

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
ROOM 14 * GOVERNMENTAL CENTER * LEONARDTOWN, MARYLAND
Monday, March 26, 2007**

Members present were Steven Reeves, Chair; Howard Thompson; Merl Evans; Shelby Guazzo; Brandon Hayden; and Susan McNeill. Department of Land Use and Growth Management (LUGM) staff present were Denis Canavan, Director; Phil Shire, Deputy Director; Sabrina Hecht, Planner IV; Jeff Jackman, Senior Planner; Bob Bowles, Planner II; Dave Berry, Planner I; Amanda Sivak, Recording Secretary. Deputy County Attorney, Colin Keohan and John Groeger, Deputy Director Department of Public Works and Transportation were also present.

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

APPROVAL OF THE MINUTES – The minutes of March 12, 2007 were tabled until the next meeting.

PUBLIC HEARING DECISION FROM MARCH 12, 2007

Mr. Jackman explained the public hearing was left open for 10 days and comments were received from the community. The motion is footnote 7 in Schedule 32.1 in the Zoning Ordinance would limit building height to 40 feet in the RPD, RSC, RCL, RL, RNC, RMX zones, they would have the opportunity to increase to a maximum of 50 feet when the side and rear yards are increased 1 foot for each foot of height in excess of the height restrictions for the zone. Existing buildings constructed as of the (effective date of this amendment) are not considered a non-conforming building height. Buildings greater than 45 feet would be required to install an approved sprinkler system. Communications towers are exempt from these restrictions. A spelling error in footnote 10 would be corrected to read public.

Ms. Guazzo explained she supports the 40 foot height limit in these zones. Mr. Hayden questioned if the proposal was to delete footnote 7. Ms. Guazzo explained it was to replace the phrase 50 feet with 40 feet. Mr. Canavan explained if they were going to hold to 40 feet then they will not need the first part of the sentence. If the Planning Commission wishes to strike that sentence the rest of the footnote is still relevant.

Mr. Evans questioned how this will affect 3-story buildings with a pitched roof. Mr. Canavan explained they will still be able to have pitched roofs. Ms. McNeill explained she felt there was no support for anything over 40 feet. Staff and the community had not brought forth support for the excess of a 40 foot height limit. Mr. Thompson stated there was one comment for the excess of 40 feet.

Ms. Guazzo moved that the Board approve the amendment with a correction to footnote 7. The new wording of footnote 7 should read: "Existing buildings constructed as of the (effective date of the amendment) are not considered a non-conforming building height". The motion was seconded by Mr. Thompson and passed by a 7-0 vote.

Mr. Canavan asked if the Commission would authorize Mr. Reeves to sign a resolution with the amendment included. **Mr. Thompson moved that Mr. Reeves sign the resolution. The motion was seconded by Ms. Guazzo and passed by a 7-0 vote.**

PUBLIC HEARING

CWSP # 06-132-039, Park Place

The Applicant is requesting to amend service area maps III-34 and IV-34 to change the service area category from W-6 and S-6 (service in 6 to 10 years) to W-3D and S-3D (service in 3 to 5 years, developer financed) for 40.96 acres described as Tax Map 34, Grid 17, Parcel 104 and 122 in the 8th Election District in anticipation of providing community

water and sewer service to development in RNC and RMX zoning districts, including 30 single family detached dwelling units and 360,045 sq. ft. of mixed office, retail and residential use.

Applicant: Next Summers, LLC
Present: Pat Mudd, P.E.; Paul F. Summers, P.F. Summers Co.; Mark Ranoldi, Director of Planning and Development, P.F. Summers

Legal advertisements for tonight's public hearings were published in the *St. Mary's Today* 3/11/07 3/18/07 and *The Enterprise* on 03/7/2007 and 03/14/2007.

Mr. Jackman explained the property is near the intersection MD 235 and MD 4. The staff report has seven points in the Environment Article of the Annotated Code of Maryland for changes to the Comprehensive Water and Sewer Plan (CWSP). The state was notified that the amendment to the CWSP is pending. The seven categories are compatible with the St. Mary's County Comprehensive Plan and it does support the growth in the development areas as well as supplying them with utilities. The second is the Planning and Zoning issues. The concept was presented as a various mix of office, retail, and residential use with water and sewer hookups. The next is the population estimates. The project is to be the equivalent of 305 residential uses. This is not just residential use, but the equivalent for the entire development. The Marlay Taylor sewage plant can accommodate these EDUs. The engineering will be in accordance to the standard specifications for water and sewerage construction. The applicant will bear all installation costs. The statutes also ensure this will be in accordance with all state, regional, and municipal plans. The comments from the other agencies are the last issue. The concept plan has gone through the Technical Evaluation Committee. The principal TEC comments are from the Health Department and METCOM. These agencies support the provision of community sewer and water service to the properties.

Mr. Reeves questioned if other adjoining properties in the CWSP are all zoned the same. Ms. Guazzo explained they are all RNC. The property would be moved from W-3 to W-3D and S-3 to S-3D. The other properties would still be RNC. Ms. McNeill questioned what the different uses would be for the property. Mr. Ranoldi explained the uses are tabularized on the site plan. Mr. Ranoldi explained they agree with the staff's report. The uses and the intensities shown are consistent with the zoning and Comprehensive Plan. They recognize the need for a change to the water and sewer category. Ms. Guazzo explained this project is affected by the recommendation from the Commission to the BOCC. The building in the center of the plan is 5 stories; however, the new text amendment to be brought before the BOCC for the height limits would prohibit the building to be 5 stories, Ms. Guazzo suggested perhaps to keep the 5 story building for better buffering on route 235 and Shady Mile Road sides of the property. Ms. Guazzo questioned if Mr. Summers will develop the property including out parcel 'A' or if he plans to sell the pads. Mr. Summers explained they are planning to develop the property and there are out parcels labeled along the front of the development. Ms. Guazzo questioned why they were labeled out parcels. Mr. Summers explained they are planning to subdivide them later. Ms. Guazzo questioned if they would consider a roundabout in the major in and out of the development. Ms. McNeill questioned if there were any definite uses for the commercial space. Mr. Summers explained they didn't have any definite tenants or users for the property. There will not be any fast food restaurants. Ms. McNeill explained she feels that she and Ms. Guazzo are trying to get a feel for what is going to happen before things get to far along and problems arise.

The Chair opened the floor to public testimony.

Mr. Bill Piken asked if there will be large amounts of clear cutting.

Ms. Tammie Sebacker questioned if the project has to go back to the Planning Commission for other phases of the development. Mr. Reeves explained they would have to come back since this is only for the CWSP. Ms. Guazzo explained this would be the only time

the public would have any legal input to the project unless the Chairman wishes to hear from the public about the project and their concerns. Ms. Sebacher was also concerned about clear cutting and the asphalt that would be laid down. She wanted to make sure there was a runoff plan so there would be no standing water. Ms. Sebacher brought a letter to read to the Commission as follows.

In response to the proposed water and sewer category change for Park Place, and the community members that live on and around Shady Mile Drive feel it would be beneficial to METCOM, the Planning Commission and the Community to scale the project to meet the future capacity needs of the existing neighborhoods that surround the proposed development. We believe this will reduce costs later due to increased materials and labor costs to METCOM and the residents in this area, as we will eventually be forced to hook-up to public water and/or sewer in the future. Not only will this benefit in a cost savings, but will cause less inconvenience later when METCOM possibly discovers the infrastructure was not built to support existing neighborhoods. Keep in mind, if this is not done right for all, not just "Park Place," there will also be more environmental impacts. Please, we are just requesting that METCOM and the Planning Commission plan ahead for future accessibility. Install the proper piping and infrastructure now, so that 10 years from now we aren't reworking what is being installed for this development.

Mr. Pat Weaver explained he has no objection to the proposed amendment but asked the County and METCOM to consider the associated communities in this plan for the infrastructure for possible future connections to those communities. Currently the communities are on well and septic that are a minimum of 25 years old. Ms. Guazzo questioned if Mr. Weaver wants the piping that is to be installed in this project, be large enough for the connection of the Town Creek community. Mr. Weaver explained he does, but understands there is timing involved in this problem. Ms. Guazzo explained METCOM sometimes pays the extra cost to have the larger pipes installed for future use. Ms. McNeill explained she thinks METCOM and the County are due for another Water and Sewer Plan soon. Mr. Jackman explained the CWSP is currently under review and the Marlay Taylor Waste Water Treatment Plant is having a comprehensive review of its capacity.

Mr. Dan Arner explained Woodlawn Drive is a street that is a poorly maintained and is almost guaranteed to see more traffic due to this project. Residents on the street have suggested that they cut the street in half and not have it a true street any longer. The additional traffic that will be generated will take it far above its capacity. Mr. Arner agrees with the water and sewer comments and would like Woodlawn Drive included. The residents would like the construction vehicles not to use this road for any kind of use. The road is used currently when traffic is bad on Route 235, as a thoroughfare. Mr. Arner has spoke to DPWT about the installation of speed bumps, which is not allowed for various reasons, or speed humps like the ones by McKay's on Great Mills Road but understands that was a special project.

Ms. Elaine Dodson explained Woodlawn Drive looks quite straight on the map but the road is quite hilly. It is a dangerous place for a lot of traffic because of the blind spots on the road.

Mr. Ranoldli explained the company would be happy to work with METCOM to coordinate the project ensuring whatever utilities can be oversized should it be placed on the Capital Projects Plan.

The Chair closed the Public Hearing.

Mr. Evans moved that having accepted the staff report, dated March 6, 2007, and having held a public hearing on the request of an amendment to the St. Mary's County Comprehensive Water and Sewer Plan (CWSP), and having made findings of adequacy with respect to the objectives and policies of the CWSP as required by the Environment Article of the Maryland Annotated Code and of consistency with the St. Mary's County Comprehensive Plan, the Planning Commission will recommend to the Board of County Commissioners to amend service area maps III-34 and IV-34 to change the service area category from W-6 and S-6 (service in 6 to 10 years) to W-3D and S-3D (service in 3 to 5 years, developer financed) for 40.96 acres described as tax Map 34, Grid 17, Parcels 104 and 122 in the 8th Election District in anticipation of providing community water and sewer service to development in RNC and RMX zoning districts, including mixed office, retail and residential use, and authorize the Chairman to sign a resolution to transmit the recommendation to the Board of County Commissioners. The motion was seconded by Mr. Chase and passed by a 6-0 vote with Mr. Thompson not voting because of a conflict of interest.

FAMILY CONVEYANCE

Minor Subdivision #06-110-049, Burroughs Family Minor Subdivision

The Applicant is requesting a preliminary review of an additional lot on a private road in accordance with the St. Mary's County Subdivision Ordinance 02, Section 30.11.4, and Family Conveyance provision. The property contains 8.87 acres; is zoned Rural Preservation District (RPD); and is located at Tax Map 9, Grid 9, Parcel 154.

Applicant: James Harold Burroughs, Jr.
Present: Barrett Vukmer, Land Surveyor, Chesapeake Trails Surveying, LLC.

Mr. Berry explained this is a minor subdivision plan that was reviewed in the 2006 TEC review cycle. It was determined the approval of the lot would bring the total number of lots on Harvest Lane to 8 lots and 4 farmsteads. Mr. Burroughs has owned the lot since the effective date of the Subdivision Ordinance. The lot is to be conveyed to a son. Harvest Lane has been found to be in excellent condition. Mr. Burroughs has agreed to fulfill the conditions laid out by the Ordinance. Ms. Guazzo explained the applicant has cut the property in half and one of them will be going to a son. Ms. Guazzo questioned what is happening with the other lot that has been created. Mr. Berry explained the other lot has no restrictions placed on it to whom it goes to as the ordinance stands today. Mr. Thompson questioned if there were going to be any problems with the slopes on the property since there are a lot of wetlands surrounding it.

Ms. Guazzo explained the Family Conveyance was intended to be used to take a piece of property and give one lot to a close family member. This property however is creating two lots one that is going to a family member and one that can be disposed of however the owner wishes with no restriction. Mr. Vakmer explained Mr. Burroughs will be giving both lots to family members.

The Chair opened the case to Public Testimony.

Ms. Lena Gardiner explained the road has always been maintained by Harvest Lane's property owners. Ms. Gardiner does not see this changing if the two sons are given these pieces of property. Ms. Joanne Burroughs agrees that the lot owners have maintained the road. Ms. McNeill questioned if there is a road maintenance agreement and how many. Mr. Berry explained there is a single road maintenance agreement from the existing property owners and the new lot will be added to the agreement.

The Chair closed the case to Public Testimony.

Mr. Thompson moved that having accepted the staff report, dated March 19, 2007, and having made findings pursuant to Section 30.11.4 of the Subdivision Ordinance (*Criteria for Approval of a Family Conveyance*), the Planning Commission grant approval of the Family Conveyance subdivision plan with the condition that agreements ensuring access to, and use and maintenance of, the road shall be recorded prior to recordation of the plat. The motion was seconded by Mr. Hayden and passed by a 7-0 vote.

DEVELOPMENT REVIEW

Standard Subdivision Plan #04-120-052, Woods At Myrtle Point Sections 2 & 3

The Applicant is requesting a preliminary review and approval of a STANDARD SUBDIVISION PLAN for 135 town homes. The property contains 33.79 acres; is zoned Residential Low-Density District (RL) and Airport Environs Overlay (AE); and is located at the West Side of Patuxent Boulevard, approximately 1,600 feet north of its intersection with MD Route 4, Maryland; Tax Map 34, Grid 11, Parcel 585

Applicant: Myrtle Point Partnership, LLP (Paul Summers)
Present: Pat Mudd, P.F. Summers; Carl Wilson, Traffic Group.

Mr. Shire explained the outstanding issues with the property are the school mitigation at the middle school level, stormwater management, and traffic mitigation. The traffic mitigation requirements include acceleration on Maryland Route 4 west bound, re-striping at the intersection of MD-4 and MD 235 to allow for a triple left turn and a straight through, and the county staff has been pressing for, at the intersection of MD-4 and Patuxent Boulevard, a "Maryland T" at the intersection to make it easier to get in and out Patuxent Boulevard. The State Highway is willing to consider this proposal but would like a re-evaluation of a traffic signal warrant to determine if a light could still be considered and some revised calculations of the traffic study. The school mitigation is the same as the previous sections of the Woods at Myrtle Point. The developer is paying an up front cost of \$2,425 for this mitigation. When the building permits are issued there will be another \$3,375 collected for school mitigation.

Mr. Reeves questioned if the Planning Commission discussed a light further down the road. Mr. Shire explained there was some discussion on putting a light at Myrtle Point Road and MD 4, but hasn't gotten any definite indication from the traffic experts on which would be the better area. Ms. Guazzo explained when the development is completed there will be 3,620 car trips from the development and the intersection is failing. Ms. Guazzo questioned if SHA is going to make inquiries or going to ask the consultants about this issue. Mr. Shire explained before SHA considers a traffic signal on MD 4, they would like a revised study. Ms. Guazzo explained SHA completed one and the development company is willing to put in the light. Mr. Shire explained they are asking for a re-evaluation of the report. Mr. Thompson explained he was sure they asked for SHA to be at the meetings with these types of cases. Ms. McNeill explained her concern on this project was the traffic signals, lanes, and that they need to have a SHA representative there. Mr. Thompson explained he would like a traffic stop so people could get to Solomons.

Ms. Guazzo questioned Mr. Groeger to explain the letter from SHA to the Board. Mr. Groeger explained SHA is concerned about the queuing and the operation of the intersection overall and how to treat the traffic. They want to determine if they need a traffic signal and/or a channeling system of some type for the outbound traffic heading toward Solomons Island. SHA may want one or both of these measures in place. The traffic impact study that was received doesn't address these issues other than listing the level of service, capacity, and what the

expected congestion is going to be. Mr. Groeger explained if just a traffic signal is installed at the intersection, it will still be at a failing level of service, there will be less congestion at intersection without the traffic signal. If only the traffic signal is installed, the congestion with the one lane would have the queues backed up, though it would be safer for the side street to enter the highway. Mr. Groeger explained this is the reason why they suggested the channelized signal be used at that intersection. It would reduce the critical lane volume and address the congestion. Ms. McNeill questioned if there was anything that would improve the problem. Mr. Groeger explained without prohibiting left hand turns, which would create unsafe movements, there is nothing available. Mr. Thompson asked in Mr. Groeger's opinion which one to the 'T's would be better, the one that flashes yellow for everything or one that would stop traffic from Solomons. Mr. Groeger explained that SHA would be making the call, but either one of those would help ease the congestion. Ms. Guazzo asked Mr. Groeger how much on either side of MD 4 SHA owns. Mr. Groeger explained SHA owns at least 100 feet. Ms. Guazzo questioned if SHA could help out and put in an island for the entrance. Mr. Groeger explained it could be possible. Mr. Canavan suggested they reword the motion.

Mr. Wilson said he would explain the three issues the SHA letter brought up. The first issue is the left lane queue analyses. The left turn lane today is approximately 450 feet long. The queue lengths with all the developments that will happen at the Woods will allow 217 feet of cars. The traffic signal that is warranted is the channelized 'T' signal and this report will be sent to SHA. Ms. Guazzo questioned if the report takes into account all of the dwelling units that will be built. Mr. Wilson explained it is taking those into account. Mr. Canavan questioned Mr. Wilson if the signal is installed, does he expect more traffic utilizing the signal over and above what they calculated and would the queuing system still work. Mr. Wilson explained it could happen and the queuing on the left hand turn into the site. Mr. Summers explained they went back to their design and peeled off a lane structure to the west bound MD 4 lane and out of the left hand turn lane on to east bound MD 4 to receive the numbers for Mr. Wilson's new report.

Mr. Thompson moved that having accepted the staff report, dated March 13, 2007, and having made the following findings of adequate facilities pursuant to Section 40.10 of Zoning Ordinance #90-11 except for Stormwater Management as noted on the attached adequate facilities checklist; that the Applicant is entitled to provide school mitigation; and that the project must meet all TEC agency requirements and return to the Planning Commission for final approval, the Planning Commission granted approval of the preliminary subdivision plan of section 2&3 with the condition that school mitigation fees, approved by the Planning Director and paid within 90 days of Preliminary Approval, and determination by the State Highway Association who will determine which intersection model will be adequate for their approval and that will be prior to the final subdivision approval. The motion was seconded by Mr. Evan and passed by a 6-1 vote with Ms. McNeill objecting.

Concept Site Plan # 04-132-008, Faith Bible Church, Gymnasium

The Applicant is requesting a review of and Approval of a Concept Development Plan for an 8,625 square foot Gymnasium. The property contains 4.05 acres; is zoned Rural Preservation District (RPD); and is located at 23325 Three Notch Road, Oakville, Maryland; Tax Map 19, Grid 4, Parcel 402.

Applicant: Faith Bible Church
Present: John Norris, John Harris, and Thomas Martin

Mr. Bowles explained the Faith Bible Church is up for re-approval. They had received their concept approval in January of 2005; however, it had expired due to issues. The outstanding issues that the project would utilize is design enhancements and 2 TDRs as methods for achieving floor area ratios as required by this project, final finding of Adequate Public Facilities shall be made

administratively by the Planning Director as a prerequisite to final site plan approval. The project meets the criteria of the Section 60.8 of the Zoning Ordinance. The building is associated with a place of worship and considered a component of residential land use and community development. The staff hasn't identified any issues that would prevent a favorable determination that the facilities are or could be provided for the project. The building will be designed and constructed to meet current building codes and the activities provided by the church will promote the health, safety, and enhance a sense of community. The building is meeting the objectives of the Zoning Ordinance with this plan.

Mr. Norris explained the addition is a refinement from what the Planning Commission reviewed in 2004. The square footage has been increased to provide religious education instruction associated with the church and a gymnasium. The exterior of the addition is proposed to complement the existing building. Depending on funding, the proposed is a steel building with a brick veneer, despite of what is done they are going to try and complement what is already built.

Mr. Hayden moved that having accepted the staff report, dated March 13, 2007, and having made finding that the objectives of Section 60.5.3 of the Zoning Ordinance have been met, and noting that the reference project has met all requirements for concept approval, the Planning Commission granted approval of the concept site plan. The motion was seconded by Ms. McNeill and passed by a 7-0 vote.

Concept Site Plan # 06-132-010, Patuxent River Town Center

The Applicant is requesting a review and approval of a Concept Site Plan for 440 unit residential and 124,323 square foot commercial. The property contains 19.577 acres; is zoned Downtown Core Mixed Use District (DMX); and is located at 21245 Great Mills Road, Lexington Park, Maryland; Tax Map 51, Grid 7, Parcel 15.

Applicant: Land Dev Co LLC, (Tom DeVenney)
Present: Jerry Nokleby, Nokleby Surveying; André Rice, Thomas Homes; Thomas DeVenney, Thomas Homes; Robin Fenicom, Community Development Corporation

Mr. Bowles explained the case is for the concept site plan for commercial space and residential units. The finding of adequate public facilities will be made administratively by the Planning Director as a prerequisite for final approval. As outstanding issue is a traffic signal warrant analysis for determination of a signal at Peggs Road. The concept site plan was reviewed by the April 2006 TEC review cycle following the pre-application meeting held on January 25, 2006. The project is located in the Lexington Park Development District and is designed in accordance to the Zoning Ordinance of this area. The Applicant must submit an APF study with the major site plan. The project will provide housing, job opportunities, and retail sale in the Lexington Park/Great Mills area. The site design is consistent with the Downtown Mixed Use Zoning area. The objective of Sections 62 and 63 of the Zoning Ordinance can be met with appropriate landscaping and buffer along Maryland Route 237. Site and buildings are coordinated for functionality and uniformity.

Ms. McNeill questioned if the term town center had some special meaning in the Maryland Zoning Ordinance or can any one use it. Mr. Canavan explained it is a marketing tool. Ms. McNeill questioned if it will become a co-op in the future. Mr. Bowles explained the words are just marketing. Mr. Jackman explained St. Mary's County is more defined by zip codes rather than place names. Ms. Guazzo asked Mr. Bowles if the difference between the 19.577 acres in the staff report and the 23.42 on the plat has any bearing on the floor area ratio computations. Mr. Bowles explained he would have to check the numbers, but it would affect the floor area ratios. Ms. Guazzo asked about the phase three future developments. Mr. Nokleby explained the discrepancy between the two acreages is that the Applicant has recently purchased the phase three area and the calculations that

are shown take that area into account now. Ms. Guazzo explained then they should not have labeled it for future development and that there is a missing half-acre between the two numbers.

Ms. Guazzo expressed concerns about the entrance next to the Wawa station and if that was going to cause a problem. Mr. Bowles explained the road exists right now and the SHA wants to keep it like that. Mr. Thompson asked if the road was built just for the Wawa. Mr. Evans explained it was not just for the Wawa; it connects to Peggs Road. Mr. Thompson asked if the county or the state approved the road. Mr. Evans believes it is a private road. Mr. Nokleby explained it is a private road and will remain a private road. The county and state like this pattern because traffic will not have to go through the light to get to this project. They wanted as much internal connection as possible. Ms. Guazzo asked if the developers of this project had an interest in the Wawa property. Mr. Nokleby explained they developers are only looking out for their future customers.

Ms. Guazzo asked staff to review the FAR. Mr. Canavan explained part of that half-acre might be part of the road dedication. The staff will verify the over all acreage. Ms. McNeill questioned if building 'F' has plans for outdoor seating or a possible restaurant next to the intersection. Mr. Nokleby explained they would have the option of outdoor seating and that is the area with the most landscaping. Mr. Nokleby explained they have spent 19 months in the concept stage to get exactly what they wanted based on what the studies have shown and the recommendations from SHA. There will be 4 entrances to the project when it is completed. Mr. Evans explained this project looks a lot like the Bowie Town Center project with the diagonal parking and the layout. Mr. Nokleby explained it is reminiscent of that and it took nearly year for them to get approval from DPWT for the diagonal parking. Mr. Nokleby pointed out that one of the outstanding issues was the traffic mitigation and that SHA was currently studying if there is need for a light at the intersection of the Wawa and Great Mills Road. The developer is willing to comply with any mitigation the SHA deems appropriate. There is a non-tidal wetland study, soil studies, and forest stand delineations studies. Soil borings were taken at the request of DPWT and have designed an underground stormwater management for 2 locations to close off the stormwater pond that is standing currently.

Ms. McNeill questioned what level of income the residences would be catering to. Mr. Rice explained the prices are projected from between 225,000 to 275,000 dollars. They are having a study completed on the potential purchasers of the homes. Ms. Guazzo questioned if there were going to be sidewalks along the outline of the property. Mr. DeVenney explained there were going to be as part of the DMX Zoning Ordinances. Ms. Finnacom explained she is speaking in approval of this project. The project is the first of its kind in the county for an avenue type mixed use project. It is also maximizing all of the assets of the DMX zone, which was designed to attract this kind of property. The property involved is blighted corner of Chancellors Run Road and Great Mills Road and this development should help the great mills Road corridor. The private investment in this property speaks to the belief that revitalization in the Great Mills Corridor is not only possible but near term.

Mr. Thompson moved that having accepted the staff report, dated March 13, 2007, and having made the finding that the objectives of Section 60.5.3 of the Zoning Ordinance have been met, and noting that the referenced project has met all requirements for concept approval, the Planning Commission granted approval of the concept site plan. The motion was seconded by Ms. McNeill and passed by a 7-0 vote.

DISCUSSION AND RECOMMENDATIONS

Memo-APF Resolution (Recommendation to go to The BOCC)

The Resolution was **approved** by a 7-0 vote.

Text Amendment to Chapter 32 of the St. Mary's County Zoning Ordinance

The Resolution was **approved** by a 7-0 vote and the Commissioners had eliminated the first part of footnote 7. The new wording of footnote 7 will be: "Existing buildings constructed as of the (effective date of the amendment) are not considered a non-conforming building height"

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

Amanda Sivak
Recording Secretary

Approved in open session: April 9, 2007

Stephen T. Reeves
Chairman