

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION
MEETING
ROOM 14 * GOVERNMENTAL CENTER * LEONARDTOWN, MARYLAND
Monday, November 24, 2003**

Members present were John F. Taylor, Sr., Chairperson; Larry Greenwell, Vice Chair; Lawrence Chase, Julie King, Jim Raley, and Mr. Reeves. Mr. St. Clair was excused. LUGM staff present were Denis Canavan, Director; Jeffrey Jackman, Senior Planner; Phil Shire, Planner IV; Trish Guy, Planner II; Bob Bowles, Planning Specialist; and Peggy Childs, Recording Secretary.

A list of attendees is on file in LUGM. The Chair called the meeting to order at 6:30 p.m.

APPROVAL OF MINUTES

The minutes of November 10, 2003 were held for the next meeting pending a clarification by staff.

PUBLIC HEARING

HERITAGE TOURISM MANAGEMENT PLAN

A proposal to incorporate by reference into the Comprehensive Plan a sub-plan of

the Southern Maryland Heritage Area Plan entitled the Heritage Tourism Management

Plan. Included in the proposed management plan are designations of "target investment zones" and recommended projects and actions to implement the plan.

Present: Jeffrey Jackman, LUGM
Carolyn Laray, DECD

Legal Ad published in The Enterprise on 11/5/03 & 11/12/03

The proposed amendment will add line 13 to Page 105 of the County's Comprehensive Plan appending to the Southern Maryland Heritage Area Plan a separate document entitled the Heritage Tourism Management Plan. Copies of the Plan were made available in the County's libraries and the Plan was posted on the Internet.

On May 20, 2003 the Board of County Commissioners signed Resolution 03-40 adopting the Plan for certification by the Maryland Heritage Area Authority. The Plan also covers Charles and Calvert Counties. The Plan was approved by the Maryland Heritage Area Authority on July 8, 2003 and, in September 2003, copies were distributed to adjoining jurisdictions for review and comment at least 60 days prior to the public hearing, as required by Article 66B. The Plan identifies target investment zones in Leonardtown, Piney Point, and St.

Mary's City, and Section 14 of the Plan establishes a 5-year Capital Projects and Programs budget and schedule. Following a recommendation by the Planning Commission, the Plan will proceed to public hearing before the Board of County Commissioners on December 9, 2003.

Mr. Raley asked how St. Mary's County's portion of the Plan will be budgeted, so it doesn't cross venues with the other two counties? Ms. Laray responded that, once this process is completed, we will move into a 5-year implementation phase. Each of the three counties has committed to matching funds of \$20,000 over the 5 years. The money will be matched by the State and an independent group will be drawn from the three counties to implement the Plan. County Attorney John Norris said he asked that Section 14 of the Plan, which identified individual projects and gave a timeline for each, be amended to remove the timelines, so we don't end up with this Plan superceding our own Capital Improvement Program (CIP). He said the Commission will see the implementation of the Plan in its CIP reviews.

The Chair opened the hearing to public comment. There were no comments and the hearing was closed.

On motion made by Mr. Greenwell and seconded by Mr. Reeves, the Commission voted to recommend approval of the Plan to the Board of County Commissioners by a vote of 5-0.

Planning Commission Resolution #03-08, forwarding the Commission's recommendation for approval, was signed by all six members present.

DEVELOPMENT REVIEW

PSUB #02-120-018 – THE WOODS @ RUE PURCHASE

Requesting preliminary approval of a 13-lot major subdivision. The property contains

5.78 acres, is zoned RL, and is located on the east side of Rue Purchase Road, approxi-

mately 2,500 feet north of its MD 235 intersection; Tax Map 43, Block 3, Parcel 427.

Present: Larry Day, of DayTech Engineering, Owner

This is the very first major subdivision to be processed under the new Subdivision Ordinance and there are no outstanding issues. Staff has made findings as required under Section 30.5.5 of the Ordinance and the Planning Director's Report on Adequate Public Facilities, which finds that the subdivision meets the requirements of Chapter 70 of ZO #Z-02-01, is included in the Staff Report. Staff recommends approval.

Ms. King noted for the record that, where Rue Purchase Road enters onto MD 235 you can only make a right turn, so southbound traffic to the Naval Air Station must go up to Millstone Landing Road and make a U-turn before going south. Ms. King said she noted this in light of the fact that we have

intersections on MD 235 that aren't quite finished yet and are already failing. She said she thinks this is an issue that we should think about, not necessarily related to this, because it isn't a large subdivision, but for the additional parcels on Rue Purchase Road that are being developed.

Mr. Reeves moved that, having made findings pursuant to Section 30.5.5 of the Subdivision Ordinance, including Adequate Public Facilities as described in the Director's Report, the preliminary subdivision plan be approved. The motion was seconded by Mr. Raley and passed by 6-0.

CCSP #03-132-016 – ADVANCE AUTO PARTS

Concept site plan review for a 7,000 square foot auto parts building.

The property contains

1.12 acres, is zoned DMX, and is located on the north side of Great Mills Road, approximately 200 feet southwest of its intersection with Saratoga Drive; TM 43, Blk 22, Parcel 76.

Owner: Core Resources, Inc.

Present: John Selby and Larry Ludwig, of D. H. Steffens

Company

This project is located in the Lexington Park Focus Enterprise Zone, which was designated to encourage and provide revitalization initiatives within the center of Lexington Park. Redevelopment of this site supports the goal of efficient land use set forth in the Comprehensive Plan. Most public facilities are already available to this site, however an Adequate Public Facilities (APF) study must be submitted with the major site plan. Staff has made favorable findings under Section 60.5.3 of the Zoning Ordinance and recommends approval.

Mr. Shire said the applicant will be moving the building back because the existing building has a front yard of only 50 feet in depth. Although the applicant cannot meet all of the DMX requirements, staff's position is that this plan will improve the situation by providing more landscaping and a better street appearance. The entrance to the site will be from Great Mills Road. Mr. Ludwig said there is difference in elevation and a 3-foot retaining wall between this parcel and the adjoining car wash parcel, which makes it very difficult to provide an entrance from Saratoga Drive, and there is an existing wetland on the other side, between this parcel and 84 Lumber.

Mr. Greenwell moved that, having made a finding that the objectives of Section 60.5.3 of the Zoning Ordinance have been met, and noting that the project has met all requirements for concept approval, the concept site plan be approved. The motion was seconded by Mr. Reeves and passed by 6-0.

CCSP #03-120-025 – ST. JAMES, Section 4

Requesting review and reapproval of the final site plan for Section 4 and consideration

of a revision of the recreational requirements for the phasing plan.

The property contains

83.4 acres in Section 4, is zoned RPD, and is located on the west side of MD 235, ½ mile

south of Mattapany Road; Tax Map 63, Block 4, Parcel 13.

Owner: Arrowhead LLC

Present: John B. Norris, Jr., of NG&O Engineering, Inc.,

Agent

Mr. Shire said the developer was able to get four more percs in this section, bringing the lots to 27. The recreation area, which includes a swimming pool and clubhouse, was to have been completed prior to development of Sections 4 and 5, however the roads in Section 4 must be constructed in order to get to the recreation area, and the applicant is requesting a revision to the phasing plan to allow the recreation area to be completed prior to final approval of Section 5. The bald eagle nest which previously existed in this section has been declared vacant by DNR, and any previous restrictions regarding the nest no longer apply. The final approval granted in July 2002 has expired, but the overall phasing plan allows this subdivision to be grandfathered until May 13, 2005 for final approval, per Section 27.3.1.a of the Comprehensive Zoning Ordinance.

Ms. King moved that, having made a finding of adequate facilities, including stormwater management, and noting that the project meets all TEC requirements for final approval, the final subdivision plan be approved, subject to the condition that the recreational amenities on Parcel C be constructed or fully guaranteed by the posting of a bond approved by the County prior to final approval of Section 5. The motion was seconded by Mr. Greenwell and passed by 6-0.

CCSP #03-132-018 – BECK’S OFFICE BUILDINGS

Review and approval of a concept site plan for two office buildings containing a total

of 42,800 square feet. The property contains 3.21 acres, is zoned RMX (AE Overlay),

and is located on the north side of MD 235, approximately 1450 feet southeast of its

intersection with MD 4; Tax Map 34, Block 23, Parcels 75 & 76.

Present: Dean Beck, Owner

Billy Mehaffey, of Mehaffey & Associates, PC, Agent

The applicant is requesting concept site plan approval: 1) in order to proceed with a Comprehensive Water & Sewerage Plan (CWSP) Amendment from W-6/S-6 to W-3D/S-3D; and 2) to proceed with his final site plan for two office buildings, to be constructed in two phases. Staff states that there are no outstanding issues with the CWSP Amendment. However, there is a level of

service (LOS) concern at the intersection of MD 4/235, as indicated in the traffic study.

The Staff Report states that proposed mitigation may offset the LOS difficulties of the intersection. The mitigation involves re-striping eastbound Route 4 to provide an exclusive through lane as well as a left-turn and right-turn lane. The traffic consultant states that this will mitigate 15 critical trips in the morning peak period and 30 trips in the afternoon peak period. In addition, a 25-foot wide easement for a service lane is proposed across the rear of the proposed office site to allow for future cross-access between the adjacent RMX-zoned parcels. Staff recommends that the proposed service lane be straightened out on the south end of the site, realizing that the stormwater management area must be modified to do so, or, at the very least, the southernmost 9 parking spaces be adjusted or eliminated to accommodate the service lane. Mr. Shire said, since he wrote the staff report, staff has discussed with the applicant the possibility of moving the service lane back even farther, so the last row of parking is not separated from the remainder of the parking lot.

Mr. Mehaffey stated that there is a pond located on the low-ground and, downstream from that, the wetlands begin, so there are some environmental issues, and the interparcel connection lines up with where the two parcels meet to provide better access to the existing property. The entrance will be shared by the whole office park and a couple of entrances are being closed to consolidate the primary entrance/exit along the common property line. Two other parcels are being connected with Dean's office building, and the three parcels will use the primary entrance. The State Highway Administration (SHA) has requested that the entrance at the south of the property be restricted to an entrance only.

Mr. Greenwell said the State really needs to look at the right-turn lane off of MD 4, because it needs to be extended all the way back to FDR Boulevard. Mr. Shire said he believes that will happen when the WAWA is developed at the old Western Steer site.

Mr. Greenwell moved that, having made a finding that the project meets concept requirements to proceed with an administrative CWSP Amendment, the concept site plan be approved to allow the administrative Amendment to proceed. The motion was seconded by Mr. Reeves and passed by 6-0.

The Chair allowed public comment, as required by the Ordinance at concept site plan stage. Clare Whitbeck, of Leonardtown, pointed out to the Commission that the Ordinance does not require them to approve this plan, it says they *may* accept the mitigation. She said, while the plan provides mitigation for a total of 45 trips, it does not provide proper mitigation for the morning trips and, if we continue to allow that up and down 235, traffic will come to a dead halt in the morning, as it does now when you get far enough down. Ms. Whitbeck said at the end of 235 lies the goose that lays the golden egg, in the form of the Naval Air Station, and we need to keep access on this road.

Mr. Raley said he was visualizing trying to get to the site off of MD 4, at least allowing traffic to go straight across from MD 4, which would have less impact on the traffic pattern. He said if there were just some other way to get to it from behind it, it would be helpful, but he doesn't see a way of doing that.

Ms. King said she thinks Ms. Whitbeck's comments are well taken and maybe we need to come back to Mr. Canavan's comments several months ago about transportation being a linchpin to our planning. She said she doesn't think these problems need to be balanced on the backs of this developer, but maybe we need to think about transportation because a lot of transportation issues have been raised tonight and it is a much bigger problem than just this development.

Mr. Reeves said these are wonderful projects but they are all being done piecemeal and we're just not ready for them. He suggested tabling this decision to see if we can't do a plan for some sort of an access road so that, as these properties are developed, we can get right turns across from First Colony or we can get access to Route 4. The other thing is that we're deciding who will pay for this; if we wait until these properties are developed he said we will be in the same position we were in with Wildewood, when we asked about a school site and were told that the option for the school site was not utilized and that opportunity was long gone. Timing is everything, he said, and we need to keep these arteries open.

Mr. Canavan responded that the County needs a Transportation Plan so we can guide our Capital Improvements Program and establish public-private partnerships. However, he said, even if the Transportation Plan were adopted, we don't have the funds to even acquire the rights-of-way for a service road. He said what LUGM is doing is working with each property owner as the plans come in to find out what the development constraints are on the adjoining property, so we can lay out the best alignment for a service road. We don't want to make it so circuitous that no one would use it; on the other hand we have to lend value to the individual properties to assure that they have the required parking and safety issues. Mr. Canavan said this is an example where we are building that partnership with private entities in concert with the public sector to try and guide where the service road should be and, until we have a Transportation Plan in place, he thinks it would be wrong not to move forward to approve individual developments, knowing that they will be in concert with our goals for the Transportation Plan.

Mr. Greenwell moved that, having made findings that the objectives of Section 60.5.3 of the Ordinance have been met, the concept site plan be approved, subject to the conditions that appropriate traffic impact mitigation measures be implemented and appropriate buffers be provided to protect the character of adjacent residential neighborhoods. The motion was seconded by Mr. Chase and passed by 6-0.

PRESENTATION

DANTER STUDY ON HOUSING NEEDS

Present: Director John Savich and Tim Faust, of DECD
Dennis Nicholson, Director, St. Mary's County
Housing Authority

Mr. Savich presented an overview of the Danter Study, an assessment of St. Mary's County housing needs completed in May 2003. The study found a critical housing shortage and recommends policies to encourage and develop incentives for the construction of "workforce" housing to meet the current demand and future growth. Suggested targets are 50 homes/year under \$150,000; 50 homes/year from \$150,000 to \$175,000; homeownership assistance to 50 families and 70 units/year of workforce rental housing financed by the Maryland Community Development Administration and using several suggested County tools. The next steps will be to finalize and adopt the policies and workforce housing targets, and develop detailed proposals for funding.

ADJOURNMENT – 7:53 p.m.

Approved in open

_____ session: December 8, 2003

Peggy Childs
Recording Secretary

John F. Taylor, Sr.
Chairperson