

**RESOLUTION NO. 2876**

A RESOLUTION of the City of Salisbury to adopt an annexation plan for a certain area of land contiguous to and binding upon the southerly Corporate Limit of the City of Salisbury, to be known as the "John Deere – Milford St. Assoc. Property Annexation" beginning for the same at a point on the Corporate Limit, said point lying on the southerly right-of-way line of John Deere Drive, thence by and with the said John Deere Drive around the perimeter of all of Lot 11 and Lot 12, Block A.

WHEREAS the City of Salisbury is considering the annexation of a parcel of land contiguous to and binding upon the southerly Corporate Limit of the City of Salisbury beginning for the same at a point on the Corporate Limit, said point lying on the southerly right-of-way line of John Deere Drive, being all of Lot 11 and Lot 12, Block A, and being more particularly described on **Exhibit "A"** attached hereto and made a part hereof; and

WHEREAS the City of Salisbury is required to adopt an annexation plan for the proposed area of annexation pursuant to the Local Government Article of the *Maryland Annotated Code*; and


WHEREAS the public hearing is scheduled for May 11, 2020 at 6:00 p.m.

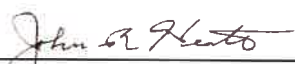
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT an annexation plan for the "John Deere Drive – Milford St. Assoc. Property Annexation," as set forth in **Exhibit "B"** attached hereto and made a part hereof, is adopted for that area of land located and binding upon the southerly Corporate Limit of the City of Salisbury beginning for the same at a point on the Corporate Limit, said point lying on the southerly right-of-way line of John Deere Drive; said parcel being contiguous to and binding upon the corporate limit of the City of Salisbury.

AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the Council shall hold a public hearing on the annexation plan hereby proposed on May 11, 2020 at 6:00 p.m. in the Council Chambers at the City-County Office Building and the City Administrator shall cause a public notice of time and place of said hearing to be published not fewer than two (2) times at not less than weekly intervals, in a newspaper of general circulation in the City of Salisbury, which said notice

shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution.

The above Resolution was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on the 13<sup>th</sup> day of April, 2020, having been duly published as required by law in the meantime a public hearing was held on May 11, 2020, and was finally passed by the Council at its regular meeting held on the 11<sup>th</sup> day of May, 2020.

  
\_\_\_\_\_  
Kimberly R. Nichols,  
City Clerk

  
\_\_\_\_\_  
John R. Heath,  
Council President

APPROVED BY ME this 29<sup>th</sup> day of MAY, 2020.

  
\_\_\_\_\_  
Jacob R. Day,  
Mayor

## REPORT OF ANNEXATION PLAN

*for the*

### MILFORD STREET ASSOCIATES, INC. - JOHN DEERE DRIVE – ANNEXATION TO THE CITY OF SALISBURY

October 31, 2018

This Annexation Plan is consistent with the Municipal Growth Element of the City of Salisbury's adopted Comprehensive Plan. The following are milestones in the public review and consideration of the proposed Annexation.

- At a work session on July 2, 2018, the Salisbury City Council reviewed the proposed annexation request.
- On July 19, 2018 the City of Salisbury / Wicomico County Planning Commission reviewed the proposed annexation and approved a favorable recommendation to the Salisbury City Council for the proposed zoning of the Property.
- At a Salisbury City Council work session on July 2, 2018, the City Council *reviewed the draft annexation agreement and the draft version of this Annexation Plan and directed that an Annexation Resolution be drafted for review – (text in italics is written prospectively).*
- A City Council meeting held on \_\_\_\_\_ the Council formally reviewed this Annexation Plan and the Annexation Resolution and directed that a date for a public hearing be established. The Council further directed that the Annexation Plan be forwarded to the Maryland Department of Planning and the Wicomico County Council for comment within 30 days of the public hearing as provided for by State law.

**1.0**

**GENERAL INFORMATION AND DESCRIPTION**

**1.1 Petitioners**

The petitioner is Milford Street Associates, Inc. a Maryland corporation whose principal address is 212 Downtown Plaza, Suite 305 in Salisbury, Maryland 21801.

**1.2 Location**

The Property's fronts John Deere Drive at its intersection with Hobbs Road; Tax Map 0039, Parcel 038, Lots 11 & 12.

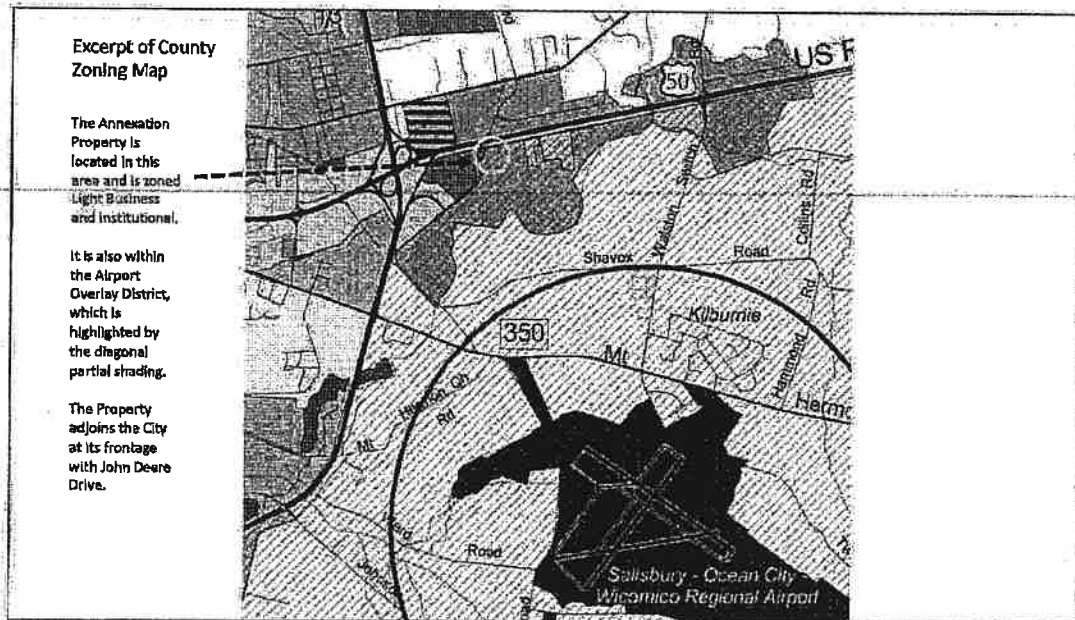
**1.3 Property Description**

The Property is comprised of two lots totaling 2.55 acres. It is undeveloped and vacant.

**1.4 Existing Zoning**

The Property is now zoned LB-1, Light Business and Institutional under the Wicomico County Code as shown on Exhibit 1, which is an excerpt from the Wicomico County Zoning Map. It is also within the Airport Overlay District. The Property's northern lot line adjoins the municipal limit at John Deere Drive.

**Exhibit 1**



**2.0 LAND USE PATTERN PROPOSED FOR THE AREA TO BE ANNEXED**

**2.1 Comprehensive Plan** The City of Salisbury adopted the current Comprehensive Plan in 2010. The Property is located within the City's Municipal Growth Area with a planned land use designation of "Mixed-Use Non-Residential".

The Comprehensive Plan's goal as it pertains to annexations is as follows: "To encourage the orderly growth and expansion of the City of Salisbury by annexing selected areas and by providing public services to newly developing areas without overburdening these facilities while continuing to maintain a high level of services to existing developments and residents of the City".

The annexation of the subject Property is consistent with the pattern of annexation along U.S. Route 50, most notably the U.S. Route 50 East / Moore Annexation which incorporated multiple properties between Hobbs Road and Walston Switch Road.

**2.2 Proposed Zoning** Upon annexation, the Property is proposed to be zoned Mixed Use Non-Residential under the City Zoning Ordinance. Per Section 17.46.010 of the City Zoning Ordinance, the purpose of the District is "to provide areas for well-designed, functional, and attractive development with indoor retail, office, services, and institutional uses."

The City of Salisbury – Wicomico County Department of Planning, Zoning and Community Development found that the proposed zoning is acceptable.

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**2.3 Proposed Land Use** The petitioners are proposing that the Property be developed into a convenience store and with fuel pumps per the attached Concept Development Plan. Development would be governed by City zoning regulations pertaining to the proposed Mixed-Use Non-Residential District, as may be amended from time to time, or any successor zoning district which may be approved by the City in the future.

**3.0 THE PUBLIC FACILITIES AND SERVICES NEEDED BY THE DEVELOPMENT AND THE METHODS TO PROVIDE SUCH FACILITIES AND SERVICES TO THE ANNEXED PARCEL**

**3.1 Roads** Access to the Property is provided via John Deere Drive, which is a service road running parallel to U.S. Route 50. The concept development plan proposes two access drives off of John Deere Drive.

**3.2 Water and Wastewater** The Annexation Property is presently not connected to public water and sewer services. However, public water and sewer lines run along the property's frontage with John Deere Drive. The proposed use would create an anticipated usage of 1,008 gallons per day. Capacity exists to serve the proposed use and allocation decisions are made at time of development.

**3.3 Schools** As a non-residential use, the Property would not generate pupil enrollment and have no impact of school capacity.

**3.4 Parks and Rec.** As a non-residential use in this case, the Property would have no impact on park and recreational facilities or generate a demand for them.

**3.5 Fire, E.M., and Rescue Services** The Salisbury Fire Department would provide fire suppression, technical rescue, special operations, and advanced life support (ALS-EMS) emergency medical treatment and transport services to the Property.

**3.6 Police** The City of Salisbury Police Department would provide services to the Property.

**3.7 Stormwater Management:** Stormwater management is governed by the Maryland Stormwater Management regulations administered locally.

**3.8 Waste Collection** Commercial development in the City is served by independent waste haulers.

**4.0 HOW DEVELOPMENT OF THE ANNEXED PARCEL WOULD RELATE TO EXISTING/PLANNED LAND USE DEVELOPMENT, STREETS, PUBLIC FACILITIES AND SERVICES, OPEN SPACES AND NATURAL AREAS.**

The Property is located within the City's Municipal Growth Area and within the area designated "Urban Corridor" by Wicomico

County. A pattern of mixed commercial use has developed along John Deere Drive east of the Property. The commercial use immediately adjoining the Property's east side, at 31375 John Deere Drive, include a distribution facility of Holt Paper and Chemical Company. The commercial use adjoining the Property's south side, at 6465 Hobbs Road, is the Comcast Service Center. Perdue Stadium is located on the opposite side of Hobbs Road, and the petitioner proposes to install a crosswalk at the intersection John Deere Drive and Hobbs Road and a sidewalk which will connect this portion of the stadium site to the front door of the proposed convenience store. The site is vacant and cleared with no significant natural features or environmental constrains evident.

**Exhibit A: Annexation Plat and Metes and Bounds**

## Exhibit A

### Metes And Bounds Description

#### JOHN DEERE DRIVE – MILFORD ST. ASSOC. ANNEXATION

A CERTAIN AREA OF LAND contiguous to and binding upon the southerly Corporate Limit of the City of Salisbury to be known as "John Deere Drive – Milford St. Assoc. Property Annexation" beginning for the same at a point on the Corporate Limit, said point lying on the southerly right-of-way line of John Deere Drive, X 1,222,176.61, Y 199,280.90; thence by and with the line of the said John Deere Drive North seventy-eight degrees twenty-seven minutes ten seconds East (N 78° 27' 10" E) eighty decimal zero, zero (80.00) feet to a point X 1,222,255.08, Y 199,296.93; thence by and with the westerly line of Lot 10, Block 'A', of "Tim-Mar Acres Business Park" South eleven degrees thirty-two minutes fifty seconds East (S 11° 32' 50" E) four hundred twenty-seven decimal one, eight (427.18) feet to a point at the southwesterly corner of the said Lot 10 X 1,222,340.50 Y 198,878.39; thence by and with the southerly line of Lot 11 and Lot 12 of the said "Tim-Mar Acres Business Park" North eighty-three degrees fifty-five minutes forty-one seconds West (N 83° 55' 41" W) four hundred twenty-seven decimal seven, four (427.74) feet to a point on the aforesaid line of John Deere Drive X 1,221,915.16, Y 198,923.63; thence by and with the said line of John Deere Drive the following two courses: (1) North twenty-two degrees fifty-two minutes eleven seconds East (N 22° 52' 11" E) two hundred thirty-seven decimal two, six (237.26) feet to a point X 1,222,007.37, Y 199,142.23; (2) North fifty degrees forty minutes eighteen seconds East (N 50° 40' 18" E) two hundred eighteen decimal seven, nine (218.79) feet to the point of beginning and containing 2.550 acres, being Lot 11 and Lot 12, Block 'A', "Tim-Mar Acres Business Park". All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.





U.S. ROUTE 50 - THE OCEAN GATEWAY  
EAST BOUND LANES - SIGNALIZED INTERSECTION

HOBBS ROAD  
R.O.W. VARIES

JOHN DEERE DRIVE  
SERVICE ROAD MD. RT. 592-50 R.O.W.

BLOCK 14

LOT 11

LOT 12

TOTAL AREA TO BE ANNEXED INTO CITY OF SALISBURY  
711,286.51 ± SQ. FT. (16.25 ± ACRES)

PROPOSED CITY OF SALISBURY CORPORATE LIMITS LINE

EXISTING 60' WIDE  
STREET RIGHT-OF-WAY  
CITY OF SALISBURY  
P. 14



**GENERAL NOTES**

1. This plan is a preliminary plan and is subject to change without notice.
2. The proposed project is shown in black.
3. The proposed project is shown in black.
4. The proposed project is shown in black.
5. The proposed project is shown in black.
6. The proposed project is shown in black.
7. The proposed project is shown in black.
8. The proposed project is shown in black.
9. The proposed project is shown in black.
10. The proposed project is shown in black.

**LEGEND**

- CONTOUR ELEVATION
- PROPOSED PROJECT
- EXISTING PROJECT
- PROPOSED CITY OF SALISBURY CORPORATE LIMITS LINE



PROFESSIONAL SURVEYOR  
STATE OF MARYLAND  
No. 12345  
Exp. 12/31/2025

**ANNEXATION SURVEY**  
FOR THE LANDS OF  
MILFORD STREET ASSOCIATES, INC.

PARSONS ELECTION DISTRICT, WOODBORO COUNTY, MARYLAND

DATE	11/16/21
SCALE	AS SHOWN
PROJECT	ANNEXATION SURVEY
CLIENT	MILFORD STREET ASSOCIATES, INC.
LOCATION	PARSONS ELECTION DISTRICT, WOODBORO COUNTY, MARYLAND
AREA	711,286.51 ± SQ. FT. (16.25 ± ACRES)
PREPARED BY	[Signature]
CHECKED BY	[Signature]
APPROVED BY	[Signature]

Exhibit A