



*Queen
Anne's
County*

DEPARTMENT OF PLANNING & ZONING

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To: Planning Commission
From: Steven Johnson, Senior Planner
Meeting Date: January 9, 2025
File Number: SP #24-07-0129
File Name: Chesapeake Bay Bridge Marina Duplexes
Owner/Developer: Bay Bridge Marina, LLLP
c/o Walt Petrie
337 Pier One Road, Suite 101
Stevensville, MD 21666
Engineer: DMS & Associates, LLC
PO Box 80
Centreville, MD 21617

General Information:

Map/Parcel/Lots: 56 / 273 / D-1 through D-28
Parcel Size: Total = 2.649± acres
Location: Pier One Road, Stevensville, MD
Zoning District: Airport Protection and Kent Island Gateway (APKIG)

Proposal and Requested Action:

The applicant is proposing to construct 14 duplex buildings, totaling 28 residential dwelling units, in the Airport Protection and Kent Island Gateway (APKIG) zoning district.

The applicant is requesting Major Site Plan approval.

Project History:

- Original Concept Plan Submitted: October 14, 2023
 - STAC Meeting #1: December 20, 2023
 - Planning Commission Approval: April 11, 2024
- Major Site Plan Submitted: July 15, 2024
 - STAC Meeting #1: August 21, 2024
 - STAC Meeting #2: October 2, 2024
 - Planning Commission Meeting: January 9, 2025

FACTS AND FINDINGS

- The site is located within the Airport Protection and Kent Island Gateway (APKIG) zoning district. The APKIG zoning district purpose is:
 - (1) The Airport Protection and Kent Island Gateway District is intended to prevent the creation or establishment of airport hazards.
 - (2) This district will also create a sense of entry to Kent Island and Queen Anne's County while providing for business, commercial and certain mixed-use opportunities in the airport environs that will not be detrimental to the efficiency and safety of the airport. Structure designs in this district should reflect traditional Eastern Shore character.
- The applicant is proposing duplex buildings on fee simple lots.
 - In accordance with §18:1-34.B, the proposed use is permitted within the APKIG zoning district.
 - §18:1-34.B.(8) Duplex with accessory slip
- Chapter 18App Appendix A: Glossary
 - *DUPLEX* - A two-family dwelling, either stacked or sharing a common wall, designed for and occupied exclusively as the residence of not more than two families, whether as renters or owners, each living as an independent housekeeping unit.
- The Planning Commission approved Concept Plan SP 23-11-0116, on April 11, 2024.

EXISTING CONDITIONS:

- At their meeting on December 12, 2024, the Planning Commission approved Major Subdivision SUB 24-07-0430 which creates 28 fee simple duplex lots totaling 2.649 acres. The lots are as follows:

Lot	Sq. Ft.						
D-1	4,715	D-8	3,722	D-15	5,121	D-22	4,629
D-2	4,462	D-9	3,667	D-16	5,009	D-23	3,500
D-3	4,334	D-10	3,667	D-17	4,790	D-24	3,513
D-4	4,212	D-11	3,667	D-18	5,030	D-25	3,513
D-5	4,089	D-12	3,667	D-19	4,649	D-26	3,513
D-6	3,967	D-13	3,667	D-20	5,232	D-27	3,513
D-7	3,844	D-14	3,667	D-21	4,542	D-28	3,513

- Located on Pier One Road in Stevensville, MD.
- An existing 8,385 sq. ft. office building and parking areas will be demolished as part of this proposal.
- The site is within the Chester/Stevensville Growth Area. Additionally, the property is within a Priority Funding Area and Queen Anne’s County’s designated Enterprise Zone.

PROJECT DETAILS:

- The applicant is proposing duplex buildings on 28 fee simple duplex lots.
- Residential Density:
 - Permitted: 15% of slips in an adjacent marina x 245 existing slips = 36 units.
 - Proposed: 14 duplex buildings, for a total of 28 residential units.
 - Per §18:1-34.D(1)(b), the use of a boat slip at the adjacent marina shall be a permanent appurtenance to the ownership or tenancy of each duplex.

- 28 boat slips from the adjacent marina on Lot 2 will be dedicated for use by the duplexes.
- The applicable development standards of the APKIG zoning district are met with this proposal.
- Impervious Surface Area:
 - Existing: ----- 1.468 acres
 - To Be Removed: ----- 1.306 acres
 - Proposed: -----1.628 acres
 - Total: -----1.790 acres
- Building Height:
 - Maximum permitted: ----- 45 feet
 - Proposed: ----- 34.3 feet
- Parking:
 - Required: -----56 spaces
 - Provided: -----56 spaces
 - Additional parking is available within the proposed garages.
 - The provided residential parking is a component of a unified development plan. Additional residential parking spaces may not be utilized to meet the surrounding non-residential use parking requirements.
- Stormwater management has been proposed as shown on sheets C-7 and C-8. The stormwater management has been reviewed and approved by the Department of Public Works.
- Lighting and signage will be proposed on-site and will be required to meet standards found in Articles XII and XIV of the Zoning Code.
- The project will be served with public water and sewer.
 - The project was granted water and sewer allocation from the Sanitary Commission on April 23, 2024.

Adequate Public Facilities Ordinance:

- In a letter dated October 1, 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

The applicant has obtained a commitment for water allocation from the Sanitary Commission and paid a 10% deposit to reserve the necessary water allocation 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. With payment for allocation and construction of required infrastructure public water service is adequate.

II. Sewer

The applicant has obtained a commitment for sewer allocation from the Sanitary Commission and paid a 10% deposit to reserve the necessary sewer allocation 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 sewer. With payment for allocation and construction of required infrastructure public sewer service is adequate.

III. Schools

The proposed 28 townhomes are projected to generate a total of 8 public school students (3 elementary, 2 middle, & 3 high school). Matapeake Elementary and Middle schools have available capacity to accommodate new students. Kent Island High School is at 100% capacity for some future years when adding the students generated by this development. The Developer is required to pay school impact fees to fund capital improvements needed to serve the new growth. The current school impact fee is based on the square footage of the unit and paid at time of building permit application. The 28 units which are proposed at 3,280 sq. ft. each will pay a total of approximately \$438,000 towards capital school improvements. The County accepts the payment of impact fees as mitigation for potential school impacts. School capacity is considered adequate with the payment of school impact fees.

IV. Transportation

A Traffic Impact Study (TIS) submitted concluded that intersections operate at acceptable levels of service. In addition, the applicant has provided information comparing the pre and post development trip generation rates and determined that the redevelopment of the site with 28 townhomes and a 32-room hotel will generate 4 more morning and 10 more evening peak hour trips than the existing uses on the property. Roads capacity is considered adequate for the proposed 28 townhomes and 32 room hotel.

- Based on the current review, the project meets the requirements of the Adequate Public Facilities Ordinance.
 - Conditions of Adequate Public Facilities Approval:
 1. Purchase all required water and sewer allocation and construct all necessary water and sewer infrastructure improvements required, both on-site and off-site, to serve the project.
 2. Pay all required impact fees at time of building permit.
 3. Satisfactorily address any outstanding comments for site plan and subdivision approval.

Design Standards:

- Airport Protection:
 - Prior to final site plan approval, all standards found in §18:1-34.G must be adequately addressed. Confirmation from the Airport Manager documenting that all required state and federal standards have been addressed is required.
 - The Airport Manager supports the approval of the Bay Bridge Marina Duplex project by the Planning Commission, based upon the following:
 1. Based upon the heights specified on the permanent and temporary structure 7460 forms, applicant have obtained determinations of NO HAZARD TO AIR NAVIGATION from the Federal Aviation Administration (FAA).
- Per §18:1-34.G, development within the APKIG Zoning District, must conform to the TC / UC Design Standards.
 - The applicant has submitted a memo that addresses the TC / UC Design Standards.
 - Architectural renderings have been provided.
 - This project proposes the enhancement of public spaces by incorporating the following:
 - Pedestrian connections that provide connections from Libby's Restaurant to the proposed duplexes, connections to the concrete walkway around the marina, as well as connection to the sidewalk located on the northern side of Pier One Road.
 - Opening the existing marina walkway available for public access.

- Benches, bike racks and dog waste containers along the existing marina walkway.

Environmental Details:

- The required landscaping is a component of a unified development plan. All landscape planting requirements for the project have been met.
- The site is partially located within the 100-year floodplain, zone AE (Elevations 5ft). This development must comply with the Floodplain Ordinance.
- Typically, there would be a standard 300ft shore buffer located on-site.
 - This buffer may be reduced per 18:1-67.B. and C.
 - In August 1989, the Planning Commission granted approval to reduce the Shore Buffer to 0 feet for the overall marina property.
- The requirements of the Forest Conservation Act are not applicable because the property is located entirely within the Critical Area.
- There are no steep slopes, threatened and endangered species, woodlands, streams, or non-tidal wetlands on-site.
- Critical Area:
 - The site is located entirely within the Chesapeake Bay Critical Area with a designation of Intensely Developed Area (IDA).
 - The property has a shoreline designated as a Modified Buffer Area (MBA).
 - According to §14:1-53.C.1, new development or redevelopment activities are not permitted in the MBA unless an applicant can demonstrate, and the Planning Director finds that there is no feasible alternative. These findings shall document that the intrusion is the least necessary.
 - The applicant has submitted a memo that addresses §14:1-53.C.1.
 - The Planning Director has found that the applicant has sufficiently demonstrated that no feasible alternatives exist for this redevelopment project. Further, the applicant has sufficiently documented that the intrusion is the least necessary, noting that the redevelopment project represents a net decrease in imperious surfaces within the modified buffer and enhanced landscaping and buffer plantings.
 - There is a net increase in lot coverage within and outside of the MBA.
 - A major buffer management plan has been proposed to address this increase.
 - Most of the plantings are located within the 100-foot buffer with some located outside of the buffer.
 - Trees are proposed to be removed, but within the IDA mitigation is not required.
 - According to information provided by the applicant, the proposal addresses the 10% phosphorus pollution reduction requirement within the Critical Area IDA.

Heritage:

- There are no heritage areas on or adjacent to the site.

Inclusionary Housing:

- In accordance with §18:1-108.C, this project will be required to address moderately priced dwelling units (MPDU) equal to 10% of the total number of units.
 - The applicant will be required to address the MPDU standards for three (3) units. (10% x 28 units = 2.8 units)

- Compliance may be achieved through either of or a combination of the following options:
 - Constructing MPDU units,
 - Paying a fee-in-lieu of constructing MDPU units, or
 - Donating land to the County.
- The applicant will comply by providing fee-in-lieu of construction and has worked with the Housing Program Administrator to determine the rate to be paid.

2022 COMPREHENSIVE PLAN:

The development plan must be consistent with the goals and objectives of the County Comprehensive Plan. Staff offers the following regarding the overall development proposal and consistency with the 2022 Comprehensive Plan:

- Chapter 4: Land Use
 - Map 4-7, Growth & Priority Funding Areas map identifies this property as being located within a growth and priority funding area.
 - Map 4-10, Detailed Future Land Use map identifies this property as Commercial & Mixed-Use.
- Chapter 5: Environmental Resources
 - Map 5-3, Chesapeake Bay Critical Areas map identifies this property as IDA – Intensely Developed Area.
 - Goal 5-1, Strategy 2, Recommendation.5: Continue to implement the Chesapeake Bay Critical Area Program to minimize adverse effects of human activities on water quality and natural habitat and allow for development in a sensitive manner.
 - Goal 5-3, Strategy 3, Recommendation 10: Continue implementing required buffers, setbacks, and lot coverage/impervious surface regulations to protect water quality from impacts of development.
 - Goal 5-3, Strategy 3, Recommendation 14: Direct growth within Priority Funding Areas (PFA) while managing or reducing the potential for development outside of the PFA to assure the ability to maintain assimilative capacity in the watershed.
- Chapter 8: Economic Development & Tourism
 - Directing commercial, retail, and housing development to Town Centers and Growth Areas is a central element in strengthening economic vitality in the County and an important counterpart to policies designed to preserve the County’s rural land. Page 8-20
 - Map 8-1, Economic Centers map identifies this area as an economic center.
 - Map 8-2, Business Incentive Zones map identifies this area being located within an enterprise zone.
- Chapter 11: Community Plans
 - Map 11-1, Community Plans - Growth Areas map identifies this property as being in the Chester/Stevensville Growth Area.
 - Map 11-3, Community Plans - Detailed Future Land Use identifies this property as Commercial & Mixed Use.

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 Bay Bridge Marina, LLLP, for Major Site Plan approval for the construction of 14 duplex buildings, totaling 28 residential dwelling units, and as more particularly described in Department of Planning & Zoning file SP #24-07-0129, hereby finds:

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 or any other reviewing agency be reviewed and approved.
2. Any remaining edits and/or documents required by the Maryland Department of Transportation State Highway Administration must be addressed.
3. The architecture and overall site design must substantially reflect the documents provided.
4. All required legal documents must be approved, signed, and recorded prior to obtaining final site plan signatures.
5. 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.

6. The applicant must provide an executed Moderately Priced Dwelling Unit agreement prior to final site plan signature.
7. The project must adhere to all applicable regulations established by the Maryland Aviation Administration (MAA) and the Federal Aviation Administration (FAA).
8. The conditions specified in the letter from the APFO Administrator dated October 1, 2024, must be met.
9. The major subdivision must be approved and recorded prior to final site plan signatures.