

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, September 8, 2008**

Members present were Howard Thompson, Vice-Chairman; Shelby Guazzo, Brandon Hayden, Susan McNeill, Merl Evans and Lawrence Chase. Stephen Reeves was excused. Department of Land Use & Growth Management (LUGM) staff present were Denis Canavan, Director; Phil Shire, Deputy Director; Bob Bowles, Planner IV; Jeff Jackman, Senior Planner; Dave Berry, Planner II; and Jada Stuckert, Recording Secretary . Deputy County Attorney David Weiskopf was also present.

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

APPROVAL OF THE MINUTES – The minutes of August 25, 2008 were approved as presented.

DEVELOPMENT REVIEW

Concept Site Plan #05-132-019 – St. Mary's Marketplace – Mr. Bowles gave an overview of the request for a 121,242 square foot retail shopping center stating the final findings for adequate public facilities will be made administratively by the Planning Director as a prerequisite to final site plan approval. Mr. Bowles stated the outstanding issues as being the review and approval of the traffic study mitigation, Board of County Commissioners approval of a right-of-way crossing, and Board of Appeals approval of variances from buffer yard requirements and setbacks from MD Route 4.

Mr. John Norris Jr. gave an overview of the project stating the entire 14 acres is zoned Commercial Mixed Use (CMX) and contains the former Burke Trailer Park which will be relocated. Mr. Norris stated there will be 516 parking spaces and four (4) proposed entrances. Mr. Thompson asked about the Bay Center. Mr. Norris stated the Bay Center will be removed and the land will be dedicated to the State Highway Administration (SHA) to be used as a buffer.

Mr. Norris explained there will be one right hand turn lane, two straight lanes and one left hand turn lane on Route 4 when the project is complete to direct traffic as well as a full service traffic light at the corner of Route 4 and 1st Colony. Ms. Guazzo stated there has to be two full through lanes in order for this to work. Ms. Guazzo expressed her concern with the five entrances to the property. Ms. Guazzo recommended moving the Route 235 entrance back 200 feet towards the SMECO Coop entrance. Mr. Norris explained the SMECO entrance is not feasible as it is a truck entrance. Ms. Guazzo stated the entrance on Route 4 should be eliminated. Ms. Guazzo stated she wants the portion of the land that is part of this project and bounded by the railroad right-of-way and Route 235 deeded and dedicated, at no cost, to the State or County. Mr. Norris stated this is agreeable to the client.

Ms. Guazzo asked about the requested variances for the setbacks. Mr. Norris explained they are requesting a reduction from 50 feet to 31.6 feet on FDR and Route 4 and from 75 feet to 30 feet with a fence on FDR. Ms. Guazzo asked why a berm would not be feasible. Mr. Canavan stated a berm will not work with more than a 3 to 1 slope and stated the mitigation will be done by plantings, fencing, etc.

Mr. Evans stated this is the same set-up as San Souci and it allows for changes to be made in the future when the State decides what to do with the Route 235-Route 4 intersection. Ms. Peggy Lewis stated Oak Crest, Park Place, Wildewood, Hickory Hills, 1st Colony, etc. were included in the traffic study. Ms. Lewis stated DPW&T has no objections at this time with the traffic.

Ms. Guazzo requested a copy of the 8/15/08 Mr. Markowski letter and a definition of "certain geometric improvements" stating more information is needed to make a decision on this project.

Mr. Thompson asked about the Burke Trailer Park. Mr. John Norris III gave an overview of the relocation plan stating there is only one owner living in the park and the other 18 are renters. Mr. Norris stated they will be given one years notice and relocation assistance.

Ms. Guazzo made a motion to continue the case and Ms. McNeill seconded. The motion passed by a 6-0 vote.

The Board requested the applicant submit the following information at the next meeting: 1) 8/15/08 Mr. Markowski letter, 2) map showing the alignment of FDR Blvd., 3) update on digital signage text amendment, 4) consider the request to have 2 forward lanes on Route 4, 5) consider moving the Route 235 entrance back 200 feet.

Concept Site Plan #07-132-019 – Bay Ridge Section 5 – Mr. Berry gave an overview of the request for a 179,240 square foot, 132 multi-family dwelling units stating the final findings for adequate public facilities will be made administratively by the Planning Director, as a prerequisite to final site plan approval and that there are no additional issues that would preclude concept site plan approval.

Mr. Guy Curley stated there will be two multi-family buildings with four stories and underground parking as well as ten stacked townhouses with four stories. Ms. McNeill asked if the homes will be considered affordable. Mr. Curley stated yes. Ms. Guazzo asked if a bus stop was considered for the STS Bus. Mr. Curley stated there is sufficient space around the round-about for the STS Bus.

Mr. Evans made a motion in the matter of CCSP #07-132-019, Bay Ridge Section 5, having accepted the staff report 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, I move that the concept site plan be approved and Mr. Hayden seconded. The motion passed by a 6-0 vote.

DISCUSSION

Comprehensive Plan Update – Agricultural Priority - Mr. Jackman gave an overview of the comprehensive plan update. Ms. Sue Veith stated St. Mary's County had a goal of preserving 66,000 acres of agricultural lands and only 30,000 acres are actually available to be preserved. Ms. Veith stated staff will revisit the amount and type of land to be preserved to include in the comprehensive plan update.

Mr. Canavan stated this is the time to look at alternate ways of preserving land such as voluntary down zoning, TDR's, easement purchases, IPA, and Tax Implications. Mr. Evans agreed, stating this is the time to be creative in agricultural preservation. Mr. Canavan stated staff will continue working on draft language and will keep the Planning Commission informed.

ANNOUNCEMENTS

ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: September 22, 2008

Stephen T. Reeves
Chairman