - SEE VINYL SPECIFICATIONS.  
 Banner to be 3'-4" x 12'-0" Single Sided 13oz. Red Banner with windstits, hemmed edges and  
 grommets.

### COLOR SPECIFICATIONS:

Vinyl Specifications

■ All Graphics are printed on Banner.

SYMBOL	INITIALS & DATE	APPROVE
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		



National Sign Manufacturers and Consultants

ACCOUNT: TUESDAY MORNING B774

LOCATION: SALISBURY, MD

ACCT. NO.: LC QUANTITY: 178

DATE: 06/28/17

COMPANY FILE # \_\_\_\_\_

This is an ordered merchandise showing submitted for use in connection with a project being planned by you for Kieffer Starlite Co. It is not to be reproduced, copied or exhibited in any fashion without the written permission of Kieffer Starlite Company.

585 Bond Street, Lincolnshire, Illinois 60069  
 PHONE: (877) 843-3337 FAX: (847) 520-1843  
 www.kieffersigns.com

**B73340E**

Tuesday Morning

CS / Nil / NO Banner Package  
 MAIN SIGN - INSTALL WEEK 13



Temporary D/F Banner - COMING SOON / NOW HIRING / NOW OPEN

SCALE: 3/4" = 1'-0"

24 Sq Ft

**GENERAL SPECIFICATIONS:**

Double-sided banner w/ Digital printed graphics - SEE VINYL SPECIFICATIONS. Banner to be 2'-0"

**COLOR SPECIFICATIONS:**

■ All Graphics are printed on Banner



Temporary S/F Posters

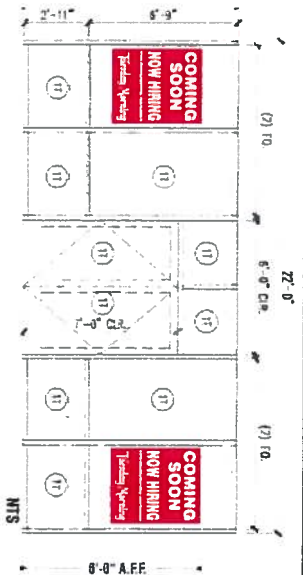
3/4" = 1'-0"  
 7.50 Sq Ft

**GENERAL SPECIFICATIONS:**

Kallima - C1S 12pt. Stock w/ Digital printed graphics. Apply posters to 2nd surface of window.

**COLOR SPECIFICATIONS:**

■ All Graphics are printed on Banner



**K Kieffer | Starlite**  
 National Sign Manufacturers and Consultants

ACCOUNT: TUESDAY MORNING 8774  
 LOCATION: SALLSBURY, MD  
 ACCT. NO.: LC  
 REFERENCE: ITS  
 DATE: 06/22/17  
 CARRIER FILES

PRODUCTION PROFESSIONAL  
 PROJECT NO.:  
 ESTIMATE NO.:  
 ORDER NO.:  
 QUANTITY:  
 UNIT PRICE:  
 TOTAL PRICE:  
 TAX:  
 NET TOTAL:

INITIALS DATE

This is an original unaltered drawing submitted for use in connection with a project being deemed for your written listing on K13 and is to be reproduced without the permission of Kieffer Starlite Company.

516 Bond Street, Lincolnshire, Illinois 60089  
 PHONE: (817) 543-3337 FAX: (847) 350-1543  
 WWW.KIEFFERSTARSIGN.COM

**B73340F**

**PROJECT INFORMATION:** DUE TO THE SPECIAL NATURE OF THE PROPERTY, ALL INFORMATION WAS PROVIDED BY CITY CONTACT.

Site Location: TAMMACHERRY EVC/1517W BEST BUY/7MM PHONE

Address: (ADDRESS)

Shipping Cn: Jc-Texas: Secondary Mail

City Contact: Henry Year

Phone: (410) 548-3130

City of Salisbury

Zoning: Per Henry, General Contracting

Date Complete: 8/16/2017

Code Analysis Performed By: EXPDITE THE DGR. 614-828-8216

Per Henry, Sign Plan is being placed before planning commission (RT17) with a very high threshold of approval.

Note: Rubination Code 610171-4, 24 ft. in width, 37 ft. in height, red faced individual channel letters without canopy.

WALL SIGN:  If YES, Retains based on Sign Plan

What does code allow? PER HENRY, There are no set standards for individual letters. Now letters must go before planning commission. Maximum S.L. allowed: Per Henry, Prior to 6/16/17 approval of new sign plan, 2 sq. ft. per linear foot of above knowledge.

Are Intensity Illuminated Signs allowed? Per Henry, Yes

Are Color/Illuminated Signs allowed? Per Henry, Yes

Are Color/Illuminated Signs allowed? Per Henry, Yes

Method of Calculating Sign Area: "Sign surface area" means the area of a sign shall be calculated as including the entire area within a regular rectangular geometric form or combination of regular rectangular geometric forms comprising all of the display area of the sign and including all of the elements of the smaller rectangular geometric forms that are contained in the composition or surface area, except for the elements of the smaller rectangular geometric forms that are contained in the composition or surface area, unless the structural members are designed to such a manner as to form an integral part of the message or logo displayed.

Max. Letter Height / Max Sign Height: Per Henry, 1 wall sign is allowed

Permit turnaround time: 3-4 Weeks

Length of time permit is valid: Once planning commission approves it, the site is indefinite. Permit issued 6 months

Are variances requests allowed? No

If "Yes", what is threshold of variance approval? N/A

Estimated Cost: \$1000

Issuing District/Office: Dept of Public Works

Per Henry, The one freestanding sign allowed for the mall does not have illuminated content panels.

Is a permit required to place brand panels on an existing sign? No

Temporary Banner Information:

Banner Type: Temporary Coating Banner

Size allowed: Per Henry, 32 sq. ft. 2 weeks, no permit needed

Temporary How Open Banner: Per Henry, 32 sq. ft. 2 weeks, no permit needed

Temporary How Open Banner: Per Henry, 32 sq. ft. 2 weeks, no permit needed

Temporary How Open Banner: Per Henry, 32 sq. ft. 2 weeks, no permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

Temporary How Open Banner: Per Henry, 60 sq. ft. 30 days, permit needed

**NEW CONTACT FOR NEW SIGN PLAN AFTER 6/16/17**

Ulises Smith, (410) 548-4689

Link to sign permit application: [https://www.ci.salisbury.md.us/cgi-bin/webpage-cms/index.php?app=446426138718/signs#form:Application.pdf](#)

Code: [https://www.ci.salisbury.md.us/cgi-bin/webpage-cms/index.php?app=446426138718/signs#form:Application.pdf](#)

Link to sign permit application: [https://www.ci.salisbury.md.us/cgi-bin/webpage-cms/index.php?app=446426138718/signs#form:Application.pdf](#)

Link to sign permit application: [https://www.ci.salisbury.md.us/cgi-bin/webpage-cms/index.php?app=446426138718/signs#form:Application.pdf](#)





## **PLANNING AND ZONING COMMISSION**

### **INFRASTRUCTURE AND DEVELOPMENT**

**MEETING OF OCTOBER 19, 2017**

**CASE NO.** SP-9808-17A  
**APPLICANT:** Firehouse Subs, represented by Maryland Square, LLC  
**PROPERTY OWNERS:** Maryland Square, LLC  
**LOCATION:** 2410 N. Salisbury Blvd. - Westerly Side of U.S. Route 13 North, northerly side of Dover Street  
Tax Map: #101; Parcels #3790, 5483, & 5484, Grid #21  
**ZONING:** General Commercial District

**REQUEST: Revised Sign Plan Approval – Wall Signage Firehouse Subs – Maryland Square Shopping Center**

### **I. SUMMARY OF REQUEST:**

The Department of Infrastructure and Development has received a request for wall sign approval for Firehouse Subs, planned for location in the Maryland Square Shopping Center at 2410 N. Salisbury Boulevard. This tenant will be located in the northeast outparcel building which is currently home to Aspen Dental and Sleep Number.

### **II. DISCUSSION:**

#### **A. Approval History**

A Special Exception to construct a Community Shopping Center at this location on April 30, 2015. A sign plan for the Five Guys & Chipotle building was approved by the Planning Commission in November of 2015.

On February 18, 2016, the Planning Commission approved a revised comprehensive development plan approval for a new 9,000 sq. ft. building. Subsequent sign plan approvals were granted for the tenants Sleep Number and Aspen Dental in March and

December 2016 respectively. The approved colors for this shopping center include: black, white, red, green, brown, gray, and blue.

## **B. Proposed Signage**

### **1. Wall Sign**

The applicant proposes to install a 3.5 ft. tall, 13.67 ft. long wall sign consisting of internally illuminated channel letters attached to a 4' deep raceway and backer panel, bringing the total square footage of the sign to 47.8 sq. ft. The sign is consistent with the width of the tenant space, but is smaller than the other signs located on the front wall. The colors of the proposed sign are red, white, black and yellow. **(See Attachment # 1)**

## **III. PLANNING AND ZONING COMMENTS:**

None. The proposed sign is proportionate to the width of the tenant space and is consistent with other signs that have been approved for this shopping center. The amendment request is simply to add the color yellow to the list of approved colors for Maryland Square Shopping Center. If approved, the colors will now include black, white, red, green, brown, gray, blue and yellow.

## **IV. RECOMMENDATION:**

Staff recommends **Approval** of the revised sign plan for Firehouse Subs located in the Maryland Square Shopping Center as submitted.

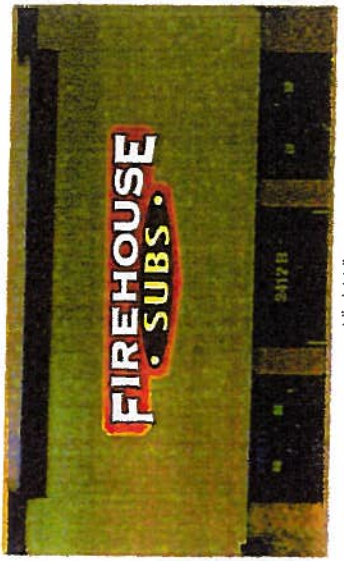
COORDINATOR: Henry Eure  
DATE: October 11, 2017



24'-2.25"



Existing



Night View

Sq. Ft. = 47.8

164"



42"

One (1) single sided set of internally LED illuminated channel letters & subs oval attached to 4" deep aluminum raceway/ backer panel. Details on pg. 2



Firehouse Subs
2408 H. Solisbury Blvd. Solisbury MD 21107 Jb 2412 B
DD
9/11/17
1/2" x 1"
illuminated sign

Design: / / / / Customer Approval: / / / /

Date: / /

This design is the property of East West Sign Group LLC. Any use or reproduction without the written consent of East West Sign Group LLC is strictly prohibited.

4" Deep Letter & SUR; Oval



Disc  
Switch

- 1** BACKER PANEL: Single face sign body constructed of aluminum (face returns & back) & finished in Red & Yellow acrylic urethane enamel (gloss).
- 2** LIGHTED CHANNEL LETTERS: Letter returns & backs of alum. (gloss black). Letter faces of white (7328) acrylic. Letter faces to have 1st surface application perimeter black vinyl stripe. 1" Black trim caps hold faces to returns.
- 3** LIGHTED SUBS OVAL: Oval features 4" deep alum. return (gloss black), white polycarbonate face with 1st surface vinyl application: black & Sunflower Yellow. Face held in place via black trim cap.



Firehouse Subs
2400 N. Salisbury Blvd, Salisbury MD 21076
DD
9-1-17
Signage

Design: \_\_\_\_\_ Date: / / Customer Approval: \_\_\_\_\_

This design is the property of East West Sign Group LLC. Any use or reproduction without the consent of East West Sign Group LLC is strictly prohibited.



## **PLANNING AND ZONING COMMISSION**

### **INFRASTRUCTURE AND DEVELOPMENT**

**MEETING OF OCTOBER 19, 2017**

**CASE NO.** SP-9808-17A

**APPLICANT:** Family Dollar, represented by Kent Sign Company

**PROPERTY**

**OWNERS:** Virginia Square, LLC

**LOCATION:** 1527 N. Salisbury Blvd. - Southerly Side of U.S. Route 13 North, easterly side of Dover Street, westerly side of Homer Street

Tax Map: #105; Parcel #314, Grid #3

**ZONING:** General Commercial District

**REQUEST: Revised Sign Plan Approval – Wall Signage and Pylon Sign Panel for Family Dollar – Virginia Square Shopping Center**

### **I. SUMMARY OF REQUEST:**

Kent Signs has submitted a request for wall and pylon sign tenant panel approval for Family Dollar located in the Virginia Square Shopping Center at 1529 N. Salisbury Boulevard.

### **II. DISCUSSION:**

#### **A. Approval History**

On October 15, 1998, the Salisbury approved the Final Comprehensive Development Plan for the conversion of the former B Green warehouse to a shopping center. This approval included a sign plan for the center. The Planning Commission approved a revised sign plan in September of 2015, incorporating the colors blue and yellow with the previously approved colors of red, white, green and black.

## **B. Proposed Signage**

### **1. Wall Sign**

The applicant proposes to replace the existing Family Dollar wall sign with the new corporate branding which will introduce a new color (orange) to the shopping center's palette. The proposed sign is 4 feet, 5 and 1/8 inches in overall height, and 27 feet, 6 and 1/4 feet in length, for a total square footage of 121.5 square feet. The style of the sign is individual clouded letters. In comparison, the existing sign is 4 feet in height and 29 feet 3 inches in length, totaling 117 feet in area, and is constructed of the same style of clouded lettering. **(See Attachment #1 )**

### **2. Awning**

The existing 4 ft. by 16 ft. (64 sq. ft.) green white and red awning is proposed to be replaced with the new corporate logo and colors. The proposed awning will be red, with red and orange lettering surrounded by white clouding. The size of the awning will be the same as the existing. **(See Attachment # 1)**

### **3. Pylon Sign**

The existing Family Dollar tenant panel (red lettering on a white background) located on the pylon sign is proposed to be replaced with a new panel that will match the proposed awning, featuring the new corporate logo and color scheme. **(See Attachment # 1)**

## **III. PLANNING AND ZONING COMMENTS**

None. The overall square footage of the Family Dollar wall sign has been increased by 4.5 sq. ft., but this increase is due to the introduction of the "family" logo, which increases the overall height of the sign to roughly 4.5 feet in height. The lettering will actually be reduced to 3 feet 2 inches in height. Orange will now be introduced to the color palette. If approved, the colors will now include red, white, green, black, blue, yellow and orange.

## **IV. RECOMMENDATION**

Staff recommends **Approval** of the revised sign plan approval for Family Dollar located in the Virginia Square Shopping Center as submitted.

COORDINATER:        Henry Eure  
DATE:                    October 11, 2017



Site ID  
Address  
City, St Zip  
Survey Date

FDO4152
1527 N SALISBURY BLVD
SALISBURY, MD 21801
08/23/17

## Site Survey Document



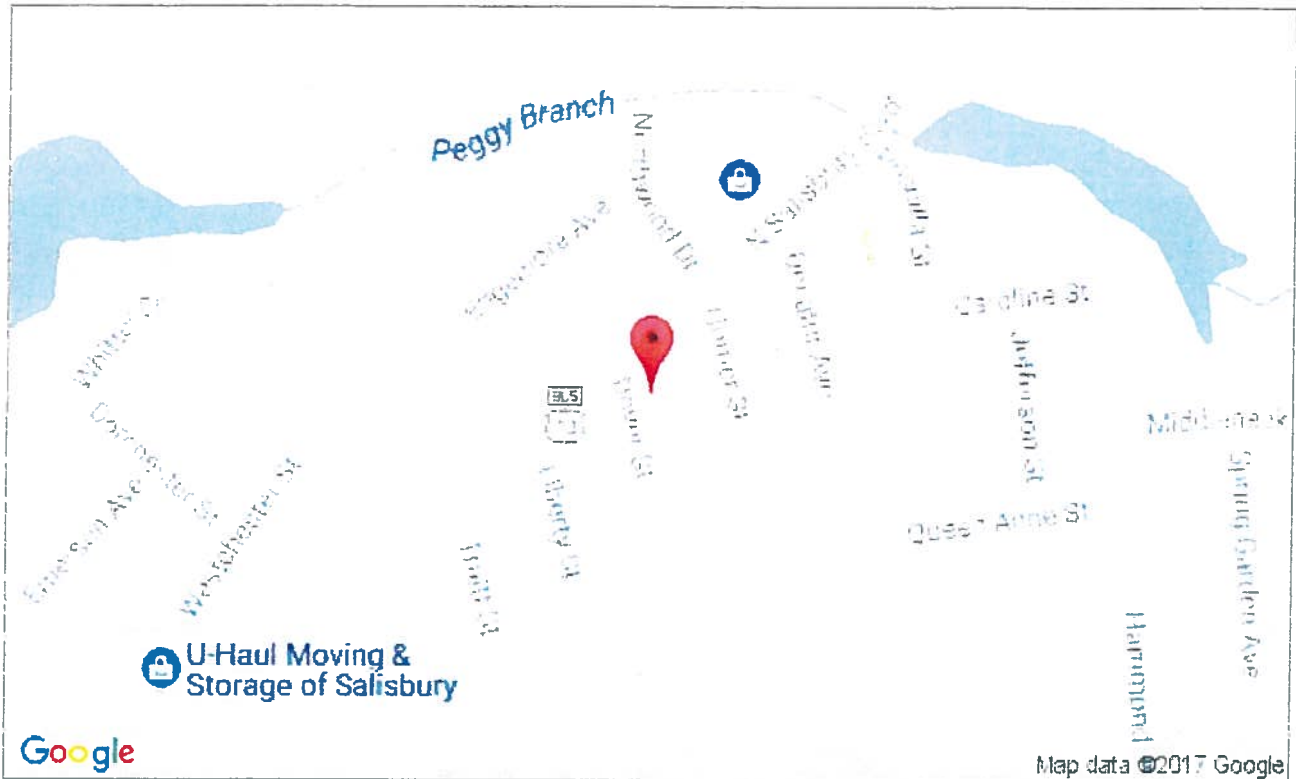


**Everbrite**

Site ID  
Address  
City, St Zip  
Survey Date

FDO4152
1527 N SALISBURY BLVD
SALISBURY, MD 21801
08/23/17

### Location Map & Satellite View



### Overview Photographs

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10

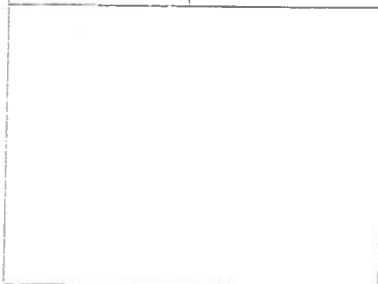


Photo 11

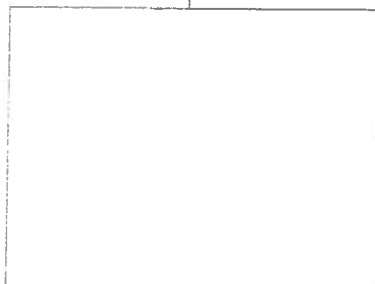
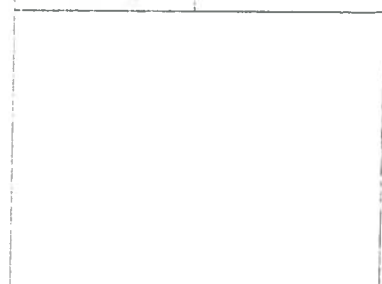


Photo 12

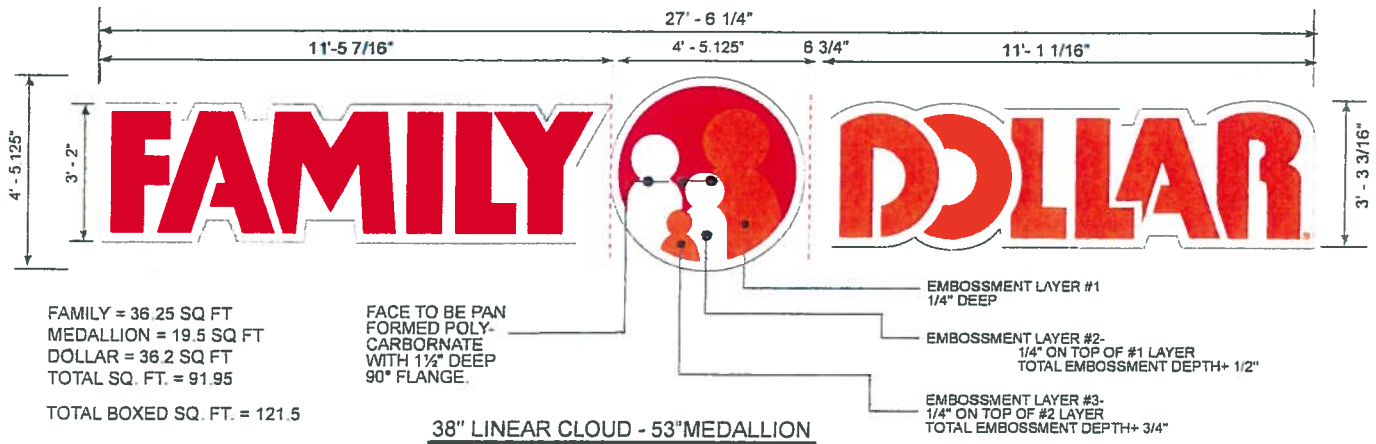




BEFORE



AFTER



		<small>DISCLAIMER: Rendering are for graphics purposes only and not for use for construction purposes. Everbrite LLC is not responsible for any errors or omissions. Please refer to the original specifications and drawings. These drawings and designs are the exclusive property of Everbrite LLC. Use of or duplication in any manner without express written permission of Everbrite LLC is prohibited.</small>	
Customer: FAMILY DOLLAR	Project No: 369346	Description: 38" Cloud Sign with 53" Medallion	Customer Approval: Graphics and colors on file will be used unless otherwise specified by customer. Please review drawing carefully. By signing below, you agree to graphics as shown above, and to location of sign as shown. Please return signed copy back to Everbrite.
Date: 8/17/17	Scale: NTS	Revised:	CUSTOMER SIGNATURE _____ DATE _____
Location & Site No: Salisbury, MD FDO4152	Drawn By: DB	Revised:	LANDLORD SIGNATURE _____ DATE _____





BEFORE



AFTER



DISCLAIMER: Renderings are for general overview only and are not intended for actual construction purposes. For detailed information, consult architects and engineers of the project. Everbrite LLC is not responsible for construction or installation drawings. These drawings and designs are the exclusive property of Everbrite LLC. Use of or replication in any manner without express written permission of Everbrite LLC is prohibited.

Customer: FAMILY DOLLAR

Project No: 369730

Scale: NTS

Date: 8/25/17

Drawn By: DB

Location & Site No: Salisbury, MD  
FDO4152

Description: Awning

Revised:

Revised:

Customer Approval: Graphics and colors on file will be used unless otherwise specified by customer. Please review drawing carefully. By signing below, you agree to graphics as shown above, and to location of sign as shown. Please return signed copy back to Everbrite.

CUSTOMER SIGNATURE

DATE

LANDLORD SIGNATURE

DATE



BEFORE



AFTER

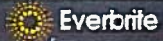


Overall Trim

Height : 35.5"  
Width : 119.75"

Visual Opening

Height : 33"  
Width : 116.25"



DISCLAIMER: Renderings are for illustrative purposes only and are not intended to represent actual construction or materials. All materials, equipment, and actual dimensions and items are subject to change without notice. These drawings and designs are the exclusive property of Everbrite, LLC. Use of, or distribution to, any third party without express written permission of Everbrite, LLC is prohibited.

Customer: FAMILY DOLLAR	Description: Replacement Face	Customer Approval: Graphics and colors on file will be used unless otherwise specified by customer. Please review drawing carefully. By signing below, you agree to graphics as shown above, and to location of sign as shown. Please return signed copy back to Everbrite
Project No: 369346	Scale: NTS	
Date: 8/17/17	Drawn By: DB	
Location & Site No: Salisbury, MD FDO4152	Revised:	CUSTOMER SIGNATURE _____ DATE _____
	Revised:	LANDLORD SIGNATURE _____ DATE _____

## FAST BREAK - PRELIMINARY CODE CHECK FORM

Project Name / Number: <u>4152</u>	Date Completed: <u>8/23/17</u>
Address: <u>1527 N Salisbury Blvd</u>	
City / State / Zip Code: <u>Salisbury, MD 21801</u>	
Zoning classification: <u>PUD</u>	
Overlays or special districts: <u>Shopping Center</u>	Contact for Permitting / Zoning: <u>Henry Eure</u>
Jurisdiction	Phone number: <u>410-548-3130</u>
City: <u>City of Salisbury</u>	Email address: _____
County: _____	Website: _____

### BUILDING SIGNAGE

#### WALL SIGNS

Permit required:  Yes  No

Permit required to reface:  Yes  No

If allowed to reface, can existing sq ft remain? \_\_\_\_\_

Formula for calculating sq ft: \_\_\_\_\_

Are allowances transferable? \_\_\_\_\_

Max sq ft: \_\_\_\_\_

Max qty allowed: \_\_\_\_\_

Max projection: \_\_\_\_\_

Max height: \_\_\_\_\_

Illumination allowed: \_\_\_\_\_

Restrictions: \_\_\_\_\_

Comments: Because area is in shopping center all proposed signage must be approved by the planning commission. There is no code per se, but the rule of thumb is 2sq ft. per linear foot of store frontage

#### UNDERCANOPY SIGNS

Allowed:  Yes  No

Permit required:  Yes  No

Max sq ft: \_\_\_\_\_

Count towards wall max total sq ft?  Yes  No

Min clearance: \_\_\_\_\_

Illumination allowed: \_\_\_\_\_

Restrictions: \_\_\_\_\_

Comments: N/A

#### AWNINGS & CANOPIES

Permit required:  Yes  No

Permit required to re-skin:  Yes  No

If allowed to re-skin, can existing sq ft remain? \_\_\_\_\_

Formula for calculating sq ft: \_\_\_\_\_

Max sq ft: \_\_\_\_\_

Max qty allowed: \_\_\_\_\_

Max height: \_\_\_\_\_

Illumination allowed: \_\_\_\_\_

Restrictions: \_\_\_\_\_

Comments: N/A

**TEMPORARY BANNERS**

Allowed:  Yes  No

Permit required:  Yes  No

How long can banner stay up? \_\_\_\_\_

Comments: N/A

**GROUND SIGNAGE**

Allowed:  Yes  No

Pole or Monument: \_\_\_\_\_

Permit required to reface:  Yes  No

If allowed to reface, can existing sq ft remain? \_\_\_\_\_

Formula for calculating sq ft: \_\_\_\_\_

Max sq ft: \_\_\_\_\_

Max qty allowed: \_\_\_\_\_

Max over all height: \_\_\_\_\_

Min clearance: \_\_\_\_\_

Setback requirements: \_\_\_\_\_

Site triangle: \_\_\_\_\_

Wind load: \_\_\_\_\_

Illumination allowed: \_\_\_\_\_

Restrictions: \_\_\_\_\_

Comments: See comments for wall signs

**PERMIT REQUIREMENTS**

Permits required:

City  Business License  Electrical

County  Contractor License

May be applied by:

Mail  Fax

Email  In Person

Documents required:

Scaled site plan  LL Authorization Letter

Elevation drawings  Sealed engineering

Legal description  Property ID number

Other  \_\_\_\_\_

Number of copies: \_\_\_\_\_

Document Size: \_\_\_\_\_

Signature required on applications:

Owner

Agent

Time to secure permit: \_\_\_\_\_

Permit expiration: \_\_\_\_\_

Permit extension allowed: \_\_\_\_\_

Process to obtain extension: \_\_\_\_\_

Time to secure extension: \_\_\_\_\_

Extension expiration: \_\_\_\_\_

Comments: \_\_\_\_\_

**VARIANCE**

Are variances allowed:  Yes  No

Probability of variance being granted: \_\_\_\_\_

Attempt permit first:  Yes  No

Permit required after variance approval:  Yes  No

May be applied by:

Mail  Fax

Email  In Person

Signature required on applications:

Owner

Agent

Representative to attend hearing:

Owner

Agent

Attorney

Application deadline: \_\_\_\_\_

Meeting dates and times: \_\_\_\_\_

Time to secure permit: \_\_\_\_\_

Variance expiration: \_\_\_\_\_

Estimated cost for variance: \_\_\_\_\_

Comments: \_\_\_\_\_

**GENERAL**

Is Union installation required? \_\_\_\_\_

Are there any existing non-conforming conditions to be aware of? \_\_\_\_\_

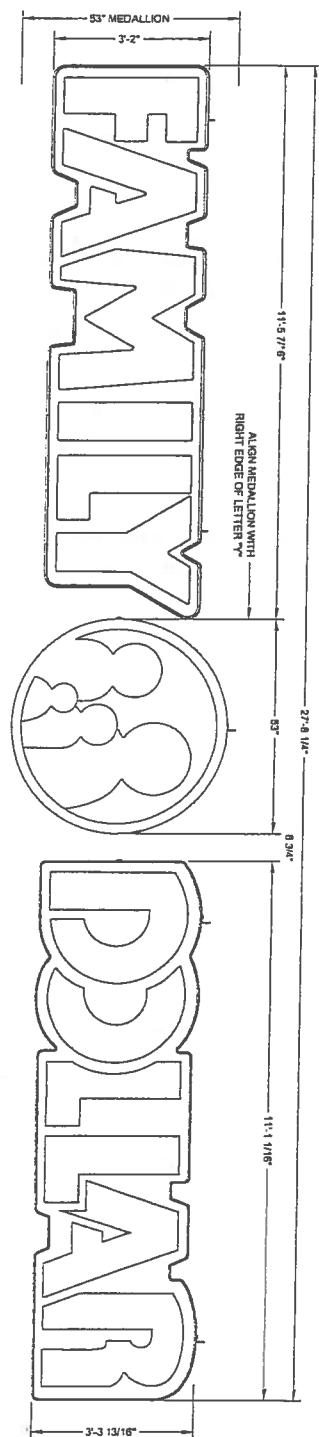
Does code require a licensed electrician to perform final connection? \_\_\_\_\_

Is inspection required to close permits? \_\_\_\_\_

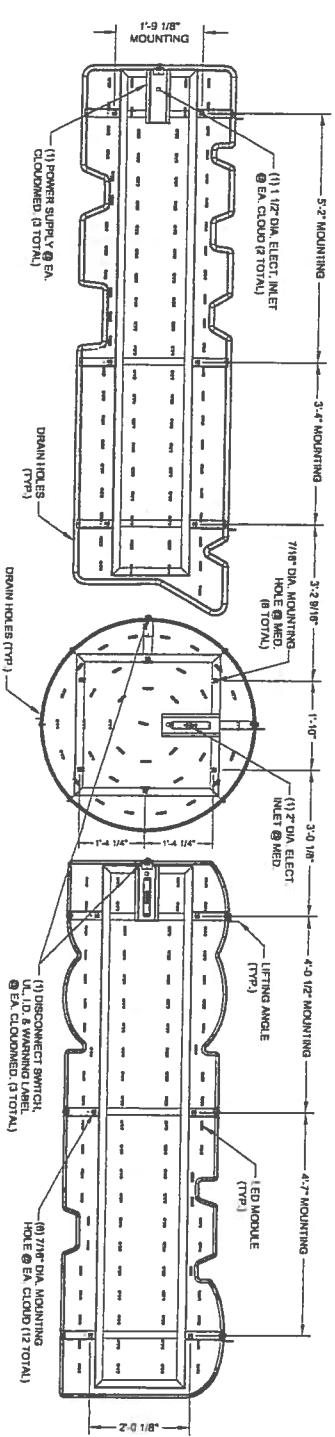
Does installer need to be on site with inspector at time of inspection? \_\_\_\_\_

Does installer need to provide any equipment for inspection to take place? \_\_\_\_\_

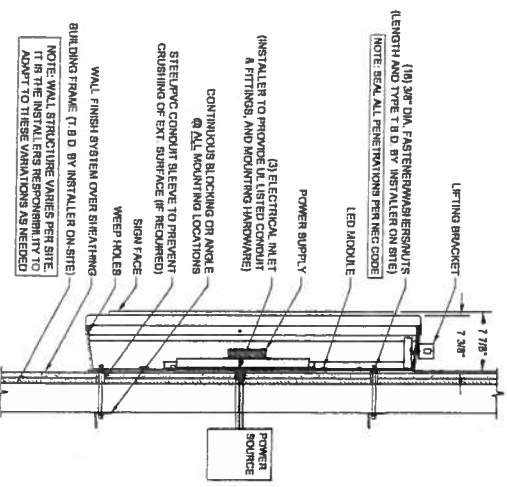
Comments: \_\_\_\_\_



**FRONT VIEW**  
SCALE 1:30

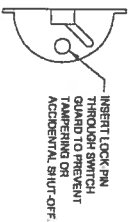


**FRONT VIEW W/O FACES**  
SCALE 1:30



**SECTION VIEW**  
SCALE 1:16

- INSTALLATION INSTRUCTIONS:**
1. OPEN PACKAGING CAREFULLY AND INSPECT FOR DAMAGE. IF DAMAGE IS FOUND, CLAIM MUST BE FILED WITHIN 15 DAYS WITH SHIPPING ADJUST.
  2. WHILE EXCESSIVE TEMPERATURES ON THE DESIGNATED MOUNTING SURFACE, MAKE SURE TO ALIGN THE TEMPERATURE HORIZONTAL CENTERLINES WHILE ALSO PROVIDING ALL MOUNTING AND BE BETWEEN 20-30 DEGREES BELOW 50 DEGREES F.
  3. LAYOUT AND PRE-DRILL ALL MOUNTING HOLES BETWEEN 20-30 DEGREES BELOW 50 DEGREES F. RECOMMEND FROM CLIENT OR CONTRACTOR.
  4. FILL ALL HOLES WITH BALDUC PASTE PRIOR TO MOUNTING THE SIGN.
  5. ATTACH THE CONTROLS TO THE MOUNTING SURFACE. BLOCKING SO ALL CONNECTION POINTS HAVE SUPPORT.
  6. BLOCKING SECURE FASTENERS FROM THE MOUNTING SURFACE. USE PVC SLEEVES TO PROTECT WALL FINISH SYSTEM.
  7. MAKE FINAL ELECTRICAL CHECK UP TO PRIMARY WIRING OF SIGN. USE PVC SLEEVES TO PROTECT WALL FINISH SYSTEM.
  8. TEST THE BRIDGE TO ENSURE PROPER FUNCTION. INSERT LOCK PIN INTO DISCONNECT SWITCH TO PREVENT TAMPERING AND ACCIDENTAL REPAIR.
  9. PERFORM TESTS AS REQUIRED.
  10. CLEAN INSTALLATION WORK SITE OF ALL EXCESS MATERIALS AND DEBRIS. DO NOT DISCARD ANY MATERIAL ON SITE DUMPSTERS.



**DISCONNECT DETAIL**  
SCALE 1:2

NO.	REV.	DESCRIPTION	DATE	DRN	CHK	DWG TITLE	SITE
C		ALIGNMENT NOTE / ADD DISCONNECT DETAIL	9-8-14	SAJ	RHB	FAMILY DOLLAR 30\"/>	
B		REMOVED 66\"/>					
A		RELEASED FOR INSTALL	4-25-14	SAJ	RHB	DRAWING	STANDARD
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

**Everlight**  
4848 80, 110TH ST.  
P.O. BOX 2080  
MILWAUKEE, WI 53220  
414.529.3500