

RESOLUTION NO. 2925

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING THE CAPACITY FEE OF THE CITY'S COMPREHENSIVE CONNECTION CHARGE TO BE WAIVED FOR THE REDEVELOPMENT OF 100 EAST MAIN STREET SUITE 111.

WHEREAS, Shamrock Hospitality, LLC has requested a waiver of the Capacity Fee for the redevelopment of 100 East Main Street Suite 111; and

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

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

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

WHEREAS, the proposed redevelopment of 100 East Main Street Suite 111 requires a total of 14.0 Equivalent Dwelling Units of water and sewer service; and

WHEREAS, the current Capacity Fee for one Equivalent Dwelling Unit is \$3,533.00; and

WHEREAS, the Capacity Fee for 14.0 Equivalent Dwelling Units is \$49,462.00; and

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

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

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

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

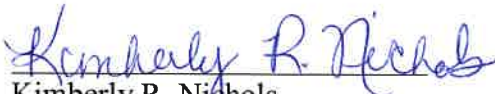
WHEREAS, the property owner has the option to request an extension of the allocation for two one-year terms, if approved in writing by the Director of Infrastructure and Development prior to expiration of the term; and

WHEREAS, the allocated EDUs are assigned to the redevelopment of 100 East Main Street Suite 111 and cannot be transferred by the recipient.


NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury, Maryland approves the waiver of 14.0 Equivalent Dwelling Units of Capacity Fee for the redevelopment of 100 East Main Street Suite 111 by Shamrock Hospitality, LLC.

THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on March 11, 2019 and is to become effective immediately upon adoption.

ATTEST:



Kimberly R. Nichols
CITY CLERK



John R. Heath
PRESIDENT, City Council

APPROVED by me this 12th day of MARCH, 2019



Jacob R. Day
MAYOR, City of Salisbury



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development **AP**
Date: February 14, 2019
Re: Resolution – 100 East Main Street Suite 111 Capacity Fee Waiver

Attached is a letter from Shamrock Hospitality, LLC dated February 5, 2019 which requests consideration for a Capacity Fee waiver for the redevelopment of 100 East Main Street Suite 111. Suite 111 in the One Plaza East building is being renovated to a restaurant and bar. The request is for a waiver of 14 EDUs. At the current Capacity Fee rate of \$3,533, the waiver request is \$49,462.00.

Per Ordinance No. 2258, the owner is seeking a Capacity Fee waiver as part of the Equivalent Dwelling Unit (EDU) Incentive Area. The original allocation of 300 EDUs was based on a transfer of EDUs from the former Linens of the Week property. To date, 109.46 EDUs of the original allocation of 300 EDUs have been used, therefore there are 190.54 EDUs available.

As per Ordinance No. 2258, Infrastructure and Development has evaluated the eligibility of this project for the EDU Incentive Area. The project location is within the Central Business Zoning District and will consist of redevelopment that is not eligible for an affordable housing waiver. The project does or will comply with all other necessary criteria.

Attached is a Resolution for consideration to waive the Capacity Fees associated with the development of 100 East Main Street Suite 111. After review of the request, Infrastructure and Development recommends approval. If this EDU waiver is approved, then it will be valid for two years from the date of the Resolution.

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

Shamrock Hospitality
100 N. Division Street #301
Salisbury, MD 21801

February 5, 2019

City of Salisbury, Maryland

Department of Infrastructure & Development

Attn: Amanda H. Pollack, P.E., Director (apollack@salisbury.md) 125 N. Division Street,
Room 202

Salisbury, Maryland 21801

**Re: Shamrock Hospitality, LLC's Request for Capacity Fee Waiver;
Redevelopment of 100 E. Main Street Suite 111 Salisbury, MD 21801**

Dear Ms. Pollack:

On behalf of Shamrock Hospitality, LLC ("Shamrock Hospitality"), please accept this letter as Shamrock Hospitality's formal request to the City of Salisbury for a waiver of the Capacity Fees associated with Shamrock Hospitality's redevelopment of 100 E. Main Street Suite 111, Salisbury, Maryland 21081 (the "Building").

As the City is aware, Shamrock Hospitality plans to redevelop the Building by: converting the first floor of One Plaza East into a luxury style restaurant and bar (the "Project"). The Project is on the brink of being permitted for construction. In the next few weeks, Shamrock Hospitality will be submitting applications for preliminary approval from the City of Salisbury Historic District Commission (the "HDC") and, the Salisbury-Wicomico County Planning & Zoning Commission.

The Project is premised on offering a luxury restaurant in the heart of the city.

Pursuant to Ordinance No. 2258, the City created and authorized an "EDU Incentive Area" to reduce the capacity fees assessed against certain development and redevelopment projects in the City's Downtown Development District, the Central Business District, the Riverfront Redevelopment Area and the City's designated Enterprise Zone. Recently, the City Council passed Resolution No. 2864, which extended the expiration date of the EDU Incentive Area until September 23, 2023. Currently, 216.2 EDUs are available for use within the City's EDU Incentive Area. Shamrock Hospitality LLC 100 E. Main Street Suite 111 Salisbury, MD 21801.

Shamrock Hospitality estimates a total of 14 EDUs are needed for the Project. Under the City's EDU Incentive Area program, Shamrock Hospitality is eligible for a waiver of the

Capacity Fees associated with the EDUs allocated for the Project: the Project is located within the City's EDU Incentive Area; and, the Project satisfies all criteria governing the City's waiver of Capacity Fees for development projects undertaken within the EDU Incentive Area. Therefore, in accordance with the provisions of Chapter 13.04.110 of the City Code, Shamrock Hospitality respectfully requests the City waive the Capacity Fees of \$42,396.00 assessed for the 14 EDUs needed for development of the Project.

If City staff has any questions or needs additional information regarding the matters addressed in this correspondence, please do not hesitate to contact me. On behalf of Shamrock Hospitality, thank you for your time and consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Bret Davis", followed by a horizontal line extending to the right.

Bret Davis

Owner