

WORCESTER COUNTY PLANNING COMMISSION AGENDA

Worcester County Government Center, Room 1102, One West Market Street, Snow Hill,
Maryland 21863

Although the Government Center remains closed to the public, this meeting will be held in-person. Masks will be required for all in attendance and social distancing regulations will be enforced.

Thursday, December 3, 2020

Est. Time

- | | | |
|-----------|------|---|
| 1:00 P.M. | I. | <u>Call to Order</u> |
| 1:00 P.M. | II. | <u>Administrative Matters</u> |
| | | A. Review and approval of minutes – November 5, 2020 |
| | | B. Board of Zoning Appeals agenda – December 10, 2020 |
| | III. | <u>Sketch Plan Review</u> |
| 1:00 P.M. | A. | <u>Wave Holdings, LLC</u> – Proposed construction of various commercial including general retail, a grocery store, a car wash, restaurant(s) and a gas station/ convenience store, Tax Map 21, Parcel 72, Tax District 3, C-2 General Commercial District, located on the easterly side of Route 589, north of Gum Point Road, George Elwood and Mildred Elliot Parsons, C/O Margaret P Bunting, property owner, J.W. Salm Engineering, Inc., engineer. |
| | IV. | <u>Site Plan Review (§ZS 1-325)</u> |
| 1:10 P.M. | A. | <u>GCR Development</u> – Proposed construction of a four story, 45-unit hotel/motel building, Tax Map 27, Parcel 702, Lot 2, Tax District 10, C-2 General Commercial District, located on the westerly side of Golf Course Road, north of Sunset Avenue, GCR Development, LLC, property owner/ R.D. Hand & Associates, Inc., land planner. |
| 1:20 P.M. | B. | <u>Buas Mini Storage</u> - Proposed construction of three buildings containing 106,000 square feet of mini storage, associated office, and one 5,000 square foot maintenance building associated with a three lot subdivision, located at 11750 Ocean Gateway and 11802 Ocean Gateway, on the southerly side of Ocean Gateway (US Route 50), approximately 1,980 feet south of Samuel Bowen |

Blvd., Tax Map 26, Parcels 114 and 116, District 10, C-2 General Commercial District, Poppa & Nanna Buas LLC., owner / Will Kernodle; Parker & Associates; applicant, engineer.

V. Subdivision

- 1:30 P.M. A. **Triple Crown Estates, LLC** – Final Plat Re-approval. North side of Gum Point Road, East of MD route 589 (Racetrack Road), Residential Planned Community; 30 single family dwelling lots, Tax Map 21, Parcels 67 and 74, Tax District 3, R-1 Rural Residential District and RP Resource Protection District, Steen Associates, Inc, property owner/ Vista Design, consultant.

VI. Text Amendment

- 1:40 P.M. A. **§ZS 1-324(c) Signs**, Lawrence Perrone, Ocean Pines Association applicant.

VII. Map Amendment

- 1:50 P.M. A. **Case No. 431** – 1.2 acres located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road) – 0.2 acres of RP Resource Protection District and 1.0 acres of R-2 Suburban Residential District to C-2 General Commercial District – COF Investment Group, LLC, property owner/ Hugh Cropper, IV, Esquire, attorney.

- 2:00 P.M. VIII. Administrative Matters

- 2:05 P.M. IX. Adjournment

Worcester County Planning Commission Meeting Minutes

Meeting Date: November 5, 2020

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jay Knerr, Chair

Jerry Barbierri, Secretary

Mike Diffendal

Betty Smith

Marlene Ott

Staff

Roscoe Leslie, County Attorney

Ed Tudor, Director

Jennifer Keener, Deputy Director

Kristen M. Tremblay, Zoning Administrator

Robert Mitchell, Director of Environmental Programs

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, October 1, 2020 — As the first item of business, the Planning Commission reviewed the minutes of the October 1, 2020, meeting.

Ms. Ott noted an error on page 3 indicating that she was not in attendance at the last meeting and should be corrected. Following the discussion, it was moved by Mr. Barbierri and seconded by Mr. Diffendal and carried unanimously, to approve the minutes as amended.

B. Board of Zoning Appeals agenda, November 12, 2020 — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals hearing scheduled for November 12, 2020. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Text Amendment

A. §ZS 1-201(e) and §ZS 1-202(e) – Height regulations in the A-1 and A-2 Agricultural Districts, Donna West, Applicant

The Planning Commission reviewed a proposed text amendment request to amend the height regulations in both the A-1 and A-2 Agricultural Zoning Districts. The applicant, Ms. Donna West desires to add an allowance for a property owner to seek a special exception from the Board of Zoning Appeals (BZA) as it relates to the height of residential accessory structures. The request is sought in order for the applicant to increase the overall height of a proposed detached residential accessory structure.

Ms. West was present for the review and stated that she wished to be able to extend an accessory structure to 35 feet in height (currently the code allows for a 25 foot height maximum). The Planning Commission discussed the proposal and determined

that a Special Exception would need to be approved as a next step in the event of the text amendment approval. There were no further questions.

Following the discussion, a motion was made by Ms. Ott and seconded by Mr. Diffendal that carried unanimously to forward a favorable recommendation to the Worcester County Commissioners as it was presented by staff.

B. §ZS 1-342(c) Signs, Lawrence Perrone, Ocean Pines Association, Applicant

A second proposed text amendment was reviewed by the Planning Commission that was submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association to amend a provision addressing internal community signs within an established community or subdivision. Staff has worked with the applicant over the course of a year to draft language that could be supportable by staff that would allow for internal community signs solely for the purpose of conveying community events, amenity and emergency information and would not be permitted to include any commercial advertising unassociated with the community.

No representatives from the Ocean Pines Association were in attendance at the meeting. Chairman Knerr asked about the procedure in the event that an applicant did not attend the meeting. He then provided several minutes for the applicants to arrive while the Planning Commission briefly discussed the request. When it became clear that a representative would not be attending, Mr. Knerr tabled the application until a later date.

IV. Election of Officers

Upon the resignation of Chairman Knerr due to his acceptance of another official position, the Planning Commission held an election of officers.

A motion was made by Mr. Diffendal and seconded by Ms. Smith to elect Mr. Barbierri as Chairman, Mr. Wells as Vice-Chairman, and Ms. Ott as Secretary, and carried unanimously.

The Planning Commission thanked Mr. Knerr for his service and informed him that he will be missed.

V. Adjourn – The Planning Commission adjourned at 1:14 P.M.

Jerry Barbierri, Secretary

Kristen M. Tremblay, Zoning Administrator

**NOTICE OF PUBLIC HEARING
WORCESTER COUNTY
BOARD OF ZONING APPEALS**

AGENDA

THURSDAY, DECEMBER 10, 2020

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held in-person before the Board of Zoning Appeals for Worcester County, in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland. Masks and social distancing will be required.

6:30 p.m.

Case No. 20-53, on the application of McLean Contracting, on the lands of IA Construction Corporation, requesting a special exception (transient use) to allow 2 temporary construction trailers associated with off-site road work in the A-1 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(3), 1-201(c)(34) and ZS 1-337, located at 223 Ocean Highway, the entrance being approximately 1526 feet north of Sparrow Road, Tax Map 100, Parcel 14, in the First Tax District of Worcester County, Maryland.

6:35 p.m.

Case No. 20-54, on the lands of Ellen and Harold Davis, requesting a special exception to store and sell products which are not produced on the premises (furniture) for a proposed home occupation in the A-1 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(3), 1-201(d)(3) and ZS 1-339(a)(3), located at 11250 Campbelltown Road, Berlin, MD, approximately 1,020 feet north of Pitts Road, Tax Map 14, Parcel 228, in the Third Tax District of Worcester County, Maryland.

6:40 p.m.

Re-advertisement of Case No. 20-49, on the application of Mark S. Cropper, Esquire, on the lands of Darryl & Patricia Greer, requesting an after the fact variance to the Ordinance prescribed side yard setback from 10 feet to 7.6 feet (an encroachment of 2.4 feet) associated with an existing landing and stairs in the R-1 Rural Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-205(b)(2) and ZS 1-305, located at 10714 Admirals Lassie Lane, approximately 740 feet southeast of Man O War Lane, Tax Map 26, Parcel 1, Lot 236, of the Riddle Farm Subdivision, in the Tenth Tax District of Worcester County, Maryland.

6:45 p.m.

Case No. 20-44, on the application of Mark S. Cropper, Esquire, on the lands of Kenneth Hash, requesting a variance to the Atlantic Coastal Bays Critical Area Buffer Management Area (BMA) from 100 feet to 66.02 feet (an encroachment of 33.98 feet)

associated with a proposed fence in the R-1 Rural Residential District, pursuant to Zoning Code Sections ZS 1-116(m)(1) and Natural Resources Sections 3-104(c)(4) and NR 3-111, located at 12816 Heathland Drive, approximately 778 feet south of Savanna Court, Tax Map 17, Parcel 1, Lot 65 of the Lighthouse Sound Subdivision, in the Fifth Tax District of Worcester County, Maryland.

6:50 p.m.

Case No. 20-51, on the application of Mark Cropper, Esq., on the lands of Barry & Amy Krisko, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to exceed the allowable 100 feet tidal wetland crossing by 95 feet for a proposed 3 foot by 195 foot walkway over tidal wetlands that will connect to a pier over tidal waters measuring 6 feet by 30 feet, in the R-3 Multi Family District, pursuant to Zoning Code Sections ZS 1-116(n)(2), ZS 1-207(d)(6) and Natural Resources Section NR 3-125(b)(1), located at 13019 Old Bridge Road, on the North side of the intersection with Martha's Landing Road, Tax Map 27, Parcel 239, Lot 12, in the Tenth Tax District of Worcester County, Maryland.

ADMINISTRATIVE MATTERS

**WORCESTER COUNTY PLANNING COMMISSION
STAFF REPORT**

MEETING DATE: December 3, 2020

PURPOSE: Sketch Plan Review – **FOR DISCUSSION ONLY**

DEVELOPMENT: Wave Holdings, LLC

PROJECT: Proposed construction of various commercial including general retail, a grocery store, a car wash, restaurant(s), and gas station/convenience store.

LOCATION: Easterly side of Route 589, north of Gum Point Road, Tax Map 21, Parcel 72, Tax District 3.

ZONING CLASSIFICATION: C-2 General Commercial District

PROJECT HISTORY: On November 17, 2020 the Department received a sketch plan for review and comment by the Planning Commission prepared by J.W. Salm Engineering subsequent to a preliminary discussion meeting with staff held on November 6, 2020.

The applicants are proposing to develop various commercial on Route 589 (Racetrack Road) adjacent to the south of the not-yet constructed Atlantic General Medical Center (AGH – approved on May 2, 2019 by the Planning Commission) and north of Gum Point Road.

DISCUSSION POINTS:

1. Shared Entrance: There has been some discussion between staff, the applicants, the adjacent Atlantic General Medical Center (AGH), and MDOT representatives regarding the development of a combined entrance along Route 589 to be shared between AGH and Wave Holdings, LLC. If the Planning Commission will recall, approval was given to AGH to develop an entrance on the adjacent parcel to the north of the AGH property and if constructed as approved, would not be in a location that Wave Holdings, LLC would be able to share. **The Planning Commission may wish to discuss the matter with the applicants at this time.**
2. Inter-Parcel Connectors: Additionally, the Planning Commission may wish to discuss the subject of inter-parcel connectors with the applicant as there may be complications with a connection to the north-east (which could potentially access an existing subdivision).
3. Water and Sewer Availability: The Planning Commission is encouraged to hear from Robert Mitchell regarding the potential needs of this project.
4. Next Steps (Major Site Plan Review): After receiving comments by the Planning

**WORCESTER COUNTY PLANNING COMMISSION
STAFF REPORT**

Commission at its December 3, 2020 meeting, the proposed project will be subject to a major site plan review including Technical Review Committee (TRC) review prior to going before the Planning Commission for final approval. Subsequent building permits will also be required.

PROPERTY OWNER: George Elwood and Mildred Elliot Parsons C/O Margaret P Bunting; 10805 Saint Martins Neck Road, Bishopville, MD 21813

CONSULTANT: J.W. Salm Engineering, Inc. P.O. Box 397, 9842 Main Street, Suite 3, Berlin, MD 21811

PREPARED BY: Kristen M. Tremblay, Zoning Administrator

WORCESTER COUNTY PLANNING COMMISSION

MEETING DATE: December 3, 2020

PURPOSE: Site Plan Review

DEVELOPMENT: Buas Mini Storage

PROJECT: Proposed construction of three (3) buildings containing a total of 106,000 square feet of mini storage, an associated office, and one (1) 5,000 square foot maintenance building on three (3) lots (subdivision required). The total square footage for all structures is 111,000.

LOCATION: Located at 11750 and 11820 Ocean Gateway, on the southerly side of Ocean Gateway (U.S. Route 50), approximately 1,980 feet south of Samuel Bowen Blvd., Tax Map 26, Parcels 114 and 116, District 10.

ZONING DESIGNATION: C-2 General Commercial District

BACKGROUND: The proposed project went before the Technical Review Committee (TRC) on June 8, 2020 and submitted a revised set of plans on November 17, 2020 for review by the Planning Commission. A subdivision from two (2) to three (3) lots is required in order to develop the proposal. Once complete, the subdivision will create Parcel 114 Lot 1, Parcel 114 Lot 2, and Parcel 116 Lot A.

PROPOSED BUILDINGS: Four (4) structures are proposed:

1. Building 1 is comprised of 236 storage units on two (2) floors for a total of 38,000 square feet on Lot 1.
2. Building 2 is comprised of 225 storage units and one (1) office space on two (2) floors also for a total of 38,000 square feet on Lot 2.
3. Building 3 is comprised of 196 storage units on two (2) floors for a total of 30,000 square feet on Lot A.
4. Building 4 is proposed as a warehouse for a total of 5,000 square feet.

The mini storage may be accessed by users primarily from the inside, however there are some units that may be accessed directly from outside. An elevator is proposed in buildings 1, 2, and 3 to access the second floors. There is also a loading zone proposed to be constructed of concrete outside of each facility.

PARKING: A parking tabulation has been provided on the site plans and staff has confirmed the accuracy of the calculation. A total of 22 spaces are required as a minimum, which has been the number provided across the three (3) lots (all meeting code requirements for dimensions). **While only one (1) ADA van accessible parking space would be required if the proposal had consisted of one (1) lot, it is recommended that the applicants adjust the current configuration so that there is one (1) ADA parking space on each lot individually.** This should not affect overall parking requirement totals. Three (3) of the spaces have been designated for RV parking in the vicinity of the proposed warehouse building. It should be noted

that storage of RV's is not permitted and a sign indicating such should be located at the head of the parking spaces.

The proposed surface treatment for the parking areas and travel ways is asphalt. Parking spaces are intended to be demarcated with painted stripes. A concrete loading pad is also proposed in front of each mini storage building.

LOADING ZONES: Loading zones are proposed in front of buildings 1, 2, and 3 as well as a section adjacent to the parking area on Lot 1.

TRAFFIC CIRCULATION: The site may be accessed off of US Route 50 (Ocean Gateway) through a proposed right-in, right-out only entrance. There is no crossover located along Route 50 in this area. As such the entrance proposed is appropriate.

Once on the site, users will need to stop to enter a gated area before driving into the facility. Three (3) interparcel connectors are proposed:

1. On the west to Tax Map 26, Parcel 108;
2. On the east to Tax Map 26, Parcel 117;
3. On the south to Tax Map 26, Parcel 119.

REFUSE REMOVAL: A dumpster pad is shown on the site plan to the south of the proposed warehouse and is proposed to be ADA compliant. Visual shielding is proposed consisting of a six (6) foot tall white vinyl fence. It is not anticipated that the dumpster location will be visible from Route 50.

PEDESTRIAN AND BICYCLE CONNECTIVITY: A bike rack is required to be provided per the requirements of §ZS 1-320 for the office located in building 1 but is not depicted on the site plan.

Further, sidewalks or bicycle lanes as required by the County Code have not been provided. Additional details pertaining to pedestrian and bicycle connectivity in accordance with the Design Guidelines may be found in the 'Planning Commission's Considerations.'

A painted crosswalk is proposed between the public access parking (prior to entering gated area) to Building 1 which contains the office.

LIGHTING: Lighting consists of full cut-off LED wall packs and a series of pole mounted LED Autobahn Series ATB2's throughout the site. An architectural lighting schematic has been provided in the site plans which demonstrates light output throughout the site.

LANDSCAPING: A landscape plan has been provided in accordance with §ZS 1-322 and Section 17 of the *Design Guidelines and Standards for Commercial Uses*. Landscaping is proposed along the frontage of the site as well as in front of the proposed septic reserve area. Additional plantings are proposed in conjunction with three (3) submerged gravel wetlands (SGW) and foundation plantings located along the public facing sections of Buildings 1, 2, and 4.

A landscape watering system is not proposed on the site plan as required by the Code. A maintenance and replacement bond for required landscaping is mandatory for a period not to exceed two (2) years in an amount not to exceed one hundred and twenty-five percent (125%) of the installation cost. A landscape estimate from a nursery will also be required to be provided at permit stage to accurately determine the bond amount.

SIGNS: Signs indicating ‘Buas Self Storage’ and building numbers are depicted on the architectural drawings for each storage unit building in addition to a monument sign proposed at the entrance. All parties should be aware that approval of the architectural plans in no way represents that the proposed sign complies with Section ZS 1-324 of the Zoning Code. A permit application and detailed schematics of the proposed sign will be required for review and approval.

FOREST CONSERVATION LAW: This property is subject to the Forest Conservation Law. Written confirmation from the Department of Environmental Programs will be required prior to signature approval to verify that all requirements have been met.

STORMWATER MANAGEMENT/ SEDIMENT EROSION CONTROL: Confirmation of final approval will be required prior to the Department granting signature approval for the site plan.

WATER SUPPLY AND WASTEWATER SERVICES: Staff will require written confirmation from the Department of Environmental Programs that their requirements have been met prior to signature approval.

ARCHITECTURAL JUSTIFICATION: As a major site plan over 10,000 square feet, this project is subject to the *Design Guidelines and Standards for Commercial Uses*. This proposed is located within the area designated as an Agricultural and Seaside blend architectural tradition based upon the staff policy. The surrounding neighborhood consists of the Blue Heron Shopping Center, CubeSmart Mini Storage, Taylor Marine, Ocean Gateway Center, ABC Printers, Precious Paws Animal Hospital, and others.

The proposed facility has attempted to meet the standards required in the Design Guidelines, however a significant number of waivers will be required which are detailed in the ‘Planning Commissioner’s Considerations.’ Under Section 2(b), the Planning Commission is able to grant a waiver to the requirements contained within where it finds that the proposed alternative building or site design features generally achieve the overall objectives of the guidelines or standards that apply to the waiver being requested.

OWNER: Papa and Nana Buas, LLC

ENGINEER: Parker and Associates

ARCHITECT: Desmone Architects

PREPARED BY: Kristen M. Tremblay, Zoning Administrator

PLANNING COMMISSION CONSIDERATIONS – DESIGN GUIDELINES BUAS MINI STORAGE

During the review of the Design Guidelines, it was found that a significant number of waivers will be required and are depicted below. The proposed land use: mini-storage, does not typically have advanced architectural profiles and staff is of the belief that a strong effort was made to comply with the guidelines. It should be noted that a similar facility: CubeSmart is located approximately 1,000 feet to the southeast along Route 50 is shown below for comparison (image from Google Earth).



Design Guidelines: Waivers Requested

Sec 5(a)	Architectural Traditions
Sec 6(b)(1)	General Site and Building Compatibility
Sec 7(b)(1)(B)	Mass and Scale
Sec 8(b)(1),(2),(4),&(5)	Roofs
Sec 9(b)(2)&(3)	Materials
Sec 10(b)(1)(B,C,D,E,F,H,J,M)&(b)(2)(A)	Facades
Sec 13(b)(1),(2),(3)	Details
Sec 16(b)(1),(2),(3),(4),(5),(6),(7),(8),(9),(10)	Pedestrian and Bicycle Circulation
Sec 17(b)(4),(7),(8)	Landscaping
Sec 19(b)(1),(2),(3)	Community Features and Spaces

Section 5: Architectural Traditions. The proposed facility does not appear to meet either the Agricultural or Seaside architectural styles.

Section 6: General Site and Building Compatibility. Staff found that the proposal is not complementary to the surrounding natural features. Adjacent parcels consist of wetlands and forest, and would be a difficult standard for any proposal to meet.

Section 7: Mass and Scale. The applicants attempted to create a module but did not meet the dimension requirements need to be successful. In staff's opinion, a 'visual' module was created in the section of Building 1 that leads to the proposed office.

Section 8: Roofs. A flat roof has been proposed for the mini-storage. While not prohibited, a flat roof is typical of mini-storage facilities.

- The Design Guidelines requires two (2) elements in the roof. The proposal provides one (1) of two (2): overhanging eaves extending past the supporting walls.
- The appearance of flat roofs is prohibited in areas other than Town Center tradition. In this instance, the architectural style of the area has not been met.
- A ridge or parapet wall needs to meet height variations greater than 2 feet for every 60 feet in length. A difference of 1.5 feet was provided.

Section 9. Materials. The Design Guidelines require that materials for walls and trim cover at least 75% of the surface area and include high quality materials with texture and color. While Blue Hardy Plank Clapboard has been provided, it does not meet the 75% threshold.

- Additionally, the exterior walls or trim must not include 'prefabricated steel panels.' The architectural drawings indicate a 'metal panels rib profile.' Staff does not find the material inconsistent with a traditional mini-storage facility.

Section 10. Facades. In this proposal, the Planning Commission should be aware that there is a significant difference between the public facing facades and the remainder of the facades within the facility. Great attention has been paid to the public facing areas, however the remaining sides are reminiscent of a traditional mini-storage. Had the standards been applied to only the public facing facades, many could have been met without requesting a waiver. However, the Planning Commission may wish to treat each element separately.

- The following waivers for this section are being requested:
 - No interruption in in the width of the façade greater than 60 feet in width (public façade accomplishes this standard while the other sides do not)
 - Facades greater than 60 feet in width should have a wall plane projection or recess with a depth of 2 feet or 3% of the façade whichever is greater (a 2 foot projection is proposed, but should be 6 feet) and with a width of at least 12 feet or 20% of the façade whichever is greater (a 30 foot extension is proposed, but should be 40 feet);
 - Buildings greater than 200 feet in length must be broken into modules (No module is proposed, however a visual attempt has been created);
 - If connected, the buildings need to have a major change in façade plane at least 10 feet in depth with a roofline change;
 - Each module must be treated as a separate façade (no module is proposed);
 - Facades shall include at least 2 continuous details of 12 inches or less (not proposed);

- A minimum of one (1) significant detail needs to be repeated at least 3 times (along the public facing façade, this was accomplished, however was not proposed for the remaining sides);
- Transparent features need to be included over a minimum of 25% of the surface;
- The proposal must have a clearly identifiable base, body, and cap (the proposal consists of a base and body only);
- Each floor needs to be expressed by trim bands or other masonry courses (not proposed);
- Side and rear facades do not generally exhibit the similar level as the public façade;
- The façade less than 75 feet from all property lines was not treated as a public façade (only on sections viewable from Route 50);

Section 13. Details. A repeating pattern of two (2) items including color, texture, material or architectural bay is required every 30 feet. In this proposal, a repeating pattern on the public facing facades has been provided, but is absent in the remaining sides of the facility.

- Fenestration of windows was provided on the public facing facades but not the remainder of the facility.
- The doors proposed either are in a similar style to the window as shown in the office entry door, but the doors to main structure are of a different style.

Section 16. Pedestrian and Bicycle Circulation. There is a lack of sidewalks, walkways and bicycle facilities on the site plan. As this is a code requirement (§ZS 1-319), it will need to be addressed. As these items were not depicted on the site plan, it is uncertain as to which waivers will be required once provided. Currently, all of the requirements of Section 16 would require a waiver as presented. These include:

- Circulation identified and provided on site plan;
- Five (5) foot sidewalks along all sides of lot that abut the ROW;
- Internal walkways provided from public sidewalk or ROW to principal entrance;
- Clearly indicated pedestrian connectivity;
- Demarcation of pedestrian and bicycle routes with a change in paving surface materials, landscaping, signage, or safety and directional lighting;
- Internal walkways must link to existing walkways;
- Separate customer entrance requirements;
- Weather protection of walkways;
- Bike lanes on ingress and egress routes with signage as well as bike racks in accordance with the zoning ordinance.

Section 17. Landscaping. The landscaping plan may be found on sheet 12 of the site plan. Some waivers are requested as the adjacent properties are forested. It would be difficult for any project, the mini-storage notwithstanding, to achieve a seamless blend between nature and a man-made landscape buffer.

- Additional standards requiring a waiver include:
 - Significant landscaping at customer entrances have not been provided;

- All other facades have not been buffered with no less than a 10 foot wide strip (the public facing façade has foundation plantings, but the remaining sides are absent).

Section 19. Community Features and Spaces. No community features or spaces are provided. Waivers for all standards in this section are being requested. This includes the contribution to the improvement of public spaces, a requirement that a feature be at least 800 feet square, and having additional community spaces for each additional customer entrance.

RECOMMENDATION:

It is recommended that the Planning Commission review the materials provided and determine if the waivers requested are appropriate for the proposed mini-storage facility.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410.632.1200 / FAX: 410.632.3008
www.co.worcester.md.us/drp/drpindex.htm

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

PLANNING DIVISION
ZONING DIVISION
ADMINISTRATIVE DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer Keener, AICP, Deputy Director JKK
Date: October 22, 2020
Re: Text Amendment Application – §ZS 1-324(c) Signs

The attached text amendment application has been submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association. It seeks to amend §ZS 1-324 Signs to add a provision for internal community signs within an established community or subdivision. Following our customary practice, once the text amendment application was received, it was reviewed by Ed Tudor, Director, and Roscoe Leslie, County Attorney and Planning Commission Attorney, as well as myself for comment. Our comments relative to this request are as follows:

The current sign regulations limit a residential development to no more than two community or geographic region identification signs per § ZS 1-324(g), and restrict the verbiage to the identification of said community or region only. Generally, these signs are located at the entrance to a community. The proposed amendment was developed by staff as a result of several meetings with a committee from the Ocean Pines Association, wherein they expressed the need for promoting events and activities within the subdivision. As drafted, this amendment would allow a community to have internal signs for the display of information such as community events or emergency directives, but not for a commercial marketing message unassociated with that respective community. The proposed perimeter setback of 450 feet ensures that these messages are truly internal to the community, and not meant for general advertising of community events outside of the development. It does not prohibit electronic messaging signs; however, such signs would have to comply with the regulations contained in § ZS 1-324(e) relative to message duration, transition, and illumination levels.

Given the significant setback requirements and limitation on the type of messaging, the staff gives a favorable recommendation to the text amendment application as requested. A draft bill is attached for your reference. Should you have any questions or require additional information, please do not hesitate to contact me. I will be available to discuss this request in more detail at the upcoming meeting.

Attachments

cc: Edward A. Tudor, Director
Roscoe Leslie, County Attorney
Lawrence T. Perrone, Ocean Pines Association

Citizens and Government Working Together

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 20-

BY:

INTRODUCED:

A BILL ENTITLED

AN ACT Concerning

Zoning – Signs

For the purpose of amending the Zoning and Subdivision Control Article to permit on-premises signs internal to an established residential community.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing § ZS 1-324(c) be amended by the addition of a new Subsection § ZS 1-324(c)(9) to read as follows:

- (9) Internal community signs shall be located within the boundaries of an established community as shown on a site plan or subdivision plat approved by the Planning Commission. Internal community signs shall only be for the purpose of conveying community events, amenity and emergency information and shall not include any commercial advertising message unassociated with the community. Such signs may be permitted subject to the following provisions:
 - A. No more than four such signs shall be permitted for any community.
 - B. Such signs may be located in any R, E or V zoning district.
 - C. All signs shall be setback a minimum of four hundred and fifty feet from the perimeter boundary line of the established community and shall be separated by not less than one hundred feet from any other sign on the same parcel or lot.
 - D. Such signs shall not be subject to any yard setback requirements; however, no sign shall project over any property line or road right-of-way.
 - E. The sign must be of a monument design and shall not exceed either forty square feet in area or ten feet in height, including the base and face. Where the grade at the sign base is below the road center line, the area in which the sign is situated may be bermed to the center line grade. The provisions of the subsection may not be increased or otherwise altered by the Board of Zoning Appeals.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2020.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1201

SNOW HILL, MARYLAND 21863

TEL: 410.632.1200 / FAX: 410.632.3008

www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Edward A. Tudor, Director
Roscoe Leslie, County Attorney
From: Jennifer K. Keener, AICP, Deputy Director
Date: October 7, 2020
Re: Text Amendment Application – §ZS 1-324(c) Signs

The attached text amendment application has been submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association. It seeks to amend §ZS 1-324 Signs to add a provision for internal community signs within an established community or subdivision. This language was developed by staff as a result of several meetings with the Ocean Pines committee to fit their needs, while also attempting to ensure it does not open the door to commercial messages in a residential district. Specifically, this amendment would allow a community such as (but not limited to) Ocean Pines to have internal signs for the display of information such as community events or emergency directives, but not for a commercial marketing message unassociated with that respective community.

I anticipate scheduling this text amendment for consideration by the Planning Commission at a forthcoming meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than November 18, 2020.

Should you have questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

Attachment



Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863

**PETITION FOR AMENDMENT TO THE OFFICAL TEXT
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE**

(For Office Use Only – Please Do Not Write in this Space)

Date Received by Office of the County Commissioners _____

Date Received by Development Review and Permitting 10/5/2020

Date Reviewed by the Planning Commission 11/5/2020

- I. Application: Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

- a. Resident of Worcester County: _____
- b. Taxpayer of Worcester County: X _____
- c. Governmental Agency: _____ (Name of Agency)

II. Proposed Change to Text of the Zoning and Subdivision Control Article

a. Section Number: ZS 1-324(c)

b. Page Number: ZS 1:III:110

c. Proposed revised text, addition or deletion:
Add (c) (9) per attachment

III. Reasons for Requesting Text Change:

- a. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

It allows for placement of electronic signs per the attachment.

IV. Signature of Applicants

Signature(s): 

Printed Name(s): LAWRENCE T PERRONE

Mailing Address: 239 Ocean Parkway, Ocean Pines, MD 21811

Phone Number: 410-641-7717

Email: lperrone@oceanpines.org

Date: 9-29-20

V. Signature of Attorney

Signature: N/A

Printed Name: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Date: _____

VI. General Information Relating to the Text Change Process

- a. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.

- b. Procedure for Text Amendments: Text amendments shall be passed by the County Commissioners of Worcester County as Public Local Laws according to legally required procedures, with the following additional requirements. Any proposed amendment shall first be referred to the Planning Commission for recommendation. The Planning Commission shall make a recommendation within a reasonable time after receipt of the proposed amendment. After receipt of the recommendation of the Planning Commission, the County Commissioners shall hold at least one public hearing in relation to the proposed amendment, at which parties and interested citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing and the nature of the proposed amendment shall be published in an official paper or a paper of general circulation in Worcester County. In the event no County Commissioner is willing to introduce the proposed amendment as a bill, it will not be considered.
-

A BILL ENTITLED

AN ACT Concerning

Zoning – Signs

For the purpose of amending the Zoning and Subdivision Control Article to permit on-premises signs internal to an established residential community.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing § ZS 1-324(c) be amended by the addition of a new Subsection § ZS 1-324(c)(9) to read as follows:

- (9) Internal community signs shall be located within the boundaries of an established community as shown on a site plan or subdivision plat approved by the Planning Commission. Internal community signs shall only be for the purpose of conveying community events, amenity and emergency information and shall not include any commercial advertising message unassociated with the community. Such signs may be permitted subject to the following provisions:
- A. No more than four such signs shall be permitted for any community.
 - B. Such signs may be located in any R, E or V zoning district.
 - C. All signs shall be setback a minimum of four hundred and fifty feet from the perimeter boundary line of the established community and shall be separated by not less than one hundred feet from any other sign on the same parcel or lot.
 - D. Such signs shall not be subject to any yard setback requirements; however, no sign shall project over any property line or road right-of-way.
 - E. The sign must be of a monument design and shall not exceed either forty square feet in area or ten feet in height, including the base and face. Where the grade at the sign base is below the road center line, the area in which the sign is situated may be bermed to the center line grade. The provisions of the subsection may not be increased or otherwise altered by the Board of Zoning Appeals.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2020.

COUNTY COMMISSIONERS OF
ATTEST:

WORCESTER COUNTY, MARYLAND

STAFF REPORT

REZONING CASE NO. 431

PROPERTY OWNER: COF Investment Group, LLC
c/o Kathleen M. Clark
12319 Ocean Gateway, Suite 201
Ocean City, MD 21842

ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 26 - Parcel 158 - Tax District 10

SIZE: The petitioned area is 1.2 acres in size consisting of three separate segments on the overall parcel which totals 5.46 acres.

LOCATION: The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road).

CURRENT USE OF PETITIONED AREA: Forested and tidal wetlands.

CURRENT ZONING CLASSIFICATION: C-2 General Commercial District, R-2 Suburban Residential District and RP Resource Protection District

REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District

APPLICANT'S BASIS FOR REZONING: The application indicates that there was a mistake made in the existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an R-2 Suburban Residential District classification. That designation was retained in the 1978 comprehensive rezoning. In 1986, the Worcester County Commissioners approved a rezoning request for a portion of the subject property to be rezoned to B-1 Neighborhood Business District, a depth of 300' into the property (Rezoning Case No. 228). There were two conditions: that vehicular access be limited to Route 50 only, and that there shall be a minimum 15' wide vegetated buffer strip provided to serve as a visual screen between the commercial areas and the adjacent residential properties. During the 1992 comprehensive rezoning, the front portion of the property was rezoned to B-2 General Business District for a depth of 300' and the rear of the property retained the R-2 Suburban Residential District classification. The 2009 comprehensive rezoning re-designated the commercial zoning district to C-2 General Commercial District, and increased its depth by approximately 50', for a total of 350'. The rear of the property retained the R-2 Suburban Residential District classification. With the use of GIS, the tidal wetlands were mapped and given an RP Resource Protection District designation.

SURROUNDING ZONING: Adjoining properties are also zoned C-2 General Commercial District and R-2 Suburban Residential District, with mapped tidal wetlands located in the RP Resource Protection District.

COMPREHENSIVE PLAN:

According to Chapter 2 – Land Use of the Comprehensive Plan and associated land use map, the petitioned area lies within the Commercial Center Land Use Category. With regard to the Commercial Center Land Use Category, the Comprehensive Plan states the following:

“This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses. Retail, offices, cultural/entertainment, services, mixed uses, warehouses, civic, light manufacturing and wholesaling would locate in commercial centers.

Commercial areas by their nature locate on prominent sites and can visually dominate a community. For this reason, special attention must be given to the volume, location and design of these uses. The first step is to balance supply with demand.” (Page 16)

Pertinent objectives cited in Chapter 2 – Land Use state the following:

3. Maintain the character of the county’s existing population centers
4. Provide for appropriate residential, commercial, institutional, and industrial uses
5. Locate new development in or near existing population centers and within planned growth centers
6. Infill existing population centers without overwhelming their existing character
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic
10. Locate employment centers close to the potential labor force
15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors
16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads
17. Discourage highway strip development to maintain roadway capacity, safety, and character
21. Promote mixed use development

(Pages 12, 13)

Additionally, in Chapter 2- Land Use, under the heading Commercial Land Supply, the Comprehensive Plan states:

“Based on industry standards for the relationship of commercial land to market size, an excessive amount of commercial zoning exists in Worcester County. Discounting half the vacant land in this category as unbuildable, the remaining land if developed would have the capacity to serve a population of over 2 million people; the county’s peak seasonal population is less than 25 percent of this number.” (Page 24)

In Chapter 3 – Natural Resources, the Comprehensive Plan addresses the importance of protecting the forested tidal wetlands that serve Herring Creek:

“As a striking background for land and water recreation, Worcester County’s forested tributaries and inland creeks are important assets... The large tidal tributaries associated with the coastal bays include the St. Martin River, Turville, and Herring Creeks in the upper bays and Trappe Creek in the lower bays.

“Healthy, vegetated waterway corridors form a basic part of the natural infrastructure—they provide clean water, flood protection, and recreation along with other benefits free of charge. Protecting such corridors ensures that these benefits are maintained.” (pages 38, 39)

Chapter 4 - Economy also includes objectives related to Commercial Services. They are as follows:

1. Locate commercial and service centers in major communities; existing towns should serve as commercial and service centers.
2. Provide for suitable locations for commercial centers able to meet the retailing and service needs of population centers.
4. Bring into balance the amount of zoned commercial locations, with the anticipated need with sufficient surplus to prevent undue land price escalation.
5. Locate commercial uses so they have arterial roadway access and are designed to be visually and functionally integrated into the community.

(Page 60)

In the same chapter, under the heading Commercial Facilities, the Comprehensive Plan states:

“Retailing is one of the largest employers in the county and is a significant contributor to the economy. Currently, designated commercial lands far outstrip the potential demand for such lands. When half of these lands are assumed to be undevelopable (wetlands and other constraints), the potential commercial uses can serve an additional population of over two million persons. The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result.” (Page 62)

In Chapter 7 – Transportation, the Comprehensive Plan states that “Worcester’s roadways experience morning and evening commuter peaks, however, they are dwarfed by summer resort traffic...Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90.” (Page 79)

Also in Chapter 7, the Comprehensive Plan states:

“Commercial development will have a significant impact on future congestion levels. Commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintain road capacity. The current amount and location of commercially zoned land pose problems for the road system, particularly for US 50.”

“Commercial zoning on US 50 stretches from the Harry Kelly Bridge to Berlin. The Maryland Department of Transportation (MDOT) has indicated the existing commercial development has degraded existing levels of service to “D” and below in the summer season. US 50 is a critical link to the resorts and therefore maintaining its capacity is a necessary condition for the county’s economic future. For this reason, this road has designated as “impacted” and commercial zoning along it should be reduced.” (Page 82)

In this same chapter, under the heading General Recommendations – Roadways, it states the following:

1. Acceptable Levels of Service—It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
3. Traffic studies--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
4. Impacted Roads--Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
5. Impacted Intersections--Upgrade intersections that have fallen below a LOS C, for example, the intersection of US 13 and MD 756 Old Snow Hill Road, intersection of MD 589 and US 50.

(Page 87)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property has a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, therefore a private well will be needed for water supply. No comments were received from John H. Tustin, P.E., Director of Public Works, or John Ross, P.E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

FadA – Fallsington sandy loams, severe limitations to on-site wastewater disposal

LO – Longmarsh and Indiantown soils, severe limitations to on-site wastewater disposal

WddB – Woodstown sandy loam, severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Ocean City Volunteer Fire Company, with a substation on Keyser Point Road approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Office in Snow Hill, approximately twenty-five minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Office.

ROADWAYS AND TRANSPORTATION: The petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter (copy attached) that he had no objection to the rezoning request, however he will require a concept traffic study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments at this time.

SCHOOLS: The petitioned area is within Zone 2 of the Worcester County Public School Zones and is served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ ATLANTIC COASTAL BAYS CRITICAL AREAS: Mr. Mitchell also notes in his memorandum that the petitioned area is located within the boundaries of the Atlantic Coastal Bays Critical Area (ACBCA). He states that the parcel is designated as an Intensely Developed Area (IDA) and has an associated 100-foot buffer from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. Mr. Mitchell states that IDA's are areas where residential, commercial, institutional and/or industrial uses predominate and where relatively little natural habitat occurs or remains. He recommends that a field delineation of all environmental features be provided prior to any plan approvals being granted by the Natural Resources Division of the Department of Environmental Programs. Proposed future construction will need to meet the requirements of the ACBCA that are in place at the time of development, including compliance with the 10% stormwater criteria.

Any rezoning application located wholly or partially within the Critical Area require that notification be sent to the Critical Area Commission (CAC). Mr. Mitchell has attached the comments provided by Michael Grassmann, Natural Resources Planner with the CAC. Mr. Grassmann states that this zoning change meets the requirements of the Critical Area law,

including consistency with the existing Critical Area land classification of the IDA; therefore, he noted that the CAC has no objections to the application.

FLOOD ZONE: The FIRM map (24047C0180H, effective July 16, 2015) indicates that this property is located in Zone AE (100-year flood) with a Base Flood Elevation of five feet and a small area of X-500 (Area of Minimal Flood Hazard).

PRIORITY FUNDING AREA: The petitioned area is within a designated Priority Funding Area.

INCORPORATED TOWNS: This site is approximately one and a half miles from the incorporated town of Ocean City.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Rob Clarke, DNR Forester: No comments to make on behalf of the Maryland Forest Service.

!!**IMPORTANT**!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

1. What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.
6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
7. Relating to compatibility with the Comprehensive Plan.


8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
 9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?
-



Worcester County
Department of Environmental Programs

Memorandum

To: Jennifer Keener, Deputy Director, DDRP

From: Robert J. Mitchell 
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 431
Worcester County Tax Map 26 Parcel 158
1.2 Acres
R-1 Suburban Residential and RP Resource Protection to C-2 General
Commercial District

Date: 11/10/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced properties. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The application for zoning reclassification is for 1.2 acres of a property totaling 5.46 acres. Referring to the land use designation in the *Comprehensive Plan*, the entire property including the portion of the property for this case is designated as Commercial Center. This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses. This property is surrounded by properties carrying either a Commercial Center or Existing Developed land use designation.

The Department of Environmental Programs has the following comments:

1. The subject property has a designation of Sewer Service Category S-1 (*Immediate to 2 Years*). Since there is no public water available to the property, a private well will be needed for water supply.

Citizens and Government Working Together

2. This proposed rezoning is located inside of the Atlantic Coastal Bays Critical Area (ACBCA). The parcel is presently designated as Intensely Developed Area (IDA) and has an associated 100ft buffer from the mean high water lone of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. IDAs are areas where residential, commercial, institutional, and/or industrial uses predominate and where relatively little natural habitat occurs or remains.
3. It should be noted that disturbance within the 100ft buffer cannot be authorized unless approval is granted by the Board of Zoning Appeals (BZA). Also, a field delineation of all environmental features, including, but not limited to, the 100 ft buffer, non-tidal wetlands, and tidal wetlands, will be required prior to Natural Resources Division being able to provide any plan approvals for future development plans. This will assist in verification of the noted tidal gut, which is currently designated as an RP zoning district, and if further steps will be needed for Critical Area compliance. Proposed future construction will need to meet the requirements of the ACBCA that are in place at the time of development. Compliance with the 10% stormwater criteria must also be met.
4. The applicant should detail to the Planning Commission their reasoning on the boundaries with respect to the wetlands present.

If you have any questions on these comments, please do not hesitate to contact me.

Attachment

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman
Katherine Charbonneau
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

October 27, 2020

Ms. Jenelle Gerthoffer
Worcester County Department of Environmental Programs
One West Market Street – Room 1306
Snow Hill, Maryland 21863

Re: COF Investment Group, LLC (TM 26, P 158)
Rezoning Application #431

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of approximately 1.2 acres within the IDA from Suburban Residential District (R-2) and Resource Protection District (RP) to General Commercial District (C-2). The petitioned area is located on the north side of US Route 50 in West Ocean City, Tax Map #26, Parcel 158. The requested zoning change is based on a change in the character of the neighborhood and a mistake in the existing zoning. This zoning change meets the requirements of the Critical Area law, including consistency with the existing Critical Area land classification of the IDA; therefore, we do not have any objections to the application.

Please note that because the property is designated as IDA, there is no limit to clearing or lot coverage, but the 10% stormwater criteria must be met for any development or redevelopment.

Please submit this letter to the Planning Commission as part of their record and notify the Commission in writing of the decision made in this case. If you have any questions or concerns, please contact me at 410-260-3462 or michael.grassmann@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Grassmann".

Michael Grassmann
Natural Resources Planner

File: WC 401-20

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

October 23, 2020

Ms. Jennifer Keener
Deputy Director
Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill MD 21863

Dear Ms. Wimbrow:

Thank you for the opportunity to review the Rezoning Application from Hugh Cropper for Rezoning Case No. 431 – COF Investment Group, LLC. The property is described as Tax Map 26, Parcel number 158, Tax District number 10th, located on the north side of US 50, in Worcester County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents. We are pleased to respond.

Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, District 1 will require a concept study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary.

As reflected in our aforementioned comments, MDOT SHA has no objection to the rezoning as determined by Worcester County. Thank you for the opportunity to provide a response. If you have any questions regarding this response, please feel free to contact Mr. Daniel Wilson, District 1 Access Management Regional Engineer, via email at dwilson12@mdot.maryland.gov or by calling him directly at 410-677-4048.

Sincerely,

Dallas Baker / for

James W. Meredith,
District Engineer

cc: Mr. Dallas Baker, D-1 Assistant District Engineer Project Development, MDOT SHA
Mr. Rodney Hubble, Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Tony Turner, Asst. Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Daniel Wilson, D-1 Access Management Regional Engineer, MDOT SHA



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

MEMORANDUM

TO: Jennifer Keener, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: October 13, 2020
RE: Rezoning Case No. 429, 430 and 431

.....

Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 429: No comments at this time.

Rezoning Case 430: No comments at this time.

Rezoning Case 431: No comments at this time.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/ll
\\wcfile2\users\llawrence\Rezoning\Rezoning Case 429.430.431.doc

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

DIVISIONS

MAINTENANCE
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SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185

Rezoning
Case No. 431

Jennifer Keener

From: April Mariner
Sent: Thursday, October 8, 2020 2:09 PM
To: Jennifer Keener
Subject: FW: Rezoning

FYI

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Thursday, October 8, 2020 2:06 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Hi April,

I am doing well, thanks.

I can vouch for the fact that the Hope Farm (case 429) and Cellarhouse Farms (case 430) have been under active forest management and members of the American Tree Farm System for decades. I have worked on forest management activities with 3 generations of the Strickland / Hope families. In both cases, their forest management activities predate my tenure here as county forester, which started in 1978. I have no other comments on these two requests.

I have no comments case 431.

Thanks for the opportunity to provide input.



Rob Clarke
Forester
Maryland Forest Service
Department of Natural Resources
10990 Market Lane
Princess Anne, Maryland 21853-2910
Rob.Clarke@maryland.gov
(410) 651-2004 (O)
(443)235-1636 (M)
[Website](#) | [Facebook](#) | [Twitter](#)

On Thu, Oct 8, 2020 at 1:37 PM April Mariner <amariner@co.worcester.md.us> wrote:

Good Afternoon Rob, I hope this email finds you well. I have attached 3 memos requesting comment for three upcoming Rezoning Cases. Please send any comments back to me and I will pass them along. Thank you and have a great day!

April L. Mariner

Office Assistant IV

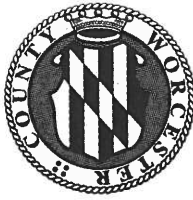
Worcester County Development Review & Permitting

amariner@co.worcester.md.us

410-632-1200 x1172

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DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

GOVERNMENT CENTER
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<http://www.co.worcester.md.us/departments/drp>

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
Billy Birch, Director, Worcester County Emergency Services
Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office
John H. Tustin, P.E., Director, Worcester County Public Works Department
John Ross, P.E., Deputy Director, Worcester County Public Works Department
Frank Adkins, Roads Superintendent, Worcester County Public Works Department
Jeff McMahon, Fire Marshal, Worcester County Fire Marshal's Office
Tom Perlozzo, Director of Recreation and Parks, Tourism & Economic Development
Louis H. Taylor, Superintendent, Worcester County Board of Education
James Meredith, District Engineer, Maryland State Highway Administration
Lt. Earl W. Starnes, Commander, Barracks V, Maryland State Police
Rebecca L. Jones, Health Officer, Worcester County Health Department
Rob Clarke, State Forester, Maryland Forest Services
Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
Moe Cropper, Fire Chief, Ocean City Volunteer Fire Department

FROM: Jennifer K. Keener, Deputy Director 

DATE: October 8, 2020

RE: Rezoning Case No. 431- COF Investment Group, LLC, c/o Kathleen M. Clark, Property Owner,
and Hugh Cropper, IV, Attorney- North side of US Route 50 in West Ocean City

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 1.2 acres of land shown on Tax Map 26 as Parcel 158, from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District. Uses allowed in the District include, but are not limited to, motels/ hotels, retail and service establishments,

contractor shops, wholesale establishments, warehousing, storage, vehicle sales and service establishments, outdoor commercial recreation establishments, etc.

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which **your** agency is responsible. ***If no response is received by NOVEMBER 13, 2020, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.***

If you have any questions or require further information, please do not hesitate to call this office or email me at jkkeener@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

**Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863**

PLEASE TYPE
OR PRINT IN
INK

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

(Office Use One - Please Do Not Write In This Space)

Rezoning Case No. 431

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 9/28/2000

Date Reviewed by Planning Commission: _____

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. _____ Governmental Agency
B. XXX Property Owner
C. _____ Contract Purchaser
D. _____ Option Holder
E. _____ Leasee
F. XXX Attorney for B (Insert A, B, C, D, or E)
G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 26
B. Parcel Number(s): 158
C. Lot Number(s), if applicable: _____
D. Tax District Number: 10th

III. Physical Description of Property

- A. Located on the North side of U.S. Route 50/Ocean Gateway.
B. Consisting of a total of 5.46 acres of land.
C. Other descriptive physical features or characteristics

necessary to accurately locate the petitioned area:

- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and such other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): **R-2, Suburban Residential District/RP- Resource Protection**

(Name and Zoning District)

- B. Acreage of zoning classification(s) in "A" above: **1.2**

- C. Requested zoning classification(s): **C-2, General Commercial District**

(Name and Zoning District)

- D. Acreage of zoning classification(s) in "C" above: **1.2**

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

- A. Please list reasons or other information as to why the rezoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:

This rezoning is based upon a mistake. A more detailed summary will be provided.

IV. Filing Information and Required Signatures


- A. Every application shall contain the following information:

1. If the application is made by a person other than the property


owner, the application shall be co-signed by the property owner or the property owner's attorney.

2. If the applicant is a corporation, the names and mailing addresses of the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest of the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.

B. Signature of Applicant in Accordance with VI.A. above.

Signature: 
Printed Name of Applicant: Hugh Cropper, IV, Attorney for Property Owner
Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, MD 21842
Phone Number: 410-213-2681
E-Mail: hcropper@bbcmllaw.com
Date: September 28, 2020

C. Signature of Property Owner in Accordance with VI.A. above

Signature: 
Printed Name of Owner: COF Investment Group, LLC c/o Kathleen M. Clark
Mailing Address: 12319 Ocean Gateway, Suite 201, Ocean City, MD 21842
Phone Number: 410-213-1633
E-Mail: kclark@monogrambuilders.com
Date: September 28, 2020

(Please use additional pages and attach to application if more space is required.)

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January 31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.
- B. Applications for map amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case including but not limited to the following matters:

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment

based upon a finding that (a) there a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) there is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

REASONS FOR REZONING

The majority of above referenced property is zoned C-2, General Commercial District. It is located in the Route 50 Commercial Corridor. The entirety of the property is designated as Commercial Center on the Land Use Map which accompanies the Worcester County Comprehensive Plan.

With respect to the RP, Resource Protection District, it appears that the zoning line followed prior wetlands maps. A field delineation will show that those maps were not accurate, and the southerly portion of the RP, Resource Protection District, is not tidal wetlands.

With respect to the residential zoning, the parcel is bisected by the commercial/residential boundary. There is no delineation in the field. The entire property should be commercial.

In conclusion, the applicant is alleging a mistake, and the entirety of the property should be C2, General Commercial District.

Respectfully submitted,



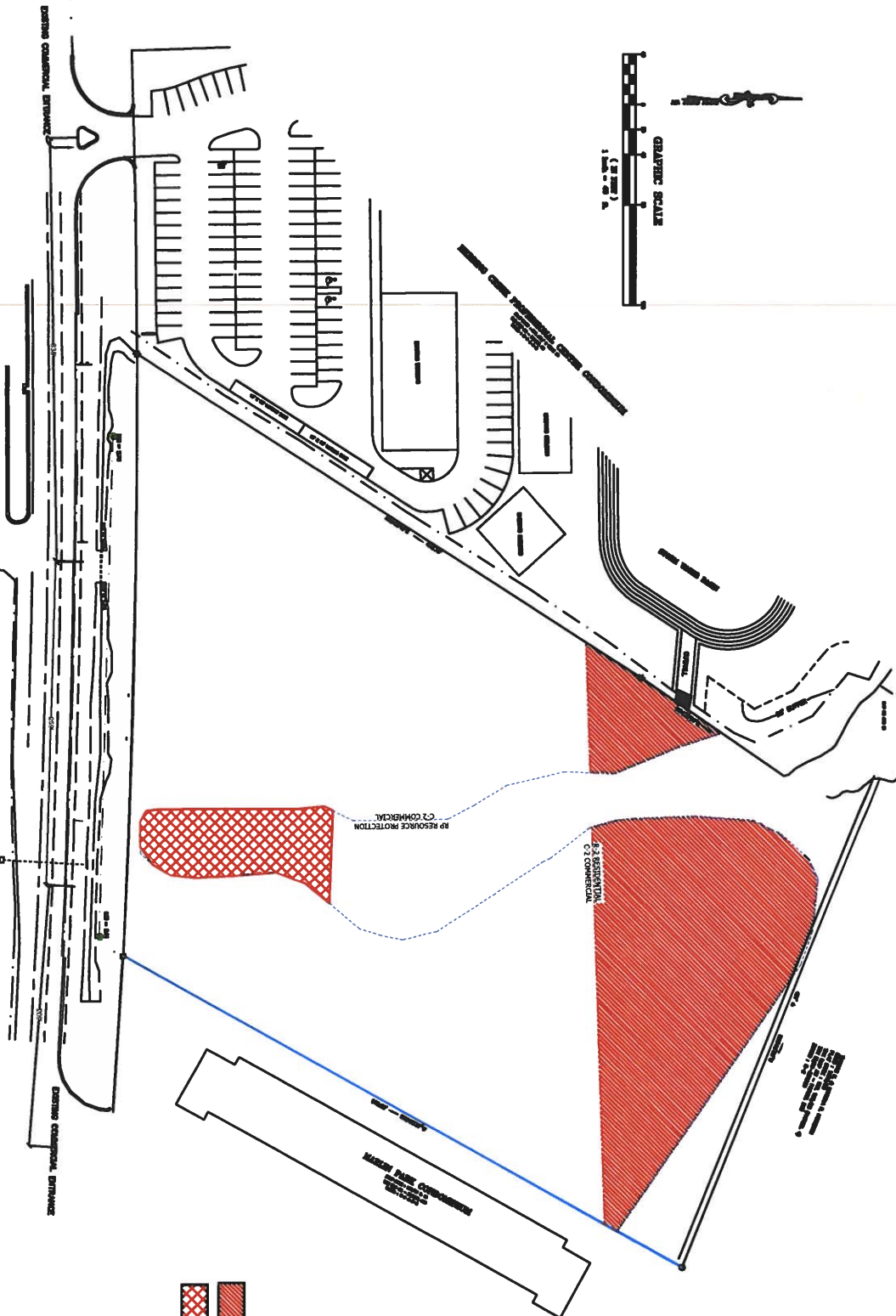
Hugh Cropper IV, Attorney for
Owner COF Investment Group, LLC

*see email dated 9/28/2020 & attached
exhibit for specific request.

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF RD. HAND AND ASSOCIATES, INC. AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF RD. HAND AND ASSOCIATES, INC.

ISSUED: 10/20/2010

U.S. RTE. 50
1/4" = 1' 0"



LEGEND

R-2 SUBURBAN RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT - 1.9 ACRES

R-2 SUBURBAN RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT - 0.2 ACRES

C-2 GENERAL COMMERCIAL DISTRICT TO R-2 SUBURBAN RESIDENTIAL DISTRICT - 0.2 ACRES

CRITICAL AREA
THIS SITE IS ENTIRELY WITHIN THE INTENSELY DEVELOPED AREA OF THE ATLANTIC COASTAL BAYS CRITICAL AREA

SITE AREA
± 5.55 ACRES

EXISTING ZONING
C-2 GENERAL BUSINESS
R-2 SUBURBAN RESIDENTIAL
RP, RESOURCE PROTECTION

PARCEL DESCRIPTION
TAX MAP 26, PARCEL 158
WORCESTER COUNTY MARYLAND

ZONING EXHIBIT

TAX MAP 26, PARCEL 158
TENTH TAX DISTRICT, WORCESTER COUNTY, MARYLAND

RD. HAND AND ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE, SITE PLANNING AND FRAGIBILITY
18902 COUNTRY ROAD BETHESDA, MD. 20816 410-352-5683

SHEET
ZF-1

Jennifer Keener

From: Hugh Cropper <hcropper@bbcmlaw.com>
Sent: Monday, September 28, 2020 1:37 PM
To: Jennifer Keener
Cc: Weston S. Young; 'kclark@monogrambuilders.com'
Subject: Rezoning
Attachments: MX-3550N_20200928_134543.pdf

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Jennifer:

Good afternoon. I am filing a rezoning application on behalf of COF Investment Group, LLC, Kathleen M. Clark, Managing Member, Worcester County Tax Map 26, Parcel 158. The area to be rezoned is approximately 1.2 acres, and Bob Hand's exhibit is attached.

I will be delivering the original application this afternoon, and I have asked Kathy to send the check payable to Worcester County in the amount of \$680.00 directly to your attention.

Have a great day. This should be the last rezoning application (although I cannot make any promises; I'm not sure who will call).

Thanks again.

Hugh Cropper IV
Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
410-213-2681
www.bbcmlaw.com

This message may contain privileged or confidential information that is protected from disclosure. If you are not the intended recipient of this message, you may not disseminate, distribute or copy it. If you have received this message in error, please delete it and notify the sender immediately by reply email or by calling 410-213-2681. Thank you.

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 10 Account Number - 011892		
Owner Information		
Owner Name:	COF INVESTMENT GROUP LLC	Use: COMMERCIAL Principal Residence: NO
Mailing Address:	12319 OCEAN GATEWAY STE 201 OCEAN CITY MD 21842-0000	Deed Reference: /07548/ 00483
Location & Structure Information		
Premises Address:	OCEAN GATEWAY OCEAN CITY 21842-0000	Legal Description: 5.46 ACS N SIDE R-50 SUR PL M MARVELIS ETAL
Map:	Grid:	Parcel:
0026	0006	0158
Neighborhood:	Subdivision:	Section:
10080.24	71M8	
Block:	Lot:	Assessment Year:
		2019
Plat No:	Plat Ref:	230032
		0230/0032
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
		Property Land Area
		5.4600 AC
County Use		
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
		Last Notice of Major Improvements
Value Information		
	Base Value	Value
		As of
		01/01/2019
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Land:	260,700	260,700
Improvements	0	0
Total:	260,700	260,700
Preferential Land:	0	0
Transfer Information		
Seller: GUS W MARVELIS REVOCABLE LIVING TRUST &	Date: 12/05/2019	Price: \$300,000
Type: ARMS LENGTH VACANT	Deed1: /07548/ 00483	Deed2:
Seller: MARVELIS MICHAEL &	Date: 08/01/2013	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06212/ 00118	Deed2:
Seller: WILLIAM HENRY & EUGENIA B BORCHERD	Date: 09/03/1971	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: SVH /05549/ 00500	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
		07/01/2020
		07/01/2021
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: None		

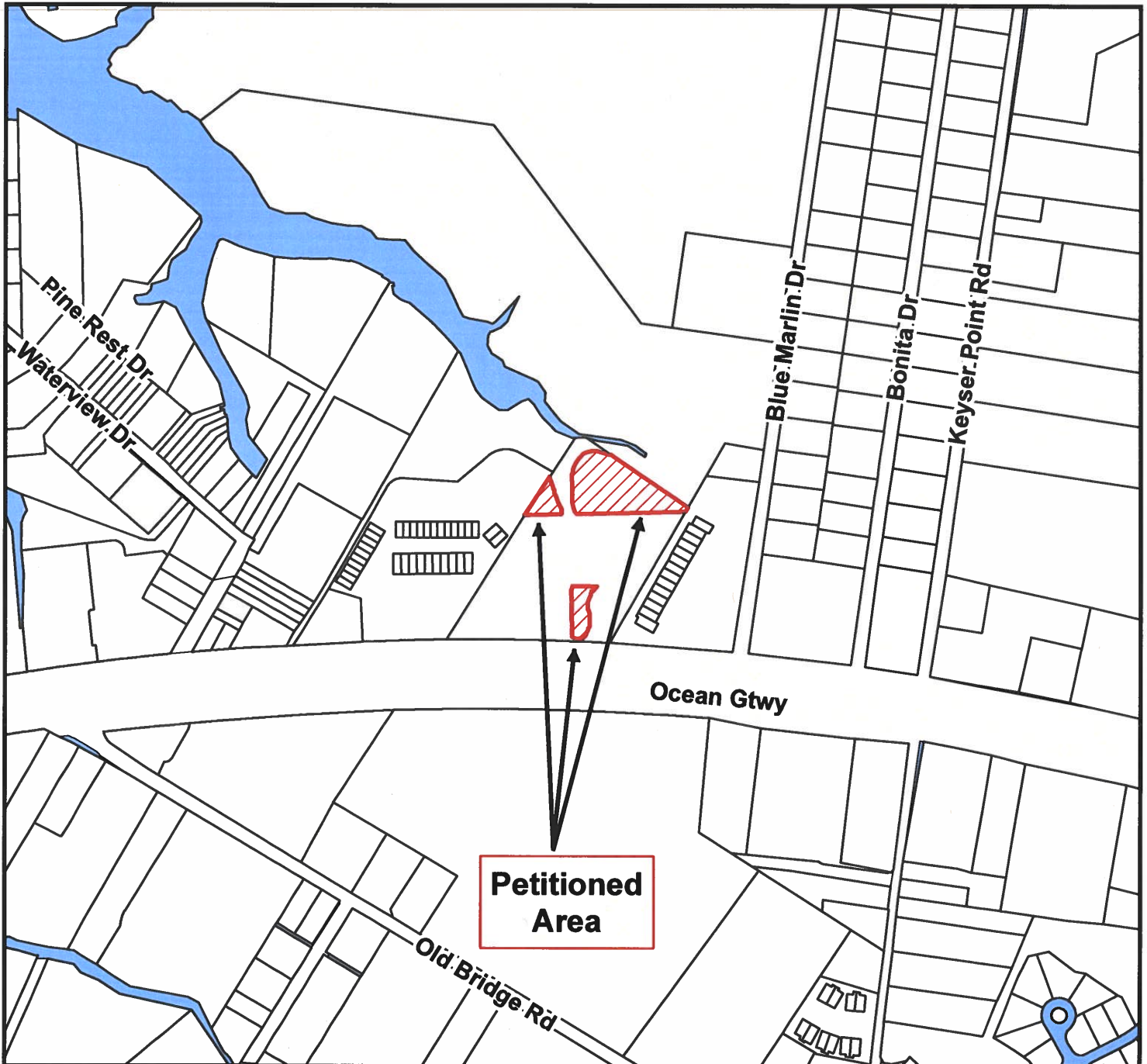


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

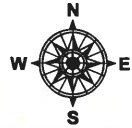
0 250 500
Feet

Source: Worcester County GIS Data Layers

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action. Drawn By: KLH Reviewed By: JKK

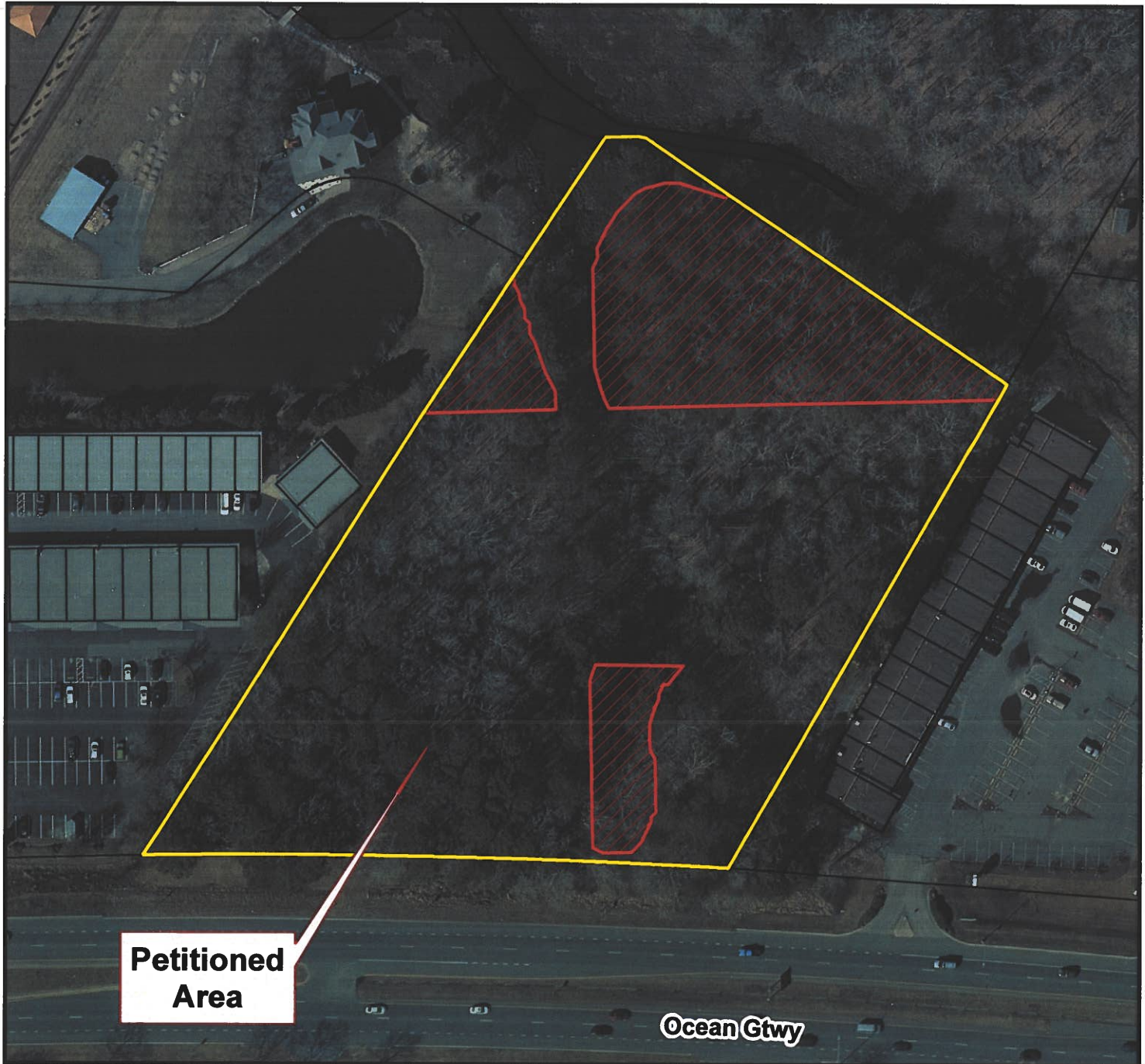


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

AERIAL MAP



**Petitioned
Area**

Ocean Gtwy

DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 100 200
Feet

Source: Worcester County GIS Data Layers, 2019 Aerial Imagery

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

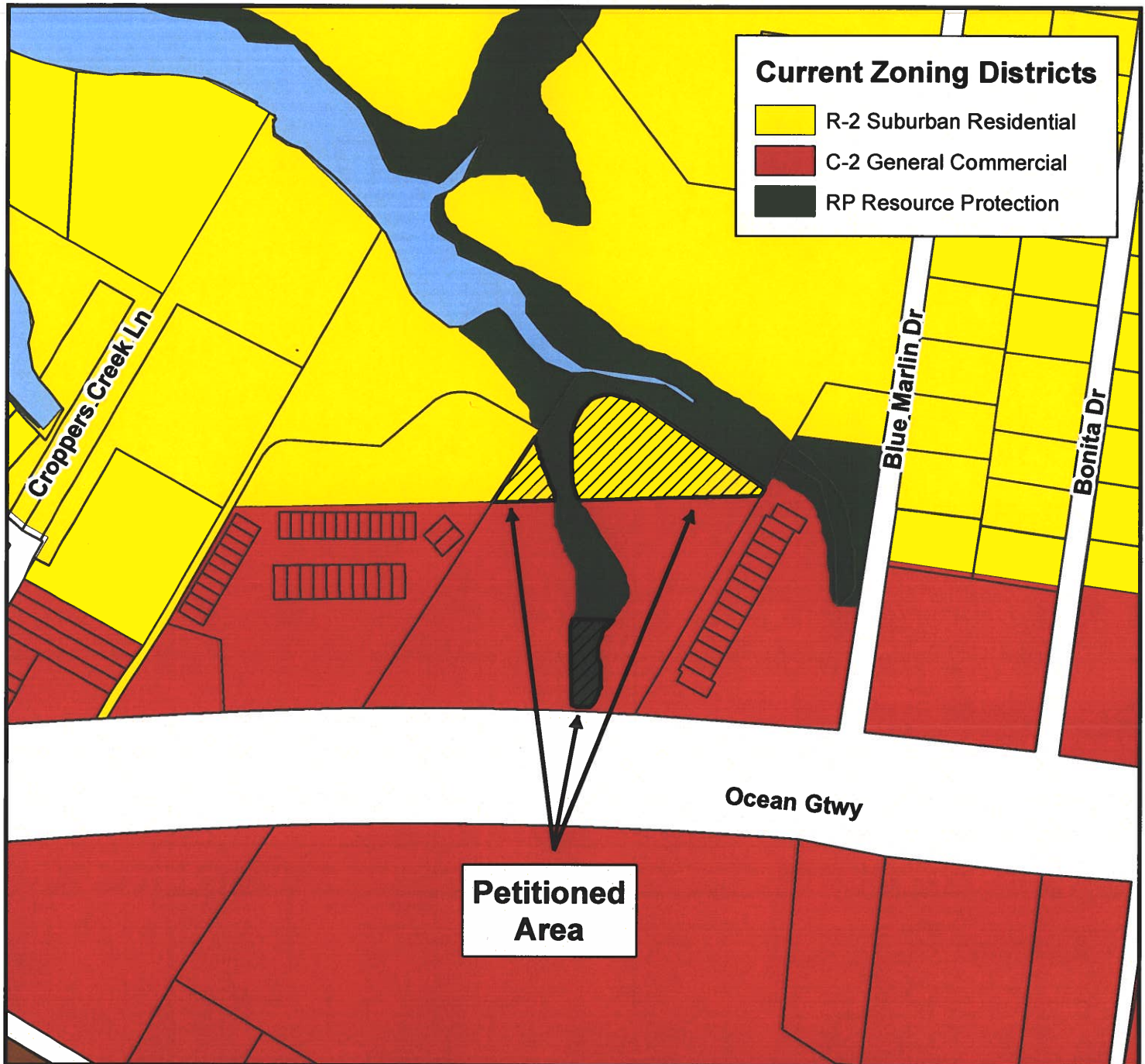


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 150 300
Feet

Source: Worcester County GIS Data Layers, 2009 Official Zoning District Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK



WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 100 200
Feet

Source: Worcester County GIS Data Layers, 2006 Land Use Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

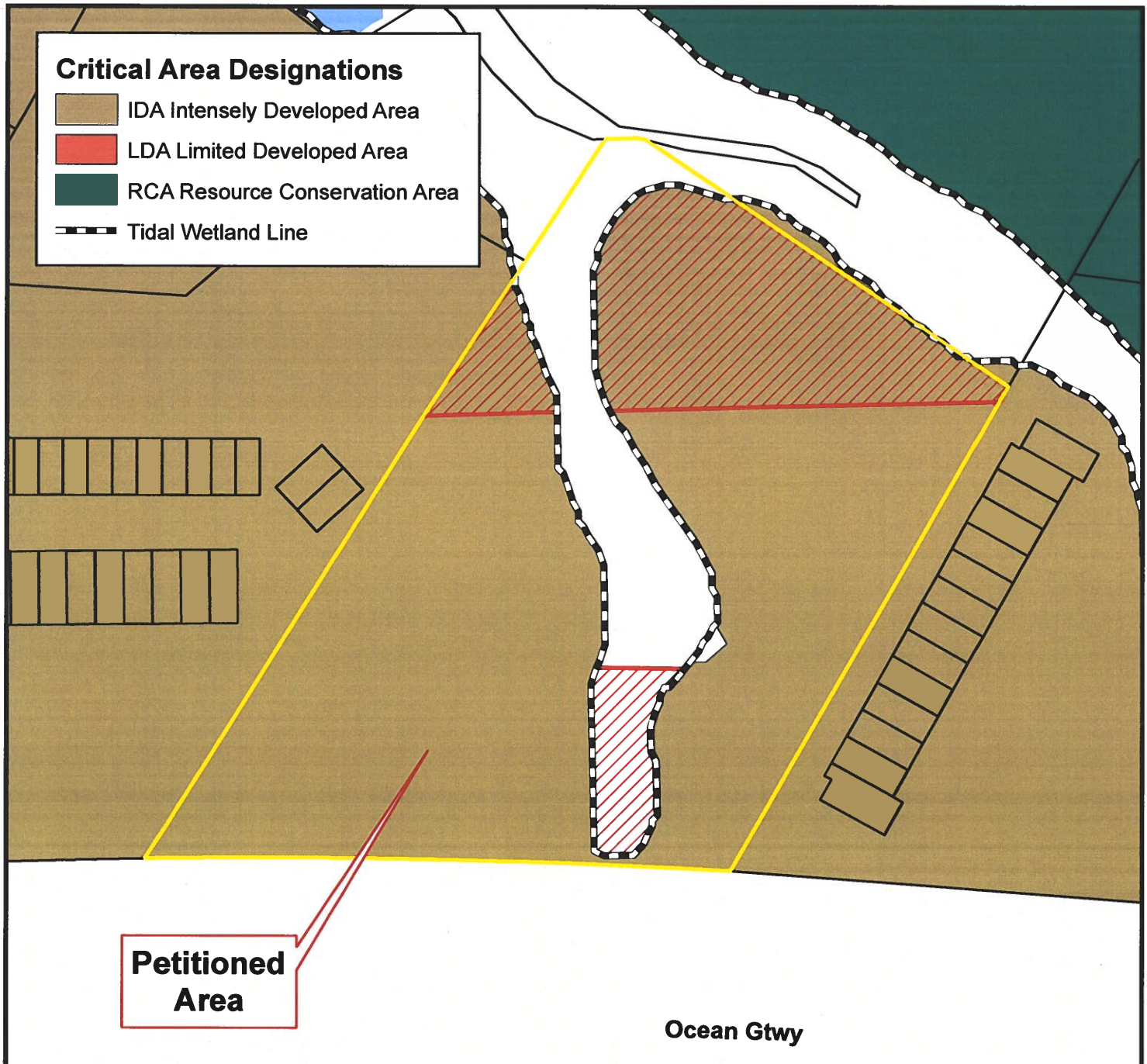


WORCESTER COUNTY, MARYLAND

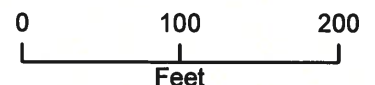


REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

ATLANTIC COASTAL BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020



Source: Worcester County GIS Data Layers, Atlantic Coastal Bay Critical Area Program

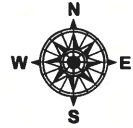
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

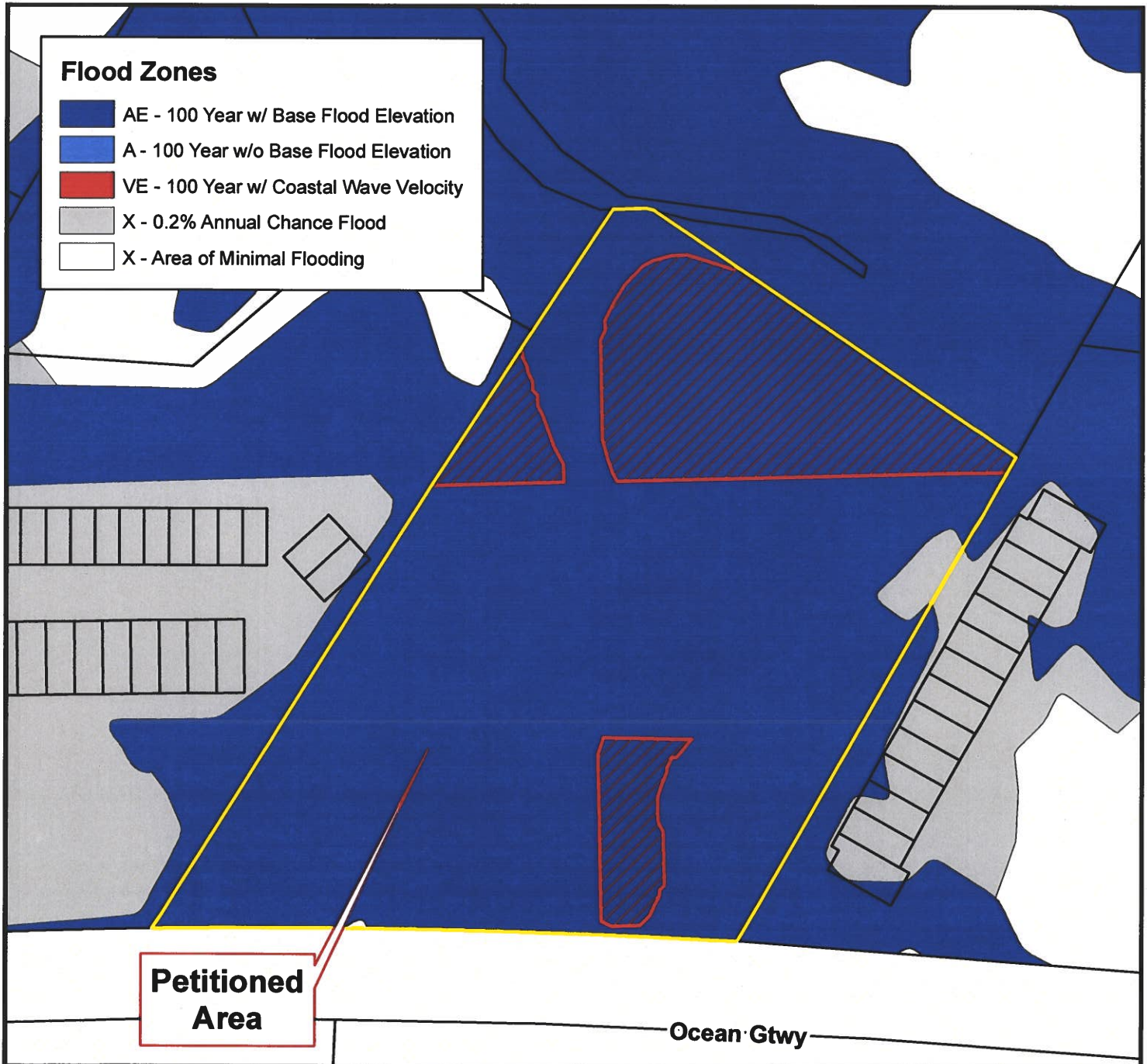


WORCESTER COUNTY, MARYLAND

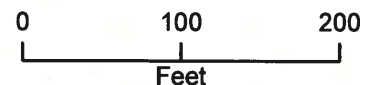


REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020



Source: Worcester County GIS Data Layers, 2015 FEMA Flood Insurance Rate Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

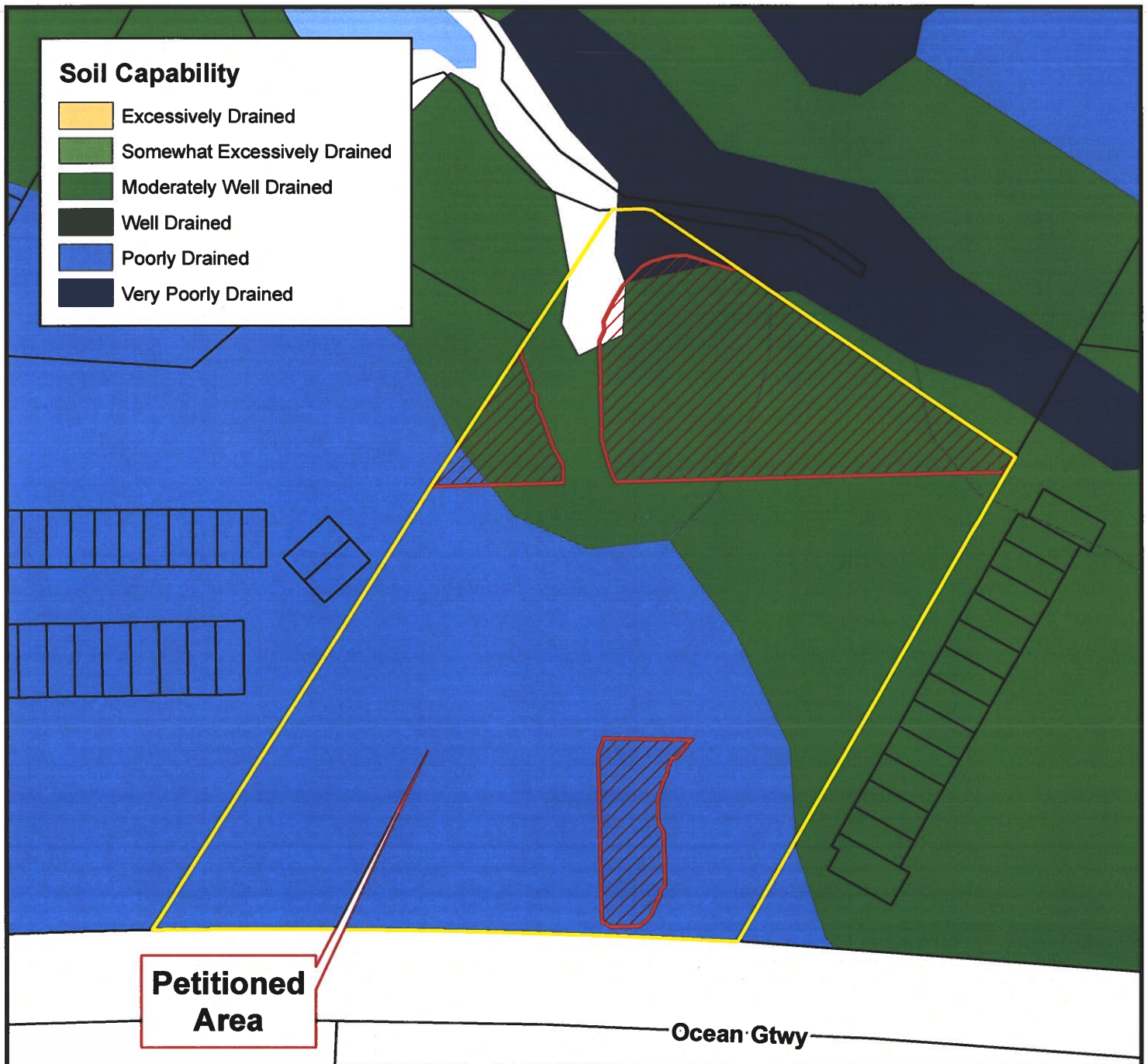


WORCESTER COUNTY, MARYLAND

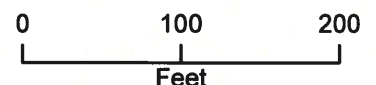


REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020



Source: Worcester County GIS Data Layers, 2007 Soil Survey

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

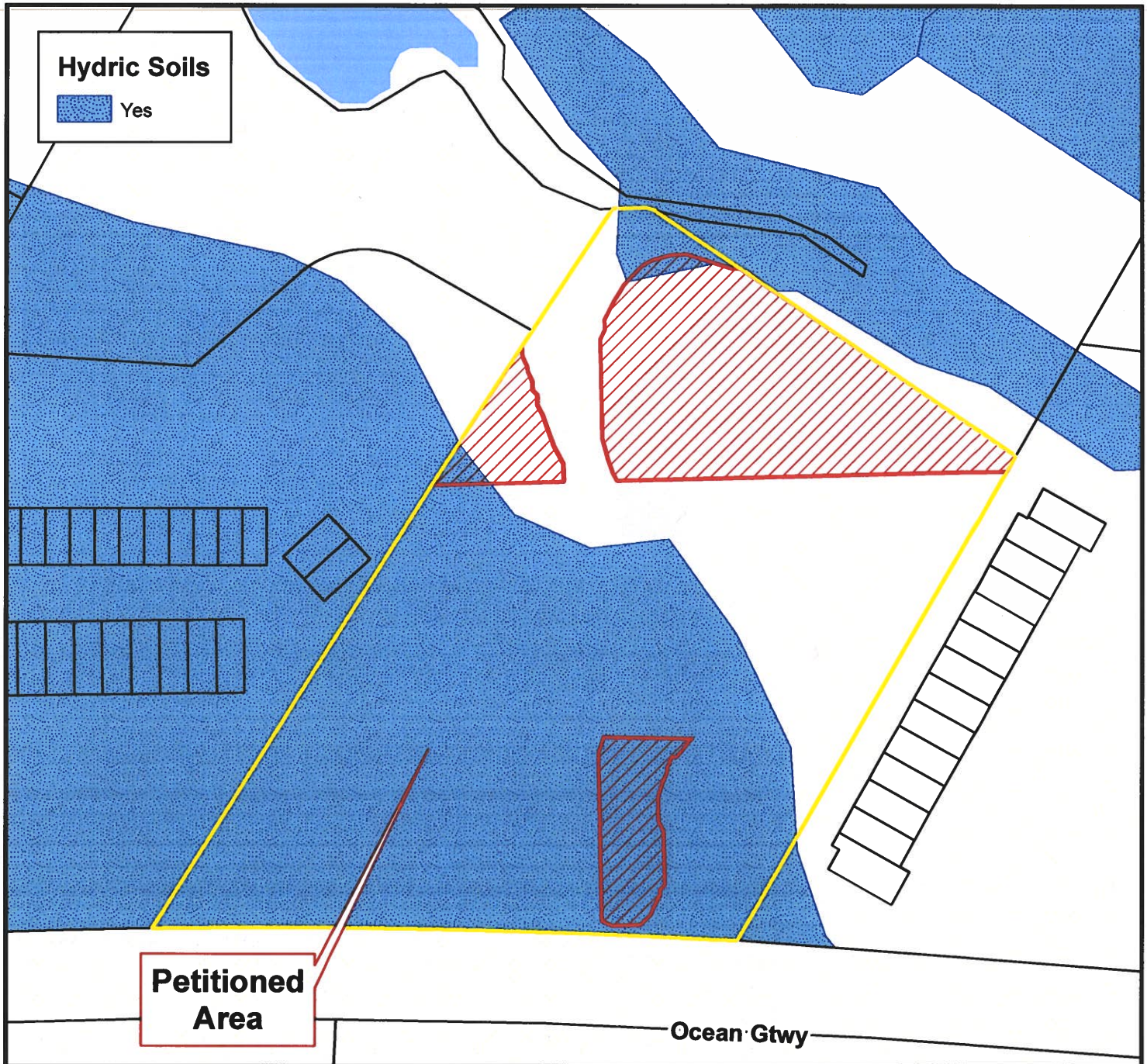


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 431
R-2 Suburban Residential / RP Resource Protection to C-2 General Commercial District
Tax Map: 26, Parcel 158

HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2007 Soil Survey

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

WORCESTER COUNTY PLANNING COMMISSION

MEETING DATE: December 3, 2020

PURPOSE: Request for site plan re-approval

DEVELOPMENT: GCR Development

PROJECT: Proposed construction of a four story, 45-unit hotel/motel building

LOCATION: Westerly side of Golf Course Road, north of Sunset Avenue, Tax Map 27, Parcel 702, Lot 2, Tax District 10, C-2 General Commercial District

PROJECT HISTORY: This project is considered a major site plan and was reviewed and approved by the Planning Commission on September 6, 2018 for a 46-room hotel/motel building. The approval expired on September 6, 2020, since the applicant did not obtain signature site plan approval nor request an extension within the time required by §ZS 1-325(g).

STAFF COMMENTS: As part of the re-approval process, the Planning Commission will need to re-affirm the waivers that were granted and the conditions of site plan approval placed on the project. I have attached copies of the minutes from the initial review of August 2, 2018, and the second review of September 6, 2018. Copies of both the August and September 2018 staff reports are also attached.

Since the last review, construction plans were submitted for permitting that reduced the overall unit count to forty-five (45) rooms. The site plans you have received are consistent with that modification. The only site change was the conversion of one parking space to a pervious design, since it was provided over the minimum parking required.

Upon review of the site plan submitted for the Planning Commission's consideration, I find that the project is consistent with the original approval granted by the Planning Commission on September 6, 2018, and recommend that the original waivers and conditions of approval be carried forward.

If granted, the applicant will be required to comply with outstanding items in order to obtain signature approval, and move forward with the permitting process. At this time, all outstanding zoning items have been addressed.

PROPERTY OWNER: GCR Development, LLC, 5700 Coastal Highway, Suite 305, Ocean City, MD 21842

CONSULTANT: R.D. Hand & Associates, Inc., 12302 Collins Road, Bishopville, MD 21813

PREPARED BY: Jennifer K. Keener, AICP, Deputy Director

WORCESTER COUNTY PLANNING COMMISSION

MEETING DATE: December 3, 2020

PURPOSE: Request for Final Plat re-approval

DEVELOPMENT: Triple Crown Estates

PROJECT: Residential Planned Community; 30 single family dwelling lots

LOCATION: North side of Gum Point Road, East of MD route 589 (Racetrack Road), Tax Map 21, Parcels 67 & 74, Tax District 3, R-1 Rural Residential District and RP Resource Protection District.

PROJECT HISTORY: This project is a Residential Planned Community, the Final Plat was approved on July 16, 2018. The approval expired on July 16, 2020, since the applicant did not proceed to record plat nor request an extension within the time required by §ZS 2-405(g).

STAFF COMMENTS: The Final Plat must be re-approved before we can move on to the Record Plat. The current submission varies from the original approved version. The overall design and number of lots is consistent with a reduction in density as the County Commissioners approved a change to single family lots. Page 2 of the current submission is missing the road detail from the original. This will need to be provided prior to Record plat. Page UP-4 from the original approved final plat has been removed as it showed the sewer and water plan for duplexes. This page will need to be replaced, a water and sewer detail is still required. The previously approved version was provided by Soule & Associates, Mr. Soule has retired, permission to use his plan will need to be provided and noted on the plat. The current changes will need a valid surveyors seal and signature as well.

If approved, the applicant will be required to submit all outstanding items in order to obtain Record plat approval, and move forward with the permitting process.

PROPERTY OWNER: Steen Associates Inc. 627B Ocean Parkway, Berlin, MD 21811

CONSULTANT : Vista Design, 1634 Worcester Highway, Showell, MD 21862

PREPARED BY: Cathy Zirkle, DRP Specialist II