

Waiver Request
November 15, 2023
(Coastal Square & Residences)

Name and address of applicant:

Coastal Square & Residences
10044 Old Ocean City Blvd.
Berlin, Maryland 21811

Name and address of owner(s):

Coastal Square & Residences, LLC
10044 Old Ocean City Blvd.
Berlin, Maryland 21811

Description of land: 99.5+/- acres identified by tax map number 85-A-51, 93-A-87, 89, 90.

Description of proposed rezoning: The subject properties are currently zoned "General Business" with the exception of Parcel 89 that is zoned Agricultural District. The proposed rezoning would designate 95.0+/- acres to "VD" Village Development Area.

Date of application: 11/15/2023

The above named owner(s), individually or by duly authorized agent, hereby request the following waivers.:

- 1.) Village Development Project Size.** 106-58 B. C. of the Accomack Zoning Code states that the maximum size of a mixed-use development shall be 40 acres unless there is a recommendation by the planning commission and a finding by the Board of Supervisors that a mixed-use development larger than 40 acres is appropriate. Such a recommendation by the planning commission and finding by the board of supervisors shall be based upon a review of the project, its proposed location, the advancement of objectives set forth in section 106-548 and conformance with the future land use plan of current adoption. Development larger than 40 acres must incorporate an appropriate amount of open space.

Proposed Village Development Size: The proposed Village Development size requested as part of this application is +/-95 acres. Per the Accomack County Comprehensive Plan, the entire 99.5 acres is located within the Village Development Area. Per the Comprehensive Plan, this area is to allow for a mix of residential and commercial uses in keeping with the traditional development pattern of Accomack

County's villages and towns (subject to wastewater treatment capability). These areas should be compact, with interconnected street networks, parks, sidewalks and a mix of uses, convenient to both motor vehicles and pedestrians.

The County's target outcome for Village Development Areas is for the vast majority of future residential development to be located there, and that they be the major location of future neighborhood commercial and institutional development. Depending upon the mix of uses and the availability of central water and wastewater treatment, overall residential densities would be planned to be in the range of one-half to one acre per dwelling, on average, including a variety of lot sizes and dwelling types; thus net densities may be four dwellings per acre or higher.

Master planning the ultimate community is critical to assure a project is properly designed in regard to uses, amenities, vehicular access, vehicular circulation, parking, stormwater management, and water and sewer infrastructure. It is also important so that the project vision is provided, not only to Accomack County, but to the project's residents and commercial tenants. In order for Coastal Square & Residences to provide more variety in housing types, recreational, and commercial amenities the area proposed for a rezoning to Village Development District is approximately 95 acres.

Although the project size is greater than 40 acres, the project shall be phased. The initial development of residential units is planned to include phases 1-4. This area is approximately 57 acres. With development of these residential phases Coastal Square & Residences will be able to offer duplex units, townhomes and garden style apartments. Future development shall be phased as detailed on the Phasing Plan as market conditions demand.

In order to establish commercial opportunities and address off-site stormwater issues, the initial development of the commercial area includes phases 5, 6, and 12. This area is approximately 12 acres. Plans are to make improvements to accommodate off-site stormwater currently discharging onto the Coastal Square & Residences project, while also creating development ready pad-sites for commercial uses.

Additional reasons supporting a larger project area are: 1.) the recent Accomack – Northampton County Planning District Housing Study indicating a significant shortage of housing, 2.) the expressed need for workforce housing by Accomack County, and 3.) the expressed need for housing by entities based at the Wallops Flight Facility or considering locating their business to the County. And finally, the project as submitted meets the objectives set forth in section 106-548.

Coastal Square & Residences respectively request the approvals of a +/-95 acre Village Development District (VDD).

- 2.) Vehicular Access.** 106-546 B. of the Accomack Zoning Code states that Roads which will serve a combined traffic loading exceeding 250 vehicles per day, shall generally have two access points to the existing public road network. Per typical traffic standards, a residential dwelling equates to 10 trips per day. Based upon this regulation, a twenty-five (25) unit residential community would require two entrances, which seems excessive.

Based upon our property's limited frontage on Fairgrounds Road, it is not desirable to locate two entrances in such close proximity to each other as part of the initial development. It would likely impact access to neighboring properties and create access conflicts.

As indicated on the submitted master plan, there will be other points of access provided to Route 13. These access points shall be functional before any other residential development shall occur beyond phase 4. Inter-parcel connectors are also planned to permit additional vehicular movement. Coastal Square & Residences respectively request a second access point not be required for development of phases 1-4.

- 3.) Agricultural Setback Regulations.** 106-537 d. states that all residential structures in the development district "VDD" must be set back a minimum of 200 feet from the boundary line of any adjacent tract that is zoned agricultural.

Although not utilized for agricultural purposes, tax parcels 93D-4-112, 113, and 114 are adjacent wooded parcels zoned agricultural. The parcels are part of the Duncan Manor Subdivision which is a single-family residential community. Since the properties are not planned for agricultural use, Coastal Square and Residences respectively request the 200-foot setback be waived.

- 4.) Shopping Center Parking Regulations.** 106-230 states that the parking requirements for a Shopping Center is one space for each 200 square foot of gross floor area.

Coastal Square & Villages is planned to be a pedestrian friendly community encouraging less use of vehicular transportation. Per Section 106-548. 4. Projects are encouraged to share or reduce parking. Coastal Square & Residences proposes a parking requirement of one space for each 300 square foot of gross floor area. The proposed shopping center is 75,000 square feet and per plan proposes 255 parking spaces. Coastal Square & Residences respectively request approval of a parking requirement of one parking space per 300 sq. ft. of shopping center gross floor area.