

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION
MEETING
ROOM 14 * GOVERNMENTAL CENTER * LEONARDTOWN, MARYLAND
Monday, January 23, 2006**

Members present were Steve Reeves, Vice Chair; Lawrence Chase; Merl Evans; Brandon Hayden; Susan McNeill; and Howard Thompson. Joseph St. Clair was excused. Department of Land Use and Growth Management (LUGM) staff present was Denis Canavan, Director; Jeff Jackman, Senior Planner IV; Phil Shire, Planner IV; Bob Bowles, Planner II; and Keona Courtney, Recording Secretary. County Attorney, John B. Norris III, was also present.

The Vice Chair called the meeting to order at 6:30 p.m.

PUBLIC HEARING DECISION FROM JANUARY 9, 2006

PSUB #04-12000033 – RIVENDELL FARM

The request is for award of Growth Allocation to the Board of County Commissioners to change the Critical Area Overlay from Resource Conservation Area (RCA) to the Limited Development Area (LDA) for 47.9824 acres.

Owner: Thomas Harrison Reeves
Agent: Herb Redmond, DH Steffens Co.

The Vice Chair explained that this will be carried forward to a future meeting when the Chairman is present, due to his own possible conflict of interest.

DEVELOPMENT REVIEW

CCSP #05-132-035 – SHADY KNOLLS, SECTION 1

The applicant is requesting review and approval of a concept site plan for 60 condominiums. The property contains 8.79 acres; is zoned Residential High-Density District (RH); and is located on the north side of Pegg Road across from Forest Park Drive; Tax Map 43, Grid 21, Parcel 507.

Owner: Essex South General Partnership, LLP
Agent: Jerry Nogleby, Nogleby Surveying Inc.

Mr. Shire explained that density is not an issue with the property the property can support 87 condominiums, but the applicant is only requesting 60 condominiums. Mr. Shire stated that there are some zoning issues with the

adjacent parcel, which will later be developed as Section 2, and that staff is working with the applicant to reconcile the issues.

Ms. McNeill asked Mr. Shire if staff has the responsibility for making the findings for adequate public facilities (APF), or if it is the Planning Commission's responsibility. Mr. Shire explained that the Planning Commission is allowed one opportunity to review the request in the conceptual stage and make their findings for APF, according to the St. Mary's County Comprehensive Zoning Ordinance. He explained that after the Planning Commission makes their findings, the request is reviewed by technical agencies for their approval before the final findings for APF are made administratively by staff. Ms. McNeill expressed concern about the fact that the school capacity analysis is still ongoing, and the Planning Commission does not have anything to review to make findings for APF. Mr. Shire explained that the concept site plan has a table which illustrates school capacity at the elementary, middle, and high school levels. He explained that if the school capacity lowers, then the findings can not be made for the project. He stated that neither staff nor the Planning Commission will assign school seats. Ms. McNeill asked if the Planning Commission will have the opportunity to review the request again. Mr. Shire explained that the request will not need to come back to the Planning Commission unless they request it. Mr. Reeves expressed concern about the number of parking spaces that will be available for the 60 condominiums. Mr. Shire said there will be underground parking available.

Mr. Nokleby explained that there are two phases to the development. He explained that a text amendment will be required in order to proceed with development of Section 2 because of zoning issues. Mr. Nokleby said that there are four buildings within Section 1, and that the property is bisected by an area of non tidal wetlands. He explained that the non tidal wetlands and the surrounding 25 foot buffer have been preserved. Mr. Nokleby stated that the maximum density has not been reached for either Section 1 or Section 2, and that they have tried to limit access points to the property. He said that there will be 12 units per building, with 12 parking spaces in an underground garage of each building. There will only be one parking space for each unit in each building. An elevator will be located in the underground garage for access to the second, third, and fourth floors of the buildings. Mr. Nokleby explained that the site will be served by public water and sewer, which is located directly across the street.

Mr. Thompson moved that having accepted the staff report, dated January 17, 2005, and having made a finding that the objectives of Section 60.5.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, and noting that the referenced project has met all requirements for concept approval as a prerequisite for final site plan approval, the Planning Commission approve the concept site plan. The motion was seconded by Mr. Chase and passed by a 6-0 vote.

PSUB #04-120-027 – CECIL MILLS TOWNHOMES

The applicant is requesting preliminary review and approval of a 117 townhouse lots. The property contains 24.61 acres; is zoned Residential Low-Density District (RL), Corridor Mixed Use District (CMX); and is located at Great Mills Road and Pleasant Mill Drive; Tax Map 51, Grid 13, Parcel 36.

Owner: Beck & Beck, LLC

Mr. Bowles explained that the Planning Commission approved the concept plan for the request in October 2004, in order to move forward with a Comprehensive Water and Sewerage Plan (CWSP) amendment. Public hearings were held by the Planning Commission and the Board of County Commissioners (BOCC) for the CWSP amendment, and Maryland Department of the Environment (MDE) approved the CWSP amendment in September 2005. The Planning Commission then granted concept site plan approval in August 2005. Mr. Bowles explained that the proposed townhouses are compatible with the zoning and density of the Lexington Park Development District (LPDD).

Mr. Chase moved that having accepted the staff report, dated January 13, 2006, and having made findings pursuant to Section 30.5.5 of the St. Mary's County Subdivision Ordinance (Criteria for Approval of a Preliminary Plan), including adequate facilities as described in the Director's Report, the Planning Commission approve the preliminary subdivision plan. The motion was seconded by Mr. Thompson and passed by a 6-0 vote.

DISCUSSION

INITIATE COMPREHENSIVE AMENDMENTS TO THE LEXINGTON PARK DEVELOPMENT DISTRICT PLAN PER THE DIRECTIVES OF THE BOARD OF COUNTY COMMISSIONERS

Mr. Jackman provided the Planning Commission with a memorandum and supporting documents regarding the Comprehensive Plan Amendments and LPDD Boundary. He explained that the BOCC requested that the Planning Commission initiate amendments to the LPDD Master Plan to change the boundary of the LPDD to include the Wildewood school site and exclude Myrtle Point Park. Mr. Jackman explained that the BOCC also wants to correct discrepancies between the St. Mary's County Comprehensive Plan, St. Mary's County Zoning Ordinance, and the Comprehensive Water and Sewerage Plan that apply to four properties along the western boundary of the LPDD. He explained that the Planning Commission's motion will initiate the process of scheduling a public hearing to take place in 60 days so that the proposal can begin to circulate to State and local agencies and adjoining jurisdictions. Mr.

Jackman stated that the request will be reviewed in greater detail prior to the public hearing.

Mr. Evans moved that in response to direction by the St. Mary's County Board of County Commissioners, and in recognition of the need for reconciling differences between Comprehensive Water and Sewerage Plan (CWSP), the Zoning Ordinance and the St. Mary's County Comprehensive Plan (Quality of Life in St. Mary's County – A Strategy for the 21st Century), as amended November 1, 2005 to incorporate the Lexington Park Development District Master Plan, and to comply with the requirements of Section 3.07 of Article 66B of the Maryland Annotated Code, the Planning Commission hold a public hearing on or after March 27, 2006, during a regular meeting , for the purpose of amending the Comprehensive Plan as follows:

- A) to amend Figures 2-1 through 2-5 of the Lexington Park Development District Master Plan to change the boundary of the Lexington Park Development District to include therein the 55-acre Wildewood school site (described in Deed EWA/2688/246) and to exclude from the Development District the 192.5 acres that are Myrtle Point Park (described as Parcel 18 of Tax Map 26); and**
- B) to amend Figures 2-1 through 2-5 of the Lexington Park Development District Master Plan to change the boundary of the Lexington Park Development District to include therein the following:**
 - 1. Tax Map 42, Parcel 119**
 - 2. Tax Map 42, p/o Parcel 24, Parcels A and B**
 - 3. Tax Map 34, Parcel 689**
 - 4. Tax Map 34, Parcels 116 and 136**

Mr. Evans moved further that staff be directed to provide copies of the Plan amendments to all adjoining planning jurisdictions and to all State and local jurisdictions that have responsibility for financing or constructing public improvements necessary to implement the plan. The motion was seconded by Ms. McNeill and passed by a 6-0 vote.

ADJOURNMENT

The meeting was adjourned at 7:03 p.m.

Keona L. Courtney
Recording Secretary

Approved in open session:
February 13, 2006

Steve Reeves
Vice Chair