

QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES
April 13, 2023

The Queen Anne's County Planning Commission met on Thursday, April 13, 2023, at 8:45 A.M. The following members were present: Tom Leigh, Jeff Reiss, Teddy Baker, Kathy Deoudes, Bill Sylvester, and Ben Tilghman.

Also present were Amy Moredock, Director Department of Planning and Zoning; Rob Gunter, Development Review Principal Planner; Stephanie Jones, Long Range Principal Planner; Rob Tracey, Long Range Planner; John Shelton, Clerk; Christopher F. Drummond, Esquire; and Sharon H. Brinster, Esquire.

1. Public Comment – No comments received

2. Meeting Minutes Review – Upon motion made by Commissioner Deoudes, seconded by Commissioner Baker and passed by voice vote, the January 12, 2023 Planning Commission Minutes were approved as presented.

3. Extension Requests – None.

4. UPDATES:

(A) Ms. Stephanie Jones, Long Range Principal Planner, and Rob Tracey, Long Range Planner, provided the following updates:

- (1) **Armored Storage** – Critical Area Commission will process the application as a refinement; following CAC review, the project will come back before the County Commissioners for the final Growth Allocation decision. The Final Site Plan will come back before the Planning Commission for review.
- (2) **2019 Resiliency Planning Work Group** – is reconvening and will move forward with funding and financing analysis.
- (3) **Sustainable Communities Designation** – This designation will enable grant funding within the County's Growth Areas. We are collaborating with the Economic Development and Tourism Department and will begin with Stevensville, followed by Grasonville.
- (4) **Forest Conservation** – recently enacted legislation will update reforestation requirements to increase forest area in the State. Priority Funding Areas (PFA) will be required to plant half an acre for every acre removed, and outside the PFA one-for-one planting will be required. Forest Conservation will not apply to solar.
- (5) **House Bill 258** – will remove the requirement that applicants for liquor licenses for partnerships be county residents and change the requirement to one State resident for the life of the permit.

(B) Christopher Drummond, Planning Commission Attorney, provided the Commission with updates to House Bill 692 / Senate Bill 489 Establishing that a county or a municipal corporation has the authority to approve or deny any local permit required under a certificate of public convenience and necessity

issued by the Public Service Commission for generating stations, transmission lines, and qualified generator lead lines; requiring a county or municipal corporation to approve or deny the local permits in a certain manner; prohibiting a county or municipal corporation from conditioning the approval of the local permits on certain approvals; etc.

5. Citizen Sponsored Text Amendment – TACO #23-02 Jemal’s Kent Narrows, LLC

c/o Joseph Stevens – Stephanie Jones, Long Range Principal Planner, provided the highlights of the staff review of the applicant’s proposal to allow for a bonus maximum mixed-use residential density of 25 dwellings per acre for redevelopment of properties with dilapidated or abandoned structures by meeting the existing bonus density standards within the Waterfront Village Center (WVC) District and allow for the percentage of retail/commercial or service uses not to exceed 5% of the gross floor area. She said one of the bigger issues to consider is the Special Taxing District in the WVC.

Joseph Stevens, Esq., Stevens Palmer LLC, on behalf of the applicant described the need for the amendment and said the holistic approach to County-wide changes will take staff longer than we would like. He said they have had two approved Site Plans, but the retail portion is too high to be able to rent or lease. He added that the applicant wants to do commercial development on the smaller piece, and residential development on the larger one as a unified development.

Paul Milstein, Douglas Development, described what has occurred since their Site Plan approval last June. He said they were ready to move forward but are at a fork in the road and need the support to do it now rather than waiting 2 to 4 years. We will still continue with all the improvements we have committed to.

Drew Turner, Douglas Development, said the market conditions do not support the high level of mixed use and that he understands it takes time to do the county wide review, but they need to keep moving. He said the office and retail space demand has changed since COVID and that office space usage has decreased 42% nationally.

Amy Moredock, Planning & Zoning Director, explained the need for comprehensive study due to the special taxing district and sewer challenges. She said that updating the Zoning Code to address viable mixed use provisions will be guided by the recently-adopted Comprehensive Plan and Kent Narrows Community Plan recommendations. She further emphasized the need to work with the Kent Narrows Development Foundation.

Acting Chairman Leigh asked if there were members of the public who wished to comment, at which time the following comments were received:

(A) Jim Didonato, KN Development, explained their letter of conditional support saying that they believe the adjustment should include all properties, not just those

that are dilapidated. He went on to describe the current difficulty leasing office / retail space.

(B) Gigi Windley, Executive Director of the Kent Narrow's Development Foundation, said the Board struggled with the definition of "dilapidated and abandoned" and are also concerned with the Special Taxing District at the State level and the need to study the enabling legislation language.

Upon further review and consideration, the following motion was made by Commissioner Deoudes, seconded by Commissioner Reiss, and passed by voice vote with Deoudes, Reiss, Baker, and Sylvester in favor, and Tilghman and Leigh opposed:

RESOLVED, that the Planning Commission hereby makes a favorable recommendation to the Queen Anne's County Commissioners regarding Text Amendment / County Ordinance #23-02 Jemal's Kent Narrows, LLC c/o Joseph Stevens: Section 18:1-26. Waterfront Village Center (WVC) District. Bonus density provisions for mixed-use residential density in the WVC, to allow for maximum mixed-use residential density of up to 25 dwelling units per acre for redevelopment of all mixed-use properties in the WVC by meeting the existing bonus density standards and with retail, commercial/service uses to be at least 5% gross floor area.

8. Public Comment – None.

There being no further business to come before the Planning Commission, the meeting was adjourned at 10:15 A.M.

RESPECTFULLY SUBMITTED,



Kathy Deoudes, Secretary