



# City of Salisbury – Wicomico County

PLANNING AND ZONING COMMISSION

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

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RANDY TAYLOR  
MAYOR

ANDY KITZROW  
CITY ADMINISTRATOR

JULIE M. GIORDANO  
COUNTY EXECUTIVE

BUNKY LUFFMAN  
DIRECTOR OF ADMINISTRATION

## SALISBURY-WICOMICO COUNTY PLANNING AND ZONING COMMISSION

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### AGENDA

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**REGULAR MEETING**

**February 20, 2025**

ROOM 301, THIRD FLOOR  
GOVERNMENT OFFICE BUILDING

**1:30 P.M.** Convene, Chip Dashiell, Chairman

**Minutes – Meeting of December 19, 2024**

**Minutes – Meeting of January 16, 2025**

**1:35 P.M. PUBLIC HEARING - #WP-2501 SPECIAL EXCEPTION – MEDICAL CLINIC FOR TIDALHEALTH PENINSULA REGIONAL, INC.** – Property owned by Best Rental Housing, Inc., located west of the Salisbury corporate limits and binding upon the southerly side of Substation Road, about 200' east of its intersection with West Road in the R-8 Zoning District. M-38, G-1, P-193 (County Staff)

**PRELIMINARY DEVELOPMENT PLAN APPROVAL – MEDICAL CLINIC FOR TIDALHEALTH** – TidalHealth, Rep. by Parker and Associates – Morris St. & Richardson St. – Property owned by Best Rental Housing, Inc – R-8 Residential District – M-0038, G-0001, P-193 (B. Thayne)

**ZONING RECOMMENDATION FOR ANNEXATION – PEMBERTON DRIVE ANNEXATION** – David F. Layfield, Jr. - 1501 Pemberton Drive – R-8 Residential – M-0037, G-0023, P-0159 - #202500133 (H. Eure)

**PRELIMINARY FINAL SUBDIVISION PLAT APPROVAL – VILLAGE AT SALISBURY LAKE** – Salisbury MD LLC, rep. by Parker and Associates – Civic Ave., Glen Ave., and St Albans Dr. – PRD #11 Planned Residential District No. 11 – Village at Salisbury Lake – M-0109, G-0002, P-2518 - #22-014 (A. Rodriguez)



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## MINUTES

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The Salisbury-Wicomico County Planning and Zoning Commission ("Commission") met in regular session on December 19, 2024, in Room 301, Council Chambers, Government Office Building, with the following persons participating:

**COMMISSION MEMBERS:**

Charles "Chip" Dashiell, Chairman  
Matt Drew  
Daniel Moreno-Holt  
Joe Holloway  
D'Shawn Doughty

**PLANNING STAFF:**

Nick Voitiuc, City of Salisbury, Department of Infrastructure and Development ("DID")  
Henry Eure, City of Salisbury, DID  
Betsy Jackson, City of Salisbury, DID  
Tracey G. Taylor, Wicomico County Department of Planning, Zoning, and Community Development ("PZCD")  
Keith Hall, Wicomico County Department, PZCD  
Clark Meadows, Wicomico County Department, PZCD  
Becky Thayne, Wicomico County Department, PZCD  
Kaylee Justice, Wicomico County Department, PZCD  
Janae Merchant, Recording Secretary, PZCD

Laura Ryan, City of Salisbury, Department of Law  
Andrew Illuminati, Wicomico County, Department of Law

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Chairman Dashiell called the meeting to order at 1:30 p.m.

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**MINUTES:** November 21, 2024, minutes were brought forward for approval. Chairman Dashiell requested a motion to approve the minutes. Mr. Joe Holloway entered a motion to approve, seconded by Mr. Matt Drew, and duly carried. The minutes from the November 21, 2024 meeting were **APPROVED**.

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Mr. Drew requested the revised Staff Report for the Text Amendment density increase in the Central Business District ("CBD"). Chairman Dashiell said it would be beneficial to provide all the Commissioners with a copy of the changes. (**Note:** An electronic copy of the original CBD Staff Report and the revised one were emailed on 12/23/24.)

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**PUBLIC HEARING – TEXT AMENDMENT – An Act to amend Section 225 of the Wicomico County Code, titled "Zoning," Section §225-29, titled "R-8 Residential District," Section §225-67 (Part I and Part II), titled "Table of Permitted Uses," Section §225-70, titled "Setback Requirements," and Article XX, titled "Special Standards for Particular Uses," to modify the regulation of medical clinics in Wicomico County. (County Staff)**

The Public Hearing began at 1:35 p.m.

Mr. Andrew Illuminati read the public notice. Ms. Ryan administered the oath to Mr. Richard Duvall, attorney for TidalHealth, Ms. Tracey Taylor, and Mr. Clark Meadows. Ms. Taylor presented the Staff Report.

A petition was received from TidalHealth representatives to amend the text of Chapter 225 of the Wicomico County Code, Titled, Zoning, to permit a Medical Clinic by Special Exception of the Salisbury-Wicomico County Planning and Zoning Commission in the R-8 Residential Zoning District.

The Sponsor also requested to amend §225-67, Table of Permitted Uses, Part I, to add an Institutional Use Description for a Medical Clinic as a Special Exception before the Commission and to amend Part II to revise the Use Description from "Medical Facility or clinic for human care" to "Medical Clinic."

Staff recommends advancing a favorable recommendation to forward the Planning Director's Report to the Wicomico County Council for their review and action based on the following reasons:

- 1) This legislation serves as recognition of the need to modify the Table of Permitted Uses to allow Medical Clinics as an institutional use by Special Exception from the Commission in the R-8 Residential District, in conjunction with the submission of a Development Plan. The text amendments also establish additional development standards (e.g., minimum lot size, maximum building footprint, increased setbacks, and landscape buffers) to ensure the continuity of compatible land uses. It is important to note that the Wicomico County Zoning Code Chapter 225 does not contain any zoning districts that are solely restricted to residential uses.
- 2) The proposed text amendments are consistent with the goals of the adopted 2017 *Wicomico County Comprehensive Plan* ("Plan"). More specifically, the *Plan* contains an overarching goal in *Chapter 9, Community Facilities*, to "Provide adequate community facilities to ensure availability of services for all Wicomico County residents."
- 3) The proposed text amendments are consistent with the general purpose and intent of the Zoning Code, with the explicit intent to provide for orderly growth and development in a manner that will protect, conserve, and stabilize the value of land, structures, and neighborhoods and minimize conflicts with surrounding uses. Specifically, §225-3 states, in part, the zoning regulations prescribe "the most desirable use for which land in each zoning district may be adapted, and those uses to be subjected to special regulations while conserving the value of land throughout the county." The text amendments recognize a community need (Medical Clinic) and impose stringent "special regulations" to protect the surrounding districts from potential adverse impacts of this institutional use.

Mr. Duvall concurred with all the conditions placed on the request for the special exception. He said there is a shortfall in this area, under industry standards, of about 400 family medical physicians. This facility will be a residency program similar to what was approved for the Church Street clinic.

Mr. Holloway asked if City Water and Sewer would serve the clinic. Mr. Duvall responded that they would enter into an agreement with the City.

Mr. Thomas moved the Planning and Zoning Commission forward a favorable recommendation of this Text Amendment application to the City Council. Mr. Joe Holloway seconded the motion, which was duly carried.

Chairman Dashiell mentioned that the first clinic's proposal at the Hotel Esther location was a very important step. All the Commissioners discussed the idea of bringing medical services to various communities.

Chairman Dashiell said they would entertain a motion to advance a favorable recommendation of the Planning Director's Report to the Wicomico County Council for their review and action based on the three (3) reasons that are recited as a part of the Planning Director's Report and with the recommended Staff change to Exhibit A on Page 2 to delete "SEE SECTION 225-103.1" from the Institutional Table of Permitted Uses. Mr. D'Shawn Doughty entered a motion to approve, seconded by Mr. Daniel Moreno-Holt and duly carried.

The Public Hearing ended at 1:53 p.m.

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**PUBLIC HEARING – REZONING – City of Salisbury Zoning Map – SMMR, Inc. – Rezone Property Located at 413 Snow Hill Road from R-10 Residential to General Commercial – M-0112, G-0009, P-1820 - #202401591 (H. Eure)**

The Public Hearing began at 1:54 p.m.

Mr. Henry Eure and Ms. Lauren White, with Fisher Architecture, approached the table. Ms. Laura Ryan read the notice and swore in individuals who would provide testimony. Mr. Eure presented the Staff Report.

The Backstreet Grill property extends from 401 Snow Hill Road to 409 Snow Hill Road. These properties were previously split between General Commercial and R-10 Residential zoning. The owners of Backstreet Grill recently purchased the adjoining property at 413 Snow Hill Road. The surrounding area consists of commercial uses along the Snow Hill Road corridor and medium-density single-family dwellings on side streets that lead to the City Park.

Staff suggested that the Planning Commission forward a favorable recommendation to the Mayor and City Council for the proposed rezoning of 413 Snow Hill Road from R-10 Residential to General Commercial based on the findings in the Staff Report. The mistake in the zoning was discovered due to a coding error in the Future Land Use Map of the 2010 Comprehensive Plan, which designated these properties as Medium-Density Residential instead of Commercial.

Ms. White added that the property owners want to continue down the block. This is due to the

restaurant being very busy and growing. They wish to get this property zoned as Commercial to extend the current uses of the two adjacent properties.

Mr. Drew asked if 417 Snow Hill Road would come before the Planning Commission to be rezoned as Commercial. Mr. Eure believed that to be true.

Mr. Moreno-Holt pointed out that the map on the draft Comprehensive Plan still indicates residential use, so that would need to be corrected as well.

Chairman Dashiell said he would entertain a motion to forward a favorable recommendation to the Mayor and City Council for the proposed rezoning of 413 Snow Hill Road from R10 Residential to General Commercial based on the Staff Report's findings of a mistake in the zoning due to a coding error in the future land use map of the 2010 Comprehensive Plan designating these properties as Medium-Density Residential instead of Commercial. Mr. Drew entered a motion to approve, seconded by Mr. Holloway and duly carried.

The Public Hearing ended at 2:07 p.m.

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**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN – VILLAGE AT CANAL PARK – Canal Park LLC, rep. by PLITKO, LLC – Canal Park Drive – R-5A Residential Zoning District – M-0117, G-0014, P-0181, Lots-3B & 3C - #23-030 (B. Jackson)**

Ms. Betsy Jackson, Mr. Ernie Lemp with Plitko Engineering, and Mr. Travis Martin, a Village at Canal Park owner, approached the table. Ms. Jackson presented the Staff Report.

The applicant, Plitko, LLC, submitted a Preliminary Comprehensive Development Plan for twenty-five townhouse-style apartments at the end of Canal Park Drive. These homes are intended to be subdivided and sold as condos.

Staff presented the Comprehensive Development Plan Review, which included the Site Plan, Building Elevations/Floor Plans, Sign Plan, Landscaping Plan, Development Schedule, Community Impact Statement, Statement of Intent to Proceed and Financial Capability, Fire Service, Stormwater Management, Survey, Forest Conservation Program, Transportation, Streets, and Pedestrians.

Staff recommended approval of the Preliminary Comprehensive Development Plan subject to the four (4) conditions listed below.

1. A Condo association shall be established for this development for the maintenance of open spaces and stormwater management facilities. Condo documents should be provided at the time of Final Comprehensive Development Plan approval for review and approval by the Planning Commission.
2. A resubdivision plat must be recorded to combine the two (2) parcels.
3. Show and label the 10-foot screened and/or landscaped area, at the preference of the Planning Commission, along the boundaries of the parcels.
4. This approval is subject to further review and approval by the Salisbury DID, the Salisbury Fire Department, and other agencies as appropriate.

Mr. Martin added that he liked including a patio and more privacy. Mr. Lemp mentioned that while working with the client and developer, they want to create a community and utilize open space.

Mr. Holloway mentioned flooding in the last few years and wanted to know if the Staff would address that situation. Ms. Jackson mentioned the flooding mainly occurred at the entrance. She added that the Fire Marshal might have comments to add regarding that situation since it would impact emergency services.

Mr. Moreno-Holt asked for clarification on the parking situation. Ms. Jackson replied, stating the apartments are being treated like townhouse-style apartments, so they are being offered two (2) parking spots per unit. After a brief discussion about parking, there will be one (1) garage parking and one (1) driveway parking for each unit, plus the ten (10) extra spaces for guests.

Chairman Dashiell said he would entertain a motion to approve a Preliminary Comprehensive Development Plan for The Village at Canal Park subject to the four (4) conditions listed in the Staff Report. Mr. Holloway entered a motion to approve, seconded by Mr. Doughty and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**SUBDIVISION – PRELIMINARY/FINAL PLAT APPROVAL – THE POND AT NUTTERS CROSSING PHASE TWO – Pottermore LLC, rep. by Parker and Associates – Stonehaven Dr., Bellamy Circle – Zone R-20 and Airport Overlay – The Pond at Nutters Crossing – M-0048, G-0022, P-0171, 0443, 0446, 0447 (B. Thayne and K. Justice)**

Ms. Becky Thayne, Ms. Kaylee Justice, and Mr. Brock Parker with Parker and Associates approached the table. Ms. Thayne presented the Staff Report.

The Preliminary/Final Plat for Phase Two of The Pond at Nutters Crossing was presented to the Planning Commission for review. The subdivision included 16 lots in a 60-acre tract bounded to the west by Salisbury Bypass, to the south by Tony Tank Creek, and to the east and northeast by other sections of Nutters Crossing.

Staff recommended approval of the Preliminary/Final Plat subject to the six (6) conditions listed below.

1. The Final Plat shall comply with all requirements of the Wicomico County Subdivision Regulations. All minor technical corrections should be addressed prior to submission.
2. All lots will become members of The Pond at Nutters Crossing Homeowners Association, and the Articles of Incorporation must be recorded prior to or simultaneously with the recordation of the Final Plat. In addition, a Covenants and Restrictions document shall be recorded in the Land Records of Wicomico County with the Final Plat.
3. A deed conveying the existing pond parcel to the Homeowners Association shall be recorded in the Land Records for Wicomico County with the Final Plat. The Homeowners Association will be responsible for the maintenance of all stormwater facilities.
4. A deed conveying the roads within the subdivision must be provided to Planning and Zoning within 180 days of recordation of the Final Plat.
5. Individual grading plans will be required on Lots 16-24 and Lots 26-28 per Public Works due to the existing slopes and the fill required for construction and the Final Plat will prominently note this requirement.
6. This approval is subject to further review and approval and conditions imposed by the Planning and Zoning and Public Works Departments.

Mr. Parker added that the 25-foot buffer is approximately a 6 to 8-foot drop down to the creek, so the lot is on high ground. Therefore, there is no fear of disturbing the wetlands when constructing houses. All the lots have been perked; this will close out the development when homes are constructed.

With no other comments, Chairman Dashiell said he would entertain a motion to approve the Preliminary/Final Plat for The Pond at Nutters Crossing, Phase Two, subject to the six (6) conditions that are listed in the Staff Report. Mr. Drew entered a motion to approve, seconded by Mr. Holloway and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**PALEOCHANNEL OVERLAY DISTRICT REVIEW – Rep. by McCrone for Elk Development, LLC – Goddard Parkway – Zoned I-2 Heavy Industrial – M-0029, G-0003, P-0041 (C. Meadows)**

Mr. Clark Meadows, Mr. John Shields with Elk Development, LLC, and Mr. Dave Strauss with McCrone Engineering approached the table. Mr. Meadows presented the Staff Report.

On behalf of the applicant, McCrone requested the Planning Commission's review and approval to develop the property with a 1.72 MW solar facility because the project lies within the boundaries of the Paleochannel Overlay District.

Staff recommended the Planning Commission approve the application because the proposed solar facility would pose no risk of contamination to the Paleochannel.

Mr. Strauss believes these plans demonstrate they are improving the site regarding the Paleochannel protection.

Mr. Shields added they have the Health Department's approval. If the Planning Commission approved this, they would go before the Board of Appeals requesting a special exception.

Mr. Drew inquired if there would be battery storage for this solar development and what type of oil would be used for the equipment. Mr. Shields responded, stating there would be no battery storage and that the oil being used is natural vegetable oil going into the transformers.

Mr. Holloway asked for an explanation of single-axis trackers. Mr. Shields stated that single-axis trackers are the system that will follow the sun as it crosses the sky, and we get much more efficient power production.

With no other comments, Chairman Dashiell said he would entertain a motion that the Commission determines the proposed solar facility would pose no risk of contamination to the paleochannel and that we approve the application based on the findings outlined in the Staff Report. Mr. Holloway entered a motion to approve, seconded by Mr. Doughty and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**CONDOMINIUM DOCUMENT APPROVAL – BLUEWATER BUSINESS PARK – Parker & Associates for Bluewater Resources, LLC – 2021 Shipley Drive – Light Industrial District – M-0102, G-0022, P-0146, L-8A – #202401597 (H. Eure)**

Mr. Henry Eure distributed a new “attachment one;” the City Solicitor identified some corrections to the original attachment. Mr. Brock Parker with Parker and Associates and Mr. Michael Lupacchini, managing member with Bluewater Resources, LLC, approached the table. Mr. Eure presented the Staff Report.

On behalf of the applicant, Parker and Associates submitted condominium documents for review and approval by the Planning Commission. The original documents were approved for this project in December 2007 but were never recorded. The condominium documents were forwarded to the City Solicitor’s office for review and were found compliant.

Staff recommended conditional approval of the Bluewater Business Park Condominium Documents pending conditions as identified by Ms. Laura Ryan in “Attachment 5” of the Staff Report.

With no other comments, Chairman Dashiell said he would entertain a motion to approve the Bluewater Business Park Condominium documents with the condition that bullet point three (3) of attachment five (5) be corrected. Mr. Moreno-Holt entered a motion to approve, seconded by Mr. Holloway and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**SIGN PLAN APPROVAL – BIRDSONG VILLAGE – D.R. Horton, Inc. – Pemberton Drive – R-10 Residential District – M-0037, G-0002, P-2518 – #202401594 (H. Eure)**

Mr. Parker with Parker and Associates (sitting in for the applicant, DR Horton, Inc.) remained at the table with Mr. Eure. Mr. Eure presented the Staff Report.

The applicants proposed installing a 10 sq. ft., double-faced “Birdsong Village” (previously Cotton Patch Creek) projecting sign at the development’s entrance along Pemberton Drive. The sign would feature blue lettering on a white background with blue trim and mounted on a stone column.

Staff recommended approval for the proposed Sign Plan as submitted.

Mr. Holloway asked if there was a Homeowner’s Association. Mr. Parker replied that one has to exist by law, and since the development is under construction, it should be created when it is done.

With no other comments, Chairman Dashiell said he would entertain a motion to approve the proposed Sign Plan as submitted. Mr. Drew entered a motion to approve, seconded by Mr. Moreno-Holt and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**REVISED COMPREHENSIVE DEVELOPMENT PLAN – SOUTH SALISBURY PLAZA – Woodward Enterprises, LLC dba Woods Ice – 800 S. Salisbury Blvd. – General Commercial District – M-0115, G-0017, P-0145 – #202401593 (H. Eure)**

Mr. Cliff Woodward with Woodward Enterprises, LLC, joined Mr. Eure at the table. Mr. Eure presented the Staff Report.

Woodward Enterprises, LLC, proposed a self-serve ice vending service at the South Salisbury Plaza Shopping Center. The operation would be unmanned except for normal servicing. The applicant plans to utilize an existing drive-thru lane that formerly served as a drive-thru ATM.

Staff presented the Comprehensive Development Plan Review, which included the Building Elevations/Site Plan/Parking and Sign Plan.

Staff recommended approval for the Revised Comprehensive Development Plan subject to the five (5) conditions listed below.

1. Provide detailed plans for Staff review and approval indicating how the building will be protected from vehicular damage.
2. Provide a detailed Sign Plan for Planning Commission review and approval. The Sign Plan shall indicate size and colors for all proposed signs.
- 3. Add landscaping next to the dumpster enclosure.**
- 4. Provide screening on both sides of the rooftop mechanical equipment.**
- 5. Install a trash receptacle.**

Mr. Holloway recommended that Mr. Woodward reevaluate the lighting situation because individuals use cash to pay for ice, and currently, there is not enough lighting in that area.

After a brief discussion about where the ice building will be placed, the landscaping near the dumpster, and installing a trash receptacle, three (3) new conditions were added to the Staff Report (as indicated in bold font above).

With no other comments, Chairman Dashiell said he would entertain a motion to approve the Revised Comprehensive Development Plan subject to the two (2) conditions listed in the Staff Report a third condition to provide landscaping next to the dumpster enclosure, a fourth condition to provide screening on both sides of the rooftop mechanical equipment and a fifth condition installation of a trash receptacle. Mr. Holloway entered a motion to approve, seconded by Mr. Drew and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**REVISED COMPREHENSIVE DEVELOPMENT PLAN – SHOPPES AT SALISBURY – Franchise Management Services for Dunkin' – 294 Tilghman Road – Regional Commercial District – M-0110, G-0009, P-4482 – #202401615 (H. Eure)**

Mr. Parker with Parker and Associates joined Mr. Eure at the table. Mr. Eure presented the Staff Report.

The applicants proposed refurbishing the Dunkin Donuts building in the Shoppes at Salisbury

Shopping Center. The exterior improvements include new building colors and signs and other minor changes to the building. Modifications to the site plan to accommodate additional drive-thru traffic were also proposed.

Staff presented the Comprehensive Development Plan Review, which included the Building Elevations, Site Plan/Landscaping, and Sign Plan.

Staff recommended approval of the Revised Comprehensive Development Plan for Dunkin' subject to the one (1) condition listed below.

1. Provide trees at the end of each parking row.

Chairman Dashiell inquired about issues with a two-lane drive-thru and pedestrians walking in the store. Mr. Parker indicated they would stripe a walk to the parking spaces.

After a brief discussion about emergency vehicles being able to reach Dunkin' in the event of an emergency, Mr. Parker said the fire department will receive the plan for review and will be able to add comments if necessary.

With no other comments, Chairman Dashiell said he would entertain a motion to approve the Revised Comprehensive Development Plan for the Dunkin' out parcel at the Shoppes at Salisbury Shopping Center as submitted with the one (1) condition mentioned in the Staff Report. Mr. Drew entered a motion to approve, seconded by Mr. Doughty and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**REVISED SIGN PLAN APPROVAL – UNIVERSITY PLAZA – Fisher Architecture for Piraeus Realty Group – 1313-1315 S. Salisbury Blvd. – General Commercial District – M-0117, G-0009, P-3124 & 3277, L-11 & 12A - #202401486 (H. Eure)**

Ms. Lauren White with Fisher Architecture joined Mr. Eure at the table. Mr. Eure presented the Staff Report.

On behalf of the owner, Fisher Architecture submitted a Revised Sign Plan for PJ's Coffee directional signs. They proposed two (2) signs for the coffee shop's drive-thru window, which they planned to place in the landscaped islands at the front corners of the building.

Staff recommended approval for the Revised Sign Plan subject to the one (1) condition listed below.

1. The drive-thru directional signs shall have a maximum height of 3 ft.

With no comments, Chairman Dashiell said he would entertain a motion to approve the Revised Sign Plan as submitted subject to the one (1) condition mentioned in the Staff Report. Mr. Moreno-Holt entered a motion to approve, seconded by Mr. Holloway and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**WORK SESSION– Text Amendment- To Amend City of Salisbury Municipal Code Chapter 17.24- Central Business District & Chapter 17.196 – Off-Street Parking Loading Standards (A. Rodriguez H. Eure)**

Mr. Nick Voitiuc and Mayor Randy Taylor joined Mr. Eure at the table. Mr. Eure explained the purpose of the work session. They discussed a Proposed Text Amendment to two chapters of the Zoning Code, Chapter 17, Section 24, related to the Central Business District ("CBD"), and Section 196, related to parking standards after an increase in re-development project submittals within the CBD.

To accommodate increased commercial, institutional, professional, cultural, governmental, business, service, and retail investments, the City and developers must anticipate and ultimately meet the infrastructure needs of the CBD.

The proposed changes are as follows:

- 17.24.040.D shall now read, "*Parking shall be provided in accordance with Chapter 17.196-Off-Street Parking & Loading Standards.*"
- 17.196.030 table of parking space requirements shall be modified to read as follows:

**Residential Rural Mixed-Use ("RRMU") District No. 1 and RRMU District No. 2:** For residential development, a minimum of one (1) parking space for the first bedroom plus 0.5 for each additional bedroom shall be provided. For commercial development, parking shall be provided as set forth in Chapter 17.196.030 based on use. For mixed-use development that includes residential units, parking will be evaluated on a project by project basis with a recommendation from the Planning and Zoning Commission to the Mayor and City Council. The required number of spaces shall be determined by the Planning Commission, or the developer shall be required to pay a fee-in-lieu for the future construction of additional parking facilities.

**Central Business District (CBD):** For residential development, a minimum of one (1) parking space for the first bedroom plus 0.5 for each additional bedroom shall be provided. For commercial development, parking shall be provided as set forth in Chapter 17.196.030 based on use. For mixed-use development that includes residential units, parking will be evaluated on a project by project basis with a recommendation from the Planning and Zoning Commission to the Mayor and City Council. The required number of spaces shall be determined by the Planning Commission or the developer shall be required to pay a fee-in-lieu for the future construction of additional parking facilities.

Mayor Randy Taylor added that we are in a situation related to parking where the parking we had was sold. He believed a parking standard needs to be developed to limit the density.

Mr. Voitiuc mentioned development could be stunted if there is inadequate parking for future projects.

Chairman Dashiell and the City presenters discussed the purpose of this text amendment discussion and timely presentation.

Mr. Doughty suggested completing research to determine the actual numbers and trends of individuals who are downtown at any given time.

Mr. Drew recommended bringing a City professional in to assess downtown parking.

Mr. Holloway said something needed to be done about parking. He believed what was brought before the Commission today was inadequate. He believed that if parking is not resolved, it will inhibit growth in downtown Salisbury.

Discussions continued about the parking situation, and the Commissioners made recommendations to the City Planners on how to obtain more accurate parking requirement information, such as the Staff having discussions with the developers, conducting a study that identifies the parking trend and how it shifts throughout the day, considering an additional parking garage, etc.

The Commissioners and the City presenters agreed to table the Text Amendment recommendation and have another work session to discuss possible changes.

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### **DISCUSSION– City of Salisbury Comprehensive Plan Update (N. Voitiuc)**

Mr. Voitiuc explained the purpose of the discussion. The City Staff continues to work on completing the mandated update of the Comprehensive Plan. They provided comments to the consultants on the draft plan. The consultant returned responses at the end of November, which the Staff is still reviewing.

Additional meetings were scheduled for February 2025 to compile the community's feedback into their draft revisions.

- February 4, 2025 – Transportation
- February 11, 2025 – Housing
- February 18, 2025 – Community Facilities, Water Resources, and Environmental Sustainability
- February 25, 2025 – Land Use and Municipal Growth and Economic Development

Chairman Dashiell asked how the Planning Commission would interact with the Comprehensive Plan process. Would there be work sessions to evaluate the plan's sections?

Ms. Tracey Taylor stated she met with Mr. Voitiuc and Ms. Rodriguez concerning Meade and Hunt and the process. She provided her thoughts on how she believed the process had gone thus far with them. She also clarified the duties of the Planning Commission as it relates to the Comprehensive Plan. Ms. Taylor said the primary function of a Planning Commission is to review the Comprehensive Plan and make a recommendation to the elected body. This information is in the Land Use Article of the State of Maryland.

Chairman Dashiell asked the City Planners to include the Commissioners in the process so they could evaluate and comment on the Comprehensive Plan and then decide whether to approve it.

Ms. Taylor clarified that the consultant would prepare the various elements and submit the Plan to the Staff. The Staff would review and comment on the Plan, then present the elements to the Commissioners for them to review and comment on, rather than Meade and Hunt coming and presenting it to the Planning Commission or the Planning Commission developing it.

Mr. Drew believed the February schedule was aggressive, and spreading it out would give everyone more time to review the Plan, comment, incorporate the changes, and move on to the next

element.

Ms. Taylor added that the Staff typically has work sessions, which are not open for public comment. Then, the Planning Commission holds one public hearing on the Plan's final draft before making a recommendation to the elected officials.

Chairman Dashiell thanked everyone for their commitment to working together to improve our City and County and wished everyone "Happy Holidays."

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With no additional comments, Chairman Dashiell requested a motion to adjourn the meeting. Mr. Doughty made the motion, seconded by Mr. Holloway and duly carried.

The meeting adjourned at 5:22 p.m.

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The next regular Commission meeting will be on January 16, 2025,

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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 Wicomico County Department of Planning and Zoning and Community Development Office.

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Charles "Chip" Dashiell, Chairman

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Tracey G. Taylor, Secretary

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Janae Merchant, Recording Secretary



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COUNTY EXECUTIVE

BUNKY LUFFMAN  
DIRECTOR OF ADMINISTRATION

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## MINUTES

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The Salisbury-Wicomico County Planning and Zoning Commission ("Commission") met in regular session on January 16, 2025, in Room 301, Council Chambers, Government Office Building, with the following persons participating:

**COMMISSION MEMBERS:**

Charles "Chip" Dashiell, Chairman  
Jim Thomas  
Daniel Moreno-Holt  
Mandel Copeland  
Joe Holloway  
D'Shawn Doughty

**PLANNING STAFF:**

Henry Eure, City of Salisbury, Department of Infrastructure and Development ("DID")  
Amanda Rodriguez, City of Salisbury, DID  
Jennifer Jean, City of Salisbury, DID  
Jessica Crenshaw, City of Salisbury, DID  
Tracey G. Taylor, Wicomico County Department of Planning, Zoning, and Community Development ("PZCD")  
Janæ Merchant, Recording Secretary, PZCD  
  
Laura Ryan, City of Salisbury, Department of Law

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Chairman Dashiell called the meeting to order at 1:30 p.m.

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No minutes were prepared from the December 19, 2024 meeting. They will be completed and presented at February's meeting.

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**ZONING RECOMMENDATION FOR ANNEXATION – OLD QUANTICO ROAD ANNEXATION – Quantico Company, LLC, rep. by Davis, Bowen & Friedel – 28646 & 28650 Old Quantico Road – R-5A Residential – M-0037, G-0012, P-0034 & 0035, L-1 & 2 - #202500009 (H. Eure)**

Mr. Henry Eure and Mr. Joshua Mast approached the table. Mr. Eure presented the Staff Report.

The City Council has referred the Old Quantico Road annexation to the Planning Commission to review and recommend an appropriate zoning designation. The requested annexation area consists of two (2) lots that total 1.159 acres and are located on the northerly side of Old Quantico Road, north of Nanticoke Road.

The applicant/owner proposed demolishing the existing residential buildings and constructing twelve (12) new residential apartments.

Staff recommended that the Planning Commission forward a favorable recommendation to the Mayor and City Council for this property to be zoned R-5A Residential upon annexation.

Mr. Mast mentioned a multi-family dwelling of eight (8) units already exists, and they have requested an increase to twelve (12). The other purpose of this request is to tie into the City's public water and sewer.

Mr. Jim Thomas entered a motion to forward a favorable recommendation to the Mayor and City Council for this property to be zoned R-5A Residential upon annexation. Mr. Joe Holloway seconded the motion, which was duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**PRELIMINARY COMPREHENSIVE PLAN APPROVAL – WOODBROOKE MEDICAL LOTS 1 & 2 – G2 Properties LLC, rep. by Parker and Associates – Woodbrooke Dr., and Mt Hermon Rd. – LBI Light Business and Institutional District, and Wellhead Protection District – M-0110, G-0021, P-2447 - #24-021 (J. Jean)**

Ms. Jennifer Jean and Mr. Brock Parker with Parker and Associates approached the table. Ms. Jean presented the Staff Report.

On behalf of the applicant, Parker and Associates submitted a request for two (2) medical buildings within the Woodbrooke development. These would be developed on vacant Lots 1 and 2, 9,520 sf and 52,000 sf, respectively.

Staff presented the Comprehensive Development Plan Review, which included the Site Plan, Building Elevations/Floor Plans, Sign Plan, Landscaping Plan, Development Schedule, Community Impact Statement, Statement of Intent to Proceed and Financial Capability, Fire Service, Stormwater Management, Wellhead Protection District, Transportation, Streets, and Pedestrians.

Mr. Parker mentioned that building one (1) would be similar to the size of the existing orthopedics, imaging, and GYN buildings. The second building will be similar in size as those on Lots 7 – 10.

Ms. Amanda Rodriguez approached the table; she wanted to amend the staff recommendations by adding five (5) additional conditions but keeping the first one.

Staff recommended approval of the Preliminary Comprehensive Development Plan subject to the six (6) conditions listed below.

1. Provide the peak hour data for trip generation computations; a Traffic Impact Study may be required.
2. **This site shall be developed in accordance with a Final Comprehensive Development Plan approval that meets all code requirements.**
3. **Submit a Sign Plan for Planning Commission approval prior to the installation of any signage.**
4. **Record a resubdivision plat to combine Lots 1 and 2 prior to Final Comprehensive Development Plan approval.**
5. **Provide a detailed Landscaping Plan prior to final approval.**
6. **This approval is subject to further review and approval by the Salisbury Fire Department, Department of Infrastructure and Development, and other agencies as appropriate.**
7. **Extend the sidewalk to the westerly property line on Mount Herman Road and provide connectivity to both buildings and sidewalk on Woodbrooke Drive.**

After further discussion, Mr. Daniel Moreno-Holt recommended extending the sidewalk. This suggestion became another condition (condition #7).

Mr. Jim Thomas entered a motion to approve the Preliminary Comprehensive Development Plan for Woodbrook Medical Lots 1 & 2 with the revised seven (7) conditions. Mr. D'Shawn Doughty seconded the motion, which was duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – ZIGGI'S COFFEE – Coffee Lotus of Ocean City, rep. by Solutions IPEM, LLC – Summer Drive – PDD #3 Planned Residential District No. 03 – Moore Property – M-0039, G-0011, P-0745 - #24-010 (J. Crenshaw)**

Ms. Jessica Crenshaw and Mr. Steven Fuller with Solutions IPEM, LLC approached the table. Ms. Crenshaw presented the Staff Report.

The applicant, Solutions IPEM, LLC, on behalf of the developer, has submitted a Community Impact Statement, A Statement of Financial Capability to Proceed, and a Preliminary Comprehensive Development Plan ("PCDP") for the development of an 865 sq. ft coffee shop with a single drive-through lane on a 1.4976-acre parcel. To define the use and compliance with the Zoning Code, Staff has determined this is a "Restaurant, fast food drive-in" in the General Commercial District.

Staff presented the Comprehensive Development Plan Review, which included the Site Plan, Building Elevations/Floor Plans, Sign Plan, Landscaping Plan, Development Schedule, Community Impact Statement, Statement of Intent to Proceed and Financial Capability, Fire Service, Stormwater Management, Forest Conservation Program, Transportation, Streets, and Pedestrians.

Staff recommended approval of the Preliminary Comprehensive Development Plan subject to



the four (4) conditions listed below.

1. The site shall be developed in accordance with a Final Comprehensive Development Plan Approval that meets all Code Requirements. Minor plan adjustments may be approved by the Salisbury Department of Infrastructure and Development.
2. Provide a Traffic Impact Study to SHA and the City for review.
- ~~3. Provide a Development Schedule.~~
4. Submit a Sign Plan for Planning Commission approval as part of the Final Comprehensive Development Plan approval.
5. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development, the Salisbury Fire Department, and other agencies as appropriate.

Mr. Fuller said they had submitted a development schedule but had labeled it “timetable.” After Ms. Crenshaw reviewed the timetable, it was sufficient, thus being able to scratch off condition number three (3).

Mr. Holloway mentioned that the submitted Community Impact Statement was well-written and could be used as a blueprint for others.

Mr. Thomas entered a motion to approve the Preliminary Comprehensive Development Plan subject to the four (4) conditions, striking out condition number three (3), listed in the Staff Report. Mr. Doughty seconded the motion, which was duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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## **DISCUSSION – City of Salisbury Comprehensive Plan Update (A. Rodriguez)**

Ms. Rodriguez stated that the 90-day suspension issued in September for Meade and Hunt has almost expired, so the City Procurement Department and Administration are in talks now regarding their contract. She also mentioned that no updates have been received at the staff level. According to their billing, Meade and Hunt have billed out for almost all of their time, and the City does not have the funding to start this process from the beginning. The City is doing the best it can with the information at hand.

After a lengthy discussion between Ms. Rodriguez, Ms. Taylor, Ms. Ryan, and the Commissioners, Ms. Rodriguez’s takeaways were as follows:

- The meetings between Staff and Commissioners could occur outside a regular Planning Commission meeting. Still, they would need to be advertised as a “special meeting for the discussion of the Plan.” The meeting needs to remain as an “open meeting.”
- Because a final public hearing is needed and a 60-day notice is needed before the hearing, Ms. Rodriguez should figure out when the reviews of the Plan need to be completed. Then, she can figure out between now and then how many sessions are necessary for the public and the Commissioners to review it.
- The Commissioners will need the materials to review at least a week before their meetings so they can review, absorb, and come up with questions before convening.
- The Commissioners are open to both daytime and evening work sessions to encourage a quorum and provide opportunities for public attendance.

- Ms. Rodriguez is to prepare a fully built-out schedule and update the Commissioners via email. Once approved by the Commissioners, the special meeting dates shall also be available on the City website.

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## STAFF ANNOUNCEMENTS

Ms. Rodriguez mentioned that Zack White is the City's new Environmental Planner. He will present cases on Critical Areas. He has been with the city for about seven (7) years as an operator and a GIS intern in wastewater.

Ms. Taylor said the County had hired a new plumbing inspector, promoted someone in-house to the Planning Manager position, and made an offer to a new building inspector. They are also in the process of interviewing for help for Tony Williams, our Nuisance Officer.

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With no additional comments, Chairman Dashiell requested a motion to adjourn the meeting. Mr. Holloway made the motion, seconded by Mr. Copeland and duly carried.

The meeting adjourned at 3:05 p.m.

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The next regular Commission meeting will be on February 20, 2025,

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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 Wicomico County Department of Planning and Zoning and Community Development Office.

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Charles "Chip" Dashiell, Chairman

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Tracey G. Taylor, Secretary

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Janae Merchant, Recording Secretary



**WICOMICO COUNTY, MARYLAND**

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

125 N. DIVISION STREET, ROOM 203

P.O. BOX 870

SALISBURY, MARYLAND 21803-0870

PHONE: 410-548-4860 | FAX: 410-548-4955

Julie M. Giordano  
County Executive

Bunky Luffman  
Director of Administration

Matt Leitzel  
Assistant Director of Administration

Tracey G. Taylor  
Director

**MEETING OF THURSDAY, FEBRUARY 20, 2025**

**APPLICANT:** TidalHealth Peninsula  
Regional, Inc.

**LOCATION:** Northwest of the Salisbury  
Corporate limits, binding  
upon the southerly side of  
Substation Road, about 200-  
ft. east of West Road  
M-0038, G-0001, P-0193

**SIZE OF PROPERTY:** 10.86-acres

**CASE #:** WP-2501

**ZONING:** R-8 Residential

**PANEL MEMBERS:** Chairman Charles "Chip"  
Dashiell, Jim Thomas, Daniel  
Moreno-Holt, Matt Drew,  
Mandel Copeland, Joe  
Holloway, and D'Shawn  
Doughty

**REQUEST:** Special Exception - Medical  
Clinic

**PLANNING OFFICE EXHIBIT # A**

**TITLE: Staff Report DATE: February 20, 2025**

**NAME: TidalHealth**

- A. **PROPOSAL:** Richard Duvall, counsel for the Applicant, provided the following information to Staff for this report in order to satisfy the criteria for approval of this Special Exception, as set forth in Section 225-155 of the Zoning Code.

TidalHealth is seeking the Commission's approval to establish a medical clinic on the referenced property. The proposed facility will provide needed space for Tidal Health's residency program and further enhance their ability to provide quality health care for the local community.

- B. **ACCESS TO SITE:** This site is located just north and west of the Salisbury corporate limits, lying roughly within the Morris Street/West Road/Substation Road (Richardson Street) and East Road perimeter.
- C. **DESCRIPTION OF PROPERTY:** This is an undeveloped, wooded 10-acre (+) parcel. The site also includes 10 undeveloped wooded lots along the northerly side of Morris Street. The property has access, but no existing connection, to City of Salisbury water and sewer services.
- D. **DESCRIPTION OF SURROUNDING AREA:** The general area is developed with a collection of commercial, institutional, single-family, and multi-family uses. Abutting properties are generally improved with single-family homes (south and west) and the West Road Apartment complex (east).
- E. **PREVIOUS PUBLIC ACTION:** This is the Planning Commission's initial action on a request for a medical clinic in the R-8 Residential zoning district. The Wicomico County Council recently approved a zoning text amendment allowing a medical clinic in the R-8 district by special exception from the Planning and Zoning Commission, when in conjunction with a development plan or site plan approval.
- F. **EVALUATION OF THE REQUEST:** Section 225-155-C. (1-7) of the Wicomico County Zoning Code states the criteria for the approval of a Special Exception.

(1) **The proposed use is consistent with the Comprehensive Plan or a specific area plan for the physical development of the County or a portion thereof, as adopted by the County Council.** The Comprehensive Plan, Map 7-2: Land Use Plan, depicts this site as a Medium

Density Residential Area. The Plan identifies these areas as a "*Designated Growth Area*" - intended to accommodate a variety of uses and development between the rural parts of the County and the more intensely developed municipal areas. It is the Plan's intent to minimize land use conflicts with regard to future development patterns. If approved, the medical clinic will be located on a large property and designed on a scale that is compatible with nearby Salisbury Middle School. The establishment of a medical clinic at this location is in keeping with the Comprehensive Plan's effort to protect and promote public health, safety, and general welfare. More specifically, the Plan's overarching goals in Chapter 5, Community Facilities, are to "provide a system of community facilities which shall assure an adequate level of public services to all residents of Wicomico County", and to "locate community facilities in close proximity to densely-populated areas". The granting of this request is consistent with the Comprehensive Plan's recommendations for Medium Density Residential Areas in the County.

- (2) **The proposed use will not adversely affect the health, safety and general welfare of the residents or workers in the area.** The very nature of the proposed medical clinic is to promote public health, safety, and general welfare. It is the intent of the Applicant to improve area health care services by providing increased access to care at the community level. Future construction activity would be under the conditions of County-issued building permits and inspections by several departments. There is no evidence the proposed use or preceding construction would have any adverse effects on the health, safety, or general welfare of area residents or workers.
- (3) **The proposed use is compatible with, and will not be detrimental to, the use or development of adjacent properties or the general neighborhood.** As a use allowed by special exception, a medical clinic has been legislatively determined to be compatible with other uses in the R-8 district. In accordance with Paragraph D of this report and the attached aerial photograph, this site is located in an area improved with commercial, institutional, single-family and multi-family development. The site is large and currently wooded, allowing for ample

room to construct the medical clinic with increased vegetative buffers to screen the institutional use from the surrounding properties. Existing conditions (mixed-use area) indicate the use of this site for a medical clinic is compatible with surrounding development. If approved, a medical clinic will complement the character of the neighborhood and will not be detrimental to the use or development of surrounding properties as the proposed use will provide walkable, neighborhood health care to the surrounding community.

- (4) **The proposed use meets all of the standards set forth for each particular use for which a special exception may be granted.** This is a request for a Special Exception. The application does not include any variances from the terms of Chapter 225.

Exhibits provided by the applicant show applicable standards (required setbacks, buffering, landscaping, building size, parking, etc.) have been identified and demonstrated with the design of the project.

- (5) **The proposed use has been designed so as to minimize possible adverse effects on adjacent properties or on the immediately surrounding area.** The proposed development meets, or exceeds, the required Special Standards for a medical clinic. Site development will be in accordance with adopted requirements. In accordance with this evaluation, the Applicant's exhibits, and the Suggested Conditions of Approval, this site has been designed to minimize any adverse effects on surrounding properties. Of particular note are increased building setbacks and fully vegetated buffers.

- (6) **The proposed use will not adversely affect the transportation network or unduly burden water, sewer, school, park, and stormwater management areas, including streams or other public facilities.** All factors related to the development of this site will be required to meet conditions and standards set forth in the reviews, permits, and inspections of several departments. This process ensures a comprehensive oversight that protects the integrity of the identified public facilities.

(7) The proposed use will not adversely affect the environmental, archeological or historical assets of particular interest to the community as may be identified in any adopted plan of the County. There are no identified environmental, historical, or archeological assets regarding this site or the surrounding area.

G. **RECOMMENDATION:** It is Staff's determination the Applicant has satisfied the Special Exception criteria for approval of this request. In accordance with the preceding evaluation and the Suggested Conditions of Approval, the Staff recommends the Commission grant the Special Exception for a medical clinic in the R-8 Zoning District.

H. **SUGGESTED CONDITIONS IF APPROVED:** If the Commission finds this request should be approved, the following conditions are recommended to ensure compliance with Section 225-155.

1. **This Special Exception - Medical Clinic - shall be exercised by the issuance of a Wicomico County building permit within one (1) year from the date of approval.**
2. **Development of the site shall be generally in accordance with the Preliminary Comprehensive Development Plan (Applicant's Exhibit A of 2/20/25) and the Special Standards set forth in §225-103.1 of the Zoning Code. Minor changes in the plans and/or elevations may be approved by Planning and Zoning staff in accordance with the Commission's approval. Major changes shall require the Commission's review and approval by public hearing.**
3. **Any change in the nature of the use, enlargement of the building, or additional buildings and/or structures may require the Commission's review and approval - except as allowed for in Condition #2.**
4. **This action includes future use and development of Parcel 0193 and the ten (10) southerly abutting properties (p/o Parcel 0284) for a medical clinic. Prior to the issuance of a building permit, the Applicant shall execute a consolidation plat of the identified properties to create a single parcel.**
5. **Failure to comply with the above Conditions may render the approval in this matter null and void.**
6. **The Applicant shall obtain final development/site plan approval from the Planning Commission.**

7. **The Applicant shall obtain County building permits, as required, and comply with all State & County Codes and regulations set forth therein.**

**Coordinator: Clark P. Meadows**  
**Date: February 11, 2025**



# WICOMICO COUNTY



**Legend**  
□ Current Parcel Boundaries

WICOMICO AERIAL PHOTOGRAPH

## Aerial Photograph / #WP-2501



Wicomico County Planning Office  
2/4/2025



# TIDAL HEALTH COMMUNITY CLINIC

MORRIS STREET, WICOMICO COUNTY, MD  
 COMPREHENSIVE DEVELOPMENT PLAN

**GENERAL NOTES**  
 1) THE PROPERTIES SHOWN HEREON ARE CURRENTLY OWNED BY:  
 BEST RENTAL HOUSING INC.  
 12703 SUNSET AVENUE  
 OCEAN CITY MARYLAND, 21842

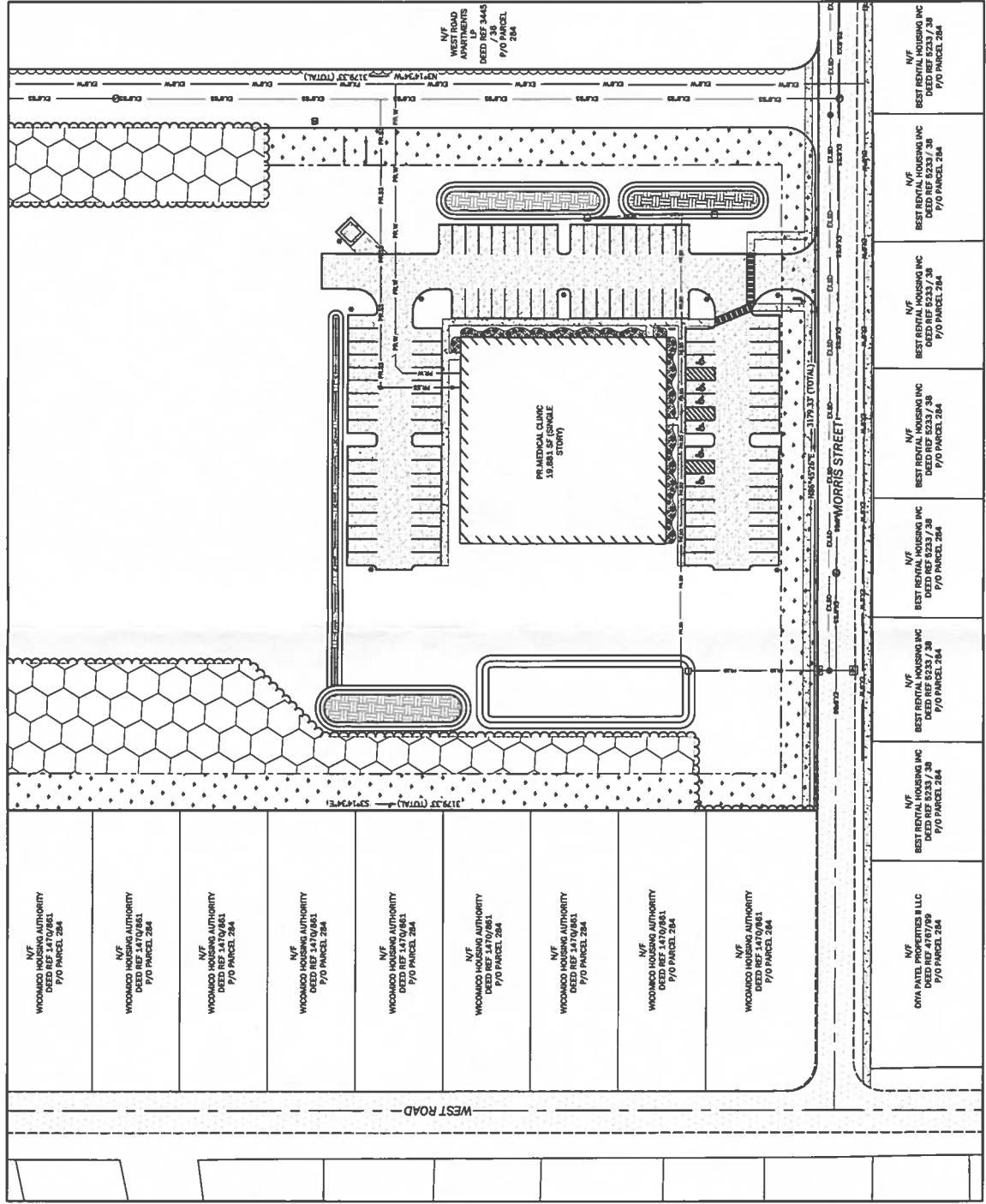
TO BE ACQUIRED AND DEVELOPED BY:  
 TIDAL HEALTH  
 100 EAST CARROLL STREET  
 SALISBURY MARYLAND, 21801  
 410-543-7351

2) DEED REFERENCES: 05233/00038  
 3) TOTAL NUMBER OF LOTS - ONE FOLLOWING RESUBDIVISION TO ONE CONSOLIDATED LOT  
 4) TOTAL AREA: 13.22 AC +/-  
 5) THIS PROPERTY IS LOCATED WITHIN C.P. MANAGEMENT ZONE 8-L.  
 6) THE PROPERTY IS LOCATED WITHIN C.P. MANAGEMENT ZONE 8-L.  
 7) THE PROPERTY IS LOCATED WITHIN C.P. MANAGEMENT ZONE 8-L.  
 8) SEWER DISPOSAL SYSTEMS MUST BE LOCATED AT HIGHEST ELEVATION OF SEWER RESERVE AREAS.  
 9) APPROVAL BY THE WICOMICO COUNTY HEALTH DEPARTMENT WILL BE LIMITED BY THE NATURE AND VOLUME OF WASTE. NO PERMITS WILL BE ISSUED UNTIL THE SITE PLAN AND SEWER VOLUMES HAVE BEEN REVIEWED AND APPROVED BY THE WICOMICO COUNTY HEALTH DEPARTMENT.  
 10) THIS PROPERTY IS SHOWN ON F.L.A. COORDINATE PANEL #29A0505113E, DATED 04/17/2015, AS SHOWN ON THE WICOMICO COUNTY HEALTH DEPARTMENT RECORD MAP.  
 11) THIS PROPERTY IS LOCATED WITHIN THE CONICAL SURFACE OF THE SALISBURY WICOMICO COUNTY RECORD MAP AND IS SUBJECT TO THE RESTRICTIONS THEREOF (ELEVATION 201.7 TO 401.7).  
 12) IN THE EVENT THAT AN ERROR, OMISSION, OR OVERSIGHT BY PARKER & ASSOCIATES IS DISCOVERED OR SHOULD HAVE REASONABLY BEEN DISCOVERED DURING THE COURSE OF CONSTRUCTION, CLIENTS OR CONTRACTORS SHALL PROVIDE PARKER AND ASSOCIATES AN IMMEDIATE NOTICE IN ORDER TO PROVIDE CORRECTIVE ACTION. THE CLIENT OR CONTRACTOR SHALL RELIEVE PARKER & ASSOCIATES OF ANY LIABILITY THAT MAY ARISE FROM SAID ERROR, OVERSIGHT, OR OMISSION.  
 13) CONTRACTOR IS TO VERIFY ALL ELEVATIONS LISTED ON THE PLAN WITH A MINIMUM OF THREE BENCHMARKS THAT ARE ON THIS PROJECT'S UNLEASSED DATUM PRIOR TO COMMENCING ANY CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY PARKER & ASSOCIATES IMMEDIATELY UPON ANY STRUCTURES DEPART FROM THAT SHOWN HEREON ON CONTRACTOR SHALL IMMEDIATELY NOTIFY ENGINEER AT 410-543-7351.  
 14) THE CONTRACTOR SHALL IMMEDIATELY STOP WORK AND NOTIFY THE ENGINEER IF ANY DISCREPANCIES ARE DISCOVERED BETWEEN THE DRAWINGS AND EXISTING CONDITIONS. ERRORS OR OMISSIONS IN DRAWINGS OR UNLAWFUL SHALL BE TREATED AS A DISCREPANCY. ALL DISCREPANCIES SHALL BE RESOLVED PRIOR TO CONTINUATION OF WORK.

**WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS STANDARD CONSTRUCTION NOTES:**

1. WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS MUST BE NOTIFIED IN WRITING FIVE (5) BUSINESS DAYS PRIOR TO PRE-CONSTRUCTION MEETING. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED PLANS.
2. WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS RESERVES THE RIGHT TO SUSPEND OR STOP THE CONSTRUCTION PHASE, AS FIELD CONDITIONS MAY WARRANT.
3. NO OCCUPANCY PERMIT SHALL BE ISSUED UNTIL ALL IMPROVEMENTS (ROADS, DRAINAGE, STORMWATER MANAGEMENT, UTILITIES, ETC.) HAVE BEEN COMPLETED AND ACCEPTED BY WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS.
4. APPROVAL OF THESE PLANS BY WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS DOES NOT CONSTITUTE A WARRANTY OF ANY KIND OR SHALL CREATE NO LIABILITY UPON THE COUNTY, ITS OFFICIALS OR EMPLOYEES.
5. AN ENTRANCE PERMIT SHALL BE OBTAINED FROM THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO THE COMMENCEMENT OF AN ENTRANCE ONTO A COUNTY MAINTAINED ROAD.
6. ALL UNDERGROUND UTILITIES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
7. WHEN REQUIRED IN THE PLANS, PERMITS TO INSPECT FOR CONSTRUCTION SHALL BE OBTAINED FROM THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS WILL PROVIDE WICOMICO COUNTY PUBLIC WORKS ENGINEERING DEPARTMENT WITH THE DAILY PROGRESS REPORTS AND SHALL BE AVAILABLE TO THE COUNTY REGISTERED AND LICENSED IN MARYLAND. THE REPORT IS TO INCLUDE THE FOLLOWING AS APPLICABLE: THE DIMENSION AND HEIGHT OF THE CHANGESTRUCTURES AS WELL AS LOCATION AND DEPTH OF MEDIA LAYERS FOR PRACTICES SHALL ALSO BE INCLUDED. THE FINAL APPROVAL OF AS-BUILT DRAWINGS AND REPORTS HAVE BEEN ACCEPTED BY THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS ENGINEERING DEPARTMENT.
8. STORM DRAIN PIPES SHALL HAVE WATER TIGHT CONNECTIONS AND SHALL BE INSTALLED TO THE PROPER GRADE AND DEPTH AFTER INSTALLATION. SHALL BE PROVIDED TO VERIFY CORRECT INSTALLATION.
9. ALL PUBLIC UTILITIES SHALL BE USED. THEIR SHOP DRAWINGS SHALL BE PROVIDED TO THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO THEIR INSTALLATION. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED PLANS.
10. ALL PLANS REMAIN VALID FOR 3 YEARS FROM THE DATE OF APPROVAL.
11. AN "AS-BUILT/RECORDED" PLAN SHALL BE PROVIDED TO THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS WITHIN THIRTY (30) DAYS AFTER COMPLETION OF CONSTRUCTION.
12. WICOMICO COUNTY 0116.

**APPLICANT'S EXHIBIT # A**  
**Title Comprehensive Development Plan**  
 Case No. WP-2501  
 By **Namot Tidal Health**  
 Date **2/20/25**



**ESTIMATED WATER & SEWER USAGE**  
 CALCULATIONS BASED USAGE FROM SIMILAR RESIDENTIAL COMMUNITY CLINIC (COUNCIL STREET & NATOR STREET)

PROJECT USAGE	8 EDU
PROPOSED LIMIT OF DISTURBANCE	• 3.75 AC
EXISTING IMPERVIOUS	• 0.00 SF
PROPOSED BUILDING	• 19,841 SF
PAVING	• 56,075 SF
CONCRETE	• 4,116 SF
TOTALS	• 1,00 AC
IMPERVIOUS	• 31 %
PORCH/IMP	

**LAND USE SUMMARY**

PROPOSED LIMIT OF DISTURBANCE	8 EDU
PROPOSED BUILDING	• 19,841 SF
PAVING	• 56,075 SF
CONCRETE	• 4,116 SF
TOTALS	• 1,00 AC
IMPERVIOUS	• 31 %
PORCH/IMP	

**PARKING TABULATION**

MEDICAL CLINIC: 4 PARKING SPACES PER DOCTOR PLUS 1 ADDITIONAL PER 2 EMPLOYEES  
 8 DOCTORS X 4 = 32 EMPLOYEES (2) = 40 SPACES REQUIRED  
 8 DOCTORS X 4 = 32 EMPLOYEES (2) = 40 SPACES REQUIRED  
 TOTAL SPACES PROVIDED = 104 SPACES (INCLUDING 8 HANDICAP SPACES)



**Sheet List Table**

Sheet Number	Sheet Title
CO-1	COVERSHEET
EX-1	EXISTING CONDITIONS PLAN
SP-1	SITE PLAN
LS-1	LIGHTING & LANDSCAPING PLAN
BL-1	BUILDING ELEVATIONS

**LEGEND**

- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING STORM DRAIN INLET
- WATER METER
- BIKE RACK
- SITE LIGHTING
- EXISTING SEWER MANHOLE
- TELEPHONE/COMMUNICATIONS REESTABLISHMENT
- EXISTING UTILITY POLE
- ACCESSIBLE PARKING AND ACCESS WAY
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPOSED FORESTRY EASEMENT
- BUILDING SETBACK
- PROPOSED LIMIT OF DISTURBANCE
- EXISTING CURB
- PROPOSED CURB
- EDGE OF PAVEMENT
- PROPOSED PARKING STRIKE
- PROPOSED WATER PIPE
- PROPOSED SEWER PIPE
- PROPOSED STORM PIPE
- EXISTING OVERHEAD UTILITIES
- EXISTING ROAD CENTERLINE
- PROPOSED SWALE CENTERLINE
- PROPOSED SURFPAV/CONCRETE
- PROPOSED ASPHALT/PAVEMENT
- EXISTING ROADWAY
- PROPOSED BUILDING FOOTPRINT
- PROPOSED FOREST CONSERVATION

**COVERSHEET**

PROPERTY LOCATION: MORRIS STREET, WICOMICO COUNTY, MARYLAND  
 PROJECT: TIDAL HEALTH COMMUNITY CLINIC  
 DATE: 12/16/2024  
 SCALE: 1" = 50'

DESIGNED BY: [Signature]  
 CHECKED BY: [Signature]  
 DRAWN BY: [Signature]

PROJECT: 193  
 SHEET: 001  
 OF: 38

**PLAN APPROVED**  
 WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS

APPROVED BY: [Signature] DATE: [Date]

**OWNER'S CERTIFICATION**  
 I HEREBY CERTIFY THAT THE IMPROVEMENTS CONSTRUCTION PLAN IS BEING SUBMITTED TO THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS FOR REVIEW AND IS IN ACCORDANCE WITH ALL DECREES AS A OWNER OF THE SUBJECT PROPERTY.

TIDAL HEALTH  
 C/O JAMES CARROLL STREET  
 SALISBURY MARYLAND, 21801  
 410-543-7351

**PROFESSIONAL CERTIFICATION**  
 I HEREBY CERTIFY THAT I AM A LICENSED CIVIL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21729, EXPIRATION DATE: JULY 24, 2025 AND A ONLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21183, EXPIRATION DATE: JANUARY 28, 2025.

[Signature]  
 BRUCE E. BAUER, P.E., P.L.L.C.  
 528 INTERSTATE DRIVE  
 SALISBURY MARYLAND 21801  
 EMAIL: bruce@bauerandassociates.com

PLAN APPROVED BY WICOMICO SOIL CONSERVATION DISTRICT  
 ROCK GLASGOW SUPERVISOR  
 DATE: [Date]

APPLICANT'S EXHIBIT # A  
 Case No. WP-2501  
 By Namot Tidal Health  
 Date 2/20/25

APPLICANT'S EXHIBIT # A  
 Case No. WP-2501  
 By Namot Tidal Health  
 Date 2/20/25

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 By Namot Tidal Health  
 Date 2/20/25

APPLICANT'S EXHIBIT # A  
 Case No. WP-2501  
 By Namot Tidal Health  
 Date 2/20/25

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Professional Corporation, Licensed under the  
Professional Engineers and Surveyors Act  
of the State of North Carolina. License No. 10000  
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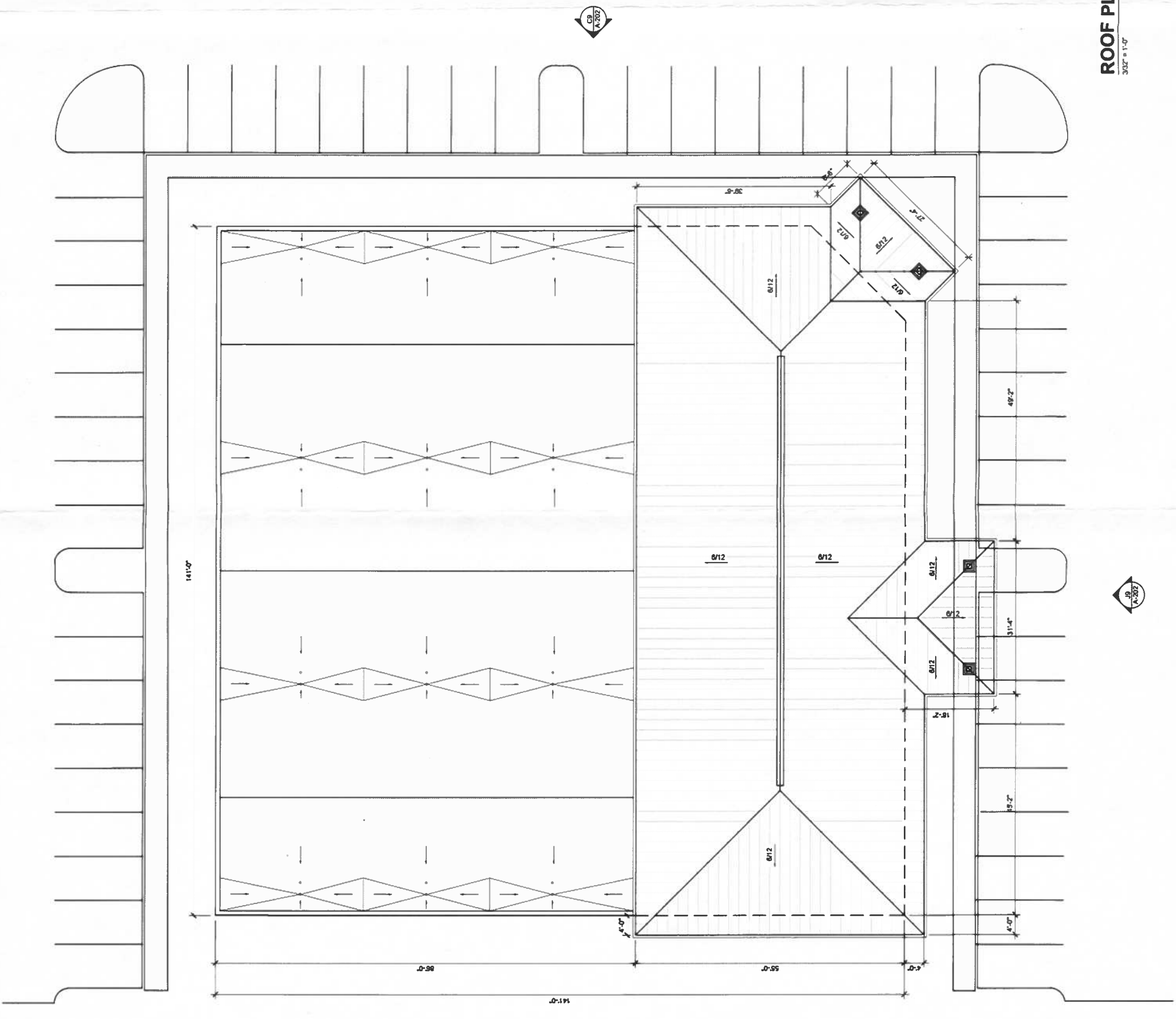
ARCHITECTS • ENGINEERS • SURVEYORS  
DAVIS  
BOWEN &  
FRIEDEL, INC.  
410 770 4744  
202 424 1744  
SARON HARTMAN  
1606 S. HARRIS  
RICHMOND, VIRGINIA 23220

TIDALHEALTH COMMUNITY CLINIC  
CONCEPTUAL PLANS  
MORRIS STREET

DATE	COMMENTS
12/23/2024	AS NOTED
WLN	
0632A105/A01	

ROOF PLAN -  
OPTION 2  
A-102

ROOF PLAN - OPTION 2  
3/32" = 1'-0"



**LAW OFFICE OF RICHARD M. DUVALL, LLC**

112 WEST MAIN STREET  
SALISBURY, MARYLAND 21801  
Telephone: (410) 548-1010  
Fax: (410) 548-1045

Richard M. Duvall

richardmduvall@verizon.net

February 11, 2024

Wicomico County Planning and Zoning Commission  
Chip Dashiell, Chair  
Attn: Tracey Greene Taylor, Director  
Planning, Zoning & Community Development  
125 N. Division St. Room 203  
Salisbury, Md 21801

**APPLICANT'S EXHIBIT # B**  
Title *LETTER OF PROPOSAL* 2/20/25  
Case No. *WP-2501* Date  
Name *TIDALHEALTH* By

**Re: Request for Special Exception – By Planning Commission - Wicomico County Zoning Code, §225-67 / Table of Permitted Uses – Part I – R-8 Zoning District – Medical Clinic § 225-103.1**

Dear Commissioners,

TidalHealth Peninsula Regional, Inc., (“TidalHealth”), a Maryland not for profit regional hospital, requests a special exception, as noted above, by application filed January 24, 2025 to construct and operate a “Medical Clinic” on County property in an R-8 Zoning District.<sup>1</sup>

The Medical Clinic will operate as a Family Medicine and Residency Community Clinic and house TidalHealth supervisory physicians, ultimately 12 resident physicians and clinical and administrative staff who will provide outpatient family medicine clinical, and other services to the “Westside” community, including, but not limited to, primary and specialty care, behavioral health, vital preventive screening, chronic disease management, telehealth services, and a community wellness center space to provide educational services related to diabetes and other chronic disease, and nutritional and financial counseling.<sup>2</sup> The patient population will range from children to seniors. It is Tidal’s goal to have the resident physicians settle in the local community after completing the program.

<sup>1</sup> The Subject Property is under contract to TidalHealth. It abuts the North Side of Morris Street, Salisbury, Maryland, and between but not abutting East and West Roads, to include eleven (11) lots in all, being Tax ID Nos. 09-32886, (10.86 Acres), and 09-32525, 09-32533, 09-32541, 09-32568, 09-32576, 09-32584, 09-32592, 09-325606, 09-32614, and 09-32622. (approx. .8 acres in all) - In total, approximately 11.6 acres, or 503,000.00 sq. ft by our calculation. An Electric Substation is located to the north and adjacent to the Property on Substation Road and Salisbury Middle School is located to the East of the Property on east side of East Road. The Property is surrounded by residential housing.

<sup>2</sup> A “Residency” is a post-graduate clinical (hands-on) training period under the supervision of experienced and qualified practicing physicians designed to prepare medical graduates for the autonomous and unsupervised practice of medicine.



A preliminary development plan will be submitted at the meeting which demonstrates adherence to the standards required for granting this Special Exception. The criteria for approval of the Special Exception at Code § 225-155 (C) is addressed in the Staff Report. Applicant addresses the criteria here as follows by reference to the Code:

The proposed use

- (1) Is consistent with the 2017 Wicomico County Comprehensive Plan - Chapter 9 Community Facilities which contains the goal to “provide adequate community facilities to ensure availability of services for all Wicomico County residents”.
- (2) will not adversely affect the health, safety and general welfare of the residents or workers in the area but rather support it.
- (3) is compatible with and will not be detrimental to the use or development of adjacent properties or the general neighborhood but rather will provide needed medical services to the community consistent with the nearby school to the East and electrical substation to the North.
- (4) meets all of the standards set forth for a Medical Clinic by Special Exception in an R-8 District as demonstrated on the preliminary development plan. Code, § 225-103.1
- (5) has been designed so as to minimize possible adverse effects on adjacent properties or on the immediately surrounding area. See setback, landscaping buffer lighting and parking plan.
- (6) will not adversely affect the transportation network or unduly burden water, sewer, school, park, stormwater management areas, including streams, or other public facilities. The property is located in the City of Salisbury Urban Service District and so, by application, will have City water and sewer. Stormwater management systems and design is subject to permitting and approval by County officials.
- (7) will not adversely affect the environmental, archeological or historical assets of particular interest to the community as may be identified in any adopted plan of the county. The property is predominantly wooded with good soil for construction of the proposed building. No Recognized Environmental Conditions such potential conditions were identified in a Phase I Environmental Site Assessment performed by J.D. Hynes & Associates, Inc. – August 2024 Report.

Sincerely,

Richard M. Duvall  
Counsel for Applicant

Sincerely,

  
Richard M. Duvall



## WICOMICO COUNTY, MARYLAND

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
125 N. DIVISION STREET, ROOM 203  
P.O. BOX 870  
SALISBURY, MARYLAND 21803-0870  
PHONE: 410-548-4860 | FAX: 410-548-4955

Julie M. Giordano  
County Executive

Bunky Luffman  
Director of Administration

Matt Leitzel  
Assistant Director of Administration

Tracey G. Taylor  
Director

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### STAFF REPORT

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#### MEETING OF FEBRUARY 20<sup>TH</sup>, 2025

**APPLICANT:** PARKER ON BEHALF OF TIDALHEALTH PENINSULA REGIONAL INC.

**PROPERTY OWNER:** BEST RENTAL HOUSING INC

**LOCATION:** Immediately west of Salisbury Middle School, bounded by East and West Roads with frontage on Morris Street.

County Tax Map #38  
Parcels #193 and all lots of Parcel #284, Grid #1

**ZONING:** R-8 Residential

**REQUEST:** Preliminary Development Plan Review – New Proposed Building and Parking

#### I. SUMMARY OF REQUEST:

##### A. Introduction.

The applicant is requesting approval to consolidate and develop unimproved space to construct a new 19,881 square-foot medical clinic. The property, consisting of ten 5,000-6,500 square-foot lots and one large 10.86-acre parcel, and originally planned as part of the Westover Hills subdivision, is currently owned by Best Rental Housing Inc. This clinic is intended to serve as an accessible healthcare option to the residential community.

## **B. Development Scheme.**

The Development Plan (Attachment #1) depicts the proposed location of the new building, the surrounding parking area, stormwater management areas, pond, and an open area dedicated to a community garden and/or other activities. The single-story building is served by 104 proposed parking spaces and the lot is enclosed on three sides by a 25' wide landscape buffer. The forest conservation area and remaining woods cover 5.78 acres to the rear and sides of the lot, serving as a natural buffer. The clinic will be aesthetically similar to the existing TidalHealth Family Lab in the Woodbrooke complex off of Tilghman Road.

The project will utilize existing access to the City of Salisbury water and sewer system. According to the Community Impact Statement (Attachment #2), this project is estimated to consume 8 EDU based on average peak monthly usage for a similar use at East Church and Naylor Streets. There is a 40' utility easement along the east side of the property with accessible water and sewer mains.

To the rear of the clinic itself is an area dedicated to a community garden or future activities. TidalHealth's intent is to be an active participant in the community and they wish to promote public engagement wherever possible.

## **C. Surrounding Area Development.**

The land intended for the clinic is located on the block immediately west of Salisbury Middle School just northwest of downtown Salisbury, enclosed to the north and south by Substation Road and Morris Street, respectively, and to the west and east by West and East Roads. The west side of the lot is bordered by individual residential lots with single family homes. The southern end of the lot faces Morris Street, across from several undeveloped wooded lots. West Road Apartments occupy the northeastern section of the block. There is a power station owned by Delmarva Power and Light across Substation Road.

In the near vicinity are West Salisbury Elementary School, Wesley Temple United Methodist Church, North Lake Park, New Life Seventh-Day Adventist Church, the State Highway Administration, and several residential developments. The TidalHealth Peninsula Regional campus on East Carroll Street is half an hour away by public transportation and a 45-minute walk. Deer's Head Hospital Center is an hour by public transportation and over an hour's walk.

## **D. Access to the Site.**

The Development Plan proposes a single point of access onto Morris Street, as well as a sidewalk running adjacent to the street. The area is served by West and Jersey Roads, both

major collectors. There is a Shore Transit stop at the intersection of Jersey Road and Morris Street.

It is the intent of TidalHealth that this new location provide medical care to the underserved population of Salisbury who historically face challenges finding accessible health care. Located in the heart of a residential area, the lot is ideally situated for access by foot traffic, bicycle, and public transit. The available existing health care in Salisbury is markedly overburdened, with many individuals relying on the Emergency Room at the existing TidalHealth Peninsula Regional Center in place of an accessible primary care doctor. The new clinic will be used primarily for routine primary care visits with various specializations rotating on a scheduled basis – providing specialized health care for those who need it. In addition to providing accessible health care to the community, the new clinic should reduce the strain on Emergency Room staff and improve the efficiency of care provided at Peninsula Regional.

At this time, Parker has provided information regarding traffic as part of their Community Impact Statement in lieu of a full traffic study conforming to MD State Highway Administration standards. Parker has requested that the requirement for a traffic study as required by the definition of “Community Impact Statement” in 225-25 of the Zoning Code be waived by Planning Commission. As previously stated, this location is served by two major collector roads, public transit, and is situated ideally for multimodal access. Planning Staff finds the Community Impact Statement submitted by Parker & Associates to provide sufficient information to satisfy the requirements of 225-13(D) of the Zoning Code.

## II. SITE PLAN REVIEW:

### A. Code Requirements

The permitted use of this site is dependent on the outcome of the Special Exception hearing immediately prior to the review of TidalHealth’s Preliminary Development plan.

Planning Staff has determined that the Site Plan is in general conformance with the new regulations regarding Special Standards for Particular Uses as enumerated in Article VIII 225-103.1 for Medical Clinics.

1. **Setbacks:** Per the amended text, all buildings and structures must be set back 100 feet, which the submitted plan satisfies.
2. **Lot Size:** The required minimum lot size shall be ten acres. The area proposed for development spans 12.22 acres.
3. **Area:** The total floor area of all structures shall not exceed 20,000 square feet. The proposed building is 19,881 square feet in area.

4. **Landscaping:** A 25' wide landscaping buffer must be provided along all property lines and the development plan must demonstrate all landscaping. This is demonstrated in the plan
5. **Exterior Lighting:** The location of all fixtures with related standards shall be demonstrated on the development plan. Parker has provided in the plan schematics for proposed lighting as well as their locations.
6. **Signage:** All sign elevations and locations shall be demonstrated on the development plan. At present, a single sign is proposed over the entry of the building. Future signage may be proposed.
7. **Parking:** The Development Plan proposes 104 parking spaces, including 6 handicap spaces, and is found to be in accordance with Article X of the Zoning Code for Parking Standards. The parking lot is to be landscaped in accordance with 225-144 of the Zoning Code. The parking standard in 225-135 requires four spaces per doctor plus one additional space per two employees, which is satisfied by the proposed plan.

### III. PLANNING COMMENTS:

Planning Staff is in support of the proposed development with the recommendations noted below.

### IV. STAFF RECOMMENDATIONS:

Staff recommends that the Planning Commission grant approval for the proposed Development Plan for TidalHealth subject to the following conditions:

1. A Special Exception must be granted for TidalHealth from the Planning Commission in order to permit the construction of a medical clinic within R-8 zoning.
2. A plat shall be recorded for the purpose of consolidating all lots included in the proposed development prior to the issuance of any building permits at the site.
3. All proposed signage must be included in the Final Development Plan.
4. Subject to building permit approval by the Planning and Zoning Permits and Inspections Division.
5. Subject to further review and approval for stormwater management by the Wicomico County Public Works Department.

6. This site shall be developed in accordance with the approved Development Plan. Minor plan adjustments may be approved by the Wicomico County Zoning Administrator.
7. Subject to the review and approval of Forest Stand Delineation and Forest Conservation Plan to be submitted to Planning and Zoning.

Coordinator: Becky Thayne

**ATTACHMENT #1: DEVELOPMENT PLAN**

**ATTACHMENT #2: COMMUNITY IMPACT STATEMENT**

**ATTACHMENT #3: AERIAL PHOTO**















ATTACHMENT #3





## Infrastructure and Development Staff Report February 20, 2025

### I. BACKGROUND INFORMATION:

Project Name: 1501 Pemberton Drive Annexation  
Applicant/Owner: David F. Layfield, Jr.  
Infrastructure and Development Case No.: 202500137  
Nature of Request: Zoning Recommendation for Annexation  
Location of Property: 1501 Pemberton Drive; Map #0037; Grid #0023; Parcel #0159  
Requested Zoning District: R-8 Residential

### II. SUMMARY OF REQUEST:

#### A. Introduction:

The City Council has referred the 1501 Pemberton Drive annexation to the Planning Commission for review and recommendation of an appropriate zoning designation. The property is located on the northerly side of Pemberton Drive, adjoining the Sleepy Hollow residential development. **(Attachments 1 – 3)**

#### B. Area Description:

The requested annexation area consists of one (1) lot that totals 1.10 acres in size, and adjoins the Sleepy Hollow residential development along all interior lot lines. The lot is rectangular in shape, and has been improved with a single family dwelling which was constructed in 1910. **(Attachments 3 & 4)**

### III. ZONING ANALYSIS:

#### A. Existing Zoning:

The requested annexation area is located in Wicomico County's R-8 Residential zoning district. The surrounding property on the northerly side of Pemberton Drive is located within the City's R-8A Residential Zoning District. On the southerly side of Pemberton Drive, properties are located within the City's Harbor Point Planned Residential District.

#### B. County & City Plans.

The County Comprehensive Plan designates this property and nearby county areas as Medium Density Residential. Single-family dwellings are a permitted use



within both the city and county R-8 Residential districts. **(Attachments 5 & 6)**

**C. Zoning for Annexed Areas.**

**1. Introduction.**

Current City policy requires that all areas to be annexed shall be submitted to the Salisbury-Wicomico Planning Commission for review and recommendation of an appropriate zoning district. The Zoning Code does not establish specific procedures for zoning lands to be annexed to the City of Salisbury. The classification of future City areas, therefore, is conducted consistent with local adopted plan recommendations and Maryland Annexation Law.

**2. Adopted Plans.**

The Planning Commission is a jointly established agency for both the City of Salisbury and Wicomico County. One of its basic charges is to prepare and recommend various plans guiding the long-range development of both jurisdictions.

The information below summarizes the legal status of the plans currently in effect for Wicomico County and the City of Salisbury.

a. The Salisbury Comprehensive Plan - The Salisbury City Council adopted the current Comprehensive Plan on July 12, 2010. That document includes land use policies for all lands within the Corporate Limits as well as a Municipal Growth Element addressing growth areas outside the Corporate Limits. This property is included within the Municipal Growth Area, and designates this area as Medium Density Residential. **(Attachment 7)**

b. The Wicomico County Comprehensive Plan - The Wicomico County Council adopted the County Plan on March 21, 2017. This area is designated Medium Density Residential. **(Attachment 8)**

**3. Maryland Law.**

House Bill 1141 made two (2) changes to Annexation Procedures that became effective October 1, 2006. They are:



1. **The Five-Year Rule.** First, the rule is applied solely on zoning. The issue becomes the degree of use change from the current County zoning classification to the proposed municipal classification following the annexation. When the zoning change is from one residential zone to another, “substantially different” is defined as a density change. The five-year rule does not apply for a density change unless the proposed zoning is denser by 50 percent. For example, if the current zoning permits 1 unit per acre, the new zoning can be subject to the five-year rule if it permits anything more than 1.5 units per acre. A municipality may obtain a waiver from the County to avoid the five-year wait until the new zoning classification applies.
  
2. **Annexation Plans Required.** An annexation plan is required that replaces the “outline” for the extension of services and public facilities prior to the public hearing for an annexation proposal. This section contains no additional language for the content of the annexation plan to be adopted, but does require it to be consistent with the municipal growth element for any annexations that begin after October 1, 2009 (unless extended for up to two six-month periods). The Plan must be provided to the County and the State (the Maryland Department of Planning) at least 30 days prior to the hearing.

#### **IV. DEVELOPMENT SCENARIO:**

##### **A. Proposed Use:**

The applicant/owner proposes to subdivide the existing lot into two (2) lots of similar size – 22,930 sq. ft. and 25, 069 sq. ft. The existing single-family dwelling will remain on one (1) lot, while a new single-family dwelling will be constructed on the second lot. The requested zoning is R-8 Residential. **(Attachment 9)**

##### **B. Access:**

Access to both lots will be from Pemberton Drive.



# City of Salisbury

## **C. Configuration and Design:**

The annexation area is generally rectangular shaped and will adjoin the existing City boundaries that surround the site.

## **D. Estimated Development Impacts:**

The site and proposal are small, as only one (1) new dwelling will be constructed, and two (2) dwellings will be added to the City's housing stock. Impacts on the surrounding neighborhood, as well as the City's infrastructure will be minimal.

## **V. ZONING RECOMMENDATION:**

The specific purpose of the Planning Commission's review is to make a zoning recommendation for the annexation area that is currently zoned R-8 Residential in the County.

The adopted Salisbury Comprehensive Plan designates nearby areas as residential, and the proposed use and requested zoning classification of R-8 Residential meets this designation. The proposed use of both lots for a single-family dwelling is an appropriate use within the requested zoning classification, as such are an inherently permitted use within this district. However, as the surrounding development (Sleepy Hollow) is located within the R-8A Residential zoning district, it would appear that maintaining the same zoning classification would be appropriate and more consistent with the City's Comprehensive Plan and State of Maryland standards. This zoning classification still permits the same lot sizes as R-8 Residential, and single-family homes are also permitted within this district. **(Attachment 9)**

Staff recommends that the Planning Commission forward a **Favorable** recommendation to the Mayor and City Council for this property to be zoned **R-8A Residential** upon annexation.

City of Salisbury Council, City Staff, and Legal Counsel:

I have been trying to make progress with the annexation of a small property I own on Pemberton Drive in Salisbury. The address is 1501 Pemberton Drive. It is an old farmhouse at the entrance of Sleepy Hollow. I began the annexation process in 2022 to participate in the Here is Home program (agreement executed 2/21/2022). I have done what was asked of me. I paid the \$2,000 legal fee. I and my engineer, Brock Parker, submitted everything we needed to submit back in 2022.

I have called and spoken to numerous folks at the City and not one person has been able to tell me one fact about the status of the annexation that is helpful. Not one fact.

I have a building permit from the County to do a gut renovation. I have had that permit since 2022. That permit was issued by the County knowing that I would be annexed and the permit was conditioned on replacing the well and septic completely.

I waited to start construction knowing the annexation would take some time and I didn't want a completed home and large interest bearing construction loan hanging over my head while the annexation got sorted out. My County permit expires in February, 2025. Knowing I needed to get moving on construction, I began construction last month. Construction will be complete in the spring (I'll be applying for a short extension of my building permit) and I have no way to provide water and sewer to the house because the City of Salisbury has not moved on the annexation or connections. So, the project is stranded due to the inaction of the City of Salisbury.

Furthermore, the Here is Home milestone dates for the fee waiver have come and gone but at no fault of mine. The City has sat on the annexation and allowed those milestones dates to pass.

I am begging someone at the City of Salisbury to give this some attention. I know this is a small project, but my wife and I are throwing our hearts into restoring this beautiful old home and adding it to the housing stock of Salisbury and we can't make that happen if the City just keeps ignoring us.

The action items I would like to come of this email are: 1) finalize the annexation, 2) provide me expectations on public improvements and connections, and 3) assure me I will still receive the full waiver of the Here is Home incentive even though the milestones have passed due to no fault of mine.

Please reply as soon as possible.

Thanks,  
Dave Layfield  
5419 Loch Ness Terrace  
Salisbury, MD 21801  
[443.523.6265](tel:443.523.6265) Mobile

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 0159

Map # 0037

SIGNATURE (S)

Signature

Jana Layfield

1/17/2022  
Date

Printed

Jana Layfield

Signature

David F. Layfield Jr.

1/17/2022  
Date

Printed

David F. Layfield Jr.

Signature

\_\_\_\_\_

\_\_\_\_\_  
Date

Printed

\_\_\_\_\_

Signature

\_\_\_\_\_

\_\_\_\_\_  
Date

Printed

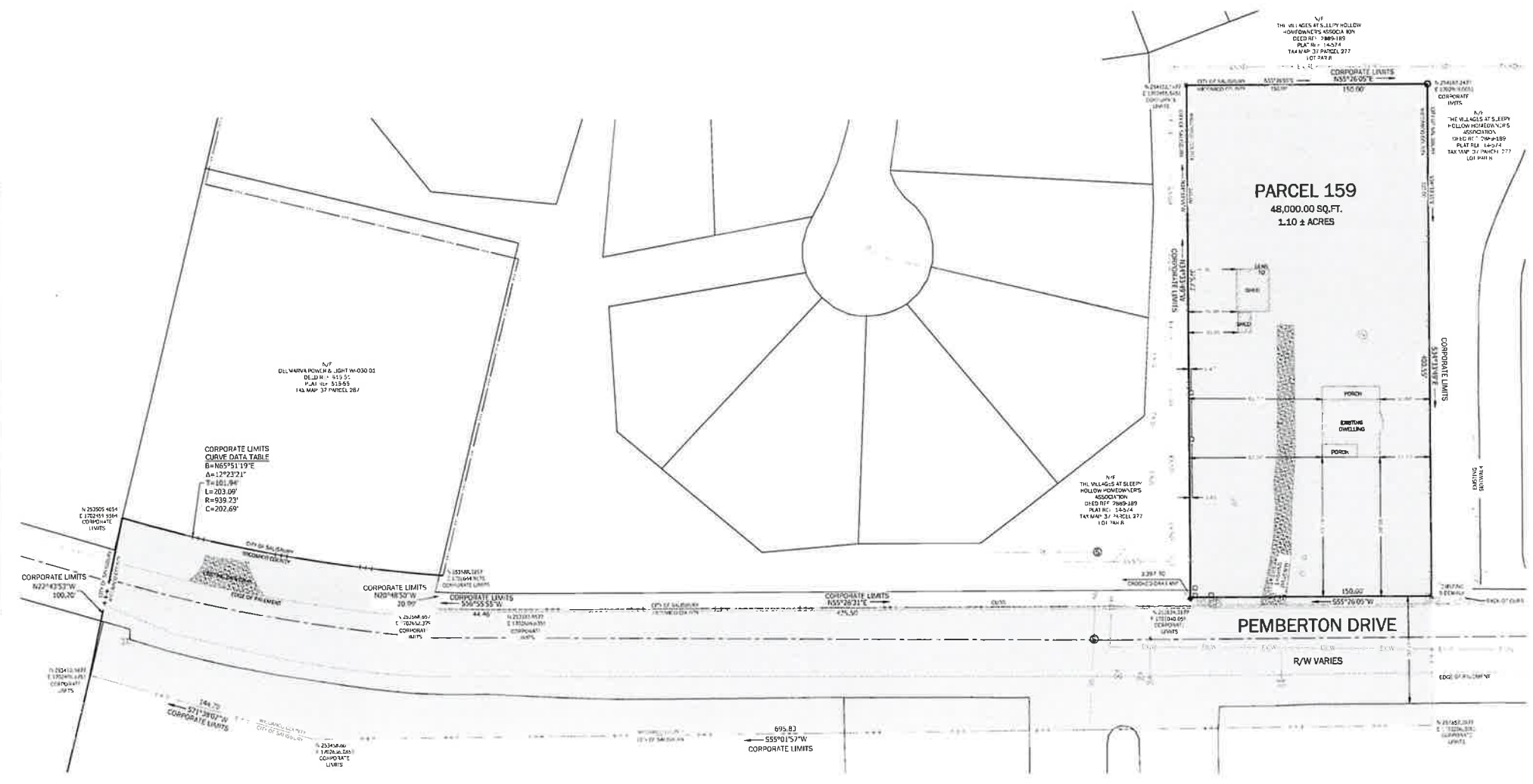
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**LEGEND**

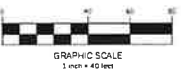
	CONCRETE MARKER FOUND
	IRON PIPE WITH CAP FOUND
	IRON ROD WITH CAP FOUND
	FIRE HYDRANT
	SANITARY SEWER MAN-HOLE
	UTILITY POLE
	WATER VALVE
	LIGHT POLE
	SEPTIC LID
	CABLE PEDESTAL
	TELEPHONE PEDESTAL
	TRANSFORMER
	GAS LINE
	ROAD SIGN
	FENCE POST
	STORM DRAIN MAN-HOLE
	EXISTING PICKET FENCE
	ROAD SIGN
	FENCE POST
	EXISTING PICKET FENCE
	CORPORATE LIMITS LINE TO BE ELIMINATED
	CORPORATE LIMITS LINE TO BE ADDED
	EXISTING CORPORATE LIMITS LINE
	AREA TO BE ADDED INTO CITY LIMITS



- GENERAL NOTES**
- 1) THE PROPERTY SHOWN HEREON IS CURRENTLY OWNED BY DAVID F. JR. & JANA LAYFIELD. MAILING ADDRESS: 5419 LOCHNESS TERRACE, SALISBURY, MD 21801. PREMISES ADDRESS: 1501 PEMBERTON DRIVE, SALISBURY, MD 21801.
  - 2) DEED REFERENCE: 4720-266
  - 3) PLAT REFERENCE: 609-13
  - 4) TOTAL NUMBER OF PARCELS = 1
  - 5) TOTAL AREA OF PARCEL = 48,000.00 SQ. FT. / 1.10 ± ACRES
  - 6) THIS PROPERTY IS SHOWN ON F.I.R.M. COMMUNITY PANEL (232 OF 375), MAP NUMBER 24045C0332E, EFFECTIVE DATE AUGUST 17, 2015, AS BEING IN ZONE "X". AREAS DETERMINED TO BE MINIMAL FLOOD HAZARD
  - 7) THE PRESENT ZONING OF THIS PROPERTY IS: R-8 RESIDENTIAL (WICOMICO COUNTY)
  - 8) THE PROPOSED ZONING OF THIS PROPERTY IS: R-8 RESIDENTIAL DISTRICT (CITY OF SALISBURY)
  - 9) THIS PROPERTY IS LOCATED WITHIN G.P.R. MANAGEMENT ZONE A
  - 10) THIS ANNEXATION PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS-OF-WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
  - 11) TOTAL AREA TO BE ANNEXED = 118,623.60 SQ. FT. / 2.72 ± ACRES

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 21193, RENEWAL DATE JANUARY 25, 2024.

BROCK E. PARKER \_\_\_\_\_ DATE \_\_\_\_\_



**REVISIONS**

DATE	BY	DESCRIPTION
03/23/23	RLPR	
03/30/23	RLPR	

**ANNEXATION PLAT**

1501 PEMBERTON DRIVE SALISBURY, MD, PARCEL 159

AS SHOWN ON "PROPERTY SURVEY RONALD H & IRENE RAYNOR"

LOCALITY:	SALISBURY ELECTION DISTRICT, WICOMICO COUNTY, MARYLAND		
SCALE:	1" = 40'	DATE:	02-14-2023
JOB NO.:	S2366	DRAWN BY:	RLPR
DATE:	S2366-PS-ANNEXATION	PARCEL:	159



ZONING

Use Description	Zoning District							
	A-1	V-C	R-8	R-15	R-20	REC	R-30	TT
<b>Public and Semipublic Facilities:</b>								
Airport privately owned and managed (See § 225-77.)	SE							
Transportation:								
Bus depot, including Wicomico transit	P	P	P	P	P	SE	P	P
Park-and-ride facilities	SE	SE						
Train station	SE	SE						
<b>Recreation, Amusement, Entertainment:</b>								
Athletic fields	SE	SE	SE					SE
Campgrounds, recreational vehicle parks (See § 225-81.)	SE	SE						
Golf courses (See § 225-94.):								
As part of a residential subdivision	SPC	SPC	SPC	SPC	SPC		SPC	SPC
Separate from a residential subdivision	SE	SE	SE	SE	SE		SE	SE
Golf driving range, not part of a golf course	SE							
Marinas:								
Commercial	SPC	SPC						
Recreational	SPC	SPC						
Outdoor community events	P	P						
Privately owned facilities, as part of a residential development	SE	SE	SE	SE	SE		SE	SE
Privately owned outdoor recreational facilities not constructed as part of a residential development	SE	SE	SE	SE	SE		SE	SE
Rifle and pistol range, war games, archery ranges (See § 225-109.)	SE							
<b>Residential:</b>								
Bed-and-breakfast	SE	SE	SE	SE	SE		SE	SE
Country inn	SE	SE						
Day care (See § 225-82.)								
Center	SE	SE	SE	SE	SE			SE
Elderly	SE	SE	SE	SE	SE			SE
Family	P	P	P	P	P		P	P
<b>Dwellings:</b>								
Single-family detached	P	P	P	P	P	SE	P	P
Manufactured home - double-wide (See § 225-87.)	P	P						SE

## Chapter 17.156 - R-5, R-8 AND R-10 RESIDENTIAL DISTRICTS

### 17.156.010 - Purpose.

- A. The purpose of the R-5, R-8 and R-10 residential districts is to preserve the character of both newly planned and established single-family residential areas in order to promote and to enhance the quality of life and environmental attributes which are an essential part of the city. The uses permitted in these districts are limited primarily to single-family residential. Selected nonresidential uses which provide a service to the residents of an area or which, by their nature, require a residential environment are permitted. Apartment developments, therefore, are incompatible because they generate an undue concentration of population and increased traffic which alter the predominantly single-family residential character of these areas.
- B. The R-5, R-8 and R-10 residential districts encompass the majority of the residential areas of the city which either are or will be served by municipal utilities, including public water, sanitary sewer and storm drains.

(Ord. 2031 (part), 2007; prior code § 150-21)

### 17.156.020 - Permitted uses.

Permitted uses shall be as follows:

- A. Cultivation of land;
- B. Dwellings;
  1. Single-family detached.
- C. Firehouse;
- D. Park and playground, public and private, in accordance with chapter 17.220;
- E. School of general instruction, in accordance with chapter 17.220.

(Ord. 1786 § 12 (part), 2000)

### 17.156.030 - Uses permitted by special exception.

Uses permitted by special exception shall be as follows:

- A. Cemetery, on minimum tract of ten acres;
- B. Church or other place of worship on a lot size of less than five acres, in accordance with chapter 17.220, excluding bus storage, cemetery, day-care center, school of general instruction and gymnasium as accessory uses;



(Ord. 1786 § 12 (part), 2000; prior code § 150-25)

17.156.060 - Development standards.

Development standards for the R-5, R-8 and R-10 residential districts shall be as follows:

A. Minimum Lot Requirements. All lots hereafter established shall meet the following minimum requirements:

1. All lots:

District	Lot Area (square feet)	Interior Lot Width (feet)	Corner Lot Width (feet)
R-5	5,000	50	65
R-8	8,000	60	75
R-10	10,000	70	85

B. Minimum yard and setback requirements shall be as follows:

1. Front: twenty-five (25) feet;
2. Rear: thirty (30) feet;
3. Side: ten feet each; two required.

C. Height Limitations.

1. The height limitation for principal buildings and structures shall be thirty-five (35) feet.
2. The height limitation for accessory buildings and structures shall not exceed twenty (20) feet.

D. Parking shall be provided in accordance with chapter 17.196.

1. No motor vehicle, whether operable or inoperable, shall be parked in the front yard of any residence unless the same shall be positioned in a driveway or designated parking area with continuous access to a public street.
2. No outside storage of trucks or vans used in the conduct of business shall be permitted.

E. No more than one principal use shall be permitted on an individual lot.

F. Accessory Buildings and Structures.

- 1.



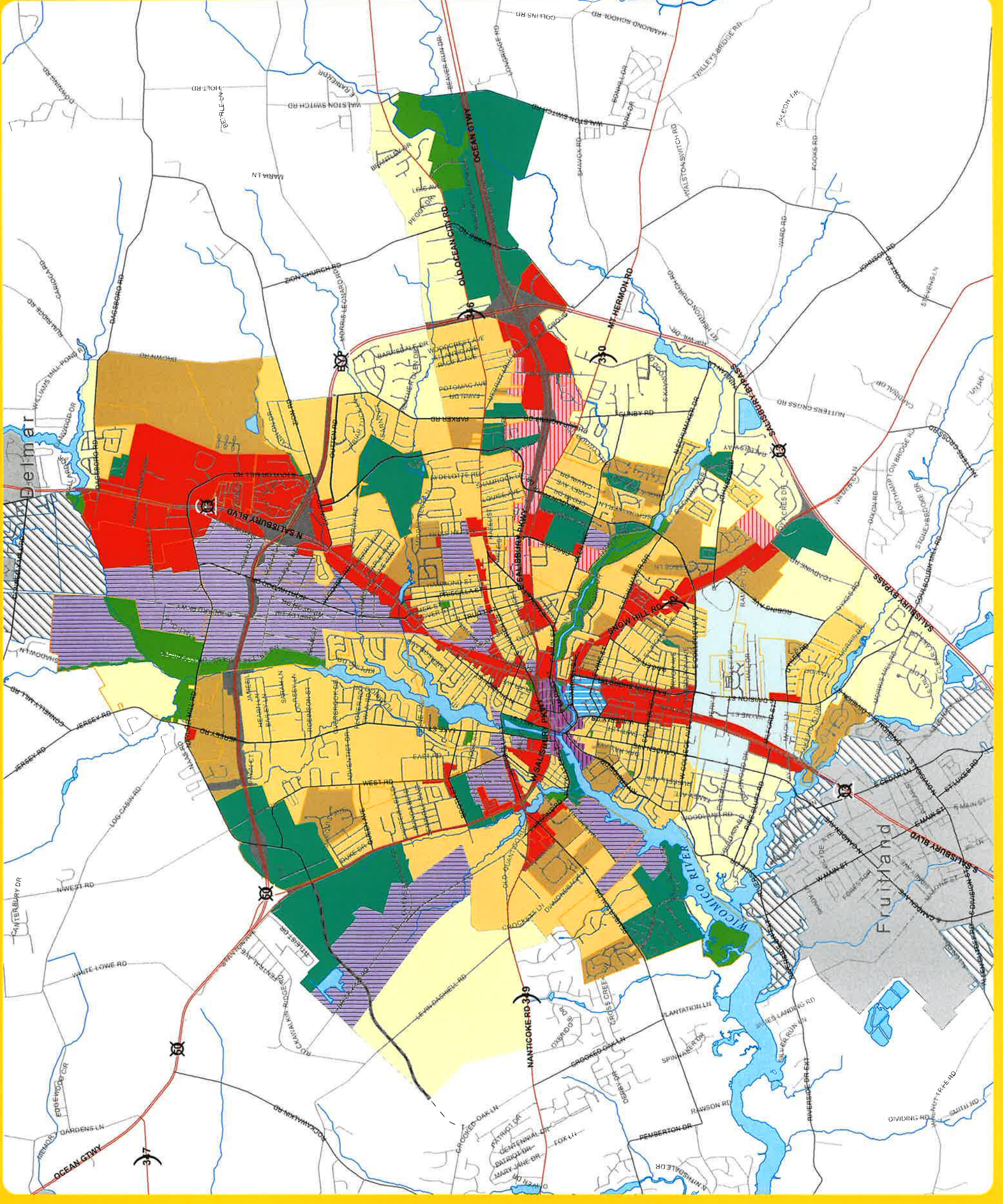
- Major Roads
- Minor Roads
- Local Roads
- Westside Collector
- Streams
- Waterbodies
- Salisbury Corporate Limits
- Fruitland/Deimar Growth Areas
- Salisbury Future Land Use**
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Business and Institutional
- Central Business District
- Commercial
- Industrial
- Mixed Use
- Parks and Open Space
- Penninsula Regional Medical Center
- Salisbury University
- Medians and ROW

Sources:  
\*Salisbury/Wicomico Department of Planning,  
Zoning & Community Development



Salisbury/Wicomico County Department  
of Planning, Zoning & Community Development

0 4,00



# Wicomico County COMPREHENSIVE PLAN

## Map 7-2: Land Use Plan



## Wicomico County, Maryland 2017 Comprehensive Plan

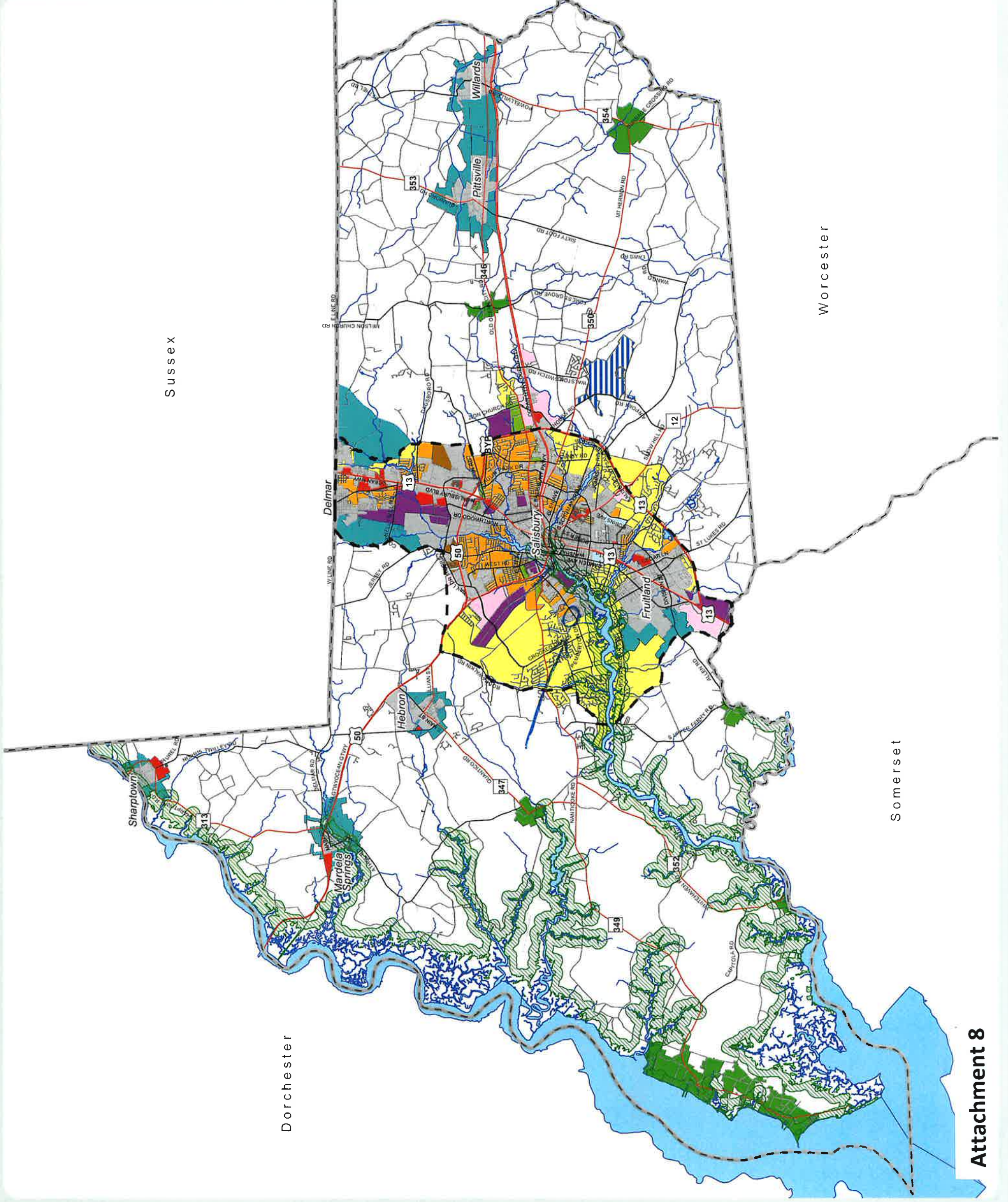
- County Boundaries
- Metro Core
- Municipal Areas
- Critical Area (2001)
- Land Use Plan**
- Agricultural Resource
- Airport
- Commercial
- Industrial
- Light Business and Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Municipality
- Salisbury University Planning Area
- Town Transition
- Urban Corridor
- Rural Village

Sources:  
\*Salisbury/Wicomico Department of Planning,  
Zoning & Community Development

\*CBCA - Maryland DNR (2001)



Salisbury/Wicomico County Department  
of Planning, Zoning & Community Development





17.160.010 - Purpose.

- A. The purpose of the R-5A, R-8A and R-10A residential districts is to recognize those areas of the city that have developed or are suitable for development with apartments or townhouses and to provide additional areas where they may be developed at densities compatible to existing or future residential development within or adjoining the districts.

These districts are located in areas which are presently served or which can be served by existing municipal public utilities of water, sanitary sewer and storm drains and which contain the services and amenities necessary for concentrations of population and traffic normally associated with apartment and townhouse development.

- B. Uses permitted in these districts include the uses in the R-5, R-8 and R-10 districts while providing for additional housing uses to meet the varied housing needs of the community. In accordance with this purpose, the following uses, standards and area regulations are established.

(Prior code § 150-27)

17.160.020 - Permitted uses.

Permitted uses shall be as follows:

- A. Apartment building or project, in accordance with chapter 17.168;
- B. Cluster development, in accordance with chapter 17.176;
- C. Cultivation of land;
- D. Dwellings.
  - 1. Patio dwelling, in accordance with chapter 17.200,
  - 2. Semidetached, in accordance with chapter 17.208,
  - 3. Single-family detached,
  - 4. Two-family dwelling on a lot with a minimum of nine thousand (9,000) square feet of land area in an R-5A district; eleven thousand seven hundred (11,700) square feet of land in an R-8A district; and fifteen thousand (15,000) square feet of land in an R-10A district. All parking required for any two-family dwelling shall be in the rear yard three feet from all adjoining property lines;
- E. Firehouse;
- F. Park and playground, public and private, in accordance with chapter 17.220;
- G. School of general instruction, in accordance with chapter 17.220;

Accessory uses and structures shall be as follows:

- A. Cloister or clerical housing on the same lot with a church or other place of worship, meeting lot area and/or standards required for each individual use;
- B. Home occupation;
- C. Home office;
- D. Family day-care home;
- E. Office within an apartment or townhouse project solely for the purpose of ongoing management and rental or a temporary sales office in conjunction with model units until all units in the project have been sold;
- F. Private garages and other accessory uses normally associated with residential use, such as but not limited to detached home workshop, swimming pool, cabana, greenhouse, private studio and boathouse, all of which shall be incidental to the use of the property as a residence;
- G. Rental of guest rooms to not more than two roomers in a single-family detached dwelling on a minimum lot of five thousand (5,000) square feet which is occupied by a family related by blood, marriage or adoption, provided that one (1) additional parking space for each roomer shall be provided in the rear yard;
- H. Storage of recreational vehicles and boats on residential lots, limited to two in any combination, in back of the front building setback line, where such recreation vehicles and boats are for the use and enjoyment of the resident thereon;
- I. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use.

(Prior code § 150-31)

**17.160.060 - Development standards.**

Development standards for the R-5A, R-8A and R-10A residential districts shall be as follows:

- A. Minimum Lot Requirements. All lots hereafter established shall meet the following minimum requirements:
  - 1. All lots except for two-family dwellings:

District	Lot Area (square feet)	Interior Lot Width (feet)	Corner Lot Width (feet)
R-5A	5,000	50	65

R-8A	8,000	60	75
R-10A	10,000	70	85

2. Lots for two-family dwellings:

District	Lot Area (square feet)	Interior Lot Width (feet)	Corner Lot Width (feet)
R-5A	9,000	60	75
R-8A	11,700	70	85
R-10A	15,000	80	95

B. Minimum yard and setback requirements shall be as follows:

1. Front: twenty-five (25) feet;
2. Rear: thirty (30) feet;
3. Side: ten feet each; two required.

C. Height Limitations.

1. The height limitation for principal buildings and structures shall be forty (40) feet.
2. The height limitation for accessory buildings and structures shall not exceed twenty (20) feet in height.

D. Parking shall be provided in accordance with chapter 17.196.

1. No motor vehicle, whether operable or inoperable, shall be parked in the front yard of any residence unless the same shall be positioned in a driveway or designated parking area with continuous access to a public street.
2. No outside storage of trucks or vans used in the conduct of business shall be permitted.

E. No more than one principal use shall be permitted on an individual lot.

F. Accessory Buildings and Structures.

1. No part of any accessory building or structure shall be located closer than five feet to a front and side property line. On a corner lot, no accessory building shall be located closer than twenty-five (25) feet to a lot line of an abutting street.



# City of Salisbury

## Infrastructure and Development Planning and Zoning Commission Staff Report

February 20, 2025

### I. BACKGROUND INFORMATION:

**Project Name:** Village at Salisbury Lake

**Applicant/Owner:** Parker and Associates, Inc. on behalf of Elu Deluca Salisbury Apt LLC

**Infrastructure and Development Project No.:** 22-014

**Nature of Request:** Final Subdivision Approval

**Location of Property:** Civic Ave – Glen Ave – St Albans Dr

**Zoning District:** Planned Residential District No. 11 – Village at Salisbury Lake

**Tax Map and Parcel:** Tax Map: 109, Grid: 02, Parcel: 2518

**Area:** 49.58 Acres

### II. EXPLANATION OF REQUEST:

The applicants propose subdivision of a 49.58 +/- acre tract of land into 131 single family lots and 88 townhouse lots. All lots have frontage on new interior public streets and will be served by City services and utilities. Access to the site is proposed on Civic Avenue, Glen Avenue, and St Albans Drive. The subdivision includes multiple acres of open space parcels and stormwater management areas. A Final Subdivision Plat with narrative has been submitted (**Attachments 1 and 2**). Per City of Salisbury Subdivision Regulations, this subdivision plat requires Planning Commission approval.

### III. APPROVAL HISTORY:

This property has an extensive approval history dating back to the early 2000's. The Planning Commission approved the Preliminary Comprehensive Development Plan on February 20, 2020 and the Preliminary Subdivision on September 15, 2022. The Final Comprehensive Development Plan was approved by the Planning Commission on July 21, 2023.

### IV. STAFF COMMENTS:

Chapter 17.121.050- Development Standards details the following requirements regarding subdivision and lot specifications:

#### A. Minimum Lot Requirements (Townhouse, Single-family and Two- and Four-Family Dwellings).

**1.Lot area:** one thousand three hundred (1,300) square feet.

**2.Lot width:** twenty (20) feet.





# City of Salisbury

## **B. Minimum Setback Requirements (Townhouse, Single-family and Two- and Four-Family Dwellings).**

### **1. Front setback:**

- a. Front garage units: twenty (20) feet, which may include bay windows, unenclosed porches, entry features and similar projections;
- b. Rear garage units: no setback required.

**2. Side setback:** five feet, with at least ten feet between buildings.

**3. Rear setback:** fifteen (15) feet from the rear lot line (ten feet when facing common open space).

The plan has been reviewed by the City Surveyor and all lots conform to the standards listed in Ch 17.121.050A & 17.121.050B.

**F. Density.** Residential development shall not exceed a total of six hundred eighty-eight (688) residential units in the residential area of the district as shown on the preliminary development plan.

The developer proposes to construct a total of 219 residential units. The PRD will have 469 residential units remaining.

**M. Subdivision Plat, Community Association and Condominium Documents.** A recorded subdivision plat shall be consistent with approved final development plans for each phase or parcel. The overall village at Salisbury Lake Community Association documents regarding maintenance of open space identified on the preliminary development plan shall be consistent with Section 17.04.240 and shall be recorded with the final subdivision plat for the first phase or parcel of development. Individual condominium and homeowner's association documents shall be approved by the planning commission consistent with Section 17.04.240 and recorded for each phase or parcel of development.

This plat is consistent with the final comprehensive development plan approved by this Commission in July 2023.

## **V. RECOMMENDATION:**

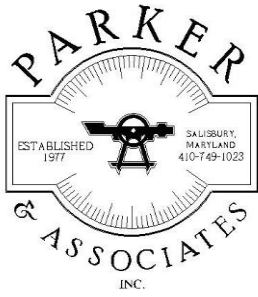
The proposed subdivision conforms to development standards as stated in the City of Salisbury Municipal Code Chapter 17.121.050. Planning Staff recommends granting Final Subdivision Plat Approval for the Village at Salisbury Lake Subdivision, subject to the following six (6) Conditions of Approval:



# City of Salisbury

**PROPOSED CONDITIONS:**

1. The Final Plat shall comply with all requirements of the Salisbury Subdivision Regulations and be recorded with the Wicomico County Clerk of Court in the Land Records office;
2. Health Department approval is required prior to the recordation of the Final Plat;
3. The Final Plat shall comply with all requirements of the Forest Conservation Program as administered by Wicomico County Planning and Zoning;
4. A Homeowner's Association shall be created to maintain the open space, recreation, and stormwater management facilities, drainage and maintenance easements and forest conservation easements. The Homeowner's Association documents shall be presented to Planning Commission for review and approval prior to recordation;
5. If the developer so chooses to rename "Mallard Lane", a revised 911 Map shall be submitted to the City Surveyor for review and approval;
6. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development and other applicable agencies.



528 RIVERSIDE DRIVE  
SALISBURY, MD 21801  
PHONE: 410-749-1023  
FAX: 410-749-1012  
WWW.PARKERANDASSOCIATES.ORG

LAND SURVEYING • CIVIL ENGINEERING • LAND PLANNING • FORESTRY SERVICES

February 12, 2025

City of Salisbury  
Department of Infrastructure and Development  
125 N. Division St  
Salisbury, Maryland 21801

ATTN: Jessica Crenshaw  
Senior Associate Planner

RE: The Village at Salisbury Lake  
Prelim/Final Subdivision Plat

Dear Jessica:

On behalf of Elu Deluca Salisbury Apt LLC, we hereby respectfully request to be placed on the next possible Planning Commission agenda for the above referenced project, in accordance with Planned Residential District No. 11 zoning code. The objective of this request is to obtain final approval on the Preliminary/Final Subdivision Plat so that we may finalize engineering and development plans based upon the confidence that this is acceptable to the commission.

The property is located on Tax Map 109, Parcel 2518, contains an area of 49.58 acres and sits between Civic Avenue, Glen Avenue and St Albans Drive with a proposed access to each street. It was formerly the site of the Salisbury Mall.

This subdivision plat proposes 131 single family and 88 townhouse lots fronting public streets. The current zoning of this property is Planned Residential District No. 11. Construction and development on this project will be in accordance with the zoning code, as well as the City of Salisbury & Wicomico County construction specifications, as multiple site access points are shown connecting to City of Salisbury & Wicomico County roads. Open space for SWM facilities & resident use is depicted on this plat and will be utilized for same within the projects' development plans.

Thank you for your time, should any questions arise please feel free to reach out to me.

Sincerely,



**Brock E. Parker, RLS, PE**

**Vice President**

Office: 410-749-1023

Cell : 410-422-1735

Fax : 410-749-1012

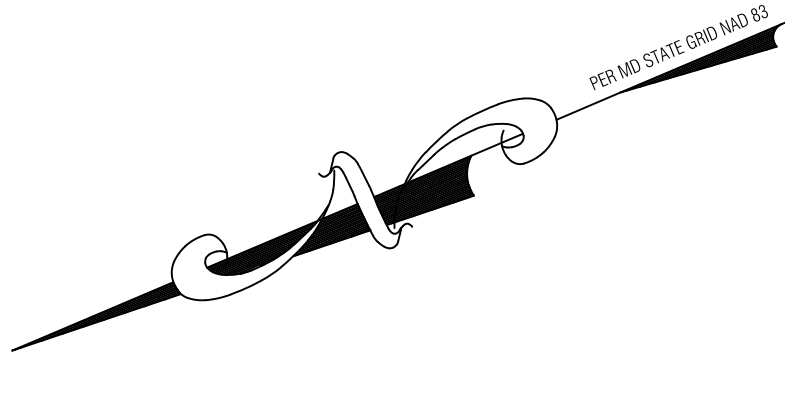
**Parker & Associates Inc.**

528 Riverside Drive

Salisbury Maryland 21801

[www.parkerandassociates.org](http://www.parkerandassociates.org)





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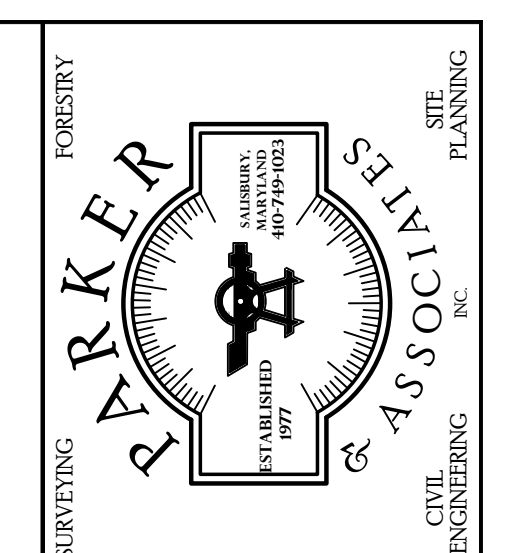
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SHEET 2 OF 4

REVISIONS

DATE	BY	DESCRIPTION
03/28/2023	EDR	
07/25/2023	EDR	
01/02/2025	EDR	

PROJECT: SUBDIVISION PLAT OF VILLAGE AT SALISBURY LAKE FOR: SALISBURY MD, LLC

LOCATION: CITY OF SALISBURY SALISBURY ELECTION DISTRICT, WICOMICO COUNTY, MARYLAND

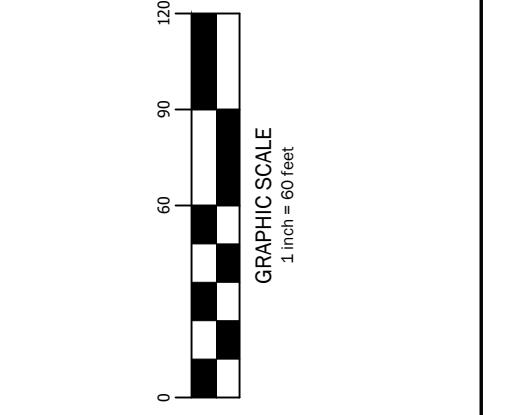
SCALE: 1" = 60'

DATE: 06/20/2022

DRAWN BY: EDR

TAX MAP: 109

PARCEL: 2518



SEE SHEET 3 OF 4



LINE TABLE			
LINE #	DIRECTION	LENGTH	DELTA
L1	S89°30'07"E	11.08	
L2	N23°00'41"E	26.55	
L3	N89°30'07"W	11.40	
L4	N31°54'17"E	96.80	

COORDINATE POINT TABLE			
POINT #	NORTHING	EASTING	DELTA
1	257440.5883	1722463.7242	
2	257423.1144	1722384.5941	
3	257401.1321	1722272.5301	
4	257384.0583	1722343.0382	
5	257384.1506	1722331.9553	
6	257402.8833	1722242.1334	
7	257766.1782	1721386.7342	
8	257705.2840	1721335.9301	
9	257424.5536	1721116.7016	
10	257415.9633	1721090.4748	
11	257476.6457	1720957.0128	
12	257499.1864	1720940.9742	
13	257416.3880	1720905.7920	
14	257424.6243	1720937.4671	
15	257367.9419	1721070.9291	
16	257341.7151	1721081.5194	
17	257066.9847	1720962.2909	
18	256910.1895	1721023.1851	
19	256883.2251	1721204.3811	
20	256806.9983	1721214.9714	
21	256306.4514	1721002.3851	
22	256295.0946	1720978.2917	
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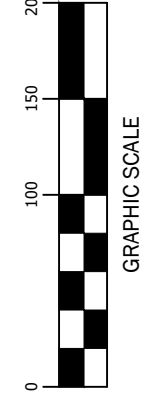
COORDINATE POINT TABLE			
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26	256257.2787	1721151.5224	
27	256290.0467	1721715.8875	
28	256350.9459	1721866.6917	
29	256374.4640	1721876.6813	
30	256384.8923	1721903.2789	
31	256350.9514	1721978.9050	
32	256324.5138	1721988.8625	
33	256388.3789	1722017.6242	
34	256378.3214	1721991.1886	
35	256412.8422	1721914.2703	
36	256438.9071	1721964.0568	
37	257343.3245	1722288.1641	
38	257355.4134	1722308.4973	
39	257354.1965	1722331.3828	
40	257354.0974	1722342.7775	
41	257336.3346	1722372.9351	
42	257315.2406	1722391.8557	
43	257296.2394	1722400.1549	
44	257343.3215	1722255.5693	
45	257131.2274	1722165.4912	
46	257226.6371	1722193.2644	

COORDINATE POINT TABLE			
POINT #	NORTHING	EASTING	DELTA
47	257515.4593	1721209.6335	
48	257491.6861	1721199.0422	
49	257493.5566	1721263.9229	
50	257738.5654	1721375.0669	
51	257735.2702	1722230.4064	
52	257360.9498	1722233.9564	
53	257066.7974	1722138.1273	
54	256855.0991	1722048.2173	
55	256844.5988	1722021.9905	
56	257239.3310	1721092.3586	
57	257477.2561	1721171.6783	
58	257487.8464	1721197.9051	
59	257093.0242	1722177.5370	
60	257090.6691	1722020.8534	
61	256796.2565	1720928.7436	
62	256578.9708	1721930.9434	
63	256568.3905	1721904.7166	
64	256937.7933	1721034.9125	
65	257498.2573	1720989.9038	
66	257201.1278	1721054.4044	
67	257211.7181	1721086.6312	
68	256816.8960	1722010.2631	
69	256514.5409	1721965.5995	

COORDINATE POINT TABLE			
POINT #	NORTHING	EASTING	DELTA
70	256382.6793	1721839.0788	
71	256317.6616	1721727.6149	
72	256537.2457	1721165.2495	
73	256583.5725	1721152.6742	
74	256295.2709	1721242.5842	
75	256805.8632	1721268.8110	
76	256540.7677	1721892.9892	
77	257634.9559	172414.0057	
78	257491.6792	172403.1332	
79	257141.9193	1722358.8123	
80	256038.8839	1721866.8161	
81	256612.1865	1721796.9043	
82	256655.6790	172139.8424	
83	256757.9275	172091.15712	
84	256796.2565	1720928.7436	
85	256831.8212	1720840.3449	
86	256839.1219	1720852.6158	
87	256908.9488	1720666.7265	
88	256853.8787	1721182.8875	
89	257339.2715	1722371.0627	

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	TANGENT	DELTA
C1	144.08	633.00	143.77	72.35	13°02'28"
C2	20.67	20.00	19.76	11.36	59°12'06"
C3	30.54	65.00	30.26	15.56	26°55'11"
C4	36.65	35.00	20.21	20.21	60°00'00"
C5	92.34	235.00	91.75	46.77	22°30'48"
C6	180.64	115.00	162.63	115.00	90°00'00"
C7	31.42	20.00	28.28	20.00	90°00'00"
C8	31.42	20.00	28.28	20.00	90°00'00"
C9	31.42	20.00	28.28	20.00	90°00'00"
C10	31.42	20.00	28.28	20.00	90°00'00"
C11	180.64	115.00	162.63	115.00	90°00'00"
C12	31.42	20.00	28.28	20.00	90°00'00"
C13	29.15	20.00	26.64	17.85	83°20'08"
C14	32.81	20.00	29.25	21.44	93°52'27"
C15	31.42	20.00	28.28	20.00	90°00'00"
C16	180.64	115.00	162.63	115.00	90°00'00"
C17	31.82	20.00	28.57	20.41	91°09'33"
C18	31.42	20.00	28.28	20.00	90°00'00"
C19	74.05	50.00	67.46	45.70	64°51'00"
C20	31.42	20.00	28.28	20.00	90°00'00"
C21	31.01	20.00	28.00	19.60	88°50'27"
C22	25.31	20.00	23.66	14.67	72°30'39"
C23	22.92	205.00	22.92	11.47	4°57'24"

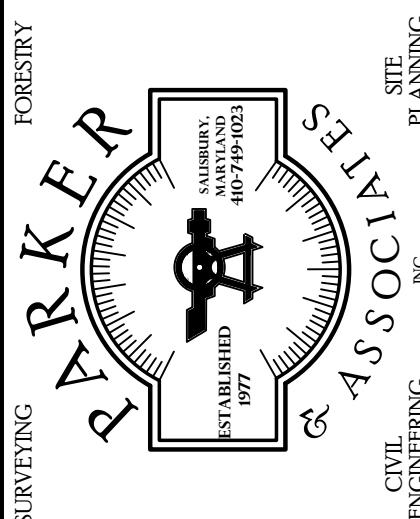
CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	TANGENT	DELTA
C24	36.65	35.00	35.00	20.21	60°00'00"
C25	28.55	67.08	28.34	14.50	24°23'10"
C26	21.82	19.67	20.72	12.18	63°32'46"
C27	256.84	567.00	254.65	130.66	25°57'14"
C28	32.51	20.00	29.05	21.13	93°08'52"
C29	31.42	20.00	28.28	20.00	90°00'00"
C30	31.42	20.00	28.28	20.00	90°00'00"
C31	133.52	85.00	120.21	85.00	90°00'00"
C32	14.56	265.00	14.56	7.28	3°08'52"
C33	31.42	20.00	28.28	20.00	90°00'00"
C34	31.42	20.00	28.28	20.00	90°00'00"
C35	31.42	20.00	28.28	20.00	90°00'00"
C36	31.42	20.00	28.28	20.00	90°00'00"
C37	31.42	20.00	28.28	20.00	90°00'00"
C38	31.42	20.00	28.28	20.00	90°00'00"
C39	133.52	85.00	120.21	85.00	90°00'00"
C40	31.42	20.00	28.28	20.00	90°00'00"
C41	31.42	20.00	28.28	20.00	90°00'00"
C42	133.52	85.00	120.21	85.00	90°00'00"
C43	31.42	20.00	28.28	20.00	90°00'00"
C44	31.42	20.00	28.28	20.00	90°00'00"



SHEET 5 OF 5

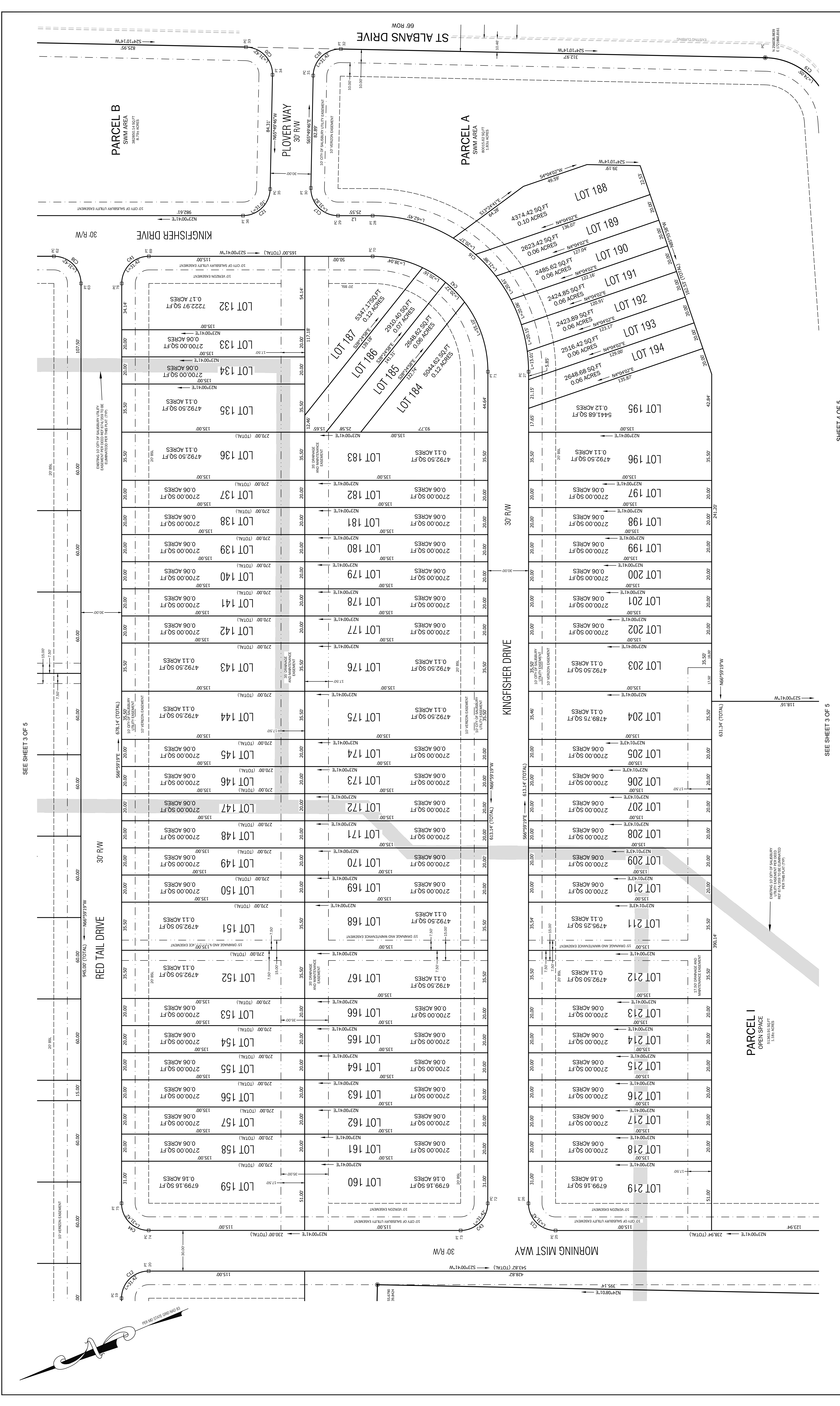
REVISIONS	
DATE	BY
01/02/2025	EDR

<b>SUBDIVISION PLAT</b>	
<b>VILLAGE AT SALISBURY LAKE</b>	
<b>FOR: SALISBURY MD, LLC</b>	
CITY OF SALISBURY SALISBURY ELECTION DISTRICT, WICOMICO COUNTY, MARYLAND	
LOCATION	TAX MAP
SCALE	PARCEL
JOB NO.	DATE
1" = 100'	08/30/2022
S1051B	EDR
DOWN BY	SITE PLANNING
109	2518



SURVIVING FORESTRY





**MARKER ASSOCIATES**  
SURVIVING FORESTRY  
CIVIL ENGINEERING  
SITE PLANNING

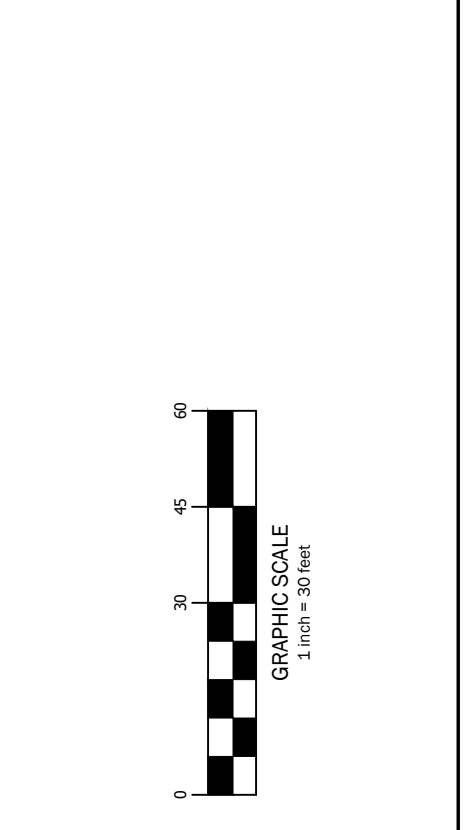
**SUBDIVISION PLAT OF VILLAGE AT SALISBURY LAKE FOR SALISBURY MD, LLC**

CITY OF SALISBURY  
SALISBURY ELECTION DISTRICT, WICOMICO COUNTY, MARYLAND

DATE: 06/30/2022  
SCALE: 1" = 30'  
JOB NO.: S1051B  
DRAWN BY: PS-PRELMW FINAL  
EDR: EDR  
TAX MAP: 109  
PARCEL: 2518

**REVISIONS**

NO.	DATE	DESCRIPTION
1	03/28/2023	EDR
2	07/25/2023	EDR



SEE SHEET 3 OF 5

SEE SHEET 3 OF 5