

Mayor and Council Meeting
Town Hall, La Plata, Maryland
August 13, 2002, 7:00 PM

Present: Mayor William F. Eckman, Councilman Thomas W. Fritz, Councilman Gene Ambrogio, Councilman Roy G. Hale; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier

Guests: (See attached roster)

Minutes:

Mayor Eckman called the meeting to order at 7:00 PM and then led the Pledge of Allegiance.

Approval of July minutes

Councilman Hale made a motion to approve the minutes of the July 9 meeting. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Councilman Fritz made a motion to approve the minutes of the July 23 meeting. Councilman Hale seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances

Chris Jakubiak, AICP - Marketing Update

Mayor Eckman explained that Mr. Jakubiak, who was the marketing and economic development consultant who worked with the Town on the Vision Plan and the Urban Design Plan, had been asked to return to help the Town after the tornado. Mr. Jakubiak gave the Town Council copies of the "Market Analysis, Downtown La Plata, August 2002" and provided a brief overview of the report's contents. The Town Council agreed they wished to discuss the report in more detail at a morning work session.

Public Hearing

Petition of George E. McPhee to change the corporate boundaries of the Town of La Plata by annexing a parcel of land consisting of 23.62 acres of land, more or less, and bounded on the north by Terrace Village Subdivision on Oak Avenue, to the west by CSX Railroad, to the east by Oak Avenue and is located on both sides of Glen Albin Road. (THE FOLLOWING IS A SUMMARY OF THE PUBLIC HEARING PROCEEDINGS. AN AUDIOTAPE OF THE COMPLETE HEARING IS ON FILE AT TOWN HALL.)

Mayor Eckman called the hearing to order. Mr. Miller entered into the record the Certification of Publication certifying that the notice of the hearing was advertised in the July 5, July 12, July 19, and July 26 editions of the Maryland Independent. He advised that the Planning Commission held a hearing on August 6 and passed a motion to recommend that the property be

zoned R-8.

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 29 acres in 1953. He developed and built Terrace Village Subdivision on about 8 acres which were in the Town's corporate limits. He noted that the property had been divided in 1960 when Charles County constructed a road and train overpass. He is currently contracting to sell the subject property to Joseph B. Martin, who wants the property annexed. Mr. McPhee advised he is in favor of annexing the property.

Joseph Martin, 11645 Charles Street, La Plata, the contract purchaser, advised that he plans to subdivide the property into 50 to 60 8,000 sq. ft. lots for single family detached homes, which he advised would be patterned after the homes in Charowood Subdivision, those along Glen Albin Road and in Willowgate Subdivision. He advised they would be in the \$150,000 to \$170,000 price range, and that he hopes to target first time home buyers. He further advised the project would be done in phases, with the northern parcel being phase 1 and the southern parcel being phase 2.

Wesley Tomlinson, a registered land surveyor with Ben Dyer Associates, advised he is familiar with the Town and County Codes and their zoning and development requirements. Using a portion of the Town's zoning map and the annexation map, he described the property and its neighborhood, including their uses and zoning districts. Mr. Tomlinson advised that all access on the northern parcel would be made via Oak Avenue, and described the improvements which would be made to Oak Avenue, including street widening, curb, gutter and sidewalk, and street lights. He noted that the northern parcel consists of about 10 acres and would be subdivided into 31 R-8 single family detached dwelling lots. He described the southern parcel and noted that there would be no driveways onto Glen Albin Road. He noted that the southern parcel would be provided with only one entrance from Glen Albin Road and that it would be across from Oak Avenue, and noted they wish to provide for a future road network to connect to this project.

Mr. Tomlinson described a traffic survey they conducted at Glen Albin Road and St. Mary's Avenue. Noting it was not an official survey, he explained that they used the State's guidelines and standards to determine that the level of service was "A", which is the best by those standards. The study was conducted on a Thursday during morning and evening rush hours. The peak hours were 8:15 AM to 8:30 AM and 4:30 PM to 4:45 PM. He remarked that, based on the State Highway Administration's criteria, the additional traffic from this property would provide no change in the level of service.

Mr. Tomlinson noted his agreement with the findings contained in the Extension of Services Report prepared by the Town and noted that this annexation would be in compliance with the

Town's Comprehensive Plan, which encourages the annexation of enclaves.

Regarding the Planning Commission's desire that there be two access points, Mr. Tomlinson noted that the Town Code is mute on the number of access points. He pointed out that the County allows up to 1000 trips per day for one access point.

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

Mayor Eckman opened the floor to questions from the Town Council:

Councilman Hale pointed out that the Planning Commission has routinely taken the position of having two access/egress points and feel very strongly about this for safety/emergency access reasons.

Councilman Ambrogio pointed out that the intersection of St. Mary's Avenue and Glen Albin Road is very unsafe and would need to be considered. Noting that the Comprehensive Plan provides that potential annexations must do something to make La Plata better for its current residents, Councilman Ambrogio asked the petitioner what they believe is the single most important reason for the Town Council to vote in favor of this annexation. Mr. Mudd responded that this would bring a pedestrian friendly residential development near the business center, which he pointed out was in line with the points made earlier during Mr. Jakubiak's presentation on the market analysis for the downtown.

There being no other questions from the Town Council, Mayor Eckman asked if anyone in the audience wished to speak for or against the annexation petition.

George Miller, 457 Patuxent Court, spoke in opposition to the annexation, noting he was not convinced this would be the best for the Town. His concerns included expansion of the Town and the need to repair and improve what currently exists. He pointed out the potential number of homes from past annexations and other developments, including 3200 in Heritage Green, 350 in Stagecoach Crossing, 425 in King's Grant, 700 in Agricopia, Jamestowne, and the 55 to 60 which would be added by the McPhee annexation, which would add over 4000 homes to the Town. He noted he wants to preserve the Rural Conservation zoning there. He was also concerned about the lack of activities, especially for teens. Mr. Miller also expressed concern about the traffic and the already

dangerous intersection of St. Mary's Avenue and Glen Albin Road, and overcrowded La Plata schools. Mr. Miller provided a written record of his statement.

Nawal Miller, 457 Patuxent Court, spoke in opposition to the annexation. Ms. Miller asked that the petition be denied or deferred after more discussion. Ms. Miller also expressed concern about the lack of activities for teens and about the overcrowding in schools. Ms. Miller advised she would like the property to remain Rural Conservation and save trees.

Charmaine Power, 6805 Glen Albin Road, spoke in opposition to the annexation, noting concerns which included the dangerous intersection at St. Mary's Avenue and Glen Albin Road, the added traffic on already overcrowded streets, and overcrowding in schools.

Christine Stonestreet, 409 Linden Lane, spoke in opposition to the annexation, noting concerns which included the dangerous intersection at St. Mary's Avenue and Glen Albin Road and overcrowded schools. Ms. Stonestreet advised she would like La Plata to keep its small town atmosphere.

Mayor Eckman 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 addressed some of the comments made during the hearing and noted that this property would bring residents to use the retail uses to be located in the downtown. He also noted this would give the Town an opportunity to control the development.

Mayor Eckman closed the hearing and advised that the Council will discuss and act on the annexation petition at a future meeting.

Legislation (none)

Unfinished Business

Council Reports

Councilman Hale reported on topics discussed at the August 6 Planning Commission meeting, noting that they had received similar comments during their hearing on the McPhee annexation petition.

Councilman Fritz reported that the Parks and Recreation Commission would meet August 15, at 5:00 PM, and will review recreation area at The Meadows and the new park on Radio Station Road.

Councilman Ambrogio advised he had no report as the Beautification Commission did not meet.

Mayor Eckman reported on the Design Review Board meeting, which he noted was working well and had reviewed two designs of businesses who were building back. He also advised there would be a meeting on August 14, at 7:00 PM, with business and property owners and representatives of state agencies. Mayor Eckman reported that the Town received a check from the State today, in the amount of \$400,000, for use in the rebuilding efforts.

New Business

Sewer upgrade

Mayor Eckman asked Mr. Miller for an update on the sewer upgrade project. Mr. Miller advised that Ben Dyer Associates has given the Town several options to deal with a bottleneck problem that exists. Mr. Miller asked the Town Council for authorization to negotiate with Ben Dyer Associates for professional services, using funds from the \$400,000 received from DBED.

Councilman Ambrogio made a motion to authorize the Town Manager to negotiate with Ben Dyer Associates for professional services in connection with the sewer upgrade project. Councilman Hale seconded the motion and it passed by unanimous vote.

Surplus equipment

Mr. Miller asked the Town Council to declare as surplus and authorize the advertising and sale of four vehicles: 1986 GMC 7000 series dump truck, 1989 GMC 7000 series truck chassis, 1985 Ford Bronco, and a 1986 Chevrolet dump truck.

Councilman Fritz made a motion to declare the vehicles as surplus and authorize advertising and sale. Councilman Hale seconded the motion and it passed by unanimous vote.

Councilman Fritz advised that the first meeting of the Reforestation Committee would be on Monday, August 19, at 7:00 PM, with Mark Rose as chairman.

Noting the reference to the Stagecoach Crossing annexation made by George Miller during the McPhee annexation hearing, Councilman Ambrogio asked if it would be possible to build to R-8 standards on any property in the MUD zoned Stagecoach Crossing property. Mr. Miller advised that the Town Code would have to be changed to allow R-8 in a MUD zone.

Public Forum

In response to a question asked by Bob Jacobs, Mr. Miller noted that the Town is planning a sewer upgrade on Rt. 301.

In response to a question asked by Don McGuire, Mr. Miller explained the process the Town is using to inventory and make contact with owners of properties damaged by the tornado. He noted that a courtesy letter is sent first, asking where they stand in the process of removing/rebuilding. If there is no response, the Town will take a firmer stance in the level of future contact with the property regarding the need to take action. Mr. McGuire encouraged taking advantage of the debris removal program while it is still available.

Cheryl McGuire asked that copies of Chris Jakubiak's report be provided at the next Vision Implementation meeting.

In response to George Miller, Mayor Eckman advised that there are plans for a Town Square in our long term vision plan.

There being no further business, Councilman Hale made a motion to adjourn at 8:44 PM. Councilman Fritz seconded the motion and it carried.

Respectfully submitted,

Judith T. Frazier