

## RESOLUTION NO. 1728

A RESOLUTION of the Council of the City of Salisbury to adopt an annexation plan for a certain area of land situate, contiguous to and binding upon the northerly corporate limit of the City of Salisbury, to be known as the "Leonard Lane – Michel Real Estate Partnership, LLP Annexation," being an area located on the north side of and binding upon Leonard Lane.

WHEREAS the City of Salisbury is considering the annexation of a parcel of land located on the north side of Leonard Lane between Northwood Drive and Allen Road, an improved County road; said parcel being contiguous to and binding upon the northerly corporate limit of the City of Salisbury;

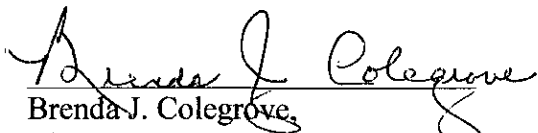
WHEREAS the City of Salisbury is required to adopt an annexation plan for the proposed area of annexation pursuant to Article 23(A) Section 19(O) of the *Maryland Annotated Code*.

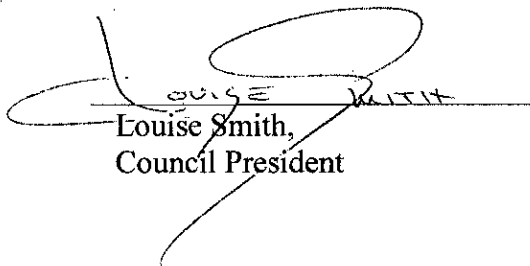
WHEREAS the public hearing is scheduled for January 12, 2009 at 6:00 p.m.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT an annexation plan for the "Leonard Lane – Michel Real Estate Partnership, LLP," as set forth in Exhibit "B" attached hereto and made a part hereof, is adopted for that parcel of land located on the north side of Leonard Lane; said parcel being contiguous to and binding upon the northerly corporate limit of the City of Salisbury.

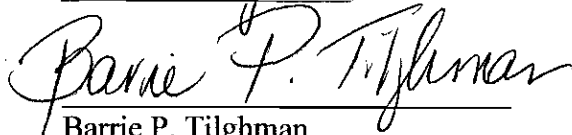
SECTION 2. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the Council hold a public hearing on the annexation plan hereby proposed on January 12, 2009, at 6:00 o'clock p.m. in the Council Chambers at the City-County Office Building and the City Administrator shall cause a public notice of time and place of said hearing to be published not fewer than two (2) times at not less than weekly intervals, in a newspaper of general circulation in the City of Salisbury, which said notice shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution.

The above Resolution was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on the 8<sup>th</sup> day of December, 2008, having been duly published as required by law in the meantime a public hearing was held on January 12, 2009, and was finally passed by the Council at its regular meeting held on the 26<sup>th</sup> day of January, 2009.

  
Brenda J. Colegrove,  
City Clerk

  
Louise Smith,  
Council President

APPROVED BY ME this 27<sup>th</sup> day of  
January, 2009.

  
Barrie P. Tilghman,  
Mayor of the City of Salisbury

**Exhibit "B"**

**REPORT OF ANNEXATION PLAN**

*for the*

**LEONARD LANE - MICHEL REAL ESTATE PARTNERSHIP, LLP  
ANNEXATION**

**TO THE CITY OF SALISBURY**

November 25, 2008

This Annexation Plan was prepared pursuant to changes to State law governing municipal annexation and planning (House Bill 1141)<sup>1</sup>. This Annexation Plan and the annexation it addresses are consistent with the City of Salisbury's adopted comprehensive plan, the Metro Core Plan. The following are milestones in the public review and consideration of the Leonard Lane Annexation.

- At a work session on September 2, 2008, the Salisbury City Council reviewed the annexation request and decided to proceed with development of an annexation resolution and negotiation of an annexation agreement.
- On November 20, 2008, the City of Salisbury / Wicomico County Planning Commission reviewed the proposed annexation and forwarded a favorable recommendation to the Salisbury City Council for Light Industrial zoning of the Property upon annexation.

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<sup>1</sup> HB 1141, passed by the 2006 General Assembly and made into law, revised sections of Articles 66B and 23A of the Annotated Code of Maryland.

**1.0**

**GENERAL INFORMATION AND DESCRIPTION**

**1.1 Petitioners**

Michel Real Estate Partnership, LLP  
247 Leonard Lane  
Salisbury, Maryland 21804

**1.2 Location**

The Property is located as follows: the northerly side of Leonard Lane and southerly side of the U.S. Route 13 Bypass, between Northwood Drive and Allen Road. Tax Map #102, Parcel #32; Grid #4.

The entire area to be annexed includes the improved 40-foot right-of-way known as Leonard Lane, which rights-of-way provides continuity with the existing municipal limits of Salisbury.

Attachment A shows the entire area to be annexed.

**1.3 Property Description**

Attachment A also shows the survey of the Property. The Leonard Lane Annexation area contains 1.2817 +/- acres of land. The overall size of the entire Property is 2.29 acres, of which 1.003 acres is located in the corporate limits of the City of Salisbury. The Property is currently vacant.

**1.4 Existing Zoning**

The zoning of properties in the County in the vicinity of the Property is shown on Attachment A-1. The zoning of properties in the City in the vicinity of the Property is shown on Attachment A-2. The portion of the Property located within Wicomico County is now zoned as Heavy Industrial (I-2). The area generally includes light industrial uses such as Green Spring Water Distributors, Hobart Equipment and United Landscaping. The area surrounding the Property to the north, east and south are in the City and zoned Light Industrial.

## **2.0**

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

#### **2.1 Comprehensive Plan**

The City of Salisbury adopted its current Comprehensive Plan, the Metro Core Plan in 1997. The Plan designates a Metro Core boundary that extends beyond City limits and makes general recommendations for lands both within and outside of the municipal limits. Wicomico County has adopted the Metro Core boundary as part of its Comprehensive Plan. The Property is located within the Metro Core. The County's Land Use Plan designates the Property for Metro Core use. The 1997 Metro Core designates the Property for Industrial use.

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

#### **2.2 Proposed Zoning**

Upon annexation, the Property is proposed to be zoned as Light Industrial, which is consistent with the portion of the Property located within the City of Salisbury. The proposed zoning is consistent with the existing County zoning and land use plan.

#### **2.3 Proposed Land Use**

The Property serves as the parking lot for a wholesale parts distributor for a Heating, Ventilation and, Air Conditioning (HVAC) equipment and supplies. The Property is undeveloped. At this time, there are no proposed improvements to the Property. However, in the future the existing warehouse located on the adjacent lot may expand, but there is no immediate plan for an expansion.

The parties, upon City Council adoption of an annexation resolution, would execute the annexation agreement. Due to the size of the annexation and because the developed portion of the Property is currently located in the City of Salisbury corporate limits there is no concept development plan.

### 3.0

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

### 3.1 Roads

One public road access point along Leonard Lane will be provided. The City Department of Public Works will require that the Developer provide standard curbs, gutters, sidewalks, street trees and street lights along the Property's frontage with Leonard Lane. Installation of these improvements will be required as part of a Public Works Agreement.

Specific development related road impacts would be addressed during the City's development plan review of the project.

### 3.2 Wastewater Treatment and Water Supply

The City's water treatment system, which will serve the Property has adequate capacity.

The Developer's extension of public water and sewer mains at sizes, locations, and depths, subject to City approval, will be required. The existing City public water and sewer lines would be extended to the Property as well as the installation of a fire hydrant by the Developer at developer expense upon development/improvement of the Property.

### 3.3 Schools

Currently, there are no plans to develop the site. The Light Industrial zoning district does not permit residential development. Therefore, no impact to public schools is anticipated.

### 3.4 Parks and Recreation

Currently, there are no plans to develop the site. The Light Industrial zoning district does not permit residential development. Therefore, no impacts to parks and recreational facilities are anticipated.

### 3.5 Fire, E.M., and Rescue Services

The Salisbury Fire Department provides fire suppression, technical rescue, special operations, and advanced life support (ALS-EMS) emergency medical treatment and transport services to residents and businesses of the Salisbury Fire District. It would provide services to the Property.

### 3.6 Police

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

### 3.7 Stormwater Management

Currently, there are no plans to develop the site. If the Developer should chose to develop the site a concept development plan will need to be submitted, which identifies the location of the proposed stormwater facilities on the site. Detailed plans and calculations will be required for review and approval by the Salisbury Public Works Department. The Developer will be required to design and construct all offsite storm drainage facilities required by development of the site and pipe sizes may be required to be oversized by SPW to accommodate future developments.

### 4.0

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

The annexation and proposed development of the Property integrates well with the surrounding land use pattern along Leonard Lane and Northwood Drive. The area is presently home to general commercial activities. There are no sensitive environmental resources on or immediately adjacent to the site.

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#### List of Attachments

A: Annexation Survey.

Showing the area to be annexed to the City of Salisbury and the Property's survey boundaries. This exhibit is part of the annexation agreement attendant to the Property.

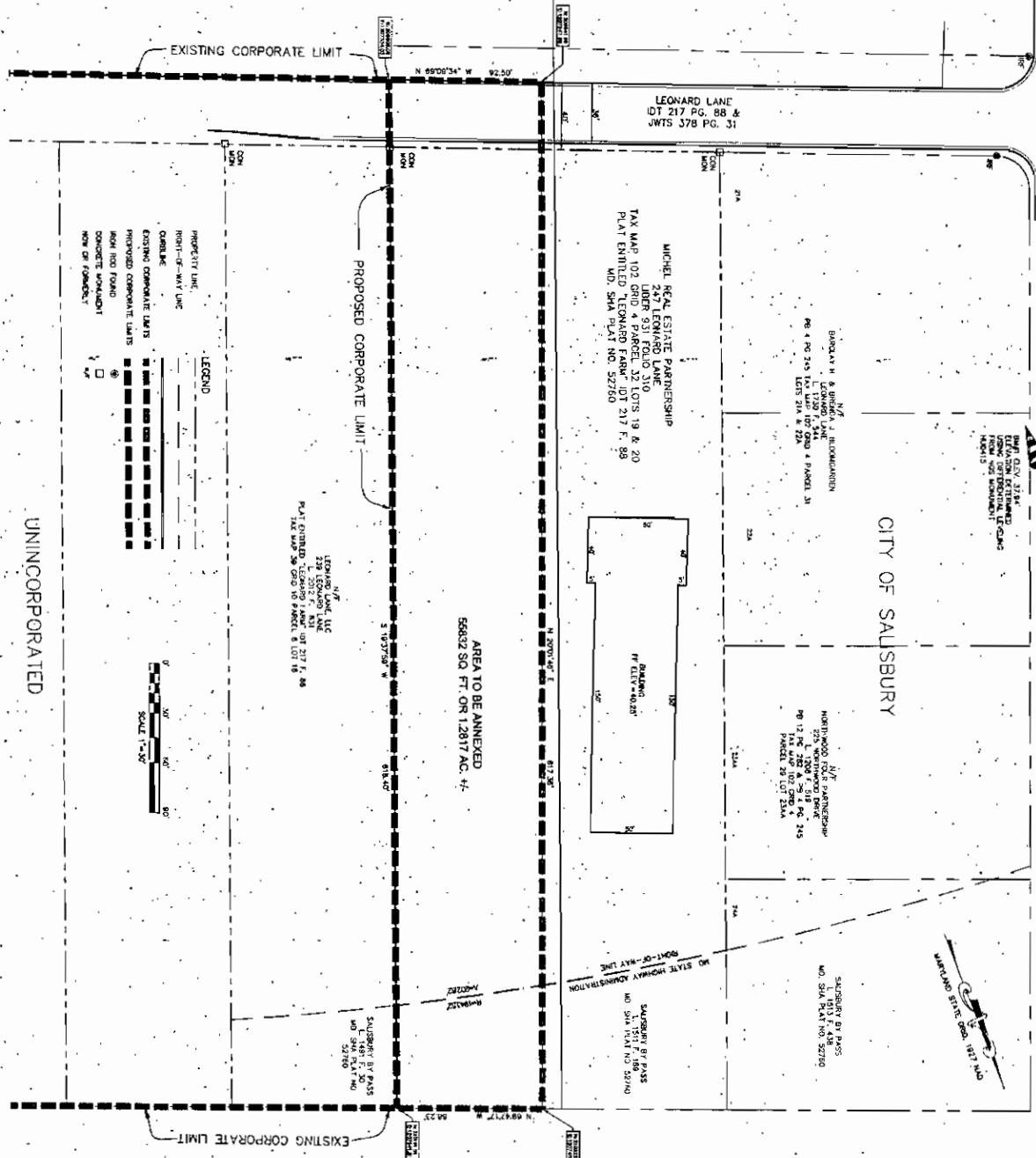
A-1: Annexation - County Zoning.

Showing the zoning of properties located beyond the corporate limits of Salisbury in Wicomico County in the vicinity of the Property.

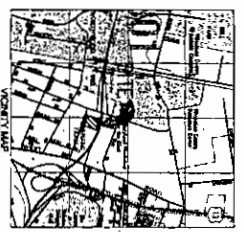
A-2: Annexation - City Zoning.

Showing the zoning of properties located in the City of Salisbury in the vicinity of the Property.

CITY OF SALISBURY



- LEGEND**
- PROPERTY LINE
  - RIGHT-OF-WAY LINE
  - OBSTACLE
  - EXISTING CORPORATE LIMITS
  - PROPOSED CORPORATE LIMITS
  - IRON NAIL FOUND
  - CONCRETE FOUNDATION
  - IRON OR FOUND



**GENERAL NOTES**

1. This map is a true and correct copy of the original survey as shown on the original field notes and as shown on the original survey plat.
2. The original survey plat is on file in the office of the Surveyor General for the State of Maryland.
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**CERTIFICATION**

I, the undersigned, being a duly qualified and licensed Surveyor for the State of Maryland, do hereby certify that the above is a true and correct copy of the original survey as shown on the original field notes and as shown on the original survey plat.

*[Signature]*  
Surveyor

DATE	1/27/20
BY	[Signature]
FOR	CLIENT
SCALE	1" = 20'
PROJECT	ANNEXATION SURVEY
SHEET	1 OF 1



**RBA**  
ARCHITECTS + PLANNERS  
125 N. DIVISION STREET  
SALISBURY, MARYLAND 21601  
Phone: (410) 548-3170, Fax: (410) 548-3170

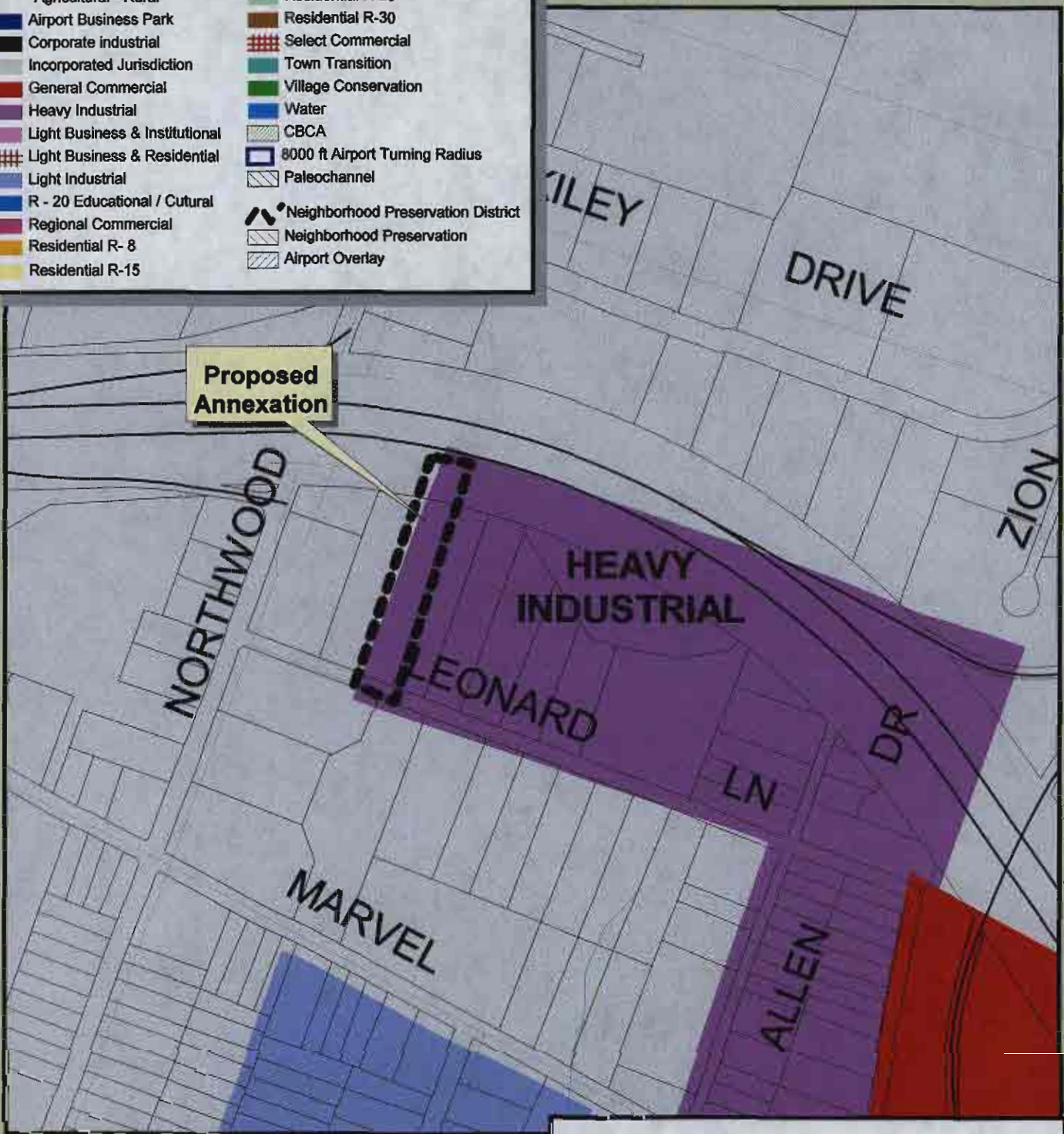
ANNEXATION SURVEY FOR:  
MICHEL REAL ESTATE PARTNERSHIP  
LOTS 19 & 20, BLOCK 'D'  
"LEONARD FARM" SUBDIVISION  
SALISBURY, MARYLAND 21601

PLANS PREPARED FOR:  
CITY OF SALISBURY  
DEPARTMENT OF PUBLIC WORKS  
125 N. DIVISION STREET  
WICOMICO COUNTY, MARYLAND  
(410) 548-3170

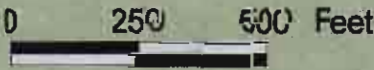


# WICOMICO COUNTY

Agricultural - Rural	Residential R-20
Airport Business Park	Residential R-30
Corporate Industrial	Select Commercial
Incorporated Jurisdiction	Town Transition
General Commercial	Village Conservation
Heavy Industrial	Water
Light Business & Institutional	CBCA
Light Business & Residential	8000 ft Airport Turning Radius
Light Industrial	Paleochannel
R - 20 Educational / Cultural	Neighborhood Preservation District
Regional Commercial	Neighborhood Preservation
Residential R- 8	Airport Overlay
Residential R-15	



**Wicomico County  
- Existing Zoning Map -**



# CITY OF SALISBURY

## Legend

- |                           |                                  |  |
|---------------------------|----------------------------------|--|
| Residential R - 5         | College & University             | Planned Residential District                                   |
| Residential R - 5A        | Hospital                         | Planned Development District                                   |
| Residential R - 8         | Light Business and Institutional | Conservation   |
| Residential R - 8A        | Neighborhood Business            | Petrochemical (Approximate Limits)                             |
| Residential R - 10        | Office - Service Residential     | Well-Head Protection Area                                      |
| Residential R - 10A       | Office Service Highway           | Salisbury Corporate Limits                                     |
| Central Business District | Riverfront Redevelopment         | Chesapeake Bay Critical Area                                   |
| General Commercial        | Light Industrial                 | Camden Historic District                                       |
| Select Commercial         | Industrial                       | Downtown Historic District                                     |
| Regional Commercial       | Industrial Park                  | Newtown Historic District                                      |
|                           |                                  | Conditional Zoning <small>See Ordinance or Resolutions</small> |



**City of Salisbury  
- Existing Zoning Map -**