



County Commissioners

Office

Date 2-18-22 LJC

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February 17, 2022
[replacing letter dated February 16]

BY HAND DELIVERY and EMAIL

County Commissioners for Kent County
R. Clayton Mitchell Government Center
400 High Street
Chestertown, Maryland 21620

Re: Update on Mixed Use Zoning Request - Millington Crossing Growth Area

Dear Commissioners Mason, Jacob and Fithian:

I am writing on behalf of Russell H. Richardson, principal of Richardson Fresh Ponds, LLC, and neighboring property owners regarding an update on Millington Crossing in the context of our aggregated request for mixed-use zoning to facilitate coordinated development of the Millington growth area, including integrated master planning and infrastructure phasing. We have been working with and monitoring the Comprehensive Rezoning Update (CRU) Task Force and understand that the Task Force will resume meeting in March. During the Task Force hiatus, there has been active development interest in the Millington growth area, and Mr. Richardson, et al wanted to update the County Commissioners and involved agencies on the progress, and to instigate action consistent with the County Comprehensive Plan (2018).

- 1. Land assembly and cooperation among property owners:** We are pleased to inform the County Commissioners that with recent additions there are now 634 +/- acres of land ownership who have requested mixed-use zoning. Adding in the adjacent Maloney property of 142 acres, where the owners are satisfied with their present residential zoning, brings to 776 total acres for the area being master planned for integrated development in accordance with the County's vision per the Comprehensive Plan. This area encompasses one and one-half (1½) miles of frontage on each side of U.S. 301 north of Route 291; an attractive configuration. In addition, we are in ongoing conversation with neighboring Freeman Evans, who owns 125 acres north of Millington Road and has annexed into the Town of Millington, regarding cooperation and coordination with infrastructure planning and phased implementation. This totals 901 acres of land, whose owners are working in cooperation, thus defining the County's potential growth area, consistent with the Comprehensive Plan.

For reference, please review the attached *Map D-1 Properties in Growth Area Requesting Mixed-Use Rezoning & Other Properties Requiring Utilities & Services* and *Map D-2 Properties in Growth Area Included in Mixed Use Rezoning Request*.

2. **Phase One development will act as a catalyst for this key growth area identified by the County:** We cannot overemphasize the critical importance that an initial phase of development will have to realizing the County's vision for mixed-use development in this growth corridor. We commend Kent County for advancing mixed-use rezoning and hope further studies on water service and waste-water treatment begin soon. We have developed several alternative development plans that might be useful in projecting development potential including sewer and water needs for this County-designated growth area. If helpful, we can provide our studies of potential development anticipated for each parcel or area, i.e., square footage for commercial and industrial uses, number of rooms for hotels, and number of units for housing that is affordable housing, apartment, townhouse and single-family.
3. **Time is of the essence to capture Phase One development:** There is presently a significant development proposal involving 35-40 acres of Richardson land on the west side of Route 301 that would constitute the first phase of development at Millington Crossing. The proposed development would advance the goals of the recently updated County Comprehensive Plan to focus economic development around the Route 301/291 interchange. The prospective developer has been exploring the possibilities for on-site waste-water treatment and on-site water, or the need for public water and waste-water treatment. There is also a national residential developer who has made an offer to purchase land in the Town of Millington for a sizeable residential development. They too are exploring options for water and sewer services. Since each of these components of Millington Crossing would be coordinated phases in this multi-year project, they may be able to start development before a waste-water treatment facility is built; but would require one for a full-build out.
4. **Prioritize County rezoning and no annexation into the Town of Millington:**
 - a. There are 286 acres of the Growth Area that the Town of Millington has excluded from annexations in their Comprehensive Plan. See **Maps AX-2 and AX-3**.
 - b. After annexing the Freeman Evans Property (125 acres) last year, the Town of Millington has stated they will not consider any further annexations until 2024. At the same time, **Map AX-3** (Map 3-2 of the Millington Comprehensive Plan) shows an annexation area extending from existing Town boundaries on the west to Route 301.
 - c. Of the 634 acres applying for Mixed-Use Zoning, none of the owners want to annex into the Town of Millington. See **Map AX-1**.
 - d. The developer prospect for 35-40 acres of Richardson land on the west side of Route 301 does not want to be annexed into Millington.



At this time, the owners of the properties totaling 634 acres who are requesting the mixed-use rezoning from the County do not want to be annexed into Millington since that cannot be achieved in a timely manner to capitalize on the present Phase One development prospects. Given the current state of planning, zoning and infrastructure in the Town and lack of clear and timely direction, it is essential for the County to marshal resources accordingly and prioritize rezoning and lead infrastructure efforts in furtherance of implementing the County Comprehensive Plan in the Growth Area surrounding the Millington interchange.

5. **Leveraging Growth Area development for reinvestment and improvements in and around Millington:** The Millington Crossing property owners are supportive of forming a public-private partnership with the County and the Town that can explore how development in the interchange growth area can be leveraged to benefit the citizens, economy, and environment of the Millington area. This could include using economic development tools to facilitate reinvestment and improvements in the historic core of the Town and preserving the Mills Branch as a scenic natural corridor with public access on a new trail system that connects to the Chester River.

6. **Attachments – Growth Area Maps.** The attached maps depict the potential contiguous area that constitutes the rare opportunity for integrated master planned development within the Millington growth area, the lands requiring utilities and services, and existing and proposed zoning.

On behalf of all the collective property owners at Millington Crossing, we are excited to be working in cooperation with the County on the rezoning and coordinated master planning for integrated development and infrastructure servicing around the Route 301/291 interchange. We would welcome the opportunity to meet with you and your economic development officials and other necessary agency representatives to further discuss what is outlined in this letter and related issues that are more confidential.

In advance, we thank you for your attention and cooperation. Please contact Mr. Richardson or me with any questions.

Sincerely,



Charles D. MacLeod

cc: William A. Mackey, AICP, Director, Dept of Planning
Michael S. Moulds, P.E., Director, Dept. of Public Works
Jamie L. Williams, Director, Dept. of Economic Development
Richardson Fresh Ponds, LLC
Russell H. Richardson
Renee H. Richardson



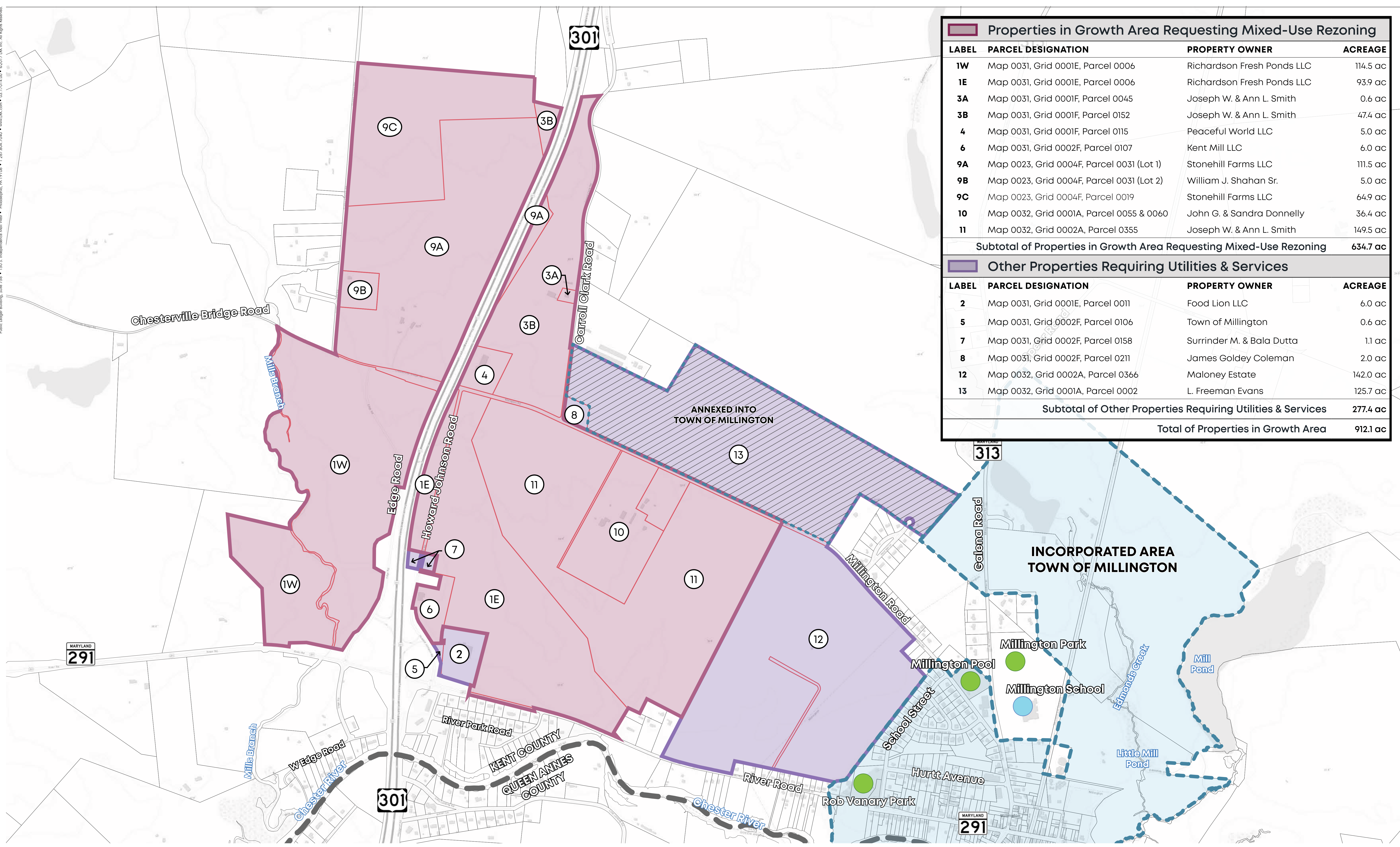
Ryan H. Richardson
Chad Pitts
Stewart Connard
Bob Owens
Jim Constantine, LRK

Attachments: Growth Area Maps

- D-1** Properties in Growth Area requesting mixed-use rezoning and other properties requiring utilities and services
- D-2** Properties in Growth Area requesting mixed-use rezoning
- AX-1** Properties in Growth Area requesting mixed-use rezoning, but which do not want to annex into the Town of Millington
- AX-2** Properties in Growth Area excluded from annexation in the Town of Millington's Comprehensive Plan
- AX-3** Map 3-2 from Town of Millington Comprehensive Plan
- E-1** Existing Kent County zoning (e.g., fragmentation)
- E-2** Proposed Mixed-Use Zoning District

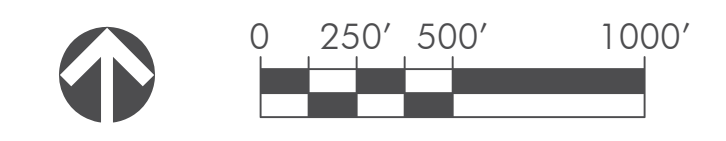


Properties in Growth Area Requesting Mixed-Use Rezoning			
LABEL	PARCEL DESIGNATION	PROPERTY OWNER	ACREAGE
1W	Map 0031, Grid 0001E, Parcel 0006	Richardson Fresh Ponds LLC	114.5 ac
1E	Map 0031, Grid 0001E, Parcel 0006	Richardson Fresh Ponds LLC	93.9 ac
3A	Map 0031, Grid 0001F, Parcel 0045	Joseph W. & Ann L. Smith	0.6 ac
3B	Map 0031, Grid 0001F, Parcel 0152	Joseph W. & Ann L. Smith	47.4 ac
4	Map 0031, Grid 0001F, Parcel 0115	Peaceful World LLC	5.0 ac
6	Map 0031, Grid 0002F, Parcel 0107	Kent Mill LLC	6.0 ac
9A	Map 0023, Grid 0004F, Parcel 0031 (Lot 1)	Stonehill Farms LLC	111.5 ac
9B	Map 0023, Grid 0004F, Parcel 0031 (Lot 2)	William J. Shahan Sr.	5.0 ac
9C	Map 0023, Grid 0004F, Parcel 0019	Stonehill Farms LLC	64.9 ac
10	Map 0032, Grid 0001A, Parcel 0055 & 0060	John G. & Sandra Donnelly	36.4 ac
11	Map 0032, Grid 0002A, Parcel 0355	Joseph W. & Ann L. Smith	149.5 ac
Subtotal of Properties in Growth Area Requesting Mixed-Use Rezoning			634.7 ac
Other Properties Requiring Utilities & Services			
LABEL	PARCEL DESIGNATION	PROPERTY OWNER	ACREAGE
2	Map 0031, Grid 0001E, Parcel 0011	Food Lion LLC	6.0 ac
5	Map 0031, Grid 0002F, Parcel 0106	Town of Millington	0.6 ac
7	Map 0031, Grid 0002F, Parcel 0158	Surrinder M. & Bala Dutta	1.1 ac
8	Map 0031, Grid 0002F, Parcel 0211	James Goldey Coleman	2.0 ac
12	Map 0032, Grid 0002A, Parcel 0366	Maloney Estate	142.0 ac
13	Map 0032, Grid 0001A, Parcel 0002	L. Freeman Evans	125.7 ac
Subtotal of Other Properties Requiring Utilities & Services			277.4 ac
Total of Properties in Growth Area			912.1 ac

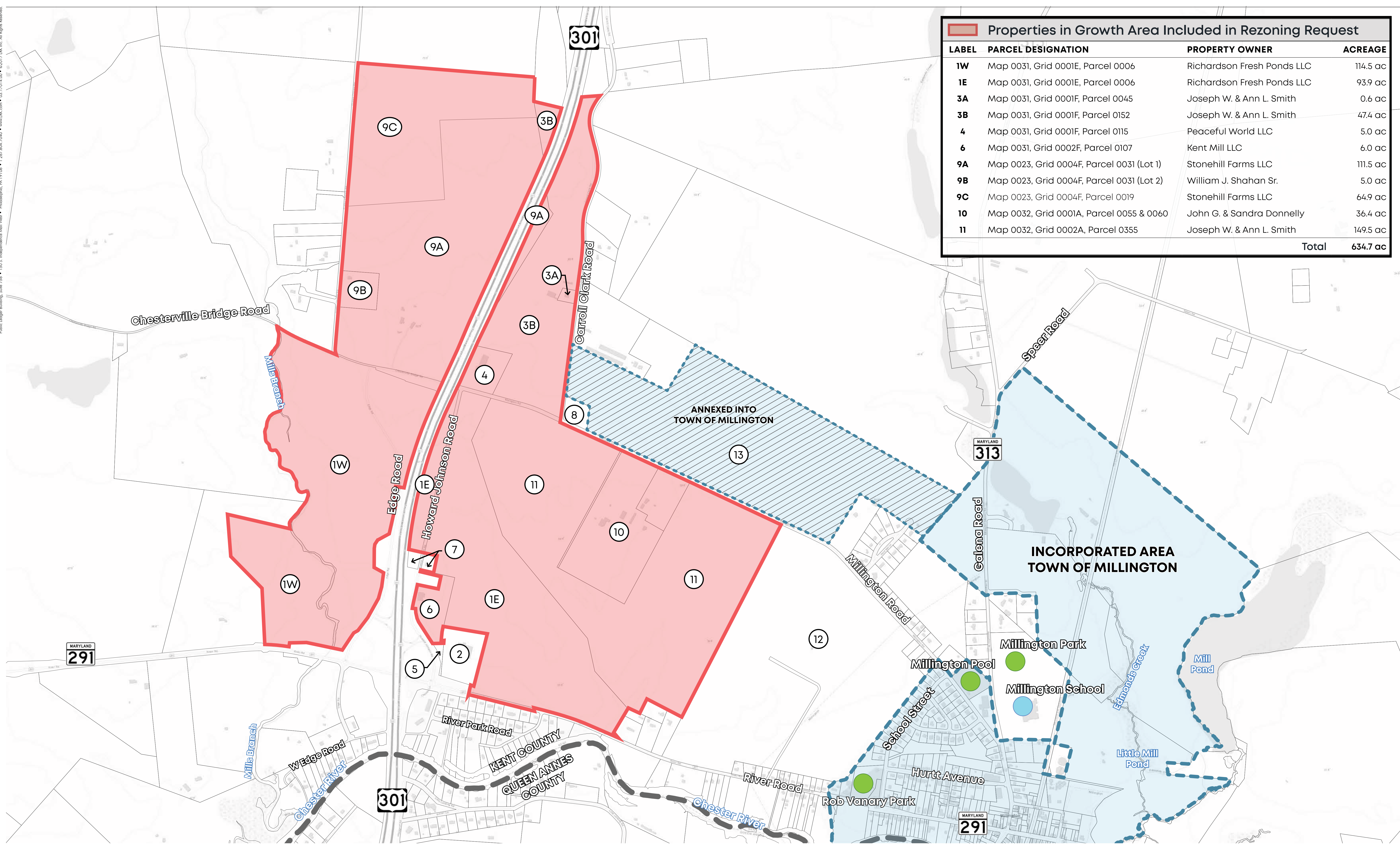


D-1: PROPERTIES IN GROWTH AREA REQUESTING MIXED-USE REZONING & OTHER PROPERTIES REQUIRING UTILITIES & SERVICES

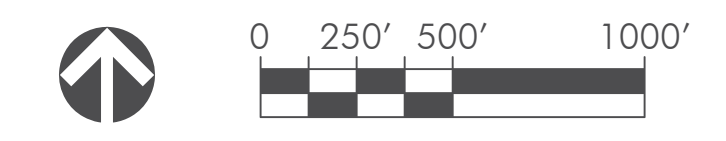
Project Location: Millington, Kent County, Maryland
 July 19, 2017 | Last Revised February 17, 2022



Properties in Growth Area Included in Rezoning Request			
LABEL	PARCEL DESIGNATION	PROPERTY OWNER	ACREAGE
1W	Map 0031, Grid 0001E, Parcel 0006	Richardson Fresh Ponds LLC	114.5 ac
1E	Map 0031, Grid 0001E, Parcel 0006	Richardson Fresh Ponds LLC	93.9 ac
3A	Map 0031, Grid 0001F, Parcel 0045	Joseph W. & Ann L. Smith	0.6 ac
3B	Map 0031, Grid 0001F, Parcel 0152	Joseph W. & Ann L. Smith	47.4 ac
4	Map 0031, Grid 0001F, Parcel 0115	Peaceful World LLC	5.0 ac
6	Map 0031, Grid 0002F, Parcel 0107	Kent Mill LLC	6.0 ac
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10	Map 0032, Grid 0001A, Parcel 0055 & 0060	John G. & Sandra Donnelly	36.4 ac
11	Map 0032, Grid 0002A, Parcel 0355	Joseph W. & Ann L. Smith	149.5 ac
Total			634.7 ac

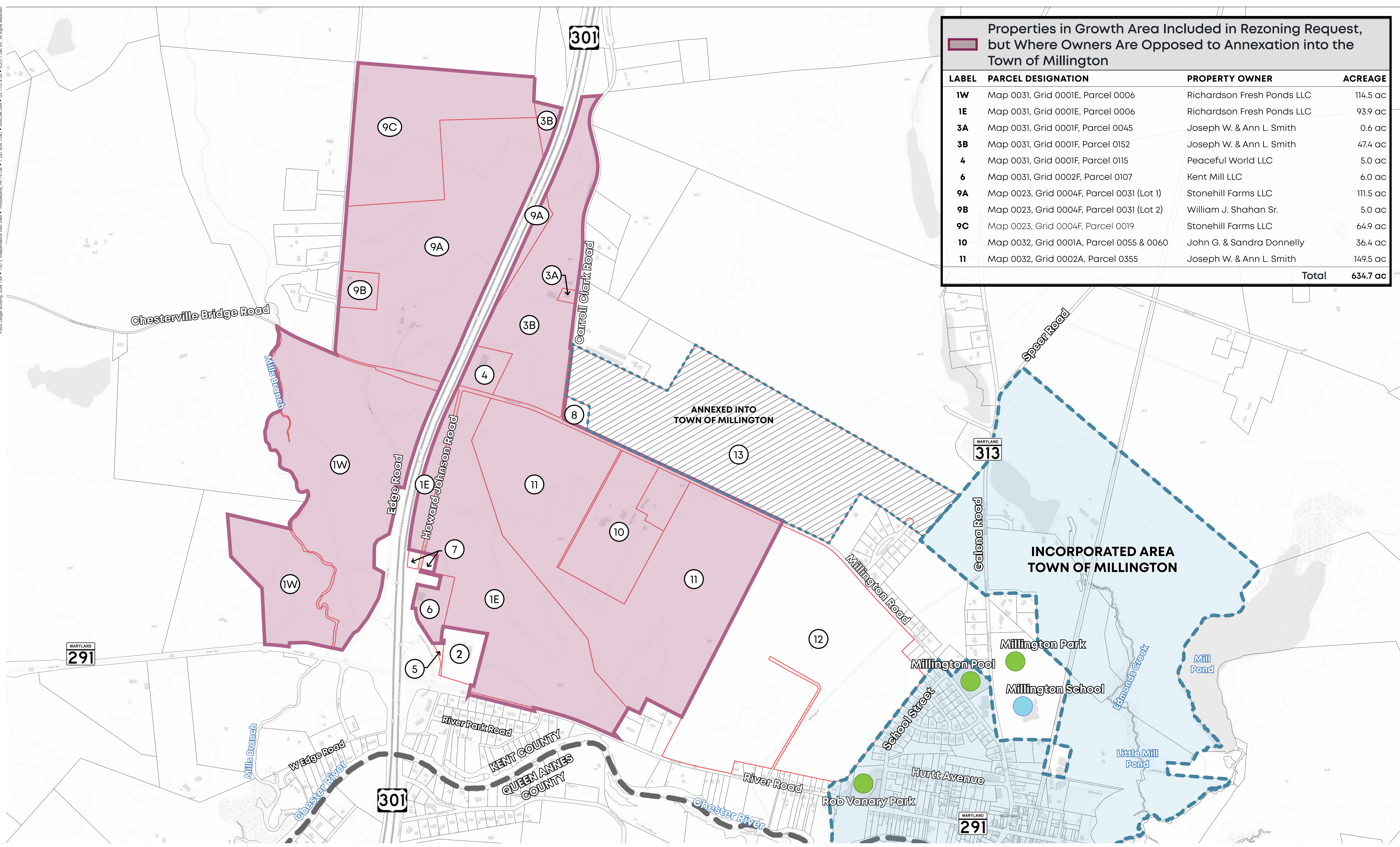


D-2: PROPERTIES IN GROWTH AREA INCLUDED IN REZONING REQUEST
 Project Location: Millington, Kent County, Maryland
 July 19, 2017 | Last Revised February 17, 2022



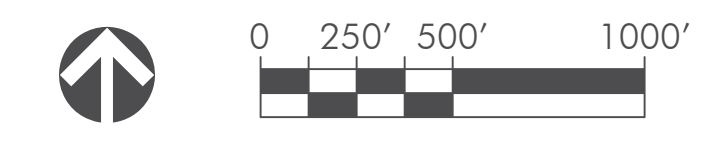
Richardson Properties Corporation

Properties in Growth Area Included in Rezoning Request, but Where Owners Are Opposed to Annexation into the Town of Millington			
LABEL	PARCEL DESIGNATION	PROPERTY OWNER	ACREAGE
1W	Map 0031, Grid 0001E, Parcel 0006	Richardson Fresh Ponds LLC	114.5 ac
1E	Map 0031, Grid 0001E, Parcel 0006	Richardson Fresh Ponds LLC	93.9 ac
3A	Map 0031, Grid 0001F, Parcel 0045	Joseph W. & Ann L. Smith	0.6 ac
3B	Map 0031, Grid 0001F, Parcel 0152	Joseph W. & Ann L. Smith	47.4 ac
4	Map 0031, Grid 0001F, Parcel 0115	Peaceful World LLC	5.0 ac
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9C	Map 0023, Grid 0004F, Parcel 0019	Stonehill Farms LLC	64.9 ac
10	Map 0032, Grid 0001A, Parcel 0055 & 0060	John G. & Sandra Donnelly	36.4 ac
11	Map 0032, Grid 0002A, Parcel 0355	Joseph W. & Ann L. Smith	149.5 ac
Total			634.7 ac

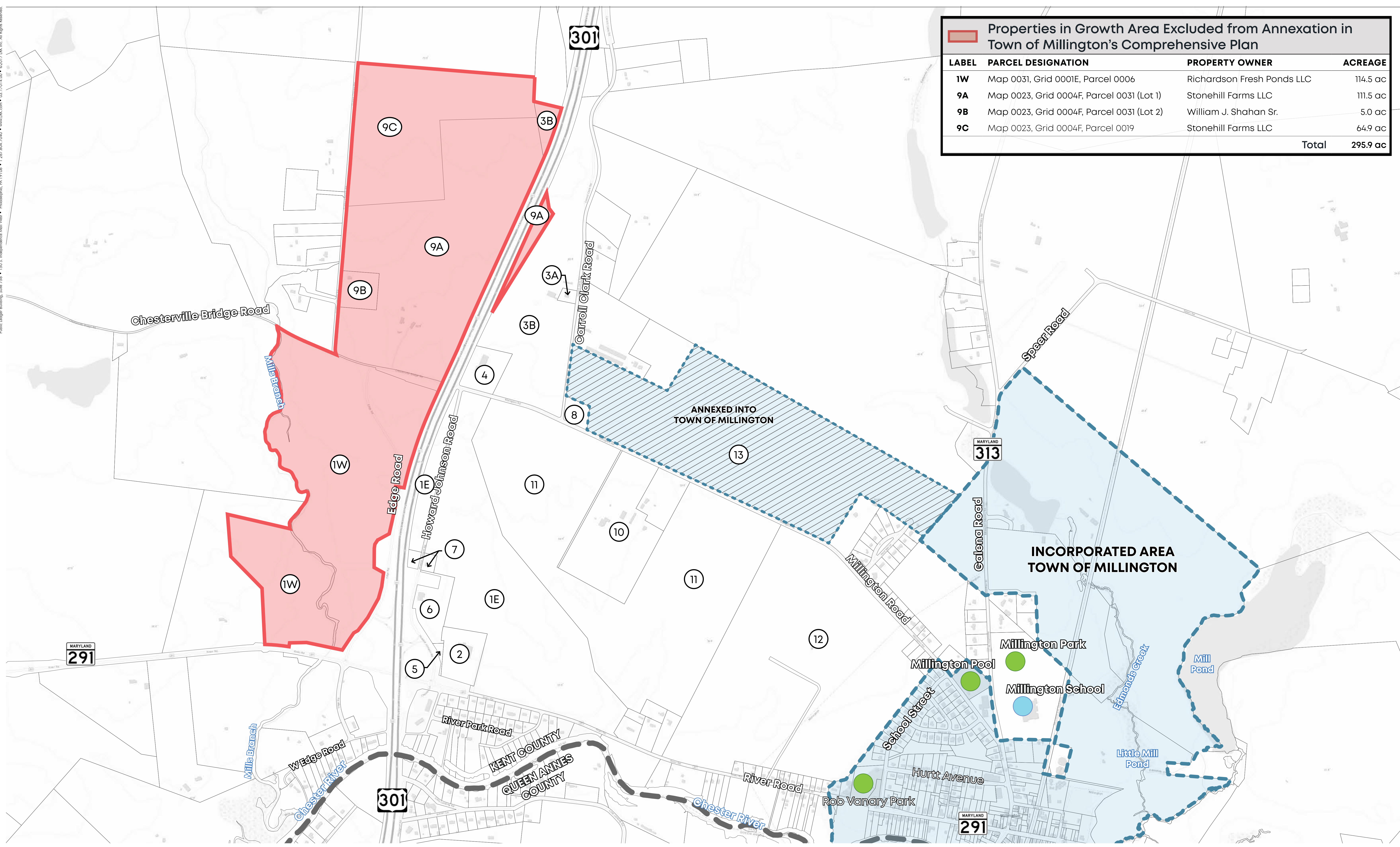


AX-1: PROPERTIES IN GROWTH AREA INCLUDED IN REZONING REQUEST, BUT WHERE OWNERS ARE OPPOSED TO ANNEXATION INTO THE TOWN OF MILLINGTON

Project Location: Millington, Kent County, Maryland
November 29, 2021 | Last Revised February 17, 2022

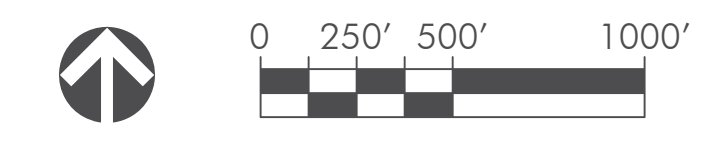


Properties in Growth Area Excluded from Annexation in Town of Millington's Comprehensive Plan			
LABEL	PARCEL DESIGNATION	PROPERTY OWNER	ACREAGE
1W	Map 0031, Grid 0001E, Parcel 0006	Richardson Fresh Ponds LLC	114.5 ac
9A	Map 0023, Grid 0004F, Parcel 0031 (Lot 1)	Stonehill Farms LLC	111.5 ac
9B	Map 0023, Grid 0004F, Parcel 0031 (Lot 2)	William J. Shahan Sr.	5.0 ac
9C	Map 0023, Grid 0004F, Parcel 0019	Stonehill Farms LLC	64.9 ac
Total			295.9 ac



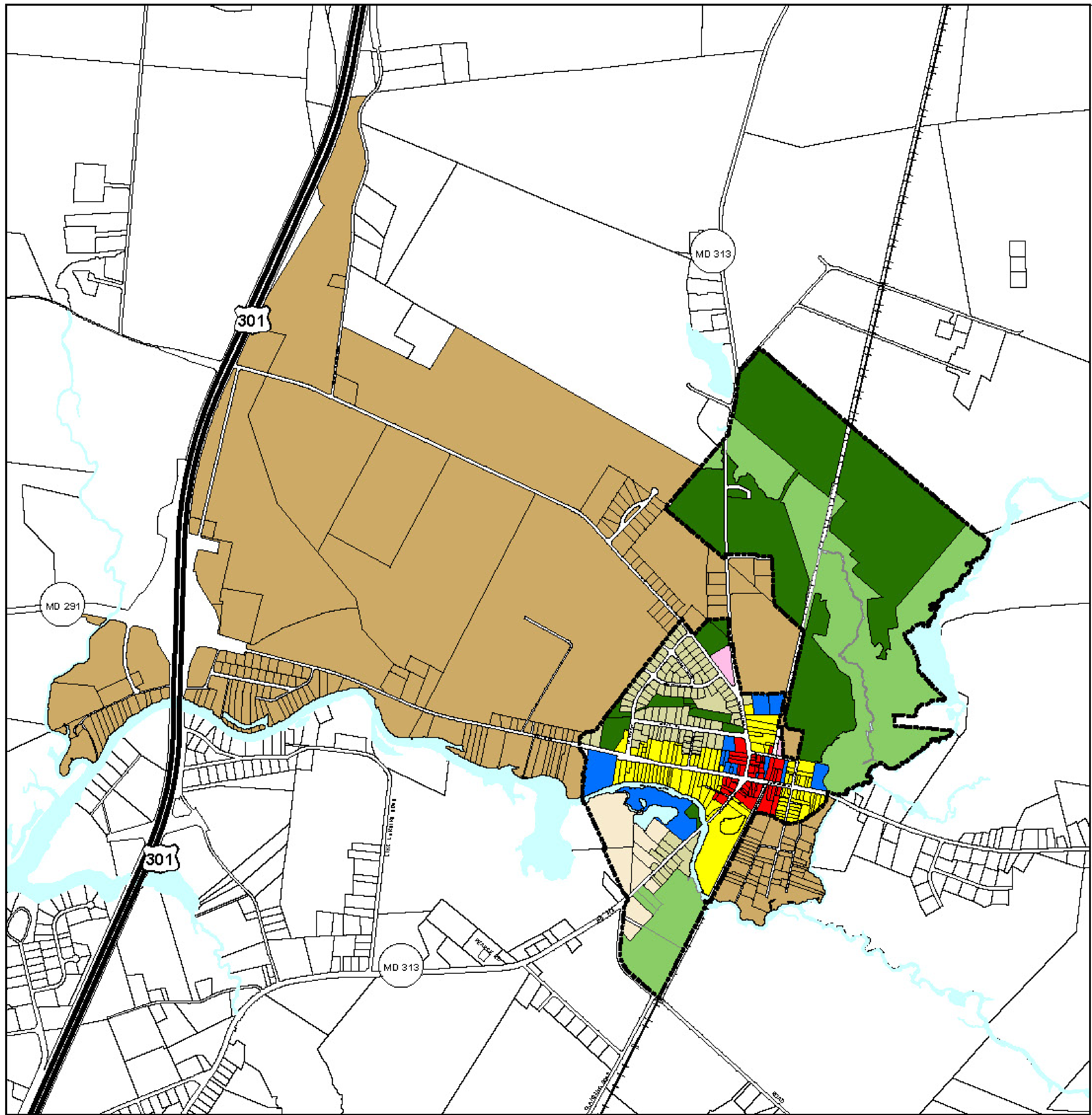
AX-2: PROPERTIES IN GROWTH AREA EXCLUDED FROM ANNEXATION IN TOWN OF MILLINGTON'S COMPREHENSIVE PLAN

Project Location: Millington, Kent County, Maryland
November 29, 2021 | Last Revised February 17, 2022



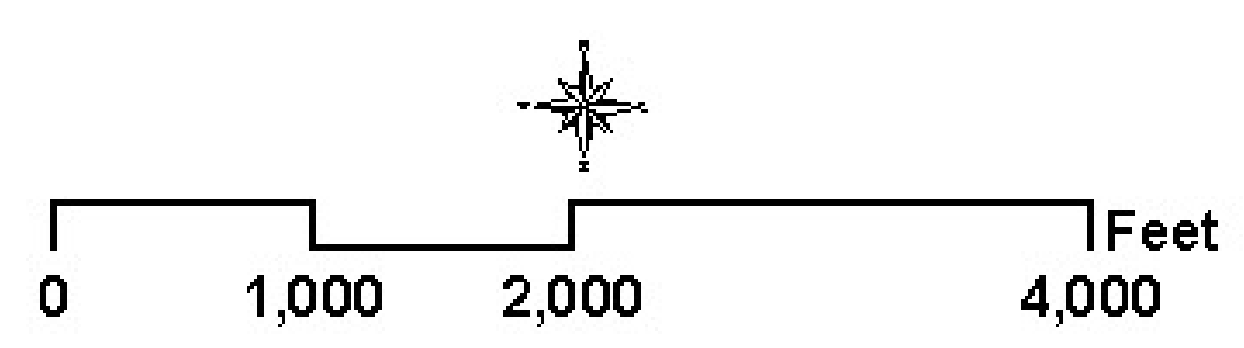
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MAP 3-2
COMPREHENSIVE PLAN
Millington, Maryland

- Land Use Plan**
- Town Center
 - Old Town Residential
 - Suburban
 - Employment
 - Park & Open Space
 - Conservation
 - Annexation Area
 - Rivers and Streams

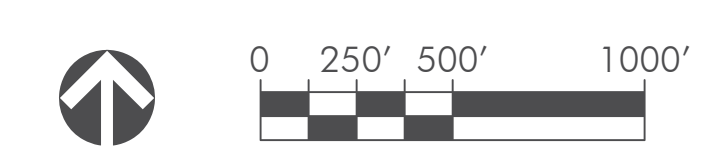


PJA Peter Johnston & Associates, LLC
 Easton, Maryland

Version 6-20-18

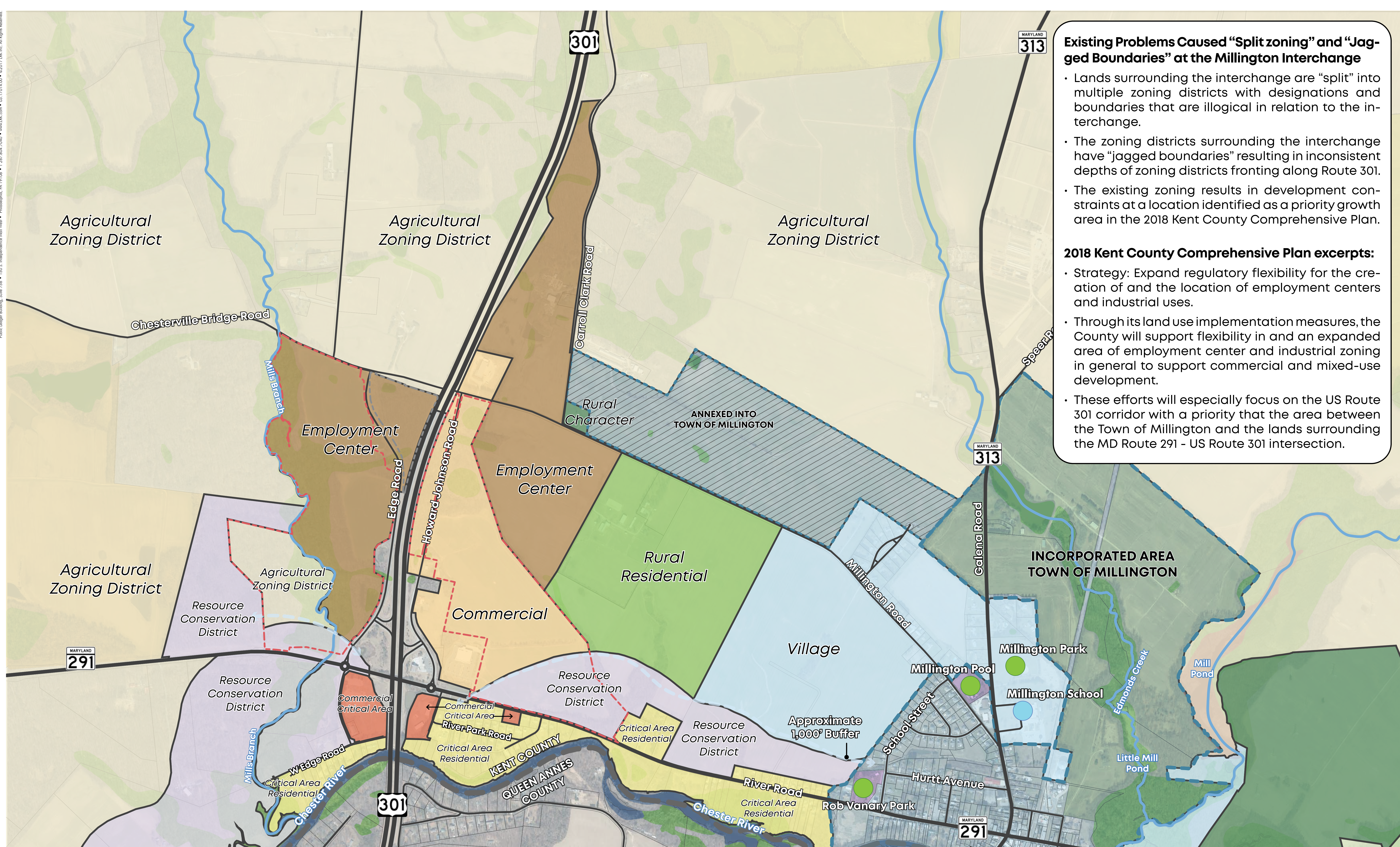


AX-3: MAP 3-2 FROM TOWN OF MILLINGTON'S COMPREHENSIVE PLAN
SHOWING ANNEXATION AREA (DATED 6-20-2018)
 Project Location: Millington, Kent County, Maryland
 February 17, 2022



Richardson
Properties
Corporation

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Existing Problems Caused “Split zoning” and “Jagged Boundaries” at the Millington Interchange

- Lands surrounding the interchange are “split” into multiple zoning districts with designations and boundaries that are illogical in relation to the interchange.
- The zoning districts surrounding the interchange have “jagged boundaries” resulting in inconsistent depths of zoning districts fronting along Route 301.
- The existing zoning results in development constraints at a location identified as a priority growth area in the 2018 Kent County Comprehensive Plan.

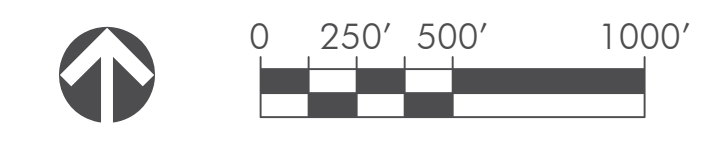
2018 Kent County Comprehensive Plan excerpts:

- Strategy: Expand regulatory flexibility for the creation of and the location of employment centers and industrial uses.
- Through its land use implementation measures, the County will support flexibility in and an expanded area of employment center and industrial zoning in general to support commercial and mixed-use development.
- These efforts will especially focus on the US Route 301 corridor with a priority that the area between the Town of Millington and the lands surrounding the MD Route 291 - US Route 301 intersection.



E-1: KENT COUNTY EXISTING ZONING

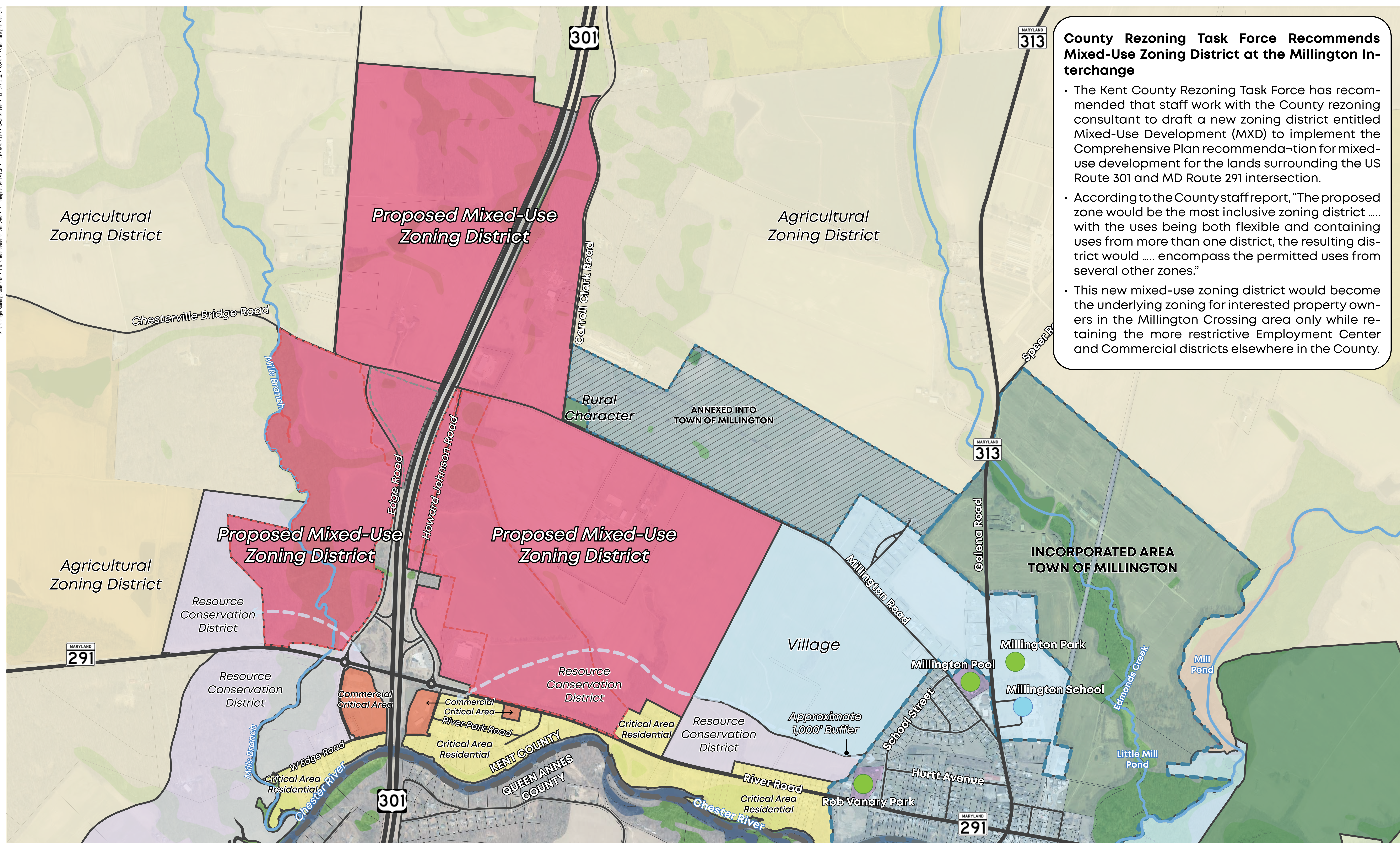
Project Location: Millington, Kent County, Maryland
 May 5, 2017 | Last Revised February 17, 2022



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County Rezoning Task Force Recommends Mixed-Use Zoning District at the Millington Interchange

- The Kent County Rezoning Task Force has recommended that staff work with the County rezoning consultant to draft a new zoning district entitled Mixed-Use Development (MXD) to implement the Comprehensive Plan recommendation for mixed-use development for the lands surrounding the US Route 301 and MD Route 291 intersection.
- According to the County staff report, "The proposed zone would be the most inclusive zoning district with the uses being both flexible and containing uses from more than one district, the resulting district would encompass the permitted uses from several other zones."
- This new mixed-use zoning district would become the underlying zoning for interested property owners in the Millington Crossing area only while retaining the more restrictive Employment Center and Commercial districts elsewhere in the County.



E-2: PROPOSED MIXED-USE ZONING DISTRICT

Project Location: Millington, Kent County, Maryland
 May 5, 2017 | Last Revised February 17, 2022

