

La Plata Planning Commission
Town Hall, La Plata, Maryland
Regular Meeting
July 5, 2011, 7:00 PM

Present: Chairman Rich Gilpin, Garyton C. Echols, Jr., Debra W. Posey – Commission members; David M. Jenkins, Director of Planning and Community Development; Danielle Mandley, Town Clerk

Town Staff: Daniel J. Mears, Town Manager; Theresa Dent, Senior Planner

Minutes:

Chairman Gilpin called the meeting to order at 7:00 PM, requested those present to silence cell phones, and led the Commission and audience in reciting the Pledge of Allegiance.

Approval of June 7, 2011 minutes

Vice Chair Posey moved to approve the minutes of the June 7, 2011 regular meeting minutes. Mr. Echols seconded the motion and it passed by unanimous vote.

► Public hearing

- **Petition for Annexation**

Petitioner: Johel Limited Partnership, and FCD-Development, LLC

Proposed Use: Retail and Office space

Requested Zoning: C-H Commercial Highway Zoning District

Current County Zoning: CC Community Commercial

[Description: Public Hearing regarding the request for C-H Commercial Highway Zoning if the Annexation is approved by the Town Council.]

Chairman Gilpin called the hearing to order and explained that the purpose of the hearing was to **hear public comment regarding the zoning request as part of a Petition for Annexation, Johel Limited Partnership, and FCD-Development, LLC**, and reviewed the public hearing procedures. The Clerk entered into the record the Certification of Publication that the notice of the hearing was properly advertised in the June 17, 2011, edition of the Maryland Independent newspaper.

Ms. Dent provided a summary of the staff report dated June 24, 2011.

Steve Scott, Tom Klein, and Howard Biehl representing the petitioner provided a power point presentation describing the petition for annexation and related request for C-H zoning.

Chairman Gilpin called for questions of the Commission members. There were no questions.

Chairman Gilpin asked the Town Clerk if any written documents have been submitted for the record, regarding the request for C-H zoning, as part of a petition for annexation, Johel Limited Partnership, and FCD-Development, LLC,. The clerk entered the following correspondence for the record:

1. An email and a letter from Ken Zuiderhof, owner of Carvel of La Plata, in opposition to the re-location of Wal-Mart, and development of a Super Wal-Mart.

Chairman Gilpin asked if anyone in the audience wished to speak regarding regarding the zoning request as part of a Petition for Annexation, Johel Limited Partnership, and FCD-Development, LLC.

- John Etchison, 12426 Whisper Creek Court, Charlotte Hall, Maryland 20622, spoke in opposition to the Petition for Annexation, due to the effect on the Rosewick Shopping Center and the increase in traffic.
- Ken Zeiderhof 54 Drury Drive, spoke in opposition to any new retail in La Plata.
- Torrey Jacobson, Executive Director, Joint Labor Management Fund, entered a traffic study for the record and spoke in opposition to the Annexation.
- James Jarboe, 9270 Crescent Lane, La Plata, Maryland 20646, entered a fiscal analysis for the record, and spoke in opposition to the proposed Annexation.
- Ken Zeiderhof, spoke again to state that there are twenty (20) empty retail stores in La Plata.

Chairman Gilpin called for additional questions of the Commission members.

Ms. Posey asked for clarification regarding the statement, pertaining to the transition between commercial and residential development, that states “not applicable”. The petitioner representatives stated that the response was how it relates to the Design Guideline requirements.

Ms. Posey made a statement that the Town’s Planned Business Park and Enterprise District, in her opinion is the most appropriate zoning for the site, and the Planning Commission should take due diligence to do an analysis between the County’s Community Commercial, the Town’s Commercial Highway and the Planned Business Park and Enterprise District.

Chairman Gilpin concluded the hearing at 7:38 PM, and announced that the record will remain open for ten (10) days, until 4:00 PM, July 15, 2011, for any further written comment, which should be forwarded to the attention of the Town Clerk.

► Matters of Discussion and Review

- Agricopia Preliminary Plat Extension

Mr. James Erdman, Ben Dyer and Associates, representing the applicant, presented the request for Preliminary Plat Extension, describing the project and the previous 10 years of approvals.

Vice Chair Posey moved to approve the Agricopia Subdivision preliminary plat, retroactive from the previous approval, to expire May 4, 2012. Mr. Echols seconded the motion and it passed by unanimous vote.

- Plan Maryland
[Description: Continuation of review, discussion and comments on the Plan Maryland draft, due to the Maryland Department of Planning by September 1, 2011.]

Planning Commission Consensus: Following discussion the Commission agreed to have staff provide comments to the Commission at the August 2, 2011 meeting.

► Other Business

- Election of Chairman and Vice Chairman *[postponed until September 6, 2011]*
- Council Updates – Councilman Back *[None]*
- Planning and Community Development Project Updates – Theresa Dent

Ms. Dent provided information regarding the status of various projects in the Town.

► Future Agenda Items

- September 6, 2011 – Election of Chairman and Vice Chairman

There being no further discussion, Vice Chair Posey moved to adjourn at 8:05 PM. Mr. Echols seconded the motion and it carried.

Submitted by:

Danielle Mandley
Town Clerk