
STAFF REPORT

MEETING OF FEBRUARY 1, 2024

Case No. 202400024

Applicant: Becker Morgan Group for TidalHealth
Community Clinic

Property Owner: TidalHealth Peninsula Regional Inc.

Location: 805 East Church Street
Map: #0108, Grid #0003, Parcel #1848

Zoning: R-5A Residential

Requests: Special exception to allow a Clinic -
Residential in the R-5A Residential zoning
district

I. SUMMARY OF REQUEST:

The Applicant requests permission to construct a 16,846 sq. ft. residential community clinic at the referenced address, which is located in the R-5A Residential zoning district. A special exception is required for the proposed use. **(Attachment 1)**

II. ACCESS TO THE SITE:

The property has frontage and access along East Church, Naylor and Benny Streets. **(Attachments 2)**

III. DESCRIPTION OF PROPERTY:

The site is a 1.947 acre lot that was improved with the former Hotel Esther, which was recently demolished. **(Attachment 2)**

IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

The property is located in a neighborhood that is primarily single-family dwellings located in the R-5 Residential zoning district. A few properties to the northeast are zoned General Commercial. **(Attachment 3)**

V. EVALUATION:

- (a) **Discussion:** The applicant, on behalf of the developer, proposes to construct a 16,846 sq. ft. residential community clinic. **(Attachments 4 - 10)** According to Section 17.160.030F. of the City's Zoning Code, a special exception is required for the proposed use.
- (b) **Impact:** The clinic will increase healthcare access for neighborhood residents who may not have access to other medical facilities. The building will also serve as a meeting space for community wellness, outreach and counseling.
- (c) **Relationship to Criteria:**

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.**

On October 2, 2023, the Salisbury City Council adopted Ordinance No. 2821, which amended the City's Zoning Code, making a "Clinic – Residential" a use permitted by special exception in the R-5A, R-8A and R10A zoning districts. Section 17.160.030 F. of the Zoning now includes this as a permitted use. **(Attachment 11)**

- [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 project will provide a much-needed service to residents of the neighborhood, and only enhance the quality of life for the residents it is supposed to serve.

- [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 project has received preliminary site plan approval from the Salisbury Planning Commission review, which will help to ensure attractiveness of the site. Additionally, the proposed building will

incorporate some design features from the Hotel Esther, which will increase the attractiveness of the building with its unique features.

- [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.**

The proposed project should have minimal negative effects on neighboring properties.

- [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.**

The proposal will not impact environment or historical assets either negatively or positively. The previous building, Hotel Esther, was listed in the historical survey with the Maryland Historical Trust (MHT). The property owner voluntarily worked with MHT to document the building prior to its demolition.

- [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 proposed use is to be a public service to residents of the Church Street neighborhood. This use will be beneficial to all that utilize the services that will be provided.



VI. RECOMMENDATION:

Based on the findings contained in this Staff Report, Staff recommends **Approval** of the applicant's request for a special exception to construct a residential medical clinic at the referenced address, with the following condition:

1. Subject to further review and approval by the Salisbury Department of Infrastructure and Development, the Salisbury Fire Department, and other agencies as appropriate.



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December 22, 2023

Mr. Henry Eure
City of Salisbury Department of Infrastructure & Development
125 N. Division Street, #202
Salisbury, Maryland 21801

Re: **Board of Zoning Appeals Request**
TidalHealth Community Clinic
805 East Church Street
Salisbury, Maryland
2020019.18

Dear Henry,

Attached please find our submittal to Board of Zoning Appeals, requesting the approval of the Clinic use in the R-5A district. As you know this property is amongst those impacted by the recently approved text amendment regarding this zoning.

It is our understanding that this submittal will place this item on the February 1, 2024 BZA hearing agenda.

I have attached a paper copy of the related plans in 11 x 17 format and have also attached a flash drive copy of the same in digital format.

The fee will be delivered directly to your attention by Mr. Palmer Gillis. Should you have any questions regarding this submittal, please feel free to contact me at 410-546-9100 or by email at kparsons@beckermorgan.com.

Sincerely,

BECKER MORGAN GROUP, INC.

Kevin W. Parsons
Senior Associate

kwp/

Enc: (1) BZA Application
(1) 11 x 17 Plan Set
(1) PDF Copy provided on Flash Drive

202001918ab-Concept Response-ltr.docx

BECKER MORGAN GROUP, INC.

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950

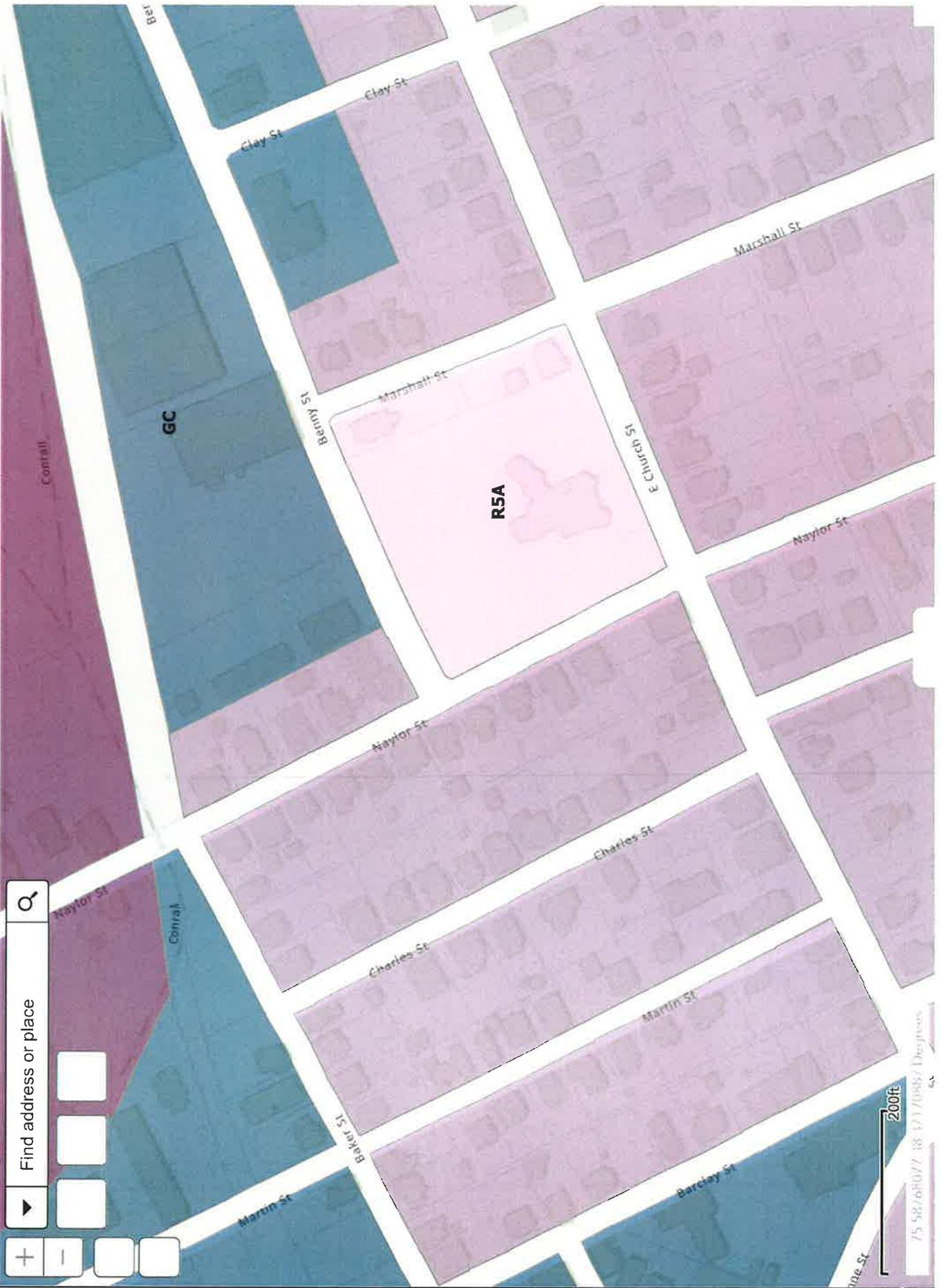
THE TOWER AT STAR CAMPUS
100 DISCOVERY BOULEVARD, SUITE 102
NEWARK, DELAWARE 19713
302.369.3700

3333 JAECKLE DRIVE, SUITE 120
WILMINGTON, NORTH CAROLINA 28403
910.341.7600

www.beckermorgan.com



Utility Viewer interface controls including a search bar with a magnifying glass icon, a dropdown arrow, and zoom in (+) and zoom out (-) buttons.



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TIDALHEALTH COMMUNITY CLINIC

- CITY OF SALISBURY GENERAL NOTES:**
- THE CITY RESERVES THE RIGHT TO REQUIRE STRUCTURAL MODIFICATIONS TO THE SITE WORK FOLLOWING PERMIT ISSUANCE IF SUCH MODIFICATIONS ARE NECESSARY.
 - ALL STABILIZATION, PAVING AND ROAD PATCHING IN THE PUBLIC ROADWAY, WHICH IS NECESSITATED BY THE CONSTRUCTION OF THIS PROJECT, SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, USING A PAVING CONTRACTOR WHO IS CURRENTLY APPROVED BY THE CITY. MILLING AND REPAVING WILL BE IN ACCORDANCE WITH RESOLUTION 2298.
 - ALL DETERIORATED CURB, GUTTER AND SIDEWALKS, AS DETERMINED BY THE CITY, ALONG THE FRONTAGE(S) OF THE PROPERTY MUST BE REPLACED AT THE TIME OF CONSTRUCTION USING A CONCRETE CONTRACTOR WHO IS CURRENTLY APPROVED BY THE CITY. HANDICAP RAMPS PER CURRENT ADA GUIDELINES ARE REQUIRED AT ALL PUBLIC STREET AND DRIVEWAY INTERSECTIONS. DETECTABLE WARNING DEVICES (TRIANGULAR DOMES) MUST BE PROVIDED AT ALL PUBLIC STREET INTERSECTION HANDICAP RAMPS AND AS DIRECTED BY D.D. SEE CITY STANDARD 100.37.
 - ALL PUBLIC INFRASTRUCTURE IMPROVEMENTS, INCLUDING WATER, SEWER, STORM DRAINS, CURB, GUTTER, SIDEWALKS, STREET LIGHTS, AND PAVING FOR THIS PROJECT OR PHASE OF PROJECT IN ITS ENTIRETY MUST BE ACCEPTED IN WRITING BY THE CITY PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. SEE SECTION 18.48.030 OF THE SALISBURY SUBDIVISION REGULATIONS. REDUCTIONS IN PROJECT SURETY WILL NOT BE APPROVED PRIOR TO FINAL WRITTEN ACCEPTANCE BY THE CITY OF ALL PUBLIC INFRASTRUCTURE IMPROVEMENTS. SUB-PHASING OF THIS PROJECT SHALL NOT BE PERMITTED.
 - A WRITTEN "NOTICE TO PROCEED" MUST BE OBTAINED FROM AND A PRE-CONSTRUCTION MEETING SCHEDULED WITH O.D. BEFORE BEGINNING CONSTRUCTION IN CITY PUBLIC RWYS, EASEMENTS AND/OR CITY MAINTAINED UTILITIES OR ROADWAYS. THIS REQUIREMENT ALSO APPLIES TO CONSTRUCTION OF ANY PRIVATE STORMWATER MANAGEMENT CONTACT SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT, ROOM 202, 125 N. DIVISION ST., SALISBURY, MARYLAND, 21801-4940, TELEPHONE 410-548-3170, TO SCHEDULE A PRE-CONSTRUCTION MEETING AND OBTAIN A WRITTEN "NOTICE TO PROCEED". 48 HOURS NOTICE IS REQUIRED.
 - STREET TREES SHALL BE PLANTED PER THE CURRENT SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT STREET TREE POLICY.
 - CURRENT WICOMICO COUNTY WATER/SEWER PLAN SERVICE CATEGORY W-1/S-1.
 - CONTRACTOR TO CONTACT CITY PLUMBING INSPECTOR FOR INSPECTION OF PRIVATE UTILITY MAINS.
 - MILLING AND REPAVING SHALL BE PER RESOLUTION 2298.
 - PRIVATE IRRIGATION LINES SHALL NOT BE INSTALLED IN CITY RIGHT-OF-WAYS OR EASEMENTS WITHOUT WRITTEN APPROVAL OF SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT.
 - EXISTING WATER MAIN CONTRACT NUMBER 5-15-W, EXISTING SEWER MAIN CONTRACT NUMBER 5-15-S.
 - 7 EDUS OF WATER AND SEWER CAPACITY EXISTS AND WILL BE RESERVED FOR THIS PROJECT; SUBJECT TO MUNICIPAL, STATE AND FEDERAL LAW AND REGULATIONS.
 - APPROVAL OF THE SITE PLAN AND UTILITY DRAWINGS EXPIRES TWO (2) YEARS FROM THE FINAL APPROVAL DATE. CONSTRUCTION OF THE PROJECT MUST HAVE BEEN STARTED PRIOR TO THE EXPIRATION DATE. THE CITY RESERVES THE RIGHT TO EXTEND THE EXPIRATION DATE UPON WRITTEN REQUEST AND WRITTEN CONFIRMATION.
 - PROVIDE RESIDENT INSPECTION FOR THE CONSTRUCTION OF THE PRIVATE STORM WATER MANAGEMENT SYSTEM APPROVED AS PART OF THE IMPROVEMENTS CONSTRUCTION PLAN. DURING THE CONSTRUCTION OF THE STORM WATER MANAGEMENT CHAMBERS AND MICRO-SCALE PRACTICES (MSP) WITH GRAVEL SUBSTRATE, INCLUDING RUN GARDENS, MICRO-BIODEGRADATION, SUBMERGED GRAVEL WETLANDS, PERFORATED CONCRETE, ETC. THE DEVELOPER WILL BE RESPONSIBLE TO PROVIDE SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT WITH A DAILY PROGRESS REPORT SEALED BY A PROFESSIONAL ENGINEER CURRENTLY REGISTERED IN MARYLAND. THE REPORT IS TO INCLUDE THE FOLLOWING AS APPLICABLE: THE DIMENSION AND HEIGHT OF THE CHAMBERS AS WELL AS LOCATION, SIZE, AND NUMBER OF CHAMBERS PLACED. ALSO, THE LOCATION, SIZE, AND DEPTH OF MEDIA LAYERS FOR MSPS. THE FINAL OCCUPANCY CERTIFICATE AND SURETY WILL BE WITHHELD UNTIL THE DAILY PROGRESS REPORT(S) HAVE BEEN ACCEPTED BY SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT.
 - FOLLOWING COMPLETION OF CONSTRUCTION, THE DEVELOPER SHALL BE RESPONSIBLE FOR SUBMISSION AS-BUILT DRAWINGS OF THE PUBLIC WATER, SEWER, AND STORM DRAINS. THE PRIVATE STORMWATER MANAGEMENT AS-BUILTS MUST BE SUBMITTED WITHIN 60 CALENDAR DAYS FOLLOWING THE DATE OF MOE'S FINAL FIELD INSPECTION REPORT FOR SEDIMENT CONTROL. SUBMIT A COPY OF THIS REPORT WITH THE AS-BUILTS. ALL APPLICABLE AS-BUILTS MUST BE SUBMITTED AT THE TIMES LISTED OTHERWISE APPROVED BY SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT. PARTIAL SUBMITTALS WILL BE REJECTED. THE "AS-BUILT" DRAWINGS MUST BE SEALED BY A PROFESSIONAL LAND SURVEYOR, PROPERTY LINE SURVEYOR, OR ENGINEER CURRENTLY REGISTERED IN MARYLAND. THE INITIAL SUBMITTAL SHALL BE PAPER ONLY, THREE (3) COPIES. THE FINAL AS-BUILTS MUST BE SUBMITTED TO THIS OFFICE ON MYLAR AND AUTOCAD 2016 OR LATER VERSION OF AUTOCAD. ALL COMPACT DISCS (CD) MUST BE IN A PLASTIC PROTECTIVE CASE. PROJECT SURETY WILL BE WITHHELD AND FINAL OCCUPANCY CERTIFICATE SHALL BE DELAYED UNTIL THIS AS-BUILT INFORMATION IS SUBMITTED TO AND APPROVED BY THIS OFFICE.

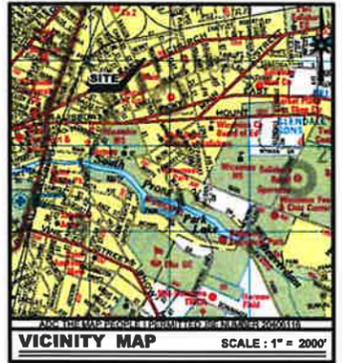
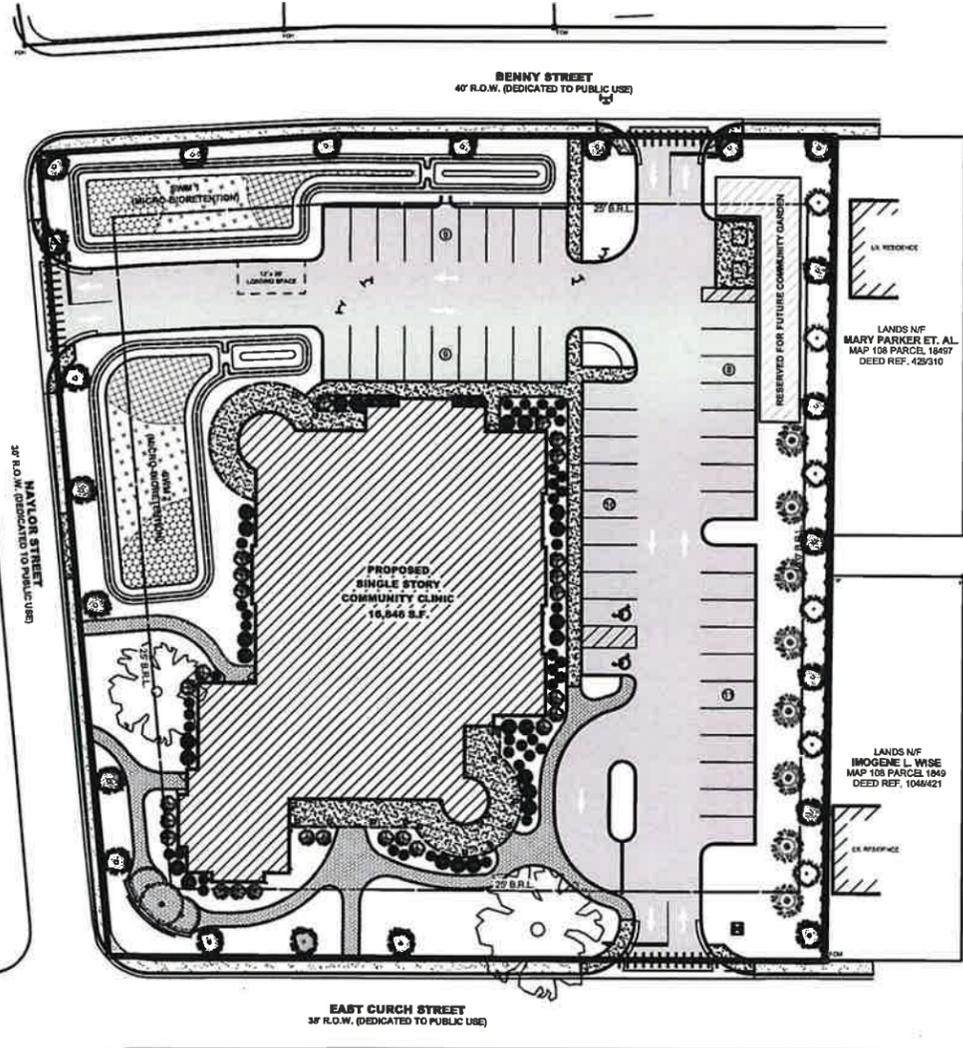
- CITY OF SALISBURY - UTILITY CONSTRUCTION NOTES:**
- THE OWNER/DEVELOPER SHALL USE A CONTRACTOR/SUBCONTRACTOR CURRENTLY APPROVED BY THE CITY OF SALISBURY FOR CONSTRUCTION OF THE PARTICULAR TYPE OF IMPROVEMENT. PAYMENT TO THE CONTRACTOR SHALL BE THE OWNER'S RESPONSIBILITY. THE CITY OF SALISBURY MAY SUSPEND OR CANCEL CONSTRUCTION WHEN THE CONTRACTOR DOES NOT PROGRESS, IN A CONTINUOUS MANNER, AND/OR THE CONSTRUCTION METHOD OR MATERIALS SUPPLIED ARE LESS THAN THE STANDARD SET FORTH IN THE "CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR UTILITY AND ROADWAY CONSTRUCTION" OR WHEN THE CONTRACTOR IS NOT IN COMPLIANCE WITH THE PUBLIC WORKS AGREEMENT AND RELATED RESPONSIBILITIES CONTAINED THEREIN. THE TYPE AND QUANTITY OF MATERIAL TESTING WILL BE DETERMINED BY THE CITY OF SALISBURY FIELD INSPECTOR DURING CONSTRUCTION, AS DESCRIBED IN THE CONSTRUCTION MATERIAL SPECIFICATIONS. TESTING COSTS SHALL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER.
 - THE APPROVED UTILITY CONTRACTOR'S FIELD REPRESENTATIVE SHALL BE REQUIRED TO FOLLOW AND HAVE AN APPROVED, SIGNED COPY OF THE UTILITY DRAWINGS, THE LATEST REVISION OF THE CITY OF SALISBURY CONSTRUCTION AND MATERIAL SPECIFICATION FOR UTILITY AND ROADWAY CONSTRUCTION AND THE CONSTRUCTION STANDARDS, (STANDARD DETAILS) MANUALS AT THE CONSTRUCTION AREA DURING WORKING HOURS.
 - ALL CONSTRUCTION WITHIN CITY RIGHT OF WAYS AND EASEMENTS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF CITY OF SALISBURY CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR UTILITY AND ROADWAY CONSTRUCTION.
 - CONTRACTOR TO VERIFY ALL ELEVATIONS AGAINST A PREVIOUSLY CONSTRUCTED POINT OF KNOWN ELEVATION BEFORE BEGINNING CONSTRUCTION.
 - THE CONTRACTOR SHALL NOTIFY "MISS UTILITY" AT 1-800-257-7777, THREE (3) DAYS PRIOR TO BEGINNING ANY WORK IN THE VICINITY OF EXISTING UTILITIES.
 - DURING THE PROGRESS OF THE JOB, THE CONTRACTOR SHALL KEEP A CAREFUL RECORD AT THE JOB SITE OF ALL CHANGES AND CORRECTIONS TO THE INFORMATION SHOWN ON THE CONTRACT DRAWINGS AND THE STORMWATER MANAGEMENT PLAN DRAWINGS. PRIOR TO BACKFILL, THE CONTRACTOR SHALL ENTER SUCH CHANGES AND CORRECTIONS ON ONE SET OF RED LINES AS BUILT DRAWINGS. THE RED LINES AS BUILT DRAWINGS SHALL INDICATE, IN ADDITION TO ALL CHANGES AND CORRECTIONS, ALL SURFACE STRUCTURES/UTILITIES INSTALLED OR UNCOVERED, REFERENCED TO TWO PERMANENTLY FIXED SURFACE STRUCTURES. PRIOR TO TESTING OF THE UTILITIES AND ACCEPTANCE OF THE SWM FACILITIES INVOLVED UNDER THE CONTRACT, THE CONTRACTOR SHALL SUBMIT, CONCURRENTLY, TO THE OWNER ONE SET OF RED LINES AS BUILT DRAWINGS SHOWING THE AFORESAID DATA AND ONE COPY OF THE RED LINES AS BUILT DRAWINGS TO SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT. SHOULD THE CONTRACTOR FAIL TO MAINTAIN RED LINES AS BUILT DRAWINGS, THE OWNER MAY BE REQUIRED TO HIRE A PRIVATE LOCAL AND MAY BE REQUIRED TO TEST AT THE MAINTAIN AT THE DISCRETION OF THE CITY ENGINEER. PARTIAL ACCEPTANCE OF THE PUBLIC UTILITIES AND ACCEPTANCE OF THE STORMWATER MANAGEMENT FACILITY MAY BE DELAYED PENDING RECEIPT OF THIS INFORMATION.
 - SEWER MAINS TO BE 508-35 PVC.
 - SANITARY SEWER MANHOLES SHALL CONFORM TO CITY STD. NO. 400.13.
 - ALL MANHOLES INSTALLED IN UNPAVED AREAS SHALL BE FURNISHED WITH A CONCRETE COLLAR EXTENDING 1' BEYOND THE FRAME OF THE MANHOLE LID. THE COLLAR SHALL BE 6" THICK AND BE SUPPORTED BY A 6" BASE OF CR-6 AGGREGATE WHICH IN TURN SHALL BE SUPPORTED BY SUITABLE SOIL COMPACTED TO 95% PROCTOR. CONCRETE COLLARS SHALL BE INSTALLED AFTER THE TOP OF THE MANHOLE LIDS ARE ADJUSTED TO FINISHED GRADE. SLOPE THE SURROUNDING EARTH AROUND MANHOLE IN SUCH A WAY AS TO CREATE POSITIVE DRAINAGE AWAY FROM THE LID.
 - FOR INSPECTION OF PRIVATE SEWER MAINS AND FOR ABANDONMENT OF EXISTING SEWER SERVICES; CONTRACTOR TO CONTACT CITY PLUMBING INSPECTOR FOR REQUIREMENTS, AND TO COORDINATE THE WORK AND INSPECTION.
 - MAINTAIN 42" OF COVER OVER ALL NEW WATER MAINS.
 - FIRE HYDRANTS AND VALVES SHALL CONFORM TO CITY STD. NO. 300.55.
 - BLOW OFF HYDRANTS SHALL CONFORM TO CITY STD. NO. 300.51.
 - WATER MAINS TO BE C900 PVC.
 - DUCTILE IRON MECHANICAL JOINT FITTINGS PER CITY CONSTRUCTION AND MATERIALS SPECIFICATION SHALL BE USED TO RESTRAIN ALL WATER MAIN JOINTS.
 - #12 SOLID COATED COPPER TRACER WIRE TO BE USED ON ALL CITY WATER MAINS PER CITY STD. NO. 300.55.
 - ALL VALVE BOXES INSTALLED IN UNPAVED AREAS SHALL BE FURNISHED WITH A CONCRETE COLLAR EXTENDING 1' BEYOND THE FRAME OF THE VALVE BOX LID. THE COLLAR SHALL BE 6" THICK AND BE SUPPORTED BY A 6" BASE OF CR-6 AGGREGATE WHICH IN TURN SHALL BE SUPPORTED BY SUITABLE SOIL COMPACTED TO 95% PROCTOR. CONCRETE COLLARS SHALL BE INSTALLED AFTER THE TOP OF THE VALVE BOX LIDS ARE ADJUSTED TO FINISHED GRADE. SLOPE THE SURROUNDING EARTH AROUND VALVE BOX IN SUCH A WAY AS TO CREATE POSITIVE DRAINAGE AWAY FROM THE LID.
 - WATER METERS AND ASSOCIATED VALVES SHALL NOT BE LOCATED IN DRIVEWAYS OR OTHER AREAS INTENDED FOR VEHICULAR TRAFFIC. ANY METER OR VALVE FOUND TO BE IN SUCH AN AREA SHALL BE RELOCATED TO A DEDICATED APPROVED LOCATION. THE OWNER SHALL BEAR ALL EXPENSE ASSOCIATED WITH THE RELOCATION INCLUDING BUT NOT LIMITED TO ADDITIONAL INSPECTION FEE, WATER MAIN TAPS, PAVEMENT, CURB, GUTTER, AND/OR SIDEWALK RESTORATION, ANY RESTETING, AND ANY AND ALL ASSOCIATED APPURTENANCES.
 - DEFLECT THE WATER MAIN AROUND OTHER UTILITIES PER CITY STD. NO. 300.42 AS NECESSARY TO AVOID CONFLICTS. MAINTAIN A MINIMUM OF 1' OF SEPARATION BETWEEN THE OUTSIDE EDGE OF PIPES. IF WATER MAINS ARE INSTALLED BEFORE ANY OTHER UTILITY IT WILL BE AT THE RISK OF THE CONTRACTOR.
 - EXISTING WATER SERVICES THAT ARE TO BE ABANDONED ARE TO BE PLUGGED/CAPPED AT THE CORPORATION STOP ON THE MAIN PER SALISBURY DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT REQUIREMENTS. IF THE SERVICE DOES NOT HAVE A CORPORATION STOP IT SHALL BE ABANDONED PER CITY'S INSPECTOR'S REQUIREMENTS.

- GENERAL NOTES:**
- BOUNDARY AND TOPOGRAPHIC SURVEY DATA SHOWN WAS PREPARED BY BECKER MORGAN GROUP, SALISBURY, MD, IN APRIL OF 2023. VERTICAL DATUM IS BASED ON NAVD 88. HORIZONTAL DATUM IS BASED ON MARYLAND STATE PLANE NAD 83 (2011).
 - PROPERTY SHOWN HEREON (SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC., AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY).
 - THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (1-800-282-8555) TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO THE DELAYS FROM SAID RELIANCE.
 - THIS SITE IS LOCATED WITHIN FLOOD ZONE X - AREAS OF MINIMAL FLOOD HAZARD BASED ON FEMA MAP 24045C0262E, PANEL, DATED AUGUST 17, 2015.
 - ALL FIRE LANES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE MARYLAND STATE FIRE PREVENTION REGULATIONS.
 - CONTRACTOR TO REPAIR ANY AND ALL EXISTING SIDEWALK AND/OR CURB DAMAGED DURING CONSTRUCTION TO ITS EXISTING CONDITION.

LEGEND		ITEM	
EXISTING	PROPOSED	EXISTING	PROPOSED
CONCRETE CURB & GUTTER	CONCRETE SIDEWALK, BLVD & PAVING	SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	EX 10" S
CONCRETE SIDEWALK, BLVD & PAVING	MARBLE SURFACED ROAD, DRIVE OR LOT	SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	EX 12" F.M.
INDIVIDUAL TREE OR BUSH	OVERSEEN DECIDUOUS	SANITARY SEWER MANHOLE (S.M.H.)	EX 12" W
WIRE FENCE	CONCRETE COLLAR	SANITARY SEWER CLEANOUT	EX 12" W
STRUCTURE (CONCRETE, WOOD METAL, ETC.)	STRUCTURE (CONCRETE, WOOD METAL, ETC.)	WATER MAIN & SIZE	EX 12" W
DRAINAGE DITCH OR SWALE	EMBASEMENT BIODEGRADABLE DOWN	FIRE HYDRANT	EX 12" W
CONTOUR	ELEVATION SPOT BLOT	WATER VALVE ON V. OR METER (BY M.)	W.M. F.W.
BEACH MARK	PROPERTY OR RIGHT-OF-WAY LINE	STORM DRAIN MANHOLE (S.D.M.H.)	W.M. F.W.
CONSTRUCTION NOTE	CONSTRUCTION NOTE	STORM DRAIN LINE (CMP OR RCP)	W.M. F.W.
		CATCH BASIN	W.M. F.W.
		UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC ON BOTH)	W.M. F.W.
		UNDERGROUND ELECTRIC	W.M. F.W.
		UNDERGROUND TELEPHONE	W.M. F.W.
		UNDERGROUND GAS MAIN	W.M. F.W.
		PAVEMENT TO BE REMOVED	W.M. F.W.

AREA TABULATION

TOTAL PARCEL AREA:	1.947 ACRES
TOTAL OPEN SPACE AREA:	0.800 ACRES (41.09%)
BUILDING AREA (FOOTPRINT):	16,846 S.F. (0.38 ACRES)
PARKING/DRIVE AISLE AREA:	23,909 S.F. (0.55 ACRES)



SOILS LEGEND:

ENTIRE SITE:	U8 - URBAN LAND-FORT MOTT COMPLEX
0 - 5 PERCENT SLOPES:	HSS: A (100% OF SITE)
SOURCE:	UNITED STATES DEPARTMENT OF AGRICULTURE, NATIONAL RESOURCES CONSERVATION SERVICE, WEB SOIL SURVEY.

SITE DATA

- OWNER OF RECORD: TIDALHEALTH PENINSULA REGIONAL INC. 100 E. CARROLL ST. SALISBURY, MD 21801 CONTACT: BARRY PAYNE PHONE: 410-443-7346 EMAIL: BARRY.PAYNE@TIDALHEALTH.ORG
- ENGINEER / SURVEYOR: BECKER MORGAN GROUP INC. 312 WEST MAIN STREET, SUITE 300 SALISBURY, MD 21801 CONTACT: KEVIN W. PARSONS PHONE: 410-446-9100 EMAIL: KPARSONS@BECKERMORGAN.COM
- TAX MAP REFERENCE: MAP 106 - GRID 3 - PARCEL 1848
- ZONING CLASSIFICATION: R-5A
- DEED SUMMARY: 5120220
- PLAT REFERENCE: 18/11
- PRESENT USE: VACANT
- PROPOSED USE: INSTITUTIONAL / HOSPITAL / EMERGENCY ROOM
- TOTAL SITE AREA: 1.947 ACRES
- PROPOSED BUILDING AREA: 16,846 S.F.
- PARKING CALCULATIONS: MEDICAL CLINIC MAX ALLOWABLE: 1 SPACE PER 250 S.F. = 16,846/250 = 66 SPACES PROVIDED: 47 SPACES HANDICAP PARKING SPACES: 2 SPACES LOADING SPACE(S) REQUIRED/PROVIDED: 1/1
- SETBACKS: R-5A ZONING FRONT: 25' SIDE: 10' EACH BACK: 30'
- BUILDING HEIGHT: PERMITTED: 40' PROPOSED: 38.5'
- SOURCE OF WATER: CITY OF SALISBURY
- SOURCE OF SEWER: CITY OF SALISBURY
- SOURCE OF GAS: CHESAPEAKE UTILITIES
- SOURCE OF ELECTRIC: DELMARVA POWER
- SURVEY BENCHMARK: NGS BENCHMARK EAST SCHOOL VERTICAL: NAVD 88 HORIZONTAL: NAV 832011
- FLOOD ZONE: SITE IS LOCATED WITHIN FLOOD ZONE "X", AN AREA OF MINIMAL FLOOD HAZARD, PER FEMA FIRMETTE 24045C0262E, WITH AN EFFECTIVE DATE OF 08/17/2015

SHEET INDEX

C-001	COVER SHEET
C-101	EXISTING CONDITION / DEMOLITION PLAN
C-201	SITE & LAYOUT PLAN
C-301	UTILITY PLAN
C-401	GRADING PLAN
C-501	EROSION & SEDIMENT CONTROL PLAN
C-502	EROSION & SEDIMENT CONTROL DETAILS
C-601	CONSTRUCTION DETAILS
L-101	LANDSCAPING PLAN
SWM-1	PRE-DEVELOPED DRAINAGE AREA MAP
SWM-2	POST-DEVELOPED DRAINAGE AREA MAP

CITY OF SALISBURY CERTIFICATION

APPROVED: CITY OF SALISBURY DEPARTMENT OF INFRASTRUCTURE AND DEVELOPMENT

CITY PROJECT: _____

APPROVED: _____ DATE: _____

RICHARD D. BALDWIN DIRECTOR

OWNERS CERTIFICATION

WE, TIDALHEALTH PENINSULA REGIONAL INC., HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF MARYLAND.

SIGNATURE: _____ DATE: _____

SURVEYORS CERTIFICATION

I, KEVIN W. PARSONS, HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF MARYLAND.

SIGNATURE: _____ DATE: _____

KEVIN W. PARSONS P.L.S. NO. 21223 DATE: _____

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jeeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7500

www.beckermorgan.com



TIDALHEALTH COMMUNITY CLINIC

805 EAST CHURCH ST.
CITY OF SALISBURY
WICOMICO COUNTY, MD.

COVER SHEET & OVERALL SITE PLAN

SCALE: 1" = 30'

ISSUE BLOCK	DATE	DESCRIPTION

PROJECT NO.: 2020019.18
DATE: 11/01/2023
SCALE: 1" = 30'
DRAWN BY: EMS PROJ. MGR.: KWP



HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A
FULLY LICENSED PROFESSIONAL LAND
SCAPE ARCHITECT UNDER THE LAWS OF THE
STATE OF MARYLAND.
LICENSE NUMBER: 21233
EXPIRATION DATE: 02/02/25

PROJECT TITLE

**TIDALHEALTH
COMMUNITY
CLINIC**

805 EAST CHURCH ST.
CITY OF SALISBURY
WICOMICO COUNTY, MD.

SHEET TITLE

SITE PLAN

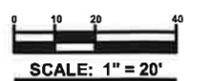
PROPOSED IMPERVIOUS AREA	
TOTAL AREA:	1.947 ACRES
IMPERVIOUS AREA:	1.144 ACRES
PERCENT IMPERVIOUS:	58.78%

GENERAL CONSTRUCTION NOTES

- G-1 PROPOSED SINGLE STORY COMMUNITY CLINIC. SEE ARCHITECTURAL PLANS FOR DETAILS.
- G-2 INSTALL CONCRETE SIDEWALK (CLASS 1 - CONCRETE IAVING) WIDTH PER PLAN. SEE CONCRETE PAVING DETAIL SHEET C-901.
- G-3 INSTALL BRICK PAVERS, SEE PAVERS DETAIL SHEET C-901.
- G-4 PROPOSED MONUMENT SIGN LOCATION. SEE ARCHITECTURAL & MEP PLANS FOR DETAILS.
- G-5 PROPOSED PARKING LOT 1" CURB. SEE DETAIL SHEET C-901.
- G-6 PROPOSED OFF-SITE CURB AND GUTTER TO BE CONSTRUCTED PER CITY OF SALISBURY STANDARD DETAIL 100-11.
- G-7 INSTALL PROPOSED FULL DEPTH HEAVY DUTY PAVEMENT SECTION. SEE DETAIL SHEET C-901.
- G-8 INSTALL PROPOSED FLAG POLES. SEE ARCHITECTURAL PLANS FOR DETAILS.
- G-9 7" HIGH VINYL SOLID SLAT "RVACY FENCE (W/ SOLID AID 1" LATTICE), GLENSHIRE BY WEATHERABLES OR APPROVED EQUAL.
- G-10 PROPOSED DUMPSTER PAD WITH SCREENING FENCE/O MATCH ITEM G-9 ABOVE. SEE DETAIL SHEET C-901.

STRIPING & SIGNAGE CONSTRUCTION NOTES

- T-1 PROPOSED 24" WIDE PAINTED STOP BAR.
- T-2 PROPOSED ROADWAY STRIPING - 4" SOLID YELLOW LINE.
- T-3 INSTALL "STOP" SIGN 30" X30" (R1-1 PER MD MUTCD).
- T-4 PROPOSED PAINTED WHITE ARROW IN ACCORDANCE WITH THE LATEST "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
- T-5 PROPOSED PAINTED STRIPING - 4" SOLID WHITE LINE.
- T-6 PROPOSED PAINTED STRIPING - 4" WIDE SOLID ACCESSIBLE BLUE LINES, 45' @ 4' O.C. SPACING (TYP).
- T-7 PROPOSED ACCESSIBLE PARKING SYMBOL, PAINTED ACCESSIBLE BLUE (TYP). SEE SHEET C-901 FOR DETAILS.
- T-8 PROPOSED THERMOPLASTIC "PIANO KEY" STYLE PEDESTRIAN CROSSWALK. SEE DETAIL SHEET C-901.



ISSUE BLOCK

DATE	DESCRIPTION

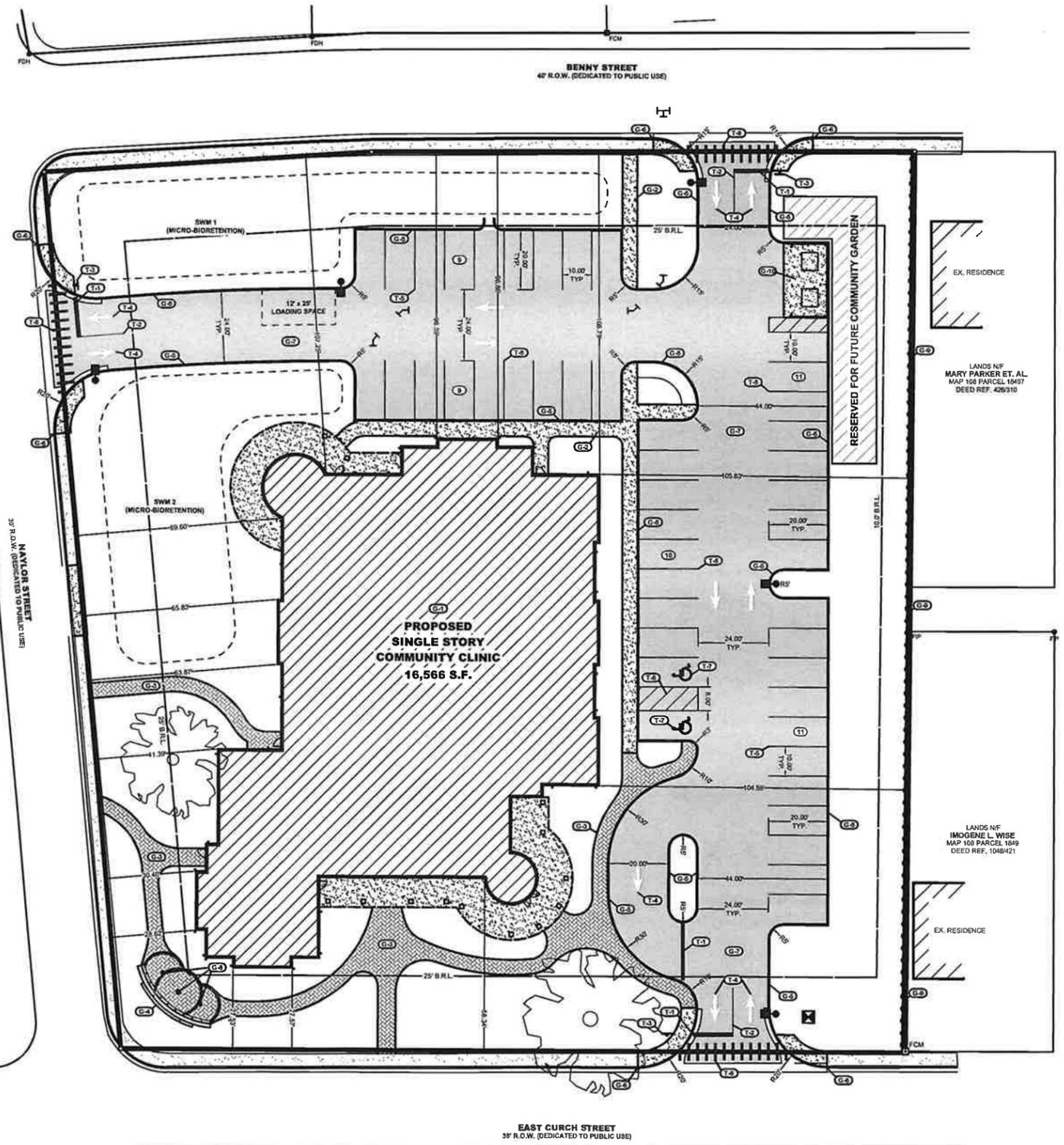
PROJECT NO.: 2020019.1B

DATE: 11/01/2023

SCALE: 1" = 20'

DRAWN BY: EMS PROJ. MGR.: KWP

C-201



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

**TIDAL HEALTH
- COMMUNITY
CLINIC**

805 E CHURCH ST. SALISBURY,
MARYLAND 21804

PRELIMINARY
DESIGN CONCEPT ONLY. SUBJECT
TO FURTHER REVISIONS. NOT FOR
CONSTRUCTION. NOT FOR
PERMITS.

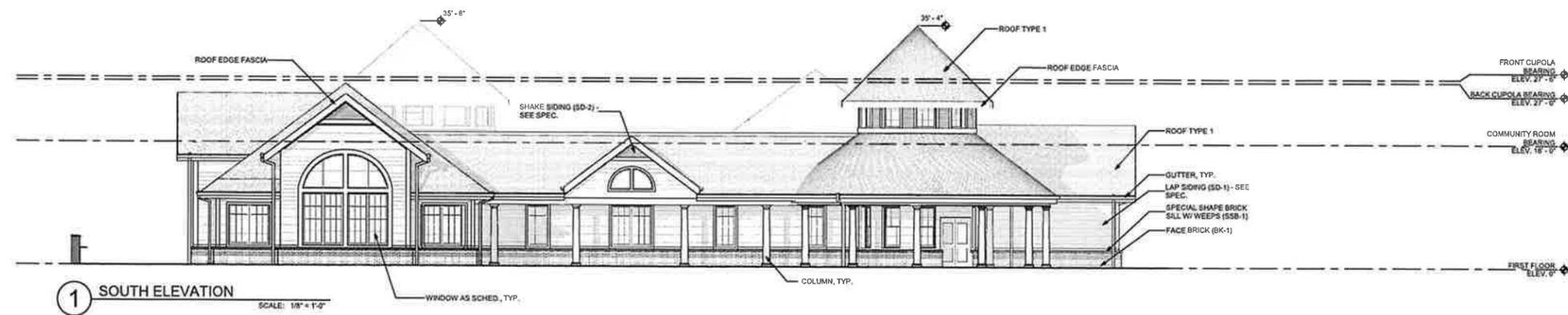
ISSUED: 09-28-2023

**EXTERIOR
ELEVATIONS**

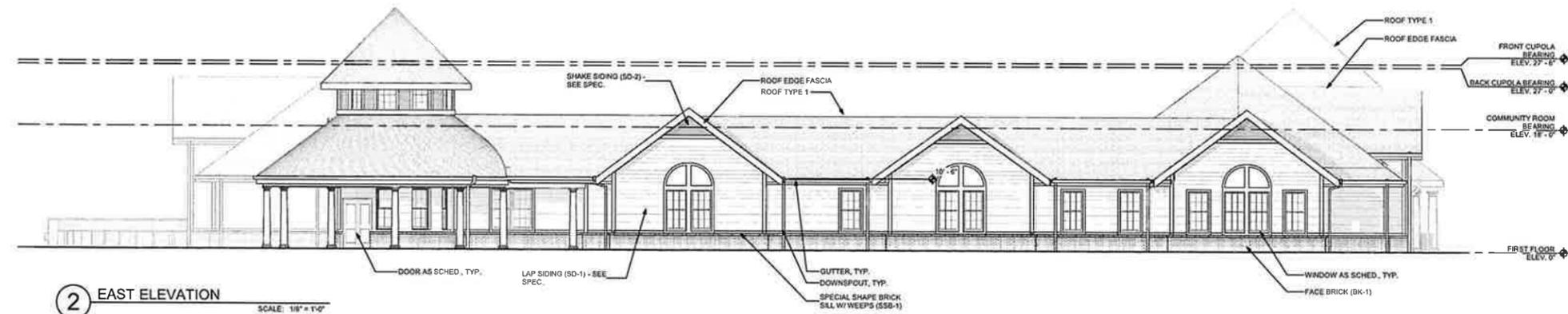
0' 4' 8' 16'
SCALE: 1/8" = 1'-0"

PROJECT NO: 2020019.18
DATE: 10-31-2023

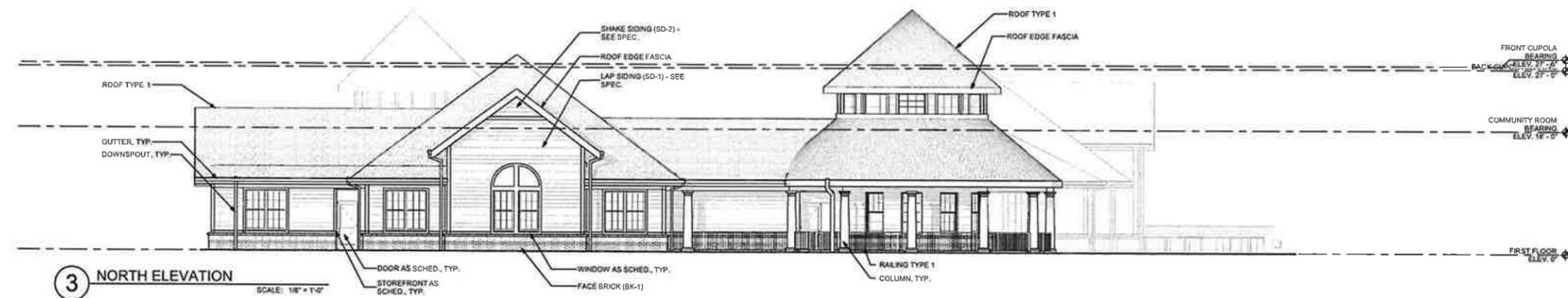
1/8" = 1'-0"



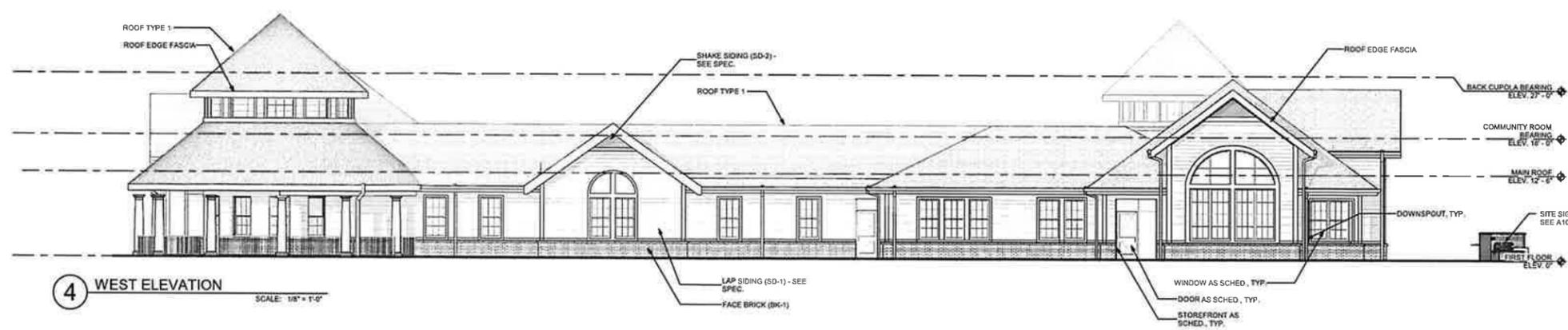
1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"





BECKER
MORGAN
GROUP

ARCHITECTURE
ENGINEERING

ORDINANCE NO. 2821

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTION 17.04.120 OF THE SALISBURY CITY CODE TO INCLUDE A DEFINITION FOR “CLINIC-RESIDENTIAL” AND AMENDING 17.160.030 OF THE SALISBURY CITY CODE TO ADD CLINIC- RESIDENTIAL TO THE CATEGORY OF USES PERMITTED BY SPECIAL EXCEPTION IN THE R-5A ZONING DISTRICT.

WHEREAS, the ongoing application, administration and enforcement of Title 17 (Zoning) of the City of Salisbury Municipal Code (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to keep the provisions of Title 17 current, comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the “**City**”);

WHEREAS, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City;

WHEREAS, the Mayor and Council may amend Title 17 (Zoning) of the Salisbury City Code pursuant to the authority granted by MD Code, Land Use, § 4-102, subject to the provisions set forth in Section 17.228.020;

WHEREAS, the uses permitted inherently and by special exception in the R-5A district currently include care facilities and neighborhood places of assembly such as worship centers with daycare facilities, meeting rooms, and schools of general instruction. The inclusion of community clinics, as defined in Section 17.04.120 would provide an additional, but still substantially similar, use option in the R-5A district;

WHEREAS, the Mayor and Council find that the health, safety and general welfare of the citizens of the City will be furthered by amending Section 17.160.030 of the Salisbury City Code to permit community clinics in the R-5A zoning district;

WHEREAS, pursuant to Section 17.228.020 of the Salisbury City Code, any amendment to the Salisbury Zoning Code requires the recommendation of the Salisbury Planning and Zoning Commission (the “**Planning Commission**”) prior to the passage of an ordinance amending Chapter 17;

WHEREAS, a public hearing on the proposed amendment was held by the Planning Commission in accordance with the provisions of Section 17.228.020 of the Salisbury City Code on June 15, 2023;

WHEREAS, at the conclusion of its June 15, 2023 meeting, the Planning Commission recommended, by a vote of 6-0, that the amendments to Sections 17.04.120 and 17.160.030 of the Salisbury City Code set forth herein be approved by the Mayor and Council; and

WHEREAS, the Mayor and Council have determined that the amendments to Sections 17.04.120 and 17.160.030 of the Salisbury City Code shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Title 17 of the Salisbury City Code is hereby amended by adding the bolded and underlined language as follows:

Section 1. Section 17.04.120 of the Salisbury City Code, entitled “Definitions” shall be amended as follows:

17.160.120 – Definitions.

The following definitions have been used or considered in the construction of this title and shall be used in its interpretation:

...

“Clinic – Residential” means a place used for the outpatient care, diagnosis and treatment of sick, ailing, infirmed and injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room nor kept overnight on the premises. Behavioral and mental health counseling, community wellness outreach and education may also be provided. Medication Assisted Treatment (“MAT”) for addiction is not permitted.

...

Section 2. Section 17.160.030 of the Salisbury City Code, entitled “Uses permitted by special exception” shall be amended as follows:

Chapter 17.160 R-5A, R-8A AND R-10A RESIDENTIAL DISTRICTS

17.160.030 Uses permitted by special exception.

Uses permitted by special exception shall be as follows:

- A. Care home, in accordance with chapter 17.220;
- B. Church and other place of worship on a lot size of less than five acres, in accordance with chapter 17.220, excluding bus storage and maintenance, cemetery, day-care center, school of general instruction and gymnasium as accessory uses;
- C. Church and other place of worship on a minimum lot of five (5) acres, in accordance with chapter 17.220, including an activity building with offices and meeting rooms, cemetery, day-care center, school of general instruction and gymnasium as accessory uses;
- D. Day-care facilities for the elderly and handicapped.
- E. Solar Farm.
- F. **Clinic – Residential in the R-5A district on a minimum lot of one (1) acre, in accordance with a comprehensive site plan, as approved by the Planning Commission, with the following:**
 - 1. **The requirements for “Medical and dental clinic and office” in 17.196.030 shall be used to determine parking space requirements;**
 - 2. **Screening from adjoining residential uses consisting of a fence six feet in height and a twenty-foot-wide landscaped area shall be included on the comprehensive site plan approved by the Planning Commission; and**
 - 3. **A sign plan shall be approved by the Planning Commission in accordance with 17.216.120.**

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 5. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 5.

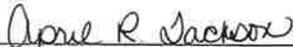
Section 6. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 28th day of August, 2023 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 25th day of September, 2023.

ATTEST:



Kimberly R. Nichols, City Clerk



April R. Jackson, City Council President

Approved by me, this 2nd day of October, 2023.



John R. Heath, Acting Mayor