

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION
MEETING
ROOM 14 * GOVERNMENTAL CENTER * LEONARDTOWN, MARYLAND
Monday, March 22, 2004**

Members present were John Taylor, Sr., Chairman; Larry Greenwell, Vice Chair; Lawrence Chase, Julie King and Joseph St. Clair. LUGM staff present was Denis Canavan, Director; Jeff Jackman, Senior Planner; Phil Shire, Planner IV; Trish Guy, Planner II; Sue Veith, Environmental Planner; Bob Bowles, Planner I and Janice C. Blackistone, Fiscal Specialist (backup for Recording Secretary). County Attorney Heidi Dudderar was also present.

The Chair called the meeting to order at 6:31 p.m.

APPROVAL OF MINUTES – The minutes of March 8, 2004 were approved as recorded.

DEVELOPMENT REVIEW

CCSP #03-132-024 - WILLOWGATE

Requesting review of a concept site plan for 173 townhouse lots for purpose of approving development standards. The property contains 27.9 acres, is zoned RL, PUD 5.0, and is located on the west side of Pacific Drive, at its intersection with Pegg Road; Tax Map 43, Block 22, Parcel 377.

Owner: Homecroft Development, Inc.
Present: Tim Luster, of Lorenzi, Dodds & Gunnill, Inc.

Mr. Shire stated there is a minor correction to the March 15, 2004 Staff Report, the Zoning Density is PUD 5.0. He said this is an older Planned Unit Development (PUD) that was originally approved in 1982 and this section, approximately 28 acres, is the last piece to be developed in this PUD. There are 173 density units remaining that will be townhouses. He further said the reason for the Commission's review is to introduce the Commission to the concept plan and it is not a required approval and there are no findings the Commission needs to be made. He said, however, like so many other PUD's like this project, there are no setbacks or development standards. He further said the main purpose of tonight's meeting is to approve the setbacks as shown in Section V of the March 15, 2004 Staff Report.

Mr. Shire said once all approvals from the Technical Evaluation Committee (TEC) agencies are received then the final site plan will be approved administratively.

Mr. Tim Lester, of Lorenzi, Dodds & Gunnill, Inc., said this is the last section of the previously approved PUD, everything else is built out. He stated they tried to work with the land as much as possible, there is a natural ravine that will be left in its natural state as open space. He said there will be road connections with Pacific Drive extending and connecting to Pegg Road

Mr. Shire said the creation of Nicolette Park and the dedication of the property was a condition of the original approval of this PUD. He said the developer has filled their open space requirements.

Mr. St. Clair moved that, having accepted the application for a minor amendment to establish dimensional standards for the units and to introduce the community layout which will result in the completion of the Planned Unit Development, the Commission granted approval of the minor amendment request as detailed on the composite plan dated October 2003 and as specified in part V of the signed staff report dated March 15, 2004. The motion was seconded by Mr. Greenwell, passed by a vote 5-0.

CCSP #03-132-029 – POPEYE’S RESTAURANT

Requesting review of a concept site plan for a 4,043 square foot restaurant. The property contains 6.06 acres, is zoned TMX, and is located on the east side of Maryland Route 5, approximately 1,200 feet north of its intersection with Golden Beach Road; Tax Map 1, Block 23, Parcel 134.

Owner: John Parlett, of CMI General Contractors, Inc.
Present: Charlotte Hall, LLC

Ms. Guy presenting this project said this project is for a concept site plan approval for a 4,043 square foot restaurant. She said there are no outstanding issues relative to the Commission’s for concept plan approval. She stated the project has been reviewed by the TEC and there are findings that the Commission must make in accordance with Section 60.5.3 outlined in the March 15, 2004 Staff Report. She further stated this project will not have any direct access to Maryland Route 5.

Mr. Parlett said this project will be adjacent to the Wendy’s Restaurant with First National Bank of St. Mary’s a little further south. He stated there will be no access to Maryland Route 5 and they are providing a 75 foot highway corridor buffer. He said entrance will be off the service lane that connects to Mt. Wolfe Road to Golden Beach Road. He stated architecturally the building will be one of Popeye’s nicer prototypes.

Mr. Greenwell moved that, having accepted the staff report dated March 15, 2004 and having made a 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 Commission granted concept site plan approval, as amended. The motion was seconded by Mr. Chase, passed by a vote 5-0.

CCSP #03-120-041 – WILD GOOSE CREST SUBDIVISION

Requesting review of a concept site plan for a 25-lot subdivision in order to proceed with an amendment to the Comprehensive Water and Sewerage Plan. The property contains 37.81 acres, is zoned RL, and is located on the west side of Mechanicsville Road, approximately 1,500 feet southwest of its intersection with Old Village Road; Tax Map 9, Block, 9, Parcel 126.

Owner: Melba L. Swarey
Present: William Higgs, of Little Silences Rest, Inc.

Ms. Guy presenting this project said there are no outstanding issues pertinent to the Comprehensive Water and Sewerage Plan (CWSP) amendment. She said this concept site plan was reviewed by TEC agencies in January 2004.

The Chair asked Mr. Jackman when the Commission will receive the new CWSP. Mr. Jackman replied the Board of County Commissioners held a Public Hearing in December 2003 for the draft CWSP but there were a few issues raised. He said the County's Attorney's Office has been working with the Department Land Use & Growth Management (LUGM) on the issues but there are some procedural requirements that will need to be revised. He further said with these changes LUGM will be requesting a new Public Hearing for the draft CWSP.

Mr. Higgs said this 25 lot clustering subdivision is on less than half of the property and the rest of the property will be put in open space. He further said they will be utilizing the existing pond to provide access to recreation areas. He said they will provide a central water system.

The Commission asked if they would need to drill wells. Mr. Higgs replied yes, they would have to put in their own wells because Country Lakes' water system is too far away.

Ms. King moved that, having accepted the staff report dated March 15, 2004 and having made a 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

Commission granted concept site plan approval, as requested. The motion was seconded by Mr. Greenwell, passed by a vote 5-0.

MJSB #03-120-024 – FORREST FARM SUBDIVISION – SECTION 3, PHASE 5

Requesting final approval of Phase 5, a 21-lot major subdivision. The property contains 50 acres, is zoned RPD, AE, and is located on the west side of Maryland Route 5, approximately 100 feet south of the east side of Brown Road, approximately 1.5 miles north of Maryland Route 4; Tax Map 33, Block 16, Parcels 24 & 273.

Owner: Qualshire Land Development
Present: John Norris, of NG&O Engineering, Inc.

Mr. Shire said this project was tabled at the January 12, 2004 Planning Commission meeting. There was one outstanding issue dealing with required improvements along Brown Road. He stated there is an agreement in the file between the developer and Department of Public Works & Transportation (DPW&T) allowing the Commission to proceed with the final approval of Phase 3. He further stated there are some design requirements that will need to be done before Phase 6 and some construction improvements will be required before Phase 7, 8, 9 and 10. He said the 21 lots are ready for final subdivision approval.

Ms. St. Clair moved that, having made a finding of adequate facilities including stormwater management as noted on the TEC checklist dated March 15, 2004, and noting that with execution of the agreement for improvements along Brown Road between the developer and the Department of Public Works and Transportation dated February 23, 2004, the project has met all TEC agency requirements, the Commission granted final subdivision plan approval, as requested. The motion was seconded by Mr. Chase, passed by a vote 5-0.

DISCUSSION

LEXINGTON PARK DEVELOPMENT DISTRICT CONCEPT PLAN

Present: Jeff Jackman, Senior Planner

Mr. Jackman requested the recommendation of the Commission to schedule a public hearing on May 24, 2004 and a tentative pre-hearing on April 19, 2004 meeting to hear the plan for the Lexington Park development district for the purpose of refining plan concepts and land use planning concerns.

Mr. Chase moved to schedule a Public Hearing to be held on May 24, 2004 and a tentative pre-hearing date at the April 19, 2004 Planning Commission meeting. The motion was seconded by Mr. Greenwell, passed by a vote of 5-0.

ADJOURNMENT – 7:21 p.m.

Janice C. Blackistone
Fiscal Specialist

Approved in open
session: April 12, 2004

John F. Taylor
Chair