

La Plata Planning Commission
Town Hall, La Plata, Maryland
August 6, 2002, 7:00 PM

Present: Chairman Raymond J. Becmer, Walter T. Sollars, Jr., Garyton C. Echols, Jr., Keith A. Hettel, C. Keith Back, Roy G. Hale - Commission Members; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier

Guests: (See roster.)

Minutes:

Chairman Becmer called the meeting to order at 7:00 PM and read the agenda. Chairman Becmer asked Mr. Hale to lead the Commission and audience in reciting the Pledge of Allegiance. Acknowledging the larger than usual audience, Chairman Becmer welcomed them to the meeting and asked the Commission members to introduce themselves.

Approval of July minutes

Mr. Hale made a motion to approve the minutes of the July meeting. Mr. Sollars seconded the motion and it carried.

Safeway Project

John Bessey, Gore Bolton and Jack Shahey gave a brief review of Safeway's site plan and building proposed to be built on property north of Hawthorne Drive, running from Rt. 301 to Washington Avenue. They advised that the Safeway would be 57,860 sq. ft. in size, there would be an additional 12,000 sq. ft. space for retail, and the building would have a brick facade. They plan to open in June, 2003. The property will have three outlots. Safeway plans to reserve one of the outlots in the front for a gas station and car wash. They plan to construct Shining Willow Way and dedicate this street to the Town. Approximately 80% of the entire street is on their property, with the remaining 20% being on property owned by the La Plata Volunteer Fire Department. They plan to install sidewalks on Shining Willow Way and Rt. 301. There are three access points: two on Rt. 301 and one on Shining Willow Way. The plan meets the new surface water management requirements. They plan to have 10' wide parcel pick-up lanes and 25' wide 2-way driving aisles. They are planning several effects to address the buffer yard along the rear of the store.

During their presentation, a discussion was held regarding Safeway negotiating with the fire department to obtain the right-of-way so Safeway could build the entire length of Shining Willow Way from Rt. 301 to Washington Avenue. It was pointed out to Mr. Bessey that they got the zoning they requested on Hawthorne Drive which they told the Town they needed for an access, but none was shown. Mr. Bessey advised he would coordinate with the fire department to build the entire street.

Dr. Jenkins Building Rebuild (not present)

ANS School Rebuild

Paul Cosso, Patuxent Architects, provided a brief review of the plans to rebuild Archbishop Neale School. They plan to rebuild a 52,000 sq. ft. school to replace the 32,000 sq. ft. school destroyed by the tornado. It will be a one- and two-story structure, which will decrease the footprint and provide for a larger

playground. The building's exterior will be all brick. They will be reducing impervious areas by about one-third. They hope to begin grading by the end of August. When the site plan is completed they will bring it back before the Planning Commission.

Extension of Preliminary Plat - Jamestowne

Mr. Miller advised that he received a letter from Tim Lessner requesting a one year extension to the preliminary plat approval. Mr. Echols offered a motion to grant the requested one year extension. Mr. Hettel seconded the motion and it passed by unanimous vote.

Revised Preliminary Plat - King's Grant

Mr. Miller reminded the Commission that there would be no connection between Sections 6 and 7, that the street in Section 6 ends in a long cul-de-sac. He pointed out that Section 8 shows a long public use lot, for which Town staff finds no need. Gore Bolton remarked that they reserved a 20' wide area for the Town's control and use at the pumping station, which could be extended if the Town chose. The Planning Commission agreed they wanted that deleted.

Mr. Sollars offered a motion to approve the revised preliminary plat of King's Grant, with the revision of deleting the public use lot. Mr. Hale seconded the motion and it passed by unanimous vote.

Public hearing: McPhee annexation - zoning recommendation

(THE FOLLOWING IS A SUMMARY OF THE PUBLIC HEARING PROCEEDINGS. AN AUDIOTAPE OF THE COMPLETE HEARING IS ON FILE AT TOWN HALL.)

Chairman Becmer called the hearing to order, explained the hearing process and set a 5-minute time limit for speakers who were on the speakers list.

Mr. Miller entered into the record the Certification of Publication certifying that the notice of the hearing was advertised in the July 19 edition of the Maryland Independent. He described the property as 23.62 acres located at Oak Avenue and Glen Albin Road, on both sides of Glen Albin Road, and advised that the requested R-8 zoning was consistent with the surrounding neighborhood. He advised the Planning Commission that they must recommend a zoning category to the Mayor and Council.

Thomas F. Mudd, attorney for the applicant, advised that George McPhee is the property owner and Marty Martin is the contract purchaser. During his presentation, Mr. Mudd called on Mr. McPhee, Mr. Martin, and Wesley Tomlinson, a registered land surveyor with Ben Dyer Associates, to describe the property and its proposed development.

George E. McPhee, 215 Starkey Court, La Plata, advised that he purchased the property in 1953 and that it had been divided in 1960 when Charles County constructed a road and train overpass.

Joseph Martin, contract purchaser, advised that he plans to subdivide the property into 50 to 55 8,000 sq. ft. lots for single family detached homes, which he advised would be patterned after the homes in Charwood and along Glen Albin Road, and which would be in the \$150,000 to \$170,000 price range.

Wesley Tomlinson, a registered land surveyor with Ben Dyer Associates, described the property and its neighborhood. He advised that the northern parcel contains 9.795 acres and the southern parcel contains 10.5077 acres. He noted that the road right-of-way for Glen Albin Road contains the remaining 3+ acres. He advised that the Town's Comprehensive Plan encourages the annexation of enclaves and that this development is consistent with Smart Growth principles.

Mr. Mudd entered the following exhibits into the record:

- Exhibit #1: zoning map (8 ½ x 11 sheet)
- Exhibit #2: annexation map
- Exhibit #3: concept plan
- Exhibit #4: Outline of Extension of Services

During the discussion which followed, several points were discussed:

- 1) Mr. Tomlinson advised that this development would increase the Town's tax base and would not add infrastructure costs to the Town. He noted that they would provide an upgrade to Oak Avenue and would align Oak Avenue with an access road into the southern parcel.
- 2) The pumping station at Patuxent Court may need to be upgraded.
- 3) Mr. Martin advised he would be willing to work with the Town to extend sidewalk along Oak Avenue.
- 4) Regarding providing a second entrance (for emergency access) for the southern parcel, Mr. Tomlinson remarked that they were considering providing a dead-end street versus a cul-de-sac, for possible future connection to a neighboring parcel.
- 5) The concern was raised that the homes be constructed so the backs of the homes are not visible from Glen Albin Road.

There being no other questions from the Planning Commission, Chairman Becmer invited those on the speakers list to speak.

George Miller, 457 Patuxent Court, spoke in opposition to the annexation, noting concerns which included Smart Growth, expansion of the Town, traffic and the already dangerous intersection of St. Mary's Avenue and Glen Albin Road, and overcrowded La Plata schools.

Nawal Miller, 457 Patuxent Court, spoke in opposition to the annexation. Ms. Miller asked that the property remain Rural Conservation and save trees. She also was concerned about the overcrowding in schools.

Charmaine Power, 6805 Glen Albin Road, spoke in opposition to the annexation, noting concerns which included overcrowding in schools, the busy intersection, and traffic accidents. She remarked that a child had been struck by a car on Glen Albin Road.

Rose Rosier, 454 Patuxent Court, spoke in opposition to the annexation, noting concerns which included traffic problems, accidents (including the child who was struck by a car), the railroad tracks, overcrowding in schools, and the lack of a place for area teens.

Cathy Hayes, 223 Charleston Court, spoke in opposition to the annexation, noting concerns which included increased traffic, the dangerous intersection of St. Mary's Avenue and Glen Albin Road, and the need to keep the trees.

Chairman Becmer asked if anyone else wished to speak for or against the annexation petition. No one else wished to speak.

In his closing remarks, Mr. Mudd noted that the Planning Commission recommends the zoning classification to the Town Council, and advised that the applicant has provided enough information to allow that to be done. Mr. Mudd asked for the Planning Commission's support of the requested R-8 zoning and remarked that this annexation will bring people to the Town and an opportunity for the Town to determine how the property is developed.

Chairman Becmer explained that the Planning Commission would make a recommendation to the Mayor and Council, who will hold a hearing August 13. Chairman Becmer closed the hearing.

Zoning recommendation - McPhee annexation

Chairman Becmer asked for a motion regarding a zoning recommendation. Mr. Echols offered a motion to recommend to the Town Council that the property be zoned R-8. Mr. Sollars seconded the motion. During discussion prior to the vote, Mr. Miller advised that the County is aware of the annexation petition but has not yet responded. In response to another question from the Commission, Mr. Miller advised that the Planning Commission could make a second motion as to whether the property should be annexed. Following this discussion, the motion passed by unanimous vote. Chairman Becmer asked if there were any other motions. Mr. Echols remarked that he believed the proper forum for the citizens' concerns is at the Town Council hearing. There were no other motions.

Agricopia Master Site Development Plan

R. J. Earnshaw was present to again ask the Planning Commission to reconsider denying commercial uses in Agricopia and to look at the type of commercial uses they are proposing, which he advised would not be a Wawa or "box" store. He listed potential uses as child care facility, dry cleaner, video store, book store, small Sylvan Learning Center, doctors and lawyers offices. He noted it would not be a strip mall and would be all brick. Mr. Earnshaw remarked that the previous R-21 zoning allows neighborhood convenience establishments. Mr. Earnshaw also remarked that the Town Code currently doesn't have MUD 1, 2 and 3 regulations and that this master site development plan has been designed to the current MUD language in the Code.

Mr. Hale advised Mr. Earnshaw that the Town Council and the Planning Commission had given careful consideration to commercial uses in Agricopia, and denied that use as not suitable in that location.

Mr. Miller advised the Planning Commission that, as the ordinance is written, this master site

development plan cannot be approved because it does not meet the requirement of complying with the Comprehensive Plan.

Mr. Hale offered a motion to reject the master site development plan as presented. Mr. Sollars seconded the motion and it passed by unanimous vote.

Other business

Mr. Miller reported that a permit has been issued for a coffee shop in the old Bowling's store building.

Mr. Sollars asked if the Town should install a crosswalk where it was reported that a child had been struck at Glen Albin Road and St. Mary's Avenue. Mr. Miller advised he would have Mr. Schroeder look into having this done.

Regarding the issue of no activity on restoring damaged houses, Mr. Miller advised that some inaction has been due to dealing with insurance companies and obtaining contractors for the work. The Town has an inventory of the locations. The Town sent a courtesy letter to the owner of the house in Quailwood. If no action is taken, the Town will have to take stronger measures.

Chairman Becmer complimented the continued woody waste/rubble curbside collection and asked how long it would continue. Mr. Miller advised that the State is paying for two trucks (from Florida) to provide this service, which he believes will continue for two or three more months.

There being no other business to discuss, the meeting adjourned at 9:37 PM.

Respectfully submitted,

Judith T. Frazier