



*Queen
Anne's
County*

DEPARTMENT OF PLANNING & ZONING

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To: Planning Commission
From: Steven Johnson, Senior Planner
Meeting Date: October 10, 2024
File Number: SP-23-12-0118
File Name: Armored Storage Kent Island
Owner: Jody Schulz/Nashville Properties, LLC
222 Schulz Lane
Chester, Maryland 21619
Developer/Contract Purchaser: Clow Ventures, LLC
c/o Jason Clow
PO Box 232
Wye Mills, MD 21679
Engineer: DMS & Associates, LLC
PO Box 80
Centreville, MD 21617

General Information:

Map / Parcel: 57 / 287, 351, 352
Location: Piney Creek Road, Chester, MD
Parcel Size: Total = 10.490± acres
Zoning District: Town Center (TC)

Proposal and Requested Action:

The applicant is proposing to administratively combine three (3) parcels to construct a 117,000 sq. ft., three story, indoor self-storage facility.

The applicant is requesting Major Site Plan approval.

Project History:

- Concept Plan Submission: October 18, 2021
 - STAC Meeting 1: November 17, 2021
 - STAC Meeting 2: March 14, 2022
 - 25-Day Submittal: June 10, 2022
 - Planning Commission Concept Plan Approval: July 14, 2022
 - Planning Commission Growth Allocation Recommendation: November 10, 2022
 - County Commissioner Conceptual Growth Allocation Approval: February 14, 2023
 - Critical Area Commission Growth Allocation Approval: June 21, 2023
 - County Commissioner Growth Allocation Approval (CO #23-07): August 22, 2023
 - County Ordinance #23-07 Effective: October 7, 2023
- Major Site Plan Submission: December 4, 2023

- STAC Meeting 1: January 3, 2024
- STAC Meeting 2: April 3, 2024
- STAC Meeting 3: June 5, 2024
- 25-Day Submittal: September 12, 2024

FACTS AND FINDINGS

- The project site is located within the Town Center (TC) zoning district. The TC zoning district purpose is:
 - §18:1-28.A: This district is intended to provide higher-density, mixed use development and redevelopment along the Chester Main Street corridor as identified in the Chester/Stevensville Community Plan. Design standards and guidelines are incorporated within this district to foster an attractive, pedestrian-oriented pattern of mixed-use residential and nonresidential development that focuses on the local roads as opposed to US Route 50/301.
- The applicant is proposing an indoor self-storage facility within the TC zoning district.
- In accordance with §18:1-28.C.(1)(pp) & (rr), light industrial uses and self-storage facilities are permitted in the TC zoning district. As defined in §18App-1, light industrial uses include self-storage facilities with interior access only.

EXISTING CONDITIONS:

- The proposal consists of three parcels, totaling 10.490 acres.
 - Tax Map 57 Parcels 287 and 352 are owned by Nashville Properties, LLC.
 - Tax Map 57 Parcel 351 is owned by Jody Schulz.
- Parcels 351 and 352 have existing structures located on them. All existing structures are proposed to be removed.
- The proposed project is in the Chester/Stevensville Growth Area, Enterprise Zone, and Priority Funding Area.

PROJECT DETAILS:

- The applicant is proposing a 117,000 square foot, three story, indoor self-storage facility.
 - In accordance with §18:1-28.D.(3)(a)[2], light industrial uses are permitted to exceed 65,000 square feet of gross floor area.
- To support this development proposal, the applicant will administratively combine the three existing parcels.
 - The administrative subdivision will create resulting parcels 287 (1.464 acres) and 351 (9.026 acres).
 - Resulting Parcel 287 is not a part of the proposed development and will be dedicated to the County for passive recreation as required by Critical Area Growth Allocation approval.
 - The administrative subdivision must be approved and recorded prior to final major site plan signature.
- All TC zoning district non-residential development standards have been met.
- Building Height:
 - Maximum permitted ----- 45'
 - Proposed -----35.5'

- Non-residential Floor Area (FAR):
 - Maximum permitted (40%) ----- 157,262 square feet
 - Proposed (29.8%) -----117,000 square feet
- Impervious Surface Area:
 - Maximum permitted (80%) ----- 2.249 acres
 - Existing (9.5%) ----- 0.266 acres
 - To be removed ----- 0.253 acres
 - Proposed ----- 1.427 acres
 - Total (51.2%) -----1.440 acres
- Parking:
 - Parking spaces required ----- 22
 - Parking spaces provided -----22
- The project will be served by public water and sewer.
 - The required water and sewer allocation was granted administratively.
 - All existing wells and septic systems will be abandoned in accordance with the Department of Environmental Health.
- Stormwater management has been reviewed and approved by the Department of Public Works.
 - In addition to typical stormwater management testing on a triennial basis, the applicant will be required to provide enhanced stormwater management testing to address condition #3 of the County Commissioners and Critical Area Commission Growth Allocation approvals. The site shall be tested for effectiveness regularly and in accordance with testing methods approved by the County Department of Public Works with consultation with the Maryland Department of Environment.
- Proposed lighting will comply with the exterior light standards found in 18:1-85.
- Proposed identification signage will comply with the requirements of 18:1-81.A.
- Approximately 264 linear feet of 8' tall privacy fence is proposed along the site's northeastern property line.
 - The fence is provided for screening between the proposed use and the adjacent property.
 - The proposed screening addresses a condition of the Queen Anne's County Critical Area Growth Allocation approval.
- A segment of the Cross-Island Trail adjacent to the entrance of the site will be relocated off Piney Creek Road to ensure pedestrian safety.
 - The proposed trail relocation addresses a condition of the Queen Anne's County Critical Area Growth Allocation approval.

Adequate Public Facilities Ordinance (APFO):

- In a letter dated March 12, 2024, the APFO Administrator indicates that based on review of the current available capacity and the information provided by the applicant, staff has concluded:

I. Water

Adequate water capacity is available to serve the development. The applicant must obtain a commitment and pay for water allocation necessary for the project. The applicant is

responsible for construction of all necessary infrastructure improvements required, both on-site and off-site, to serve the project with public water.

II. Sewer

Adequate sewer capacity is available to serve the development. The property currently holds sewer allocation for the existing residential uses. The applicant must obtain a commitment and pay for any additional sewer allocation from the Sanitary District. The applicant is responsible for construction of all necessary infrastructure improvements required, both on-site and off-site, to serve the project with public sewer.

III. Schools

The commercial development does not include residential units that would generate school aged children. This project has no impact on available school capacity.

IV. Transportation

Adequate road capacity is available to serve the development. A Traffic Impact Study (TIS) concluded that all intersections studied operate at acceptable levels of service.

Environmental Details:

- The project meets all landscape planting requirements, including additional plantings that are needed to comply with the requirements of Critical Area Growth Allocation approval.
- There are 3.26 acres of nontidal wetlands and 0.97 acres of nontidal wetlands buffer on-site.
 - There is no proposed disturbance to the nontidal wetlands.
 - 0.22 acres of nontidal wetlands buffer disturbance is proposed.
 - Authorization from the Maryland Department of the Environment for the disturbance has been provided.
 - Authorization Number 22-NT-2024/202260359 permits the project to “permanently impact 9,639 square feet of 25-foot nontidal wetlands buffer.” This authorization expires on June 9, 2027.
- There are 7.62 acres of woodlands located on-site.
 - 1.40 acres of clearing is proposed.
 - The applicant will provide 1.616 acres of off-site planting on Tax Map 57 Parcel 477 Lot B to meet mitigation requirements as required in the Critical Area Commission Growth Allocation approval.
 - 6.215 acres of woodlands will be deed restricted for resource protection and passive recreation as required in the Growth Allocation approval.
- 3.98 acres of the site are located within the 100-year floodplain.
 - 0.17 acres of disturbance is proposed.
- There are no steep slopes, streams, endangered species, or forest interior dwelling bird habitats on-site.
- Critical Area:
 - The property is located entirely within the Chesapeake Bay Critical Area with designations of Intensely Developed Area (IDA), Limited Development Area (LDA), and Resource Conservation Area (RCA).
 - All proposed development is within the IDA designation.

- The Critical Area Buffer is expanded for nontidal wetlands.
 - All proposed development is outside of the expanded buffer.
- Growth Allocation:
 - This project has received Growth Allocation approval for 2.811 acres to be designated Intensely Developed Area (IDA).
 - The petition for Growth Allocation was approved, with conditions, by the Critical Area Commission on June 21, 2023.
 - The petition for Growth Allocation, County Ordinance #23-07, was approved with conditions by the Commissioners of Queen Anne’s County on August 22, 2023, and became effective on October 7, 2023.
- The applicant has provided a detailed narrative that addresses how the proposed major site plan addresses the required conditions approved with the Growth Allocation award.

Design Standards:

- Town Center (TC) & Urban Commercial (UC) Design Standards and §18:1-28.D(5) - Design guidelines:
 - The applicant has submitted memos that address the TC / UC Design Standards and design guidelines.
 - Architectural renderings have been provided.

2022 COMPREHENSIVE PLAN:

- Chapter 4: Land Use
 - Goal 4-1, Strategy 3, Recommendation 3: Reserve remaining sewer capacity for commercial uses, institutional uses, and other economic development endeavors.
 - Goal 4-1, Strategy 4, Recommendation 1: Where there is available capacity, encourage infill development and redevelopment that is compatible with existing historical architecture that contributes to maintaining community identity.
 - *The applicant is proposing redevelopment that meets the TC / UC Design Standards, which require that proposed development compliments existing buildings and community character.*
 - Map 4-10, Comprehensive Plan Map: Detailed Future Land Use: Identifies the property as Commercial & Mixed Use and as being located within the Chester/Stevensville Planning Area.
- Chapter 5: Environmental Resources
 - The Environmental Resources Vision indicates that the County remain a rural, agricultural, and maritime County that restores, enhances, protects, conserves, and stewards its valuable lands by conserving and protecting agricultural lands, open spaces, woodlands, wetlands, and wildlife habitat. Page 5-1
 - *The applicant is proposing long-term preservation of woodlands that contain wetlands.*
 - Within very prescriptive regulatory parameters established through COMAR and the local program, the County may approve additional growth and development in certain parts of the Critical Area by changing the classification from RCA to either LDA or IDA or from LDA to IDA. Growth allocation is used to accommodate more intense land uses and development than what would have been permitted based on the existing classification. Pages 5-6 and 5-7
- Chapter 8: Economic Development & Tourism

- The existence of industrial businesses in the County provides additional opportunities to generate revenue from taxes. Page 8-17
- The southern portion of the County includes the population centers of Chester, Grasonville, and Stevensville. This area is a designated Priority Funding Area for planned growth and supports the majority of the commercial and industrial activity in the County. Page 8-21
- Chapter 11: Community Plans
 - The Chester/Stevensville Growth Area Vision, as outlined in the Community Plans chapter, indicates that the Chester/Stevensville Growth Area should maintain decent employment and preserve the community's environmental resources. Page 11-4
 - *This development would preserve environmental resources including woodlands and wetlands.*
 - When adequate public facilities are present or planned, the general characteristics of development and Village Center redevelopment in these areas should be:
 - Mixed-use, small-scale development and redevelopment oriented toward local roads should be encouraged versus a continuation of highway-oriented strip-style commercial development. Page 11-16
 - *The applicant is proposing redevelopment along a local road.*
 - Goal 11A-1. "Prepare for appropriate infill and redevelopment opportunities."
 - *The applicant is proposing redevelopment that is a permitted use in the zoning district and incorporates design that is compatible with surrounding architecture.*

CONCLUSION:

No agencies that have reviewed this Major Site Plan have offered objections to its approval.

REQUIREMENTS FOR APPROVAL:

Per Queen Anne's County Zoning and Subdivision Regulations the Planning Commission may not approve any site plan unless it determines that the site plan fulfills the requirements of approval established in §18:1-153.B. (These requirements are listed in the resolution below as findings.)

If it is determined that the site plan meets these requirements, the Planning Commission shall approve the site plan. If the Planning Commission determines that the site plan does not adequately fulfill any one or more of the requirements, the Planning Commission may approve the site plan subject to conditions that the Commission determines will adequately fulfill the requirements of approval. Should the Commission determine that any of these requirements of approval cannot be fulfilled by the application of conditions or an amendment of the site plan, the Commission shall deny the application and the decision shall contain the reasons for denial.

SUGGESTION FOR RESOLUTION:

Major Site Plan

RESOLVED, that the Planning Commission, regarding the request by Clow Ventures, LLC for Major Site Plan approval to construct a 117,000 sq. ft., three story, indoor self-storage facility, and as more particularly described in Department of Planning & Zoning file SP-23-12-0118, hereby finds this Major Site Plan:

1. **DOES / DOES NOT** meet all requirements of Chapter 18,
2. **WILL / WILL NOT** substantially increase traffic hazards or safety concerns due to traffic generated by the proposed use, the location or orientation of curb cuts, or the layout of internal circulation,

3. **DOES / DOES NOT** contain a layout of buildings, parking, roads, and utilities that does not substantially increase fire, health, or other public safety hazards,
4. **IS / IS NOT** adequately buffered and screened to minimize potential adverse impacts to neighboring properties and public rights-of-way,
5. **WILL / WILL NOT** substantially increase stormwater drainage or pollution,
6. **WILL / WILL NOT** have an unreasonably adverse effect upon property values in the vicinity of the site,
7. **WILL / WILL NOT** adversely affect the public welfare and will provide for public safety through compliance with the State Fire Code and with any applicable County or municipal Fire Codes,
8. **IS / IS NOT** compatible with the general character of the surrounding neighborhood, and
9. **IS / IS NOT** consistent with the purpose, goals, and objectives of the 2022 Comprehensive Plan.

...and hereby **GRANTS / DENIES** Major Site Plan approval subject to the following conditions:

1. Any remaining edits and/or documents required by the Department of Public Works, Planning & Zoning must be reviewed and approved prior to obtaining final site plan signatures.
2. Any required legal documents must be approved, signed, and recorded prior to obtaining final site plan signatures.
3. All required bonds, sureties, review, and inspection fees must be submitted to the Department of Public Works and the Department of Planning and Zoning as appropriate.
4. The architecture, and overall site design must substantially reflect the documents provided. Any changes to either will require Planning Commission approval.
5. In addition to typical stormwater management testing, the applicant is required to provide enhanced stormwater management testing to address condition #3 of the County Commissioners and Critical Area Commission Growth Allocation approvals. The testing methods shall be approved by the Queen Anne's County Department of Public Works with consultation from the Maryland Department of Environment with all details finalized in the Public Works Agreement prior to obtaining final site plan signatures.
6. Authorization from the Maryland Department of the Environment that indicates the contract purchaser, Clow Ventures, LLC, is permitted to disturb the nontidal wetlands buffer must be provided prior to permitting.
7. The administrative subdivision must be approved and recorded prior to final site plan signatures.
8. Resulting parcel 287 must be dedicated to the County prior to obtaining final site plan signatures.