



City of
Salisbury
Jacob R. Day, Mayor

MINUTES

The Salisbury Board of Zoning Appeals met in regular session on January 3, 2019, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Albert G. Allen, III, Chairman
Jordan Gilmore
Shawn Jester
Brian Soper
Alex Paciga

CITY STAFF:

Henry Eure, Project Manager
Beverly Tull, Recording Secretary

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Mr. Allen, Chairman, called the meeting to order at 6:00 p.m.

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MINUTES:

Upon a motion by Mr. Jester, seconded by Mr. Gilmore, and duly carried, the Board **APPROVED** the minutes of the December 6, 2018 meeting as submitted.

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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.

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#SA-18-1011 CREI – Salisbury, LLC – Special Exception for increased density to 17.28 units per acre for an apartment complex located at 202 Onley Road in the R-8A Residential District.

Mr. Christian Elliott and Mr. Keith Fisher came forward. Mr. Henry Eure presented and entered the Staff Report and all accompanying documentation into the record. He summarized the report explaining that the applicant proposes to reconfigure an existing 148 unit apartment complex to a 254 unit complex. A Special Exception is requested to increase the density above the inherently permitted 10 units per acre.

Mr. Elliott explained that CREI is a student housing investment company that saw an opportunity to change four (4) bedroom/four (4) bathroom units to one (1) and two (2) bedroom/bathroom units. This change reduces the number of beds in the community while providing a different type of unit that doesn't exist now. In other jurisdictions where this has been done it has attracted people who want more privacy.

Mr. Allen questioned how long they had owned the property. Mr. Elliott responded that they had settled on the property on December 18, 2018.

Mr. Allen questioned if they would be utilizing the existing spaces allotted for parking. Mr. Fisher responded that the parking would be left as is but there would be reinvestment into the landscaping. There is a plan for the basketball court and pool to enhance the project with more outdoor spaces that can be utilized year round. Mr. Elliott explained that the pool is an expensive endeavor that is only utilized for a few months out of the year and requires a paid lifeguard to be on staff. Final plans for that area aren't finished but there has been discussion of an outdoor kitchen and lounge area where shuffleboard and other games can be played. He added that there are no plans to change any of the parking at this time. There are over 500 spaces available. Mr. Eure explained that the City had recently relaxed the parking standards so there are currently more spaces than required by Code.

Mr. Jester questioned how you convert four (4) bedroom units to one (1) and two (2) bedroom units. Mr. Elliott explained that they would move tenants out of the buildings into other vacant units and renovate a building at a time. Moving expenses will be covered by the property owner and approximately two (2) weeks' notice will be given to the tenants that are being relocated. The timeline has construction beginning in a month or so with a total renovation time of one to one and a half years.

Mr. Allen questioned if the tenants were year round tenants. Mr. Elliott responded that the tenants have six (6), ten (10), and twelve (12) month leases with

the former owner. Those leases will be honored until they are due for renewal and then they will become twelve (12) month leases.

Mr. Elliott explained that they would pay to have the tenants moved to vacant units in the complex so they could begin construction. He added that all units are fully furnished.

Mr. Allen questioned the notice that would be given to the tenants. Mr. Elliott responded that the residents have not been told about the project yet. Most of the tenants have not returned for the next semester which begins at the end of January. Once the tenants have returned for the semester they will be notified and movers will be provided as long as their possessions are packed up.

Mr. Allen questioned Mrs. Tull about notifications of the meeting other than the ad in the newspaper. Mrs. Tull responded that the property was posted, the ad ran in the paper, and all properties within a 200 ft. buffer were mailed a notice.

Mr. Elliott discussed the layout of the complex, adding that they would leave a few units as four (4) bedroom/bathroom units.

Mr. Jester questioned the timeline for the renovations. Mr. Elliott explained that there are enough vacancies that there won't be any tenants that get displaced. Mr. Jester questioned if the leases were written to allow them to be moved. Mr. Elliott responded that there is a clause in the lease agreement allowing them to be moved to another unit.

Mr. Soper questioned if they were aware that if they chose to do more units later that they would need to return to the Board for another increase in density. Mr. Elliott responded in the affirmative. Mr. Soper questioned if the one (1) and two (2) bedroom units would be more expensive. Mr. Elliott responded in the affirmative.

Upon a motion by Mr. Soper, seconded by Mr. Jester, and duly carried, the Board **APPROVED** the requested Special Exception for increased density to 17.28 units per acre, based on Section V(c) of the Staff Report and the testimony presented at the meeting.

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REORGANIZATION:

Mrs. Tull advised the Board that with all Board Member's terms now being current that a reorganization was needed. She further explained that the Board could choose to elect a new Chair and Vice Chair or make a motion to leave the existing

members in those positions. Upon a motion by Mr. Soper, seconded by Mr. Paciga, and duly carried, the Board opted to leave Mr. Allen as the Chair and Mr. Gilmore as the Vice Chair. This reorganization will go the length of the terms or if one of those member's steps down.

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ADJOURNMENT

With no further business, the meeting was adjourned at 6:28 p.m.

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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