



City of Salisbury

Jacob R. Day, Mayor

AGENDA

Regular Meeting

September 6, 2018

Government Office Building
Route 50 & N. Division Street
Council Chambers, Room 301, Third Floor

6:00 P.M. - Call to Order – Gil Allen

Board Members: Gil Allen, Brian Soper and Shawn Jester.

MINUTES – October 5, 2017

PUBLIC HEARINGS:

#SA-18-694 **First Move Properties, LLC** – Special Exception for height and density increases – 132 E. Main Street - Central Business District.

#SA-18-695 **Bret Davis/Davis Simpson Holdings, LLC** – Special Exception to operate a daycare center or nursery school – 2326 Goddard Parkway, Unit E – Light Industrial District.

* * * * *



City of Salisbury

Jacob R. Day, Mayor

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on October 5, 2017, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Albert G. Allen, III, Chairman
Jordan Gilmore, Vice Chairman
Chad Brown
Shawn Jester
Brian Soper

CITY STAFF:

Anne Roane, Planner
Henry Eure, Project Manager
Beverly Tull, Recording Secretary
Pete Golba, Assistant City Solicitor

* * * * *

Mr. Allen, Chairman, called the meeting to order at 5:55 p.m.

* * * * *

MINUTES:

Upon a motion by Mr. Soper, seconded by Mr. Jester, and duly carried, the Board **APPROVED** the minutes of the July 11, 2017 meeting as submitted.

* * * * *

Mr. Eure requested that anyone wishing to testify in the case before the Salisbury Board of Zoning Appeals stand and be sworn in. Mr. Eure administered the oath. Mr. Allen explained the procedure for the public hearing.

* * * * *

#SA-1707

Robert Hudson – Appeal of Building Official’s Decision – Continued use of Residential Structure – 1505 Mt. Hermon Road – Light Business and Institutional District.

Mr. Robert Hudson came forward. Ms. Anne Roane presented and entered the Staff Report and all accompanying documentation into the record. She summarized the report explaining that the applicant owns a residential property at 1505 Mt. Hermon Road. The property is zoned Light Business and Institutional, which does not allow residential uses, which makes this a nonconforming land use. The structure has been vacant in excess of one year. The Building Official of the Department of Infrastructure and Development notified the applicant by letter dated August 25, 2017 that the residential use was in violation of the City Zoning Code citing the section pertaining to this issue.

Mr. Allen questioned if there were any members from the City that were going to testify on this matter. Mr. Eure responded that we had requested a couple members of the City Staff to be present at the meeting but they were unable to attend. There is a letter from the Plumbing Inspector, George Wilkerson, included in the Staff Report.

Mr. Hudson explained that he had purchased the home about a year ago for his daughter but had not been in a rush to fix it up. A permit was pulled on December 15, 2016 and then he was stopped by the City in February or March and told that he didn't have a permit. Mr. Hudson stated that there was a debate about whether he had a permit to do the work and his most recent meeting with Staff last week they were able to find the permit. This summer someone from the City came out and said that he had to have a MHIC contractor complete the work. Mr. Hudson argued that he didn't need to have a contractor do the work and eventually the City agreed to let him pull a new permit and put that he was doing a new roof and repairs as the work description. Mr. Hudson stated that he was told a few weeks ago that he needed a tenant in the house within the year to keep it a residential home. Mr. Hudson stated that if he had known he needed a tenant in the house that he would have moved his daughter in and done the renovations around her. He explained that he allowed a friend going through hard times to move into the house in December 2016. The friend stayed in the house rent free until the end of January. Mr. Hudson stated that he had a statement from the person who lived there regarding the time frame and the neighbor agrees with the statement. Mr. Hudson explained he tried to get the gentleman to come to the meeting but he couldn't get off work. He added that he was not given any notice of this meeting and didn't know what to do here. The City Staff in a meeting last week stated that a packet for the meeting would be mailed and it was not received until two days prior to this meeting. Mr. Hudson stated that he had not had proper guidance on this matter from

the beginning. Mr. Allen responded that there is a requirement in the Code that evidence needs to be provided to the Staff 20 days prior to the meeting.

Mr. Hudson referenced the information in the Staff Report regarding the phalange being replaced and denied having replaced it. He stated that he had bought properties and had rentals all of his of life and has always replaced things that needed fixing and moved on.

Mr. Allen explained that the reason the case is before the Board is because of the zoning of the property not because of the work that is being done. The use stalled for more than a year so it is no longer a legal nonconforming use. Mr. Hudson argued the language regarding the nonconformity. He argued that it was a house when it was built and it is a house now.

Mr. Allen questioned when the property was purchased. Mr. Hudson responded that he really didn't know when he purchased the property as he bought several properties in the last year. Mr. Allen questioned if the property was purchased as a foreclosure. Mr. Hudson responded in the affirmative. Mr. Allen questioned what bank had the property. Mr. Hudson responded that Wells Fargo had the property and he purchased it through a realtor. Mr. Gilmore questioned if the date of transfer was November 30, 2016. Mr. Hudson responded that he really didn't remember when he purchased the property.

Mr. Jester questioned that the one year occupancy did not start from the date of the transfer. Mr. Eure responded in the affirmative and discussed the time line of dates. Mr. Jester confirmed that the City would go from the August 2016 date of when the bank took possession of the property for the one year to begin. Mr. Eure agreed.

Mr. Soper questioned when the letter was sent. Ms. Roane responded that a letter was sent in August 2017. Mr. Soper questioned when the permit was issued. Mr. Hudson responded that he got the roof permit in December 2016.

Mr. Allen questioned if anyone was occupying the structure when Mr. Hudson purchased it. Mr. Hudson responded in the negative.

Mr. Jeff Wiggs, 1503 Mt. Hermon Road, stated that the house was vacant when he moved into his residence in November 2015. The friend of Mr. Hudson's moved in around Christmas of 2016 and was homeless more or less. He stated that he helped him out with water and that he was only there for a month or so.

Mr. Gilmore questioned the statement of helping the tenant out with water. Mr. Wiggs responded that there was not any water at the house when the tenant was there for a month. The electric got turned on by Tony's Electrical in December 2016

and MDIA did the inspection. Mr. Gilmore questioned if anyone had lived there since the man moved out. Mr. Wiggs responded in the negative, adding that Mr. Hudson started working on the house after the man moved out.

Mr. Allen questioned if the house was up to Code. Mr. Hudson responded that there was not a kitchen at the moment. Mr. Allen questioned if there were any Code violations. Ms. Roane responded that she was not aware of any. Mr. Hudson added that someone stole wiring out of the house and he has removed other stuff to replace.

Mr. Hudson questioned why his permit keeps getting cancelled so he can't finish the roof. Mr. Allen responded that any questions regarding the building permit would need to be directed to Mr. Holland in the Infrastructure and Development Department.

Mr. Allen questioned the dates that the property was not occupied. Mr. Eure responded that the City deems the property vacant from February 19, 2016 forward.

Mr. Jester questioned the definition of occupancy. Mr. Eure responded that the Code does not have a definition for occupancy and would refer to the Webster's Dictionary for a definition. Mr. Gilmore questioned the definition of use in the Code and if it meant single family dwelling. Mr. Eure responded that the property would have to be used and not sitting on the market for sale.

Ms. Roane stated that Staff had requested utility bills or evidence that someone had lived in the home but Mr. Hudson could not provide any proof.

Mr. Allen questioned if the issue of the property not being occupied was due to the sale or because of the period of time it sat unoccupied. Ms. Roane responded it is based on the period of the time that the property remained unoccupied.

Mr. Brown questioned if there were any receipts from when the electricity was turned on. Mr. Hudson showed Mr. Brown a receipt, adding that he had a generator on-site for the gentleman staying in the house but it was stolen and there is a police report.

Mr. Hudson explained that this is causing him a hardship. He stated that no one called to tell him that there was an issue or he would have put more effort into fixing it up. The same issues have happened with the electrical permit. All the mistakes regarding this case are of no fault of his own.

Mr. Wiggs stated that he worked for the company that had restored the electric back to the house and that Mr. Cook did the inspection.

Mr. Allen questioned when it first came to the attention of the Staff that the home was unoccupied. Mr. Eure responded that he couldn't give an exact date but the Building Inspector first went out was in December 2016 and it was unoccupied at that time. The Building Inspector, Chad Goblinger, has made subsequent inspections.

Mr. Jester questioned Mr. Wiggs that he had moved into his home on Mt. Hermon Road in November 2015 and the gentleman who stayed there didn't move in until December 2016 so that is a year and a month from the time that you occupied your home. Mr. Wiggs responded in the affirmative.

Mr. Soper noted that through no fault of Mr. Hudson's the property was vacant for over a year and the request for extension of time to occupy the unit was not done therefore, the nonconforming status has lapsed.

Mr. Wiggs reiterated that Mr. Hudson purchased the property for his daughter. Mr. Allen thanked Mr. Wiggs for his testimony and explained that someone smarter than the Board determined that the area should be zoned Light Business and that is the reason that everyone is at this meeting.

Mr. Allen made a motion to **UPHOLD** the Building Official's decision. After some discussion regarding the Chairman making a motion, he withdrew his motion.

Upon a motion by Mr. Gilmore, seconded by Mr. Brown, and duly carried, the Board **UPHELD** the decision of the Department of Infrastructure and Development and **DENIED** the use of the property as a single family dwelling. This decision was based on the testimony given by Mr. Jeff Wiggs as well as Section 17.16.040D of the Zoning Code which states "No building, structure or lot where a nonconforming use has substantially ceased for a continuous period of one year, whether or not fixture or equipment are removed, shall again be put to a nonconforming use."

* * * * *

ADJOURNMENT

With no further business, the meeting was adjourned at 6:35 p.m.

* * * * *

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.

Albert G. Allen, III, Chairman

Amanda Pollack, Secretary to the Board

Beverly R. Tull, Recording Secretary

SALISBURY BOARD OF ZONING APPEALS

Notice of Public Hearing

Under Section 17.12.100, Title 17, Zoning, of the Salisbury Municipal Code, the following appeals have been filed for relief on properties in the City of Salisbury, and,

PUBLIC HEARINGS WILL BE HELD ON

THURSDAY, SEPTEMBER 6, 2018

in Room 301, Council Chambers, Third Floor, Government Office Building, Route 50 and North Division Street, Salisbury, Maryland, to hear proponents and opponents, if there be any. The public meeting will begin at **6:00 p.m.**

SPECIAL EXCEPTION – DENSITY AND HEIGHT INCREASES

First Move Properties, LLC, on property owned by the same, in accordance with the requirements of Sections 17.24.040B.2.c, 17.24.040B.3.b. and 17.232.020 of the Salisbury Municipal Code, requests permission to increase the density and height for a proposed apartment building located at 132 E. Main Street in the Central Business District. The Code permits density and height increases by Special Exception. Board approval of a Special Exception for density and height is requested.

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

(FOR FURTHER INFORMATION CALL 548-3130)

Publication Dates: 8/23/18 and 8/30/18



STAFF REPORT

MEETING OF SEPTEMBER 6, 2018

Case No. 201800694
Applicant: Nicholas Simpson
Property Owner: First Move Properties, LLC
Location: 132 East Main Street
Tax Map: #107
Grid #15, Parcel #856
Zoning: Central Business District
Request: Special Exception – Height and Density Increases

I. SUMMARY OF REQUEST:

The applicant proposes to redevelop an existing four-story office building to a ten story building with a commercial retail first floor and the remaining nine stories as luxury apartments. Board approval of a Special Exception for the height and density is requested.

II. ACCESS TO THE SITE AREA:

The site has frontage and access on the south side of East Main Street.

III. DESCRIPTION OF PROPERTY:

This site is 4,400 square feet in size and has been improved with the existing 16,456 sq. ft., four-story office building, which was constructed in 1920. **(Attachments 1 & 2)**

IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

Surrounding properties are also in the Central Business zoning district. Nearby buildings include the Chamber of Commerce, the U.S. Post Office, Wicomico County Courthouse, and the Salisbury Parking Garage.

V. EVALUATION:



City of
Salisbury
Jacob R. Day, Mayor

- (a) **Discussion:** The applicant proposes to enlarge the existing four-story building at this location by adding six stories. The overall height of the building will be increased to 120 feet. The Zoning Code requires a special exception for buildings exceeding 75' in height in the Light Industrial District. The renovated building will consist of a first floor retail area, and the remaining nine stories will consist of luxury two and four bedroom apartments. A total of 25 residential units are proposed, with a density rate of 250 units per acre. The Code also requires a special exception for apartment buildings with a density in excess of 40 units per acre. Parking for the tenants is proposed to be provided in the city's parking garage, and will be accesses via a 4th story walking bridge which will connect the garage to the subject property.
(Attachments 3, 4, & 5)
- (b) **Impact:** Staff believes the proposed addition will have a significant impact on adjacent properties, and the downtown area in whole, by bringing additional commerce to downtown area businesses.
- (c) **Relationship to Criteria:** In addition to the criteria discussed above pertaining to increased density and height, Section 17.232.020B. of the Salisbury Municipal Code contains the criteria the Board should consider when approving special exceptions. Staff finds that this request complies with the Special Exception criteria as follows:
- [1] **The proposal will be consistent with the Metro Core Plan, the objectives of the Zoning Ordinance and any other applicable policy or plan adopted by the Planning Commission or City Council for development of the area affected.**
- The site is located in the Central Business zoning district, which inherently allows apartments above the first floor, as well as apartment buildings. Retail sales and office uses are also permitted within the district. Increases in height and density of residential uses is permitted by special exception. The Metro Core Plan states, "The CBD should be targeted for more office, retail and residential development, thereby strengthening its role as a vital city center where people come to work, live, and play."
- [2] **The location, size, design and operating characteristics under the proposal will have minimal adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.**



The proposed redevelopment is expected to bring additional business to nearby stores and restaurants which will in turn increase property values.

- [3] The design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.**

The proposed addition lends itself to the historical flavor of the Downtown Historic District, as was evidenced by the Historic District Commission's approval of the project.

- [4] The proposal will not be detrimental to or endanger the public health, security, general welfare or morals.**

Staff does not find that the proposed use will have a negative effect on any of these items.

- [5] The proposal will not impair an adequate supply of light or air to adjacent property or overcrowd the land or create any undue concentration of population or substantially increase the congestion of the streets or create hazardous traffic conditions or increase the danger of fire or otherwise endanger the public safety.**

Although the height of the proposed building will obviously cast some shadows on neighboring properties, other negative impacts will be negligible. As the property is located in the heart of downtown, with parking provided in the parking garage, traffic should not be impacted, as residents will be within walking distance to many activities.

- [6] The proposal will not adversely affect transportation or unduly burden water, sewer, school, park, stormwater management or other public facilities.**

The proposal should have minimal impacts on transportation, water, sewer, stormwater management or other public facilities.

- [7] The proposal will preserve or protect environmental or historical assets of particular interest to the community.**

As the proposal has received approval from the Salisbury Historic District Commission, it is expected that the development as proposed will enhance the Downtown Historic District.



- [8] The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property value for speculative purposes.**

The applicant has in the past demonstrated an interest in maintaining the vitality, appearance and economic growth of Salisbury by investing in other properties and improving the appearance and value of the same.

Furthermore, Section 17.24.040B.4. of the Salisbury Municipal Code contains the criteria the Board should consider when approving special exceptions in the Central Business District. Staff finds that this request complies with the Special Exception criteria as follows:

- [i] Recommendation from the planning commission.**

The proposed development is scheduled to be addressed by the Salisbury Planning Commission at its September 20, 2018 meeting.

- [ii] The type of residential development proposed relative to the ability of the site to accommodate the density proposed.**

The existing building essentially extends to all property lines. The footprint will not be altered upon expansion. Density will be increased by expanding the building vertically. The necessary parking increases warranted by adding residential uses has been addressed by securing parking in the city's parking garage.

- [iii] The availability of city services to the site, such as water, sewer, streets and parking lots or structures; and whether the site can accommodate a higher density and/or height without an undue burden of expense to the city.**

All necessary infrastructure is currently in place and adequately serves the site, although water upgrades may be necessary. The applicant and city are currently in discussions regarding any upgrades that may be required. The existing parking garage is sufficiently sized to accommodate the additional parking required to serve the residents of the apartments.



- [iv] The functional, visual and spatial relationship of the proposed height relative to surrounding development and the CBD as a whole.**

Although the building will be considerably taller than surrounding buildings, it will appear similar in overall height to the One Plaza East building located at the southeast corner of Main and Division Streets, due to the change in grade along East Main Street.

- [v] Whether the proposed height will create an intrusion or conflict with the spatial arrangement of existing or proposed buildings.**

The proposed addition should not cause conflict with surrounding properties, and will help serve to create a symmetry in height with taller structures “bookending” both ends of the block.

- [vi] Shadows which may interfere with solar panels or other solar equipment already in existence or under contract to be installed on existing buildings or buildings approved for construction in the immediate vicinity.**

None of the surrounding properties contain solar panels/equipment, and the city is not aware of projects in the neighborhood that will include the installation of this type of equipment.

- [vii] Water pressure and capability of community firefighting equipment, in addition to any required construction of fire safety devices, to assure safety of occupants.**

The proposed building addition will raise the overall height of the building to 120 feet. The city’s ladder truck can extend to 95 feet. The building will be of type 1A construction, which will consist entirely of noncombustible materials. According to the 2015 International Building Code, which has been adopted by the City of Salisbury, buildings of type 1A construction have a maximum building height of 180 feet. Apartments are required to be protected with an automatic sprinkler system.

- [viii] The merits of the design and whether the treatment of setbacks, landscaping or other amenities, in addition to architectural treatment**



City of Salisbury

Jacob R. Day, Mayor

of the building, provide an excellence of design which contributes to the furtherance of the purpose of the CBD.

The proposed construction is a vertical addition to an existing structure. Building setbacks are already established, and will not change. The addition's design, as shown, has received approval from the Salisbury Historic District Commission, and will enhance the city's skyline. Furthermore, the addition of 25 apartments within the Central Business District meets the Salisbury Zoning Code purpose as set forth in section 17.24.010C., which states in part, "...to enhance the vitality of the downtown by encouraging residential uses..."

VI. STAFF COMMENTS:

The proposed project, which is ambitious, has the support of the city's administration, as well as approval from the Historic District Commission. The project is scheduled to be reviewed by the Planning Commission at their September 20, 2018 meeting, as required by the Zoning Code. The addition will undoubtedly change the appearance of the city's downtown skyline, however, the design lends itself to enhancing the city's downtown historic district. The use of the property for first floor retail with residential uses above meets the purpose of the city's Central Business District by placing a mixture of both uses within the district to strengthen the role of the downtown area. Infusing the downtown with new dwelling units will help bring additional commerce to the surrounding area, especially retail and food service locations. Furthermore, by incorporating the parking for the building in the adjacent parking garage, traffic congestion will be minimized.

VII. RECOMMENDATION:

Based on the criteria for approval as discussed above in this staff report, Section V (c), the Planning Staff recommends **Approval** of the Special Exception requests to increase the building height to 120 feet, and increasing the density to 250 units per acre, subject to the recommended condition as follows:

CONDITION OF APPROVAL:

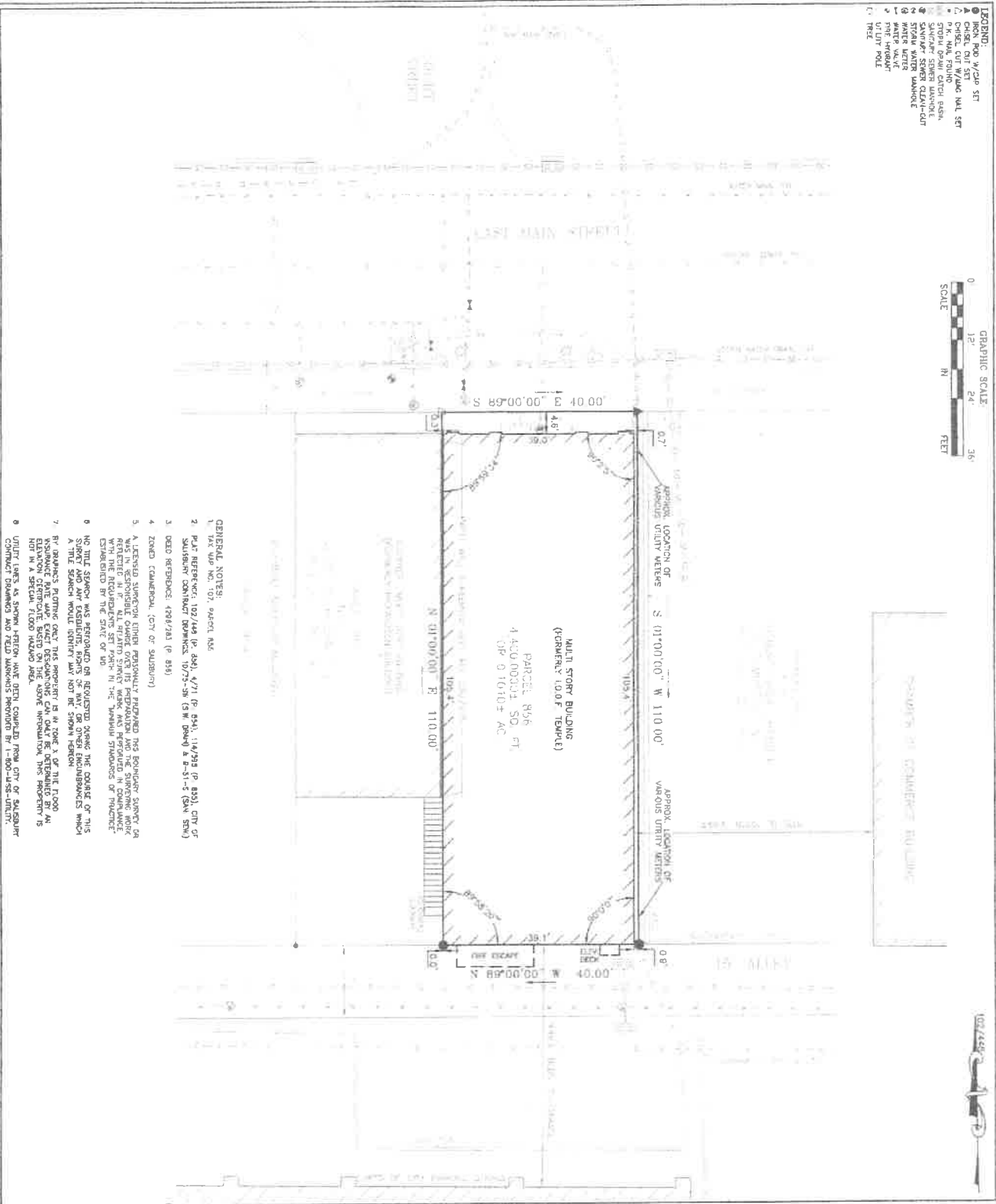
1. Obtain a Certificate of Design and Site Plan Approval from the Salisbury Planning Commission prior to construction, as required by section 17.24.020 of the Salisbury Zoning Code.

COORDINATOR: Henry Eure, Project Manager
DATE: August 28, 2018



Attachment #1

- LEGEND**
- ▲ CHECK, OUT SET
 - △ CHECK, CUT W/LOC. TAIL SET
 - PERMANENT BENCH MARK
 - SURVEY STATION
 - SURVEY STATION - CLAY-CUT
 - WATER METER
 - WATER VALVE
 - FIRE HYDRANT
 - UTILITY POLE
 - TREE



- GENERAL NOTES:**
1. TAX MAP NO. 107, PAGE 145.
 2. PLAT REFERENCE: 102/144 (P. 24), 4/71 (P. 84), 114/293 (P. 83), CITY OF SALISBURY CONTRACT DOCUMENT 10/25-26 (31 W. DRUM) & 5-31-5 (31 W. STN).
 3. ZONED REFERENCE: 102/144 (P. 83).
 4. ZONED CREWMAN, (CITY OF SALISBURY).
 5. A LICENSED SURVEYOR, EITHER PERSONALLY PREPARED THIS BOUNDARY SURVEY OR UNDER HIS CLOSE PERSONAL SUPERVISION AND THE SURVEYING WORK WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT, ESTABLISHED BY THE STATE OF MD.
 6. NO TITLE SEARCH WAS PERFORMED OR REQUESTED DURING THE COURSE OF THIS SURVEY AND ANY EXISTING RIGHTS OF WAY, OR OTHER ENCUMBRANCES WHICH A TITLE SEARCH WOULD REVEAL MAY NOT BE SHOWN HEREON.
 7. IF BUREAU'S PLANNING ONLY THIS PROPERTY IS A ZONE X OF THE FLOOD HAZARD MAP, THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ELEVATION CERTIFICATE BASED ON THE ABOVE INFORMATION. THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA.
 8. UTILITY LINES AS SHOWN HEREON HAVE BEEN COMPILED FROM CITY OF SALISBURY CONTRACT DOCUMENTS AND FIELD MARKS PROVIDED BY 1-800-448-UTILITY.

BOUNDARY SURVEY

FIRST MOVE PROPERTIES, LLC

132 EAST MAIN STREET
CITY OF SALISBURY
PARSONS ELECTION DISTRICT
WICOMICO COUNTY, MARYLAND

DATE: 04/19/18
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: 04/20/18
DATE: 04/21/18
JOB NUMBER: 18-487
SHEET: 1 OF 1

REVISIONS	
Date	Issued for:

F. Douglas Jones
Surveying Associates
939 Mount Hermon Road
P.O. Box 2658
Salisbury, Maryland 21802
Phone: 410-543-2615
Fax: 410-543-8859

FIRST MOVE PROPERTIES, LLC

**P.O. Box 335
Salisbury, MD 21803**

August 6, 2018

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

Re: First Move Properties, LLC, "The Ross Building"; 132 E. Main Street, Salisbury, Maryland 21801 (Map 0107, Grid 0015, Parcel 0856); Request for Special Exception

Dear Ms. Roane,

Pursuant to Chapter 17.232 of the City Code, please accept for filing this letter and the enclosed Application submitted, on behalf of First Move Properties, LLC ("First Move"), requesting two (2) Special Exceptions in connection with the redevelopment of 132 E. Main Street, Salisbury, Maryland 21081 (the "Building"). First Move plans to redevelop the Building from a four-story building used solely as commercial office space into a ten-story building, complete with nine-stories of one-person to four-person luxury-style apartments, plus commercial retail operations on the first floor (the "Project"). In order to develop the Project, First Move respectfully requests the City of Salisbury Board of Zoning Appeals (the "Board") grant First Move the following two (2) Special Exceptions:

- (1) Special Exception for Increased Height (Chapter 17.24.040(B)(3))** – Pursuant to Chapter 17.24.040(B)(3), First Move requests a Special Exception permitting a building-height of 120 feet.
- (2) Special Exception for Increased Density (Chapter 17.24.040(B)(2))** – Pursuant to Chapter 17.24.040(B)(2), First Move requests a Special Exception permitting density in excess of forty (40) units per acre for development of the Project.

Request for Special Exception for Increased Height:

As planned, the Project calls for the addition of six floors to the Building, resulting in ten stories and a height totaling 120 feet. The proposed Building-height of 120 feet includes improvements creating a roof-top area available for use by the Building's residents, as well elevator shafts and other related mechanical improvements. Installed at the top of the Building. The Building is located in the City's Central Business District (the "CBD"); under Chapter 17.24.040(B)(3)(a), seventy-five feet (75) feet is the maximum permitted height for all buildings or structures located in the CBD, unless otherwise permitted by Special Exception. Accordingly, to construct the Project as planned, First Move requests a Special Exception permitting a height of 120 feet for the Building.

The Project complies with the City's goals for development in the CBD zoning district. At its heart, the purpose of the CBD: "is to maintain and strengthen the role of the downtown area as the community and regional center for a broad range of governmental, cultural, institutional, professional, business, service and retail activities; [and,] to enhance

FIRST MOVE PROPERTIES, LLC

**✓ P.O. Box 335
Salisbury, MD 21803**

the vitality of the downtown by encouraging residential uses." (See Chapter 17.24.010(C)). Here, the Project involves completely remodeling and repurposing the Building by converting the 1st floor into commercial retail space and the 2nd through 4th floors into residential units, and constructing six additional floors to the Building finished with additional residential units. All told, the Project will convert the Building from one used exclusively for office space into a ten-story building equipped with twenty-five (25) luxury-style apartments and first-floor commercial retail storefronts. When finished, the Project will more than double the residential inventory available for rent in Downtown Salisbury; and, because the Project is centrally focused on offering high quality apartment-style rentals to university students, the Project will inextricably strengthen the connection Downtown Salisbury shares with Salisbury University.

Enclosed with First Move's Application are conceptual renderings of the Project, showcasing its attractive, one-of-a-kind design for Downtown Salisbury. As designed, the Project will not impair the supply of adequate light and air to adjacent properties; nor will the Project create any intrusion or conflict with the spatial arrangement of existing or other proposed structures. To the contrary, standing 120 feet tall, the Building will be the tallest structure in Salisbury and dramatically change the cityscape and skyline of our Downtown.

Accordingly, for development of the Project, First Move requests the Board grant a Special Exception, under Chapter 17.24.040(B)(3)(b), permitting a height of 120 feet for the Building.

Request for Special Exception for Increased Density:

The property on which the Building is located consists of 0.101 acres +/- (a copy of the boundary survey for the Project is enclosed with First Move's Application). As planned, the Project will consist of twenty-five (25) units, made-up primarily of four-person apartment units and some two-person units. Pursuant to Chapter 17.24.040(B)(2)(b), the inherent density for development in CBD may not exceed forty (40) units per acre; however, under Chapter 17.24.040(B)(2)(c), the Board may increase the permitted density by special exception. Accordingly, First Move requests the Board grant a Special Exception increasing the permitted density for the Project's planned twenty-five (25) residential units.

The Project's ten-story Building will sufficiently accommodate the development of twenty-five (25) apartment units First Move intends to market for student-housing. City water and sewer service is available to serve the Project once developed; and, the increased density (and, for that matter, increased height) will not impose any undue burden or expense on the City. As for the availability of streets and parking, the Project includes plans for construction of a walking-bridge connecting the Building (at its fourth story) to the City's parking garage, to meet the parking needs of the Building's residents.

The Project is consistent with the City's current plans for development of property zoned CBD, as it will directly link the students of Salisbury University to Downtown Salisbury. As designed, the Project will not adversely impact the livability, value or development of abutting properties and the surrounding areas of Downtown Salisbury, nor

FIRST MOVE PROPERTIES, LLC
P.O. Box 335
Salisbury, MD 21803

will the Project be detrimental to or endanger the public health, security and general welfare; to the contrary, the Project – by its very nature – will substantially add to the livability of the Downtown Salisbury area and increase the value of abutting and nearby properties.

The Project will comply with all storm water management and environmental regulations. As for protecting the historical assets of the community, First Move has already begun the process of obtaining the necessary approvals from the Historic District Commission (the “HDC”) for the Project’s development: at its March 28, 2018 meeting, the HDC held a Pre-Application Conference to discuss First Move’s development of the Project; and, as of the date of this letter, First Move has filed an application requesting the HDC approve the Building’s proposed height of 120 feet and the design for the Building’s facade.

Accordingly, First Move respectfully requests the Board grant a Special Exception increasing the permitted density standard in CBD for First Move to develop the Project as planned.

Conclusion:

As the Building nears its 100-year anniversary, First Move is excited to bring this generational redevelopment project to the City. At its core, the Project is designed to maintain the historical integrity of the Building, which was originally built in 1920-21 for the fraternity operations of the Independent Order of Odd Fellows. When completed, the Project will bring longstanding goals for Downtown Salisbury to reality, by remodeling the Building into high-end residential units in a fashion that will transform the cityscape of our Downtown. First Move is proud to stand behind the development of a project that will serve as a signature testament to the long, successful and continuing hard work for the redevelopment of Downtown Salisbury.

Enclosed is First Move’s Application to the Board and Application Fee, along with conceptual renderings of the Project, including drawings depicting the Building’s proposed height, and boundary survey for the Project. Please kindly schedule First Move’s Application for consideration by the Board at its September 5, 2018 meeting.

On behalf of First Move, thank you for your time and consideration of this request.

Respectfully Submitted,



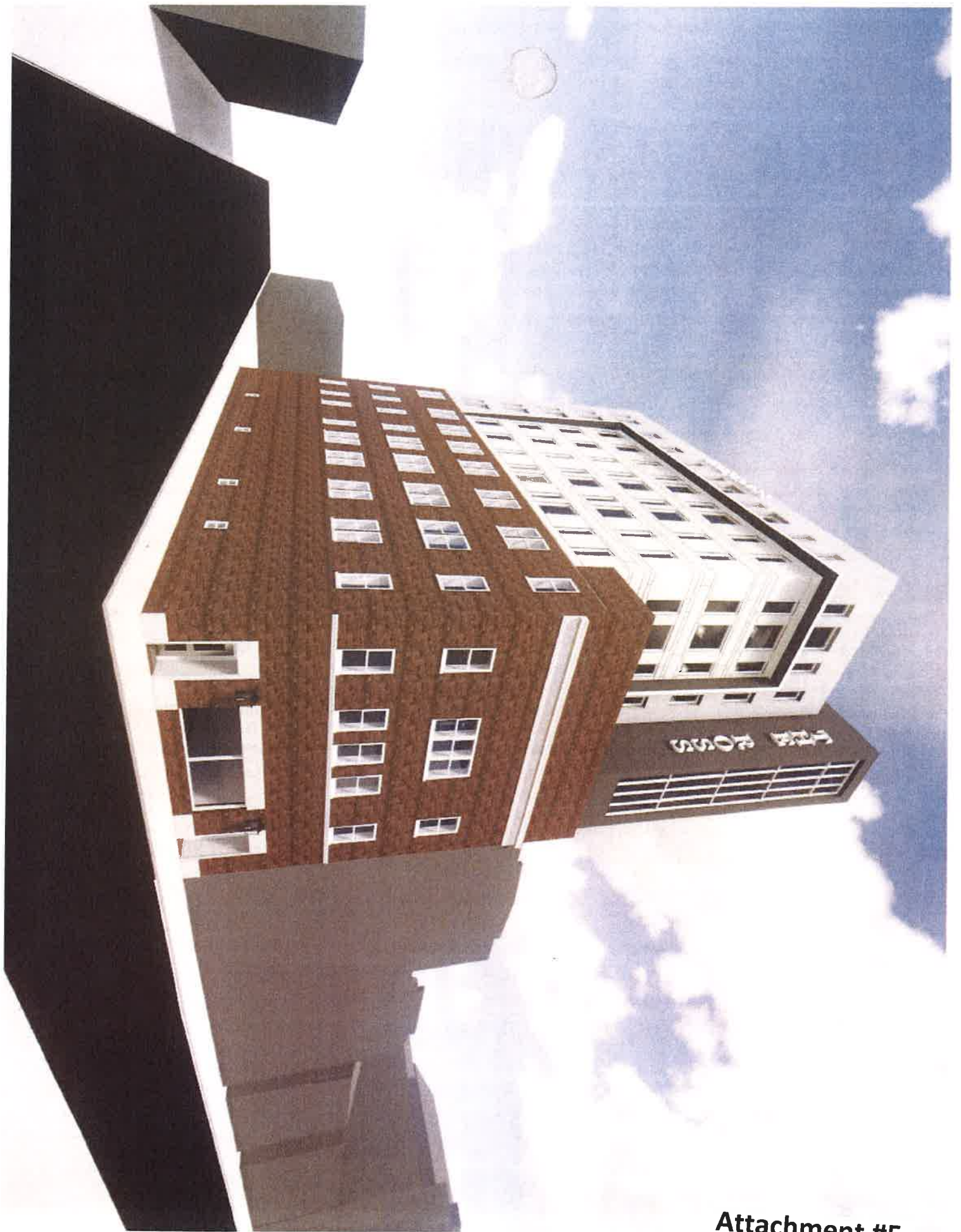
Nicholas Simpson,
First Move Properties, LLC

Enclosures/



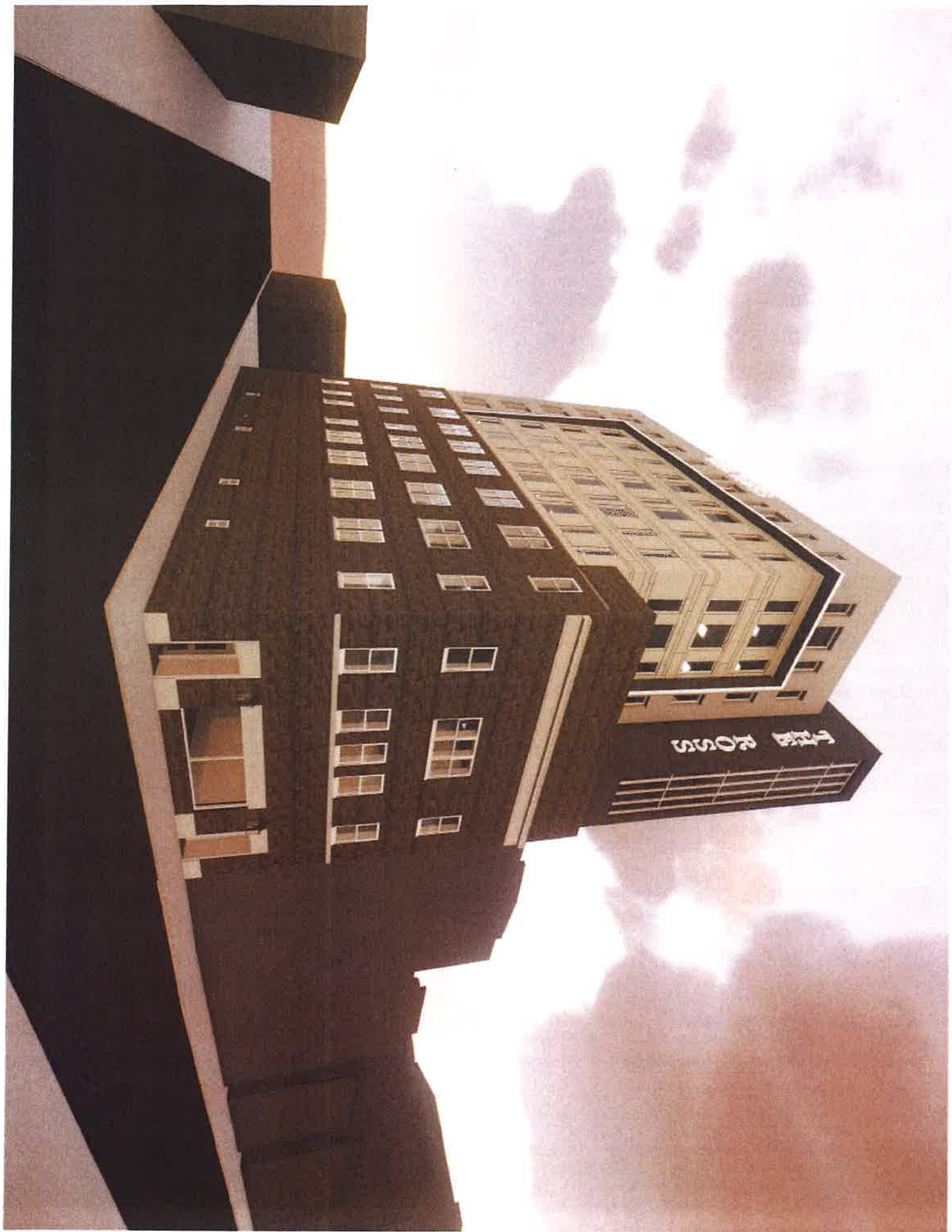
BECKER
MORGAN
GROUP
ARCHITECTURE
ENGINEERING

THE ROSS: 132-134 E. MAIN STREET
2018010.00
07.16.18



Attachment #5





SALISBURY BOARD OF ZONING APPEALS

Notice of Public Hearing

Under Section 17.12.100, Title 17, Zoning, of the Salisbury Municipal Code, the following appeals have been filed for relief on properties in the City of Salisbury, and,

PUBLIC HEARINGS WILL BE HELD ON

THURSDAY, SEPTEMBER 6, 2018

in Room 301, Council Chambers, Third Floor, Government Office Building, Route 50 and North Division Street, Salisbury, Maryland, to hear proponents and opponents, if there be any. The public meeting will begin at **6:00 p.m.**

SPECIAL EXCEPTION – DAYCARE CENTER

Bret Davis, on property owned by Davis Simpson Holdings, LLC, in accordance with the requirements of Sections 17.76.020B.3 and 17.232.020 of the Salisbury Municipal Code, requests permission to establish a day care center or nursery school in a building located at 2326 Goddard Parkway, Unit E in the Light Industrial District. The Code permits a daycare center or nursery school by Special Exception. Board approval of a Special Exception for a daycare center is requested.

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

(FOR FURTHER INFORMATION CALL 548-3130)

Publication Dates: 8/23/18 and 8/30/18



STAFF REPORT

MEETING OF SEPTEMBER 6, 2018

Case No. 201800695
Applicant: Bret Davis
Property Owner: Davis Simpson Holdings, LLC
Location: 2326 Goddard Parkway
Tax Map: #100
Grid #16, Parcel #0013
Zoning: Light Industrial District
Request: Special Exception – Day care center.

I. SUMMARY OF REQUEST:

The applicant proposes establishment of a day care center or nursery school for up to 114 infants and children on this property. Board approval of a Special Exception for the Day Care Center is requested.

II. ACCESS TO THE SITE AREA:

The site has frontage and access on the westerly side of Goddard Parkway and southerly side of Naylor Mill Road.

III. DESCRIPTION OF PROPERTY:

This site is 2.85 acres in size and developed with the existing 27,115 sq. ft. multi-tenant office building, which was constructed in 1987. A space consisting of 6,594 sq. ft. is proposed for use by the day care. **(Attachment #1)**

IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

Surrounding properties to the west and south are also in the Light Industrial zoning district. Properties to the east are within the city's Industrial Park district, while across Naylor Mill Road to the north properties are in the city's Light industrial and Wicomico County's Heavy Industrial. Notable businesses and services in the area include Pepsi, Coca-Cola, Matech, K&L Microwave and the Wicomico County Sherriff's office.

V. EVALUATION:



City of Salisbury

Jacob R. Day, Mayor

- (a) **Discussion:** The applicant proposes establishment of a day care center for up to 114 children and infants at this location. **(Attachment #2)** A total of 27 employees would serve the use when at full capacity. The Code requires a special exception for day care centers in the Light Industrial District.

The prospective tenant intends on relocating her existing daycare service, which currently has 54 students and 14 to employees to the subject location, where they propose utilizing approximately 6,600 sq. ft. of the existing multiple tenant office building for the day care center. The new daycare will feature 4 classrooms for older children, as well as 2 toddler and two infant rooms. **(Attachment #3)**

The Zoning Code requires parking spaces for a day care center to be provided at a rate of one space per 10 children and one space per two employees. A loading/unloading space for drop-off and pick-up of children is also required by the Code. A site plan displaying parking was not provided. If the daycare were at full capacity, a total of 26 parking spaces, plus one loading space would be required. For comparison, an office space of the same square footage would require 33 parking spaces. Ample parking for the daycare will be provided, despite the potential loss of up to 7 parking spaces for the construction of an outdoor play area.

Section 17.220.040, Special Development Standards, of the Code also requires a 10 ft. landscaping screening area around the play area to provide privacy. The fenced area at the rear (west side) of the building does not include any landscaping immediately adjoining the play area, but an existing, mature screening buffer is provided along the westerly property line.

- (b) **Impact:** Staff believes this use will have minimal impact on adjacent properties, but has the potential to offer a necessary service to many employees who work at nearby businesses.
- (c) **Relationship to Criteria:** In addition to the criteria discussed above pertaining to increased density, Section 17.232.020 of the Salisbury Municipal Code contains the criteria the Board should consider when approving special exceptions. Staff finds that this request complies with the Special Exception criteria as follows:

- [1] **The proposal will be consistent with the Metro Core Plan, the objectives of the Zoning Ordinance and any other applicable policy or plan adopted by the Planning Commission or City Council for development of the area affected.**

The site is located in a Light Industrial zoning district, which allows Day Care Centers or Nursery Schools by Special Exception. The Code notes that the

Department of Infrastructure & Development

125 N. Division St., #202 Salisbury, MD 21801

410-548-3170 (fax) 410-548-3107

www.salisbury.md

purpose of the light industrial district is to foster the continuance of existing manufacturing and other light industrial uses and improve the economic base of the City. As many manufacturing and light industrial uses require a large number of employees for their operations, a secondary feature is that many of these same employees will need to provide accessible daycare services for their children. Providing a daycare service at the referenced address will serve as a convenient, readily accessible feature for employees who work in area.

- [2] The location, size, design and operating characteristics under the proposal will have minimal adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.**

The site has been designed or can be designed to meet the Code requirements regarding setbacks, landscaping, and parking. As proposed, the development should have minimal adverse impacts on the surrounding area.

- [3] The design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.**

The existing structure is one-story in height. A play area can be provided in a fenced area at the rear (west side) of the building.

- [4] The proposal will not be detrimental to or endanger the public health, security, general welfare or morals.**

Staff does not find that the proposed use will have a negative effect on any of these items.

- [5] The proposal will not impair an adequate supply of light or air to adjacent property or overcrowd the land or create any undue concentration of population or substantially increase the congestion of the streets or create hazardous traffic conditions or increase the danger of fire or otherwise endanger the public safety.**

As previously noted, the existing building is one story in height. The minimum number of parking spaces can be provided. The use of this site for a day care center in a portion of the building should have minimal impacts on traffic conditions in the area.

- [6] The proposal will not adversely affect transportation or unduly burden water, sewer, school, park, stormwater management or other public facilities.**



City of Salisbury

Jacob R. Day, Mayor

The proposal should have minimal impacts on transportation, water, sewer, stormwater management or other public facilities. There should be no impacts on schools or parks.

[7] The proposal will preserve or protect environmental or historical assets of particular interest to the community.

This property is located within the Paleochannel Overlay district. However, a daycare service would not be expected to have any negative environmental impacts. No historical assets are known to exist on the site.

[8] The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property value for speculative purposes.

Little Leaders Learning Center is an established daycare center, having received a special exception from the Board of Zoning Appeals in April 2017 for a location on Northwood Drive. The Office of Child Care has indicated that the applicants should be able to comply with the Day Care Center requirements.

VI. STAFF COMMENTS:

Day Care Centers are a service that is needed city-wide. This location will provide a Day Care Center in close proximity to a number of manufacturing facilities to accommodate working parents.

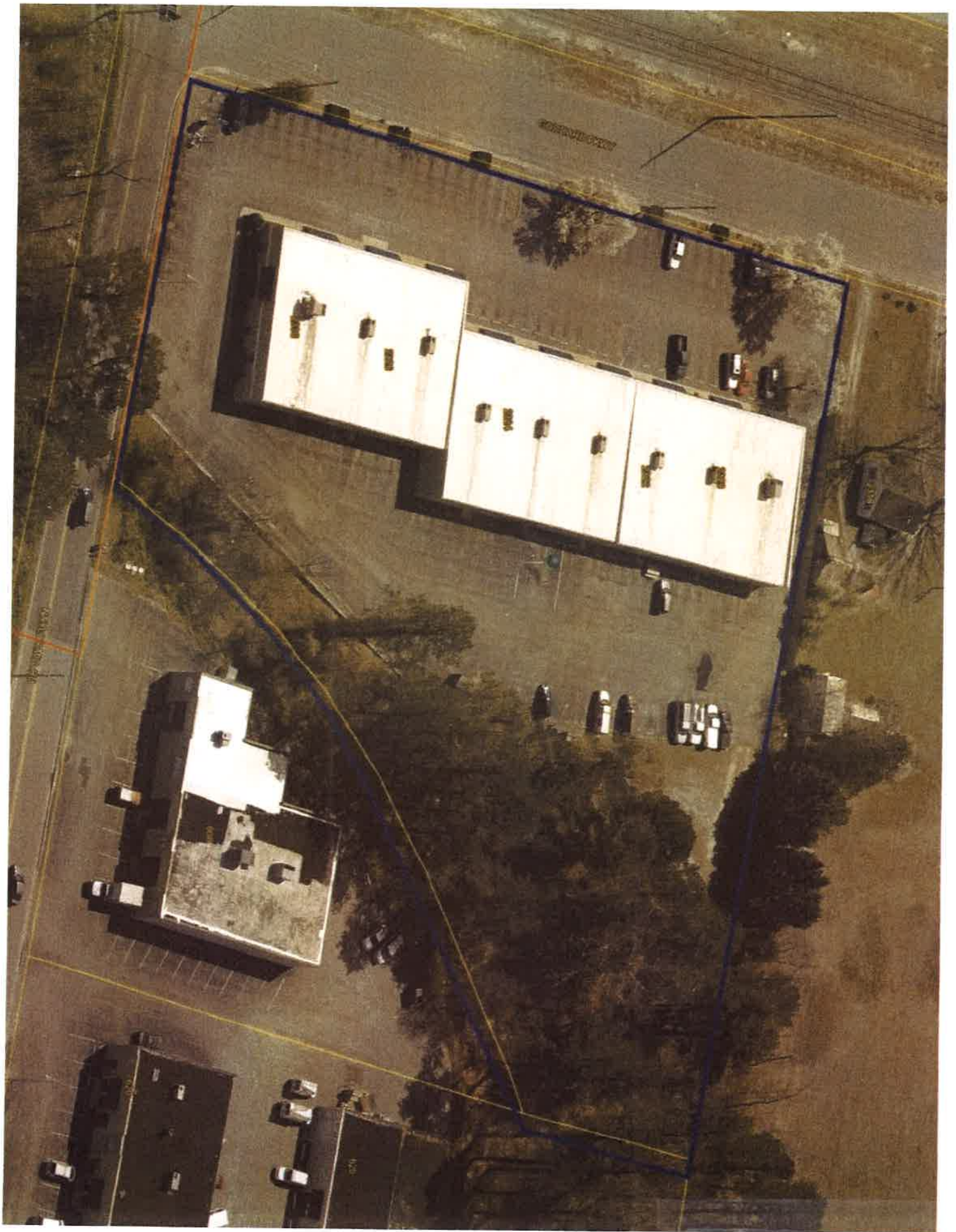
VII. RECOMMENDATION:

Based on the criteria for approval as discussed above in this staff report, Section V (c), the Planning Staff recommends **Approval** of the requested Special Exception for a Day Care Center for up to 114 children and infants and 13-14 employees, subject to the recommended Conditions as follows:

CONDITIONS OF APPROVAL:

1. Landscaping shall be provided around the play area as required by the Code.

COORDINATOR: Henry Eure, Project Manager
DATE: March 29, 2017



Attachment #1



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



Tel: 410-548-4860

Fax: 410-548-4955

**TO: Jack Lenox, Director
Secretary to the Board of Zoning Appeals**

SUBJECT: 2326 Northwood Drive / Little Leaders Learning Center

DATE: July 31st, 2018

CERTIFICATION OF APPLICANT

In accordance with Section 17.28.030, of the City's Zoning Code, I hereby request a hearing before the Salisbury Board of Zoning Appeals to:

I certify that I have paid all advertising fees necessary for the public hearing in this matter to a representative of the City Department of Building, Permits & Inspections. I also acknowledge that additional application fees will be assessed by the Department of Planning, Zoning & Community Development prior to my case being scheduled for official action by the board.

☒ I certify that my interest in the property is as follows: I am the owner of the property and I've recently signed a lease with daycare facility.

It is my understanding that the property involved will be posted with a Public Notice and I agree to allow the posting and property inspection, if applicable.

Very Truly Yours,

☒ Bart [Signature]

WITHDRAWAL NOTICE

I hereby: ☐ Cancel ☐ Withdraw ☐ Postpone

my application for: _____

Name

Date

VICINITY MAP

PROJECT LOCATION

TENANT FIT-OUT OF:
**2326 GODDARD PKWY. - UNITS
"E" AND "F"**

2326 GODDARD PARKWAY, SALISBURY MD, 21804

ABBREVIATIONS

ACT	ACOUSTIC CEILING	F.E.C.	FIRE EXTINGUISHER	PT. PTD.	PAINTED
AC. ALUM.	ACOUSTIC ALUMINUM	F.F.F.	FIRE FLOOR	P.V.	POWER ROOF VENTILATOR
AF	ACCESS PANEL	F.O.S.	FACE OF STUD	REC.	RECESSED
A.G.W.B.	ACCESSIBLE GLASS WOOD BENCH	F.P.	FIRE PROOF	RECPT.	RECEPTIONIST
A.F.F.	ACQUISITION FLOOR	F.T.	FIRE TREATED	REO.	REQUIRED
BD.	BOARD	F.T.G.	FOOTING	R.M.	ROOM
BLDG.	BUILDING	F.V.	FIRE VALVE	R.O.	ROUGH OPENING
B.M.	BENCH MARK	F.V.C.	FIRE VALVE CABINET	RUB.	RUBBER (WALL GASE)
B.R.G.	BEARING	GA.	GAUGE	S.D.	SOAP DISPENSER
CAB.	CABINET	G.B.	GRAB BAR	SECT.	SECTION
C.B.	CERAMIC TILE	G.W.B.	GYPSON WALL BOARD	S.G.F.T.	STRUCT. GLAZED
C.C.	CERAMIC TILE	H.T.	HIGH TIGHT	S.H.	SHOWER HEAD
C.C.J.	CERAMIC JOINT	H.H.	HANDICAPPED	SHT.	SHEET
C.L.	CENTER LINE	H.W.	HARDWARE	S.M.	SIMILAR
C.L.G.	CERAMIC GLASS	H.M.	HOLLOW METAL	S.P.	STAND PIPE
C.L.C.	CLOSET	H.R.	HOUR	S.S.	SERVICE SINK
C.L.R.	CLEAR	H.P.	HIGH POINT	S.S.	STAINLESS STEEL
C.M.U.	CONCRETE MASONRY UNIT	I.D.	INSIDE DIAMETER	ST.	STEEL
COL.	COLUMN	INSUL.	INSULATION	STOR.	STORAGE
CONC.	CONCRETE	J.-JAN.	JOINT	STRUC.	STRUCTURAL
CONST.	CONSTRUCTION	J.T.	JOINT	SUSP.	SUSPENDED
CONT.	CONTINUOUS	LAM.	LAMINATE	SYN.FL.	SYNTHETIC FLOOR
COOR.	CORRIDOR	LAV.	LAVATORY	T.B.	TACK BOARD
CPT.	CARPET	M.	MEN	TEL.	TELEPHONE
C.D.	COLD PLATE	MACH.	MACHINE	T.G.	TONGUE AND GROOVE
D.A.	DETAILED AREA	MAINT.	MAINTENANCE	T.O.B.	TOP OF BEARING
DET.	DETAIL	MAS.	MASONRY	T.O.M.	TOP OF MASONRY PARAPET
D.F.	DRINKING FOUNTAIN	MAT.	MATERIAL	T.P.	TOILET PAPER HOLDER
D.B.	DOUBLE	M.A.	MAXIMUM	T.S.	TACK STRIP
DA.	DIAMETER	M.B.	MACHINE BOARD	T.W.	TECHNICAL WALL
DIV.	DIVISION	M.C.	MACHINE CABINET	TYP.	TYPICAL
DISP.	DISPENSER	M.ECH.	MECHANICAL	UL.	UNDERLATHING
DR.	DRY	MET. MTL.	METAL	U.N.D.	UNDER
DW.	DRYWALL	MFR.	MANUFACTURER	U.C.N.	UNDER COUNTER NOTED
DS.	DOWNSCUT	M.K.	MASONRY	U.S.	UNDER SINK
DWG.	DRAWING	M.O.	MASONRY OPENING	V.A.T.	VENT THROUGH ROOF
EA.	EACH	M.S.	METAL SHELVING	V.C.T.	VERTICAL
E.C.	ELECTRICAL	M.TD.	MOUNTED	V.E.T.	VERTICAL
ELEC.	ELECTRIC	M.TD.	MOUNTED	V.E.T.	VERTICAL
EP.	EQUIPMENT	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
EQ.	EQUAL	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
E.Q.P.	EQUIPMENT	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
E.W.C.	ELECTRIC WATER	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
EXP.	EXPANSION	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
EXT.	EXTERIOR	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
F.C.	FIRE CODE	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
F.C.U.	FAN COIL UNIT	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
F.D.	FLOOR DRAIN	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
F.O.	FOUNDATION	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL
F.E.	FIRE EXTINGUISHER	N.C.	NON COMBUSTIBLE	V.E.T.	VERTICAL

SYMBOLS OF MATERIALS

ALL METALS - SMALL SCALE	PARTICLE BOARD
ACOUSTIC C.M.U. SMALL SCALE	RIGID INSULATION
ACOUSTIC C.M.U. LARGE SCALE	SHINGLES
BATT INSULATION	SOLID CONCRETE MASONRY UNITS
BRICK	STEEL - LARGE SCALE
CAST STONE	STUD PARTITION
CONCRETE	WOOD - FINISH
CONCRETE MASONRY UNITS	WOOD BLOCKING
EARTH	
GLASS - LARGE SCALE	
GLAZED C.M.U.	

DRAWING KEYS

0	STRUCTURAL GRID LINES
1	SECTION
1	DETAILS IN PLAN: SECTION
1	NEW WALL
1	WALL TYPE: SEE A501
1	EXISTING WALL TO REMAIN
1	EXISTING WALL TO BE REMOVED
1	HOCAM NAME AND NUMBER
1	WINDOW TAG
1	DOOR TAG

DRAWING LIST

SHEET NO.	SHEET TITLE
GENERAL	COVER SHEET
G001	LIFE SAFETY PLAN AND CODE STUDY
ARCHITECTURAL	UNIT "E" FIRST FLOOR AND DEMO PLAN

GENERAL NOTES

- THESE DRAWINGS HAVE BEEN PREPARED BY BECKER MORGAN GROUP INC. BASED UPON INFORMATION PROVIDED BY OWNER. OWNER IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS, CODES, AND STANDARDS FOR DAY CARE, CHILD CARE, AND HAIR SALON, INCLUDING BUT NOT LIMITED TO COMAR 13A.16, 13A.17, ANY NON-COMPLIANCE SHALL BE BROUGHT TO THE OWNER'S ATTENTION.
- THE OWNER / CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. ANY VARIATIONS, DISCREPANCIES, OR FIELD ALTERATIONS TO THESE DRAWINGS SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION PRIOR TO CONSTRUCTION. DISCREPANCIES OR OTHER SUCH CONDITIONS NOT REPORTED PRIOR TO CONSTRUCTION MAY NOT BE USED AS GROUNDS FOR ADDITIONAL EXPENSE CLAIMS BY THE CONTRACTOR. NECESSARY TO ADEQUATELY COMPLETE THE WORK.
- ANY ITEMS NOT SPECIFICALLY SHOWN ON THE DRAWINGS, BUT REASONABLY INCIDENTAL TO AND NECESSARY FOR THE SATISFACTORY COMPLETION OF THE PROJECT IN ACCORDANCE WITH INDUSTRY STANDARDS, ARE INCLUDED WITHIN THE INTENT OF THESE DESIGN DRAWINGS.
- THESE DESIGN DRAWINGS ARE NOT COMPREHENSIVE CONSTRUCTION DOCUMENTS AND, THEREFORE, BUILDING CODE COMPLIANCE, CONSTRUCTION DETAILING AND FINAL COORDINATION RESULTING FROM THE USE OF THESE DRAWINGS SHALL BE THE RESPONSIBILITY OF THE OWNER / CONTRACTOR.
- THESE DRAWINGS DO NOT INCLUDE INDICATIONS OF NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION SHALL BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT, COMPLIANCE WITH ALL PERTINENT RULES AND REGULATIONS SHALL BE THE OWNER / CONTRACTOR'S RESPONSIBILITY.
- CODES: ALL WORK ON THIS PROJECT SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE BUILDING CODES, ORDINANCES, REGULATIONS AND ANY ADDITIONAL REQUIREMENT SO STATED IN ANY LAW, ORDINANCE OR REGULATION PERTAINING TO CONSTRUCTION WITHIN THE SAID LIMITS OF THE AUTHORITY HAVING JURISDICTION OVER THE PROJECTED WORK. ZONING, ARCHITECTURAL, STRUCTURAL, MECHANICAL, PLUMBING, ELECTRICAL, ENERGY CONSERVATION, AND FIRE, CONFORMITY TO ALL CODES APPLICABLE TO THE PROJECT SHALL BE THE OWNER / CONTRACTOR'S RESPONSIBILITY. BECKER MORGAN GROUP IS NOT RESPONSIBLE FOR NON-COMPLIANT EXISTING CONDITIONS. ALL RESPONSIBILITY FOR CODE COMPLIANCE SHALL BE BY OWNER / CONTRACTOR.
- OWNER / CONTRACTOR TO COORDINATE WITH POWER CO. TO PROVIDE RELOCATION, SHIELDING OR TEMPORARY SHUT-DOWN OF EXG. POWER LINES DURING CONSTRUCTION. OWNER / CONTRACTOR IS TO BE RESPONSIBLE FOR COMPLIANCE WITH ELECTRICAL AND SAFETY CODES.
- OWNER / CONTRACTOR TO COORDINATE AND PAY FOR THE RELOCATION OF OVERHEAD UTILITY LINES TO BE LOCATED A MINIMUM OF 10 FEET AWAY FROM ANY ADJACENT STRUCTURE OR FRONTAGE OF THE PROPERTY IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, OSHA AND THE MARYLAND HIGH VOLTAGE LINE ACT, IF REQUIRED.
- OWNER / CONTRACTOR REQUIRED TO PROVIDE CONSTRUCTION DETAILING TO ENSURE WEATHER-TIGHT CONSTRUCTION.
- PROPER ASSEMBLY, INSTALLATION, AND OPERATION OF ALL MATERIALS, COMPONENTS, SYSTEMS, AND FINISHES IS THE OWNER / CONTRACTOR'S RESPONSIBILITY AND SHALL BE IN ACCORDANCE WITH MANUFACTURER WRITTEN INSTRUCTIONS.
- ALL MECHANICAL, ELECTRICAL AND PLUMBING WORK TO BE COMPLETED BY LICENSED SUBCONTRACTORS AND IN ACCORDANCE WITH ALL APPLICABLE CODES AND INDUSTRY STANDARDS.
- ELECTRICAL WIRING AND EQUIPMENT SHALL BE IN ACCORDANCE WITH NFPA 70, NATIONAL ELECTRICAL CODE, CURRENT EDITION, NFPA 101, CURRENT EDITION.
- ALL MOUNTING HEIGHTS AND NECESSARY FLOOR CLEARANCES SHALL COMPLY WITH ALL APPLICABLE CODES.
- ALL WEAYS OF EGRESS SHALL BE CONTROLLED BY THE AUTHORITY HAVING JURISDICTION, INCLUDING EXITS, EGRESS PATHS, OCCUPANT LOADS, SPRINKLER PROTECTION, ETC. FINAL LOCATION OF FIRE EXTINGUISHERS, EMERGENCY LIGHTING, AND EXIT SIGNS TO BE DETERMINED BY LOCAL FIRE MARSHAL.
- FIRE EXTINGUISHERS TO BE INSTALLED IN ACCORDANCE WITH NFPA 10 CURRENT EDITION.
- EMERGENCY LIGHTING IN ACCORDANCE WITH SECTION 9.7 SHALL BE PROVIDED NFPA 101, CURRENT EDITION.
- CONTRACTOR IS RESPONSIBLE FOR SCHEDULING ALL ON-SITE INSPECTIONS REQUIRED PRIOR TO OCCUPANCY APPROVAL.
- SHOULD CONFLICT ARISE IN INFORMATION HERE, THE MOST STRINGENT SHALL APPLY.

PERMIT DOCUMENTS

07.30.2018

DESIGN TEAM

BECKER MORGAN GROUP, INC.

ARCHITECT

CODE STUDY DATA

PROJECT	INFORMATION
PROJECT NAME	2326 GODDARD PARKWAY - UNITS "E" AND "F"
PROJECT LOCATION	SALISBURY, MARYLAND
PROJECT DESCRIPTION	TENANT FIT OUT
PROPERTY OWNER	DAVIS SIMPSON HOLDINGS

APPLICABLE CODES

2015 INTERNATIONAL BUILDING CODE (IBC)
2015 NFPA 101 LIFE SAFETY CODE (NFPA)
2009 ICC AND IBC 1 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES
2010 ADA STANDARD FOR ACCESSIBLE DESIGN
MARYLAND ACCESSIBILITY CODE
2012 STATE OF MARYLAND FIRE PREVENTION CODE

BUILDING USE AND CONSTRUCTION CLASSIFICATION

BUILDING USE AND CONSTRUCTION CLASSIFICATION	LIFE SAFETY CODE REFERENCE	IBC REFERENCE
USE GROUP (MIXED - SEPARATED); CONSTRUCTION TYPE	GROUP DAY CARE (17.1.1.1); BUSINESS (17.1.1.1); GROUP SPRINKLERED	INSTITUTIONAL GROUP (14, BUSINESS GROUP (B), (204.1.1); (101) TABLE 504.2, 504.4, 504.2, AND 601)
ALLOWABLE BUILDING HEIGHT		N/A EXISTING (TABLE 504.2 AND 504.4)
ACTUAL BUILDING HEIGHT		16 FEET, 1 STORY
ALLOWABLE BUILDING AREA		N/A EXISTING
ACTUAL BUILDING AREA (PER IBC 504.2)		24,745 USF PER FLOOR
OCCUPANCY SEPARATION B TO M		

TRAVEL DISTANCE LIMITS

TRAVEL DISTANCE LIMITS	LIFE SAFETY	IBC
MAXIMUM TRAVEL DISTANCE LIMIT TO AN EXIT OR EXIT ACCESS DOOR	150 FEET (TABLE A.7.6)	150 FEET (TABLE 1017.2)
MAXIMUM COMMON PATH OR TRAVEL LIMIT	75 FEET (TABLE A.7.6)	OL < 30 = 100 FEET, OL > 30 = 75 FEET (TABLE 1006.2.1)
MAXIMUM DEAD END CORRIDOR LIMIT	20' (TABLE A.7.6)	20 FEET (1020.4)

MINIMUM NUMBER OF EXIT REQUIRED

MINIMUM NUMBER OF EXIT REQUIRED	LIFE SAFETY	IBC
FLOOR AREA OCCUPANCY LOAD BETWEEN 1 AND 500	2 EXITS (7.4.1.1 AND 7.4.2.1)	2 EXITS (TABLE 1006.2.1)
MINIMUM NUMBER OF EXITS PER STORY	1 (7.5.1.1.1 & 7.5.4.2.2)	1 (1100.1 & 1105.1)

MINIMUM INTERIOR FINISH REQUIREMENTS

MINIMUM INTERIOR FINISH REQUIREMENTS	LIFE SAFETY	IBC
EXIT ENCLOSURES & EXIT PASSAGEWAYS - WALLS	CLASS A OR B (10.2.2.1) TABLE A.10.2.2 WITH NOTE (f)	CLASS A OR B (TABLE 100.11 NOTE (f))
EXIT ENCLOSURES & EXIT PASSAGEWAYS - FLOORS	N/A (TABLE A.10.2.2 WITH NOTE (f))	CLASS A OR B (TABLE 100.11 NOTE (f))
CORRIDORS & LOBBIES - WALLS	CLASS A OR B (10.2.2.1) TABLE A.10.2.2 WITH NOTE (f)	CLASS A OR B (TABLE 100.11 NOTE (f))
CORRIDORS & LOBBIES - FLOORS	N/A (TABLE A.10.2.2 WITH NOTE (f))	CLASS II, DOC 55.1 (104.4.1)
ROOMS & ENCLOSED SPACES - WALLS	CLASS A OR B (10.2.2.1) TABLE A.10.2.2	CLASS A OR B (TABLE 100.11 NOTE (f))
ROOMS & ENCLOSED SPACES - FLOORS	N/A (TABLE A.10.2.2)	CLASS II (104.4.1 & 104.4.2)
TRIM		NOT IN EXCESS OF 10% OF AGGREGATE WALL & CEILING AREA OF ANY ROOM SPACE SHALL BE PERMITTED TO BE CLASS C MATERIAL

BECKER
MORGAN
GROUPARCHITECTURE
ENGINEERING

Delaware
309 S. Delaware Ave.
Dover, DE 19902
302.344.7910

North Carolina
250 South Main Street, Suite 300
Wilmington, NC 28401
910.342.7700

Maryland
210 West Main St., Suite 300
Salisbury, MD 21804
410.546.8100

North Carolina
2700 Randall Parkway, Suite 211
Wilmington, NC 28401
910.342.7700

www.beckermorgan.com

THE DRAWING HAS BEEN
PREPARED BY THE BECKER
MORGAN GROUP INC. SOLELY
FOR THIS PROJECT.
PURSUANT TO A LIMITED
SERVICE AGREEMENT FOR
ARCHITECTURAL DESIGN
ONLY. SERVICES EXCLUDE
RESPONSIBILITY FOR
LANDSCAPE ARCHITECTURE
AND ALL ENGINEERING -
GEOTECHNICAL, CIVIL,
STRUCTURAL, MECHANICAL,
ELECTRICAL, ACoustical,
ETC. PROJECT SPEC-
IFICATIONS, FIELD COOR-
DINATION, DETAILING AND
COMPLIANCE WITH ALL
REGULATORY REQUIREMENTS
BUILDING ZONING, AND
OTHER RELEVANT CODES
REMAINS THE RESPONSIBILITY
OF THE CONTRACTOR FOR
THE EXECUTION OF THIS WORK.

2326
GODDARD
PKWY. - UNITS
"E" AND "F"2326 GODDARD PARKWAY,
SALISBURY MD, 21804ISSUED FOR
PERMIT

07/30/2018

COVER SHEET

PROJECT NO. 2018160.00
DATE 07.30.2018
SCALE: 1" = 1'-0"

Attachment #3

