

La Plata Planning Commission
Town Hall, La Plata, Maryland
Regular meeting
March 1, 2005, 7:00 PM

Present: Chairman Garyton C. Echols, Jr., Keith A. Hettel, Zakary A. Krebeck, Rich Gilpin, Mark Rose, Roy G. Hale – Commission members; Cathy Flerlage, Director of Planning and Zoning; Judith T. Frazier, Town Clerk [Mr. Rose had full voting rights prior to Mr. Krebeck's arrival at 10:00 PM.]

Town staff: Steven F. Schroeder, Project Manager

Minutes:

Vice Chairman Echols called the meeting to order at 7:07 PM and asked Mr. Hale to lead the Commission and audience in reciting the Pledge of Allegiance.

Election of Chairman and Vice Chairman

Vice Chairman Echols called for nominations for Chairman. Mr. Hale nominated Mr. Echols, Mr. Hettel seconded the nomination, and the vote was unanimous to elect Mr. Echols Chairman of the Planning Commission.

Chairman Echols called for nominations for Vice Chairman. Mr. Hale nominated Mr. Krebeck, Mr. Hettel seconded the nomination, and the vote was unanimous to elect Mr. Krebeck Vice Chairman of the Planning Commission.

Approval of February minutes

Mr. Gilpin made a motion to approve the minutes of the February regular meeting. Mr. Rose seconded and the motion carried.

Public hearing: Grasso Annexation – zoning recommendation

Chairman Echols called the hearing to order. Ms. Flerlage entered for the record the Certification of Publication that the notice of the hearing was properly advertised in the February 9, 2005, edition of the Maryland Independent newspaper. Ms. Flerlage briefly described the location of the 31.5 acres of property and noted that the requested R-21 zoning is consistent with the character of the adjacent Clarks Run Subdivision and with the current County zoning classification, as noted in the staff report dated March 1, 2005, copies of which were given to the Planning Commission.

Paul Summers, of P. F. Summers, and David Cooksey, of Loiederman Soltesz Associates, presented information regarding the 31.5 acres of property. Mr. Summers explained they intend to subdivide to build 20 new single family homes which will generate money to restore the tornado-damaged existing dwelling, which he noted was part of the original Chapman land grant from which La Plata was created. He also noted meetings were held with a group of Clarks Run residents to work on issues such as the number of lots, fire and emergency access connection to E. Patuxent Dr., landscape buffer, and architectural controls on the new dwellings.

Mr. Cooksey discussed the plan to provide a gravity sewer line to a manhole in Clarks Run Subdivision, noting it had originally been believed that a lift station would be needed. Mr. Cooksey explained that the recent sewer study conducted by the Town indicated that the Clarks Run pump station will not need to be enlarged. Mr. Hale pointed out that the Town has asked the petitioner to help fund the pump station as a benefit to the Town from this annexation.

During their presentation, Mr. Cooksey used the following display boards, which will be left for public display in the atrium of the Town Hall: (1) aerial photo, labeled "Ellenwood Annexation, Town of La Plata", by AirPhotoUSA, 2002; (2) Concept Plan 2A, Proposed Annexation to R-21 Zone "Ellenwood", prepared by Loiederman, Soltesz Associates, Inc., dated July, 2004; and (3) Proposed Water and Sewer Exhibit, Annexation to Town of La Plata R-21 Zone, prepared by Loiederman, Soltesz Associates, Inc., dated February, 2005.

Chairman Echols entered into the record a letter dated February 28, 2005, from Stephen H. Scott, of Chapman Bowling & Scott, P.A., asking that the following be entered into the record for this annexation petition:

"1. The boundary line on the north side of the Ellenwood property does not abut to the property of Robert Thorne, but rather is separated from the property of Robert Thorne by approximately 260 feet of road frontage along Maryland Route 6 of the lands of the Chapman Family; and

2. No part or portion of the lands of the Chapman Family is included in the annexation petition filed by the Grasso Family Trust with respect to the Ellenwood property; and

3. The annexation petition filed by the Grasso Family with respect to the Ellenwood property shall have no effect of any kind or nature on the lands owned by the Chapman Family."

Chairman Echols asked if anyone in the audience wished to speak for or against the R-21 zoning of this property if it is annexed.

Tom Hinman, 1115 E. Patuxent Drive, asked that the Town assure that the builder has a proper license, noting he found no record of a current Maryland Home Improvement License (MHIL); asked that the Town consider the impact of 20 new houses on water, sewer, traffic, and school seats; and noted he agreed there is a need for a secondary access road and that it would probably be used more by Clarks Run residents than the residents of the new houses.

Willie Chin, 400 Butternut Court, questioned the changes made by the petitioner to the annexation agreement that was agreed upon by the group of Clarks Run residents, and expressed concern regarding lack of sidewalk at a certain location, not providing a pump station, not removing debris in Butternut Creek, and replacing shrubs with pine trees.

Carlyle Lancaster, 1206 E. Patuxent Drive, advised he was in favor of the annexation but expressed concern regarding whether the buffer between the two properties, which he believes the Town owns, will be kept as a buffer, and asked if the dead trees will be removed. [Mr. Hale confirmed that the property is owned by the Town.]

Wayne Winkler, Town Councilman and Washington Avenue resident, advised that the Town is working with a Maryland Forest Service grant of \$60,000 which must be spent by July 1 and is intended for planting trees on property owned by the Town.

John Sherbert, 9848 Charles Street, expressed concern regarding an additional entrance on Rt. 6 and its impact on the current traffic situation, noting he waits up to 15 minutes each morning to leave his driveway, which is across the street from Clarks Run Subdivision. He also noted there have been near-accidents and serious accidents in that area.

Hollene Huseman, 7510 Port Tobacco Hills, spoke in opposition to removing more trees to build additional houses, and suggested the Town buy the property and create a park, plant more trees, and charge admission.

Mr. Hale explained that the Town is not buying the property, that it is the subject of a petition for annexation. He further explained that nothing has been approved at this time, that the Town Council will hold a public hearing and it then needs a majority vote to be approved.

Mr. Summers spoke in response to some of the points raised by the speakers:

- (1) His MHIL lapsed some time ago and he currently has an application pending.
- (2) Amendments to the annexation agreement discussed with the Clarks Run residents included planting white pines on certain lots if the owners want them rather than the "D" buffer yard.
- (3) He is concerned about promising to clean out the debris in Butternut Creek, which may be an environmentally sensitive area.
- (4) He will provide a pump station if that is needed.

In response to questions from Mr. Rose, Mr. Summers advised there are no plans for the property around the existing house, other than cleaning the debris, and that his concern regarding removing debris in Butternut Creek included determining who has jurisdiction. He advised he would explore this if needed. Also in response to Mr. Rose, Mr. Cooksey advised that they will have to address all storm water management issues, including the low spot behind lot 96 and its neighbors and any increase in run-off. He further advised that no engineering has been done yet. Mr. Rose asked they assure that Clarks Run properties won't be flooded. Mr. Rose also asked that they consider planting native species rather than white pines in the buffer area previously discussed.

Paula Winkler, Chairman of the Town's Beautification Commission, advised that white pines are on the list of prohibited plantings as they are not native and fail to thrive. Ms. Winkler will provide the recommended plant list to Mr. Summers.

In response to Mr. Gilpin's question regarding resolving the sewer issues at this meeting, Chairman Echols advised that if the Town Council approves the annexation, Mr. Summers and Mr. Cooksey will have to provide greater details to the Town and will come before the Planning Commission again.

There being no other speakers and no further discussion by the Planning Commission, Chairman Echols closed the hearing at 8:15 PM.

Zoning Recommendation: Grasso Annexation

Mr. Hale pointed out that this property is next to Clarks Run Subdivision, which is zoned R-21, and made a motion to recommend to the Town Council that the property be zoned R-21 Residential.

Mr. Rose seconded the motion. In discussion before the vote, Chairman Echols advised he had not read the entire letter from Mr. Scott and asked if it had any bearing on the zoning recommendation. Mr. Hale advised it did not, that it refers to a boundary issue. Mr. Gilpin questioned the impact on schools and asked if discussion should be held about the effect the recommended zoning would have. Chairman Echols explained that R-21 residential zoning classification requires the largest lot size and that any other residential zoning would reduce lot size and create more dwellings. Vote on the motion: the motion passed by unanimous vote.

Public hearing: Traditional Neighborhood Development (TND) designation request by Lenhart Development Corporation on Parcels 1 and 2 of Steeplechase Subdivision

Chairman Echols called the hearing to order. Ms. Flerlage entered the following into the record: (1) the Certification of Publication that the notice of the hearing was properly advertised in the February 11, 2005, edition of the Maryland Independent newspaper, and (2) the Affidavit from Lenhart Development Corporation, applicant, that a sign was posted on the property on February 11, 2005 giving notice of the time and place of the public hearing.

Ms. Flerlage stated that the purpose of the hearing was to determine whether the Planning Commission should recommend to the Town Council that TND designation be granted. Referring to the "TND Review Report, Steeplechase" staff report provided to each Commission member, Ms. Flerlage advised that the applicant has met the three tests required to obtain TND designation, which are character of tract, superior land planning, and superior architectural features and design. Ms. Flerlage further advised that, based on staff review of the development plan and proposed design guidelines for the Steeplechase community, the Planning Commission should recommend that the Town Council grant TND designation for Parcels 1 and 2 of Steeplechase.

During the discussion which followed, it was pointed out that this is not the same as preliminary plat approval, which will require much more information and will come before the Planning Commission at a future meeting. In response to questions from the Commission, information was provided to explain the TND concept and its benefits.

Chairman Echols asked if anyone in the audience wished to speak regarding the TND designation request. No one wished to speak.

There being no speakers and no further discussion by the Planning Commission, Chairman Echols closed the hearing at 8:45 PM.

Recommendation: Traditional Neighborhood Development (TND) designation request by Lenhart Development Corporation on Parcels 1 and 2 of Steeplechase Subdivision

Mr. Rose made a motion to recommend to the Town Council that the TND designation for Parcels 1 and 2 of Steeplechase be granted. Mr. Hettel seconded the motion and it passed by unanimous vote.

Target - site development plan review

Kathryn Hansen, Target Corporation, Daniel Duke and Shawn Frost of Bohler Engineering, and Ken Schmid, Traffic Concepts, presented information regarding the proposed Target at La Plata Plaza, which they advised has been designed specifically for the Town to blend with the existing buildings in La Plata Plaza. Their site development includes a third access point off of Hawthorne Drive, which they propose to improve. Points and concerns raised by the Commission included:

- Concern regarding the condition of Hawthorne Drive even with the proposed improvements, and the additional traffic.
- Concern regarding storing delivery trucks/trailers on site.
- Determination needs to be made whether the 10' turf paver strip for fire/emergency access be adequate for emergency vehicles' use. Donald P. McGuire, Director of Charles County Department of Emergency Services, advised that it would not be adequate, and noted that it would probably need to be 24', which Mr. Duke advised they can provide.
- Mr. McGuire expressed concern regarding the safety issue of the delivery trucks/trailers backing up in the current loading zone area on the side of the building and recommended that the loading zone area be moved to behind the building.

Ms. Flerlage recommended that the Planning Commission ask Target to include curb, gutter and sidewalk on the other side of Hawthorne Drive, in addition to the improvements they have proposed, which she advised would make their proposed brick paver pedestrian crosswalk more meaningful and would tie in with the pedestrian concept the Town is attempting to provide. A brief discussion was held with John Bessey regarding use of the two residential properties on Hawthorne Drive, which are owned by Safeway, to alleviate the truck backing up issue at the loading area. Chairman Echols requested that Target bring more information to the Commission regarding their proposal to widen Hawthorne Drive.

Other business

Meeting schedule

It was the consensus of the Planning Commission that the pace and schedule of the meetings are acceptable.

There being no other business to discuss, the meeting adjourned at 10:14 PM.

Submitted by:

Judith T. Frazier
Town Clerk