

RESOLUTION NO. 2984

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 DEVELOPMENT OF 218 WEST MAIN STREET.

WHEREAS, Opportunity Street, LLC has requested a waiver of the Capacity Fee for the development of 218 West Main Street; 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 development of 218 West Main Street requires a total of 22.0 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 22.0 Equivalent Dwelling Units is \$77,726.00; 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

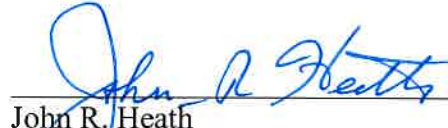
WHEREAS, the allocated EDUs are assigned to the development of 218 West Main Street and cannot be transferred by the recipient.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salisbury, Maryland approves the waiver of 22.0 Equivalent Dwelling Units of Capacity Fee for the development of 218 West Main Street by Opportunity Street, LLC.

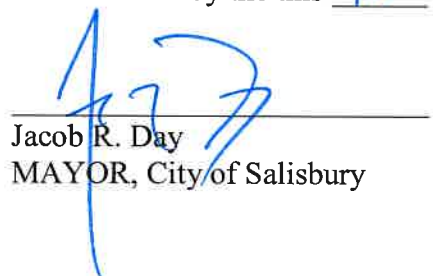
THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on December 9, 2019 and is to become effective immediately upon adoption.

ATTEST:

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

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

APPROVED by me this 13<sup>th</sup> day of DECEMBER, 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  
Date: November 1, 2019  
Re: Resolution – 218 West Main Street Capacity Fee Waiver

AP

---

Attached is a letter from Opportunity Street, LLC dated October 24, 2019 which requests consideration for a Capacity Fee waiver for the redevelopment of 218 West Main Street. 218 West Main Street is the Powell Building. It is proposed to be developed into a mixed use apartment complex. The building will have twenty (20) apartments and an interactive children's museum. The request is for a waiver of 22 EDUs. At the current Capacity Fee rate of \$3,533, the waiver request is \$77,726.00.

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, 191.64 EDUs of the original allocation of 300 EDUs have been used, therefore there are 108.36 EDUs available. If this request is approved, there will be 86.36 EDUs remaining.

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 218 West Main Street. 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.



October 24, 2019

Amanda H. Pollack, P.E.  
Director  
Department of Infrastructure & Development  
City of Salisbury  
125 N. Division St., Room 202  
Salisbury, MD 21801

**EDU Waiver Request – 218 West Main Street, Salisbury MD 21801 (Powell Building)**

Please consider this our formal written request for an EDU fee waiver for the above referenced, mixed-use redevelopment project.

The proposed project will create state-of-the-art residential living opportunities in Downtown Salisbury for Tenants with the offered (20) apartments. The planned use for the commercial space on the Plaza level will consist of an interactive museum for parents and kids to enjoy together. Kids will have the opportunity to explore, discover and play in uniquely designed settings to learn more about the transition to adulthood. With the new residential component as well as the commercial space becoming activated, we believe this project will increase not only the number of downtown residents but will add to the commercial foot traffic in Downtown Salisbury on a regular basis.

The proposed project meets the criteria as set forth in Ordinance 2258 by the City of Salisbury and is an eligible project within the EDU Incentive Area.

We estimate the total EDUs needed for the entire project to be Twenty-Two (22).

Thank you for your consideration.

Respectively submitted,

A handwritten signature in blue ink, appearing to read "Chris Gilkerson", is written over a horizontal line.

Chris Gilkerson, Principal  
Opportunity Street, LLC