

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
ROOM 14 * GOVERNMENTAL CENTER * LEONARDTOWN, MARYLAND
Monday, September 10, 2007**

Members present were Steven Reeves, Chairman; Shelby Guazzo, Brandon Hayden, Susan McNeil, Merl Evans, and Lawrence Chase. Members excused were Howard Thompson. Department of Land Use & 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; and Jada Stuckert, Recording Secretary. Deputy County Attorney, Colin Keohan was also present.

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

APPROVAL OF THE MINUTES

The minutes of 8/27/07 were tabled to the next meeting.

PUBLIC HEARINGS

OBP Zoning Text Amendment

Mr. Jackman gave an overview of the staff report stating the proposed zoning text amendments for the purposes of clarifying regulation of residential uses in the Office and Business Park (OBP) zoning districts. Ms. Guazzo asked if you could have a PUD-X in the OBP. Mr. Jackman stated Section 44.1.4 of the ordinance trumps all other provisions which means you could not have a PUD-X in the OBP. Ms. McNeil asked if any type of residential would be allowed in the OBP. Mr. Jackman stated, no. Ms. McNeil asked if hotels, motels, extended stays would be allowed in the OBP. Mr. Jackman stated these types of uses would be permitted in the OBP.

Mr. Reeves opened the hearing to public comment, having none; Mr. Reeves closed the hearing to public comment.

Ms. McNeil made a motion in the matter of proposed amendment to the St. Mary's County Comprehensive Zoning Ordinance intended to remove ambiguity about residential use in an Office and Business Park (OBP) zone, having accepted the staff report dated August 22, 2007, and a public hearing having been conducted on the subject, I move that the Planning Commission approve the amendment as presented and recommend to the Board of County Commissioners that Section 44.6 of the comprehensive Zoning Ordinance (Z-02-01) be replaced and readopted to read as follows:

Section 44.6. Types of Planned Unit Developments

Residential PUDs may be located in the RL, RH, RMX, VMX, TMX, DMX, and CMX districts subject to the provisions of this Article and development plan approval. Non-residential PUDs may be located in any district except RSC and RCL districts.

I move further that the Chair be authorized to sign a resolution on behalf of the Planning Commission to transmit this recommendation to the Board and Mr. Chase seconded. The motion passed by a 6-0 vote.

CWSP #07-200-001 – Golf Course Drive Property

Mr. Jackman gave an overview of the staff report which recommends amending the service area maps III-16 and IV-16 to change the service 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 1.15 acres described as Tax Map 16, Grid 3, Parcel 246 of the 4th Election District in anticipation of providing community water and sewerage service to a proposed single family dwelling within the Wicomico

Shores development. Mr. Reeves asked if the property fronts on Golf Course Drive. Mr. Jackman stated, yes.

Ms. Guazzo stated approving these types of amendments opens Pandora's Box. Ms. Guazzo stated this is a large parcel that could potentially be subdivided again in the future. Ms. Guazzo stated her concern is that the motions being made and approved have no number limit in them. Mr. Jackman explained the CWSP amendments catch up with the approved development plan.

Mr. Reeves opened the hearing to public comment, having none; Mr. Reeves closed the hearing to public comment.

Mr. Evans made a motion in the matter of Golf Course Drive Property, Case CWSP #07-200-001: having accepted the staff report dated August 22, 2007, and having held a public hearing on the request for amendment to the St. Mary's County Comprehensive Water and Sewerage 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, I move that the Planning Commission recommend to the Board of County Commissioners to amend service area maps III-16 and IV-16 to change service 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 property described as Tax Map 16, Grid 3, Parcel 246 in the 4th Election District; I further move that the Chair be authorized to sign a resolution on behalf of the Planning Commission to transmit this recommendation to the Board of County Commissioners and Mr. Hayden seconded. The motion passed by a 6-0 vote.

FAMILY CONVEYANCE

MSUB #07-110-022 – Evelyn Grace Subdivision, Lots 2 & 3

Mr. Bowles gave an overview of the staff report which recommends approval of two additional lots on a private road in accordance with the Subdivision Ordinance 02-02, Section 30.11.4, Family Conveyance provision. Ms. Guazzo asked if the one parcel left over was a density parcel. Don Oaker stated this is a density parcel to satisfy lots 2, 3, and 4. Mr. Reeves asked if lot 2 has access. Mr. Oaker stated lot 2 uses Walk This Way for access.

Mr. Evans made a motion in the matter of MSUB #07-110-022, Evelyn Grace Subdivision, Lots 2 & 3, having accepted the staff report and having made findings pursuant to Section 30.11.4 of the Subdivision Ordinance (Criteria for Approval of a Family Conveyance), I move that the Family conveyance subdivision plan be approved, with the condition that agreements ensuring access to, and use and maintenance of, the road shall be recorded prior to recordation of the plat and Mr. Hayden seconded. The motion passed by a 6-0 vote.

MSUB #07-110-032 – Evelyn Grace Subdivision, Lot 4

Mr. Bowles gave an overview of the staff report which recommends approval of an additional lot on a private road in accordance with the Subdivision Ordinance 02-02, Section 30.11.4, Family Conveyance provision. Mr. Oaker apologized for splitting these applications up but some of the family members were out of town and could not be reached. Mr. Oaker explained this is the reason for the two separate applications.

Mr. Hayden made a motion in the matter of MSUB #06-110-032, Evelyn Grace Subdivision, Lot 4, having accepted the staff report and having made findings pursuant to Section 30.11.4 of the Subdivision Ordinance (Criteria for Approval of a Family Conveyance), I move that the Family Conveyance subdivision plan be approved, with the

condition that agreements ensuring access to, and use and maintenance of, the road shall be recorded prior to recordation of the plat and Mr. Evans seconded. The motion passed by a 6-0 vote.

DEVELOPMENT REVIEW

PSUB #06-120-007 – New Pheonix Townhomes

Mr. Bowles gave an overview of the staff report which recommends approval of a preliminary plan for 6 lots in a major subdivision. Mr. Reeves asked if the townhomes already exist. Mr. Bowles stated the townhomes already exist and are now in the process of being renovated. Mr. Bowles explained the townhomes were rental properties at one time. Ms. McNeil asked if the townhomes would be workforce housing. Mr. Bowles stated, yes.

Mr. Chase made a motion in the matter of PSUB #06-120-007, New Phoenix Townhomes, containing 6-lots, having accepted the staff report and having made findings pursuant to Section 30.5.5 of the Subdivision Ordinance (Criteria or Approval of a Preliminary Plan), including adequate facilities as described in the Director's Report, I move that the preliminary subdivision plan be approved and Ms. McNeil seconded. The motion passed by a 6-0 vote.

DISCUSSION

Presentation by Board of Education, 2007 Education Facilities Master Plan on the Construction Planning Program Section

Bradley Clements gave a brief overview of the Educational Facilities Master Plan for 2007 and introduced Kim Howe. Ms. Howe gave an overview of the building and occupancy permits issued for dwelling units over the past five years, stating the 8th, 3rd, and 6th Election districts have had the most permits issued. Ms. Howe stated in 2006 there were 826 building permits issued, per the St. Mary's County Department of Land Use and Growth Management and of these permits, 563 or 68.1% were issued within the Lexington Park Development District.

Ms. Howe explained how they track the County's birth rate stating in 2006 there were 1,390 live births which means by the time these children begin kindergarten in 2011 they will estimate for 1,608 new school seats.

Ms. Howe stated the 2007 master plan includes three new elementary schools, one new middle school, and one new high school by the year 2016. Ms. Howe further stated Evergreen Elementary School would be completed by May 2009 for grades Pre-Kindergarten through Fifth Grade with a capacity of 646. Ms. Howe stated Evergreen Elementary is scheduled to open its doors in August of 2009.

The Commission thanked Mr. Clements and Ms. Howe for their presentation.

ADJOURNMENT

The meeting was adjourned at 8:34 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: September 24, 2007

Stephen T. Reeves
Chairman