



## **PLANNING COMMISSION MEETING**

**Minutes of January 22, 2018 6:00 p.m.**

**County Commissioners Meeting Room  
La Plata, Maryland 20646**

The Charles County Planning Commission held its regularly scheduled meeting on Monday, January 22, 2018 at 6:00 p.m. in the Charles County Government Building, La Plata, Maryland.

### **The following persons were present:**

Angela Sherard, Chairperson  
Rosemin Daya, Secretary  
Buddy Bowling  
Nancy Schertler  
Vicki Marckel  
Rick Viohl  
Wayne Magoon  
Elizabeth Theobalds, Deputy County Attorney  
Jessica Andritz, Associate County Attorney  
Steve Kaii-Ziegler, Director of Planning and Growth Management  
Christina Pompa, Deputy Director of Planning and Growth Management  
Steve Ball, Director of Planning  
Charles Rice, Program Manager  
John Mudd, Resource Manager  
Heather Kelley, Planner III  
Aimee Dailey, Planner III  
Kyle Redden, Planner I  
Cyndi Bilbra, Planning Technician  
Yolanda Hipski, Program Manager  
Beth Groth, Planner III  
Sheila Geisert, Acting Clerk

### **1. Call to order:**

The Chairperson called the meeting to order at 6:00 p.m. with all seven members in attendance.

Ms. Sherard advised the commission that the Election of Officers had been removed from the Agenda until such time as the County Commissioners appointed a Chairperson of the Planning Commission.

Ms. Sherard advised the Commission that Sheila Geisert would be Acting Clerk until a replacement is found.

The Chairperson also advised the Commission that the Monday, February 12, 2018 meeting was canceled due to lack of material.

The Chairperson confirmed there were no persons signed up to speak during personal appearances.

2. **Approval of the Agenda:**

Mr. Magoon made a **MOTION** that the amended agenda be approved; it was **SECONDED** by Ms. Schertler and approved unanimously.

3. **Approval of the Minutes:**

Mr. Bowling abstained as he was not in attendance at the December 11, 2017 meeting. A **MOTION** to approve was made by Mr. Magoon to approve the minutes with the revisions offered by Mr. Viohl and Ms. Schertler; with a **SECOND** by Ms. Daya. The vote was five (5) in favor with one (1) abstention. The **MOTION** was approved.

4. **Chairperson's Comments:** None

5. **Personal Appearances:** None

6. **Public Hearing:** None

7. **Public Meetings:** Development Reviews

A. **St. Charles Self-Storage, SDP 16-0046**, Proposal to build a two-unit, four-story enclosed self-storage totaling 120,000 square feet and covering 2.22 acres. The property is located off Billingsley Road in the Middle Business Park in the Planned Unit Development Zone (PUD). This site was originally approved by the Planning Commission on July 21, 2003 for 21 commercial lots. Applicant: St. Charles Self-Storage, LLC /Agent: Soltesz

Presenters: Cyndi Bilbra (Planning Technician);  
John Mudd, (Manager, Resource & Infrastructure Management)

A question was raised regarding the access to the site from Billingsley Road. Staff pointed out the existing acceleration/deceleration lane on Billingsley Road is visible on the Aerial Map. There was discussion regarding the standards for the number of parking spaces needed when creating customer parking. Staff referred to the parking formula as shown on Page 5 of the plan. Questions were raised by a commission member regarding the inadequacy of the parking. Mr. Ball advised the commission members that two large loading/unloading areas are included on page 2, of the Site Development Plan. He also reminded the commission members that staff could review criteria for new parking standards at a later date. In response to an inquiry pertaining to the adequacy of handicapped parking, Ms. Bilbra confirmed the site meets the handicapped parking standards.

A question was raised about the sidewalk waiver, “Who would be responsible for installing the sidewalk on the neighboring parcel”. Mr. Mudd advised that a developer of a site would be responsible to meet the sidewalk standard. Each future site would either comply or request a waiver be granted. Mr. Mudd stated that this site had no property behind it and would need no sidewalk.

Ms. Schertler made a **MOTION** to approve the project as submitted incorporating the staff recommendations and findings. A **SECOND** was made by Ms. Marckel. The vote was seven (7) in favor to approve. The **MOTION** was approved.

**B. Woods Edge, XPN15-0007, Preliminary Subdivision Plan,** Proposal to subdivide a total of 16.79 acres located within the RM – Medium Density Residential zone (15.92 acres) and WCD – Watershed Conservation District zone (0.87 acres) into sixty-four (64) lots intended for single-family attached (townhome) dwellings. The project area was located off of the western side of McDaniel Road, 0.3 miles south of Middletown Road and 3,900 feet north of Smallwood Drive, across from the Autumn Hills residential development.

Applicant: Doug Meeker, Elm Street Development, LLC  
Representative: Sue A. Greer, Esq.

Presenters: Heather Kelley (Planner III);  
John Mudd (Manager, Resource & Infrastructure Management)

Staff made its presentation to the Planning Commission.



A request was made for a Google Earth map to be available during the Planning Commission meeting. Ms. Kelley was able to provide this map during the meeting.

Staff received a request for an additional map, a connectivity index map, to be posted to the Board Docs website as part of the Woods Edge agenda item. This request was made in accordance with the Superior Design Benchmark Guidance and Clarifying Criteria which is on Green Notice #16-01 of the County's website, specifically for item B-12) (in Appendix I of the Zoning Ordinance) – Vehicle or pedestrian inter-parcel connections to adjacent neighborhoods or tying to existing vehicle or pedestrian facilities.

In accordance with Section 4.9 of the Architectural and Site Design Guidelines and Standards (A.S.D.G.S.) the following connectivity criteria should be addressed as a benchmark for superior design. Sidewalks and bikeways should be designed to provide safe and direct access to on site amenities and nearby off site services. A map should be prepared showing all schools, parks, and shopping areas within a ½ mile radius of the site with the location of all existing and proposed paths/routes within the development and within a one mile of the development. For this specific application a connectivity index map was not required specifically because it is a townhouse development. Townhouse developments are subject to the use code requirements of Use 3.02.200, but not the A.S.D.G.S. The A.S.D.G.S. section referenced in the Green Notice is specifically applicable to single-family detached development, in specific zones, but not single-family attached (townhouses).

Currently, staff is working on language as part of the zoning code update which will require new townhouse developments, in the RM, RH zones etc. to provide similar connectivity index maps, but at this time it has yet to be presented to the PC for their consideration.

Staff confirmed that Architectural and Site Design Guidelines and Standards (A.S.D.G.S.), 5.0 Design Criteria for Single Family attached dwellings (Townhouses) is one of the code improvements being considered for update.

The aerial photograph that was posted on Board Docs was not meant to address this issue. It was meant to address another request from a Planning Commission Member.

An issue was raised pertaining to the expiration date of the professional engineer certification on Page 1 of the Preliminary Plan. Ms. Kelley confirmed the correct certification will be added to the proposed document.

A request was made by the Planning Commission to be provided with a sense of what future development (between the townhomes and single family detached homes) would look like and what had already been approved. A commissioner requested that Mr. Ball supply them with an updated Development Map by the next meeting?

One commission member raised concerns regarding this project using up all townhouse allotments for the year. Mr. Ball was asked when the document to help control townhome growth would be completed. Mr. Ball advised that an Affordable Housing Study was being prepared by the American Planning Association (APA) and the draft document should be finalized by the end of February. At that time the report would be presented to the Charles County Commissioners with a request for guidance on how they would like staff to proceed.

Many questions were voiced pertaining to the Superior Design Criteria for Cluster Developments and Planned Development Zones. Mr. Ball advised that Superior Design was used to enhance a project. Questions ranged from Open Space Criteria; to porch design; to trail systems; to sidewalks; to inter-parcel connections; to specimen trees. Staff supplied guidance in response to all questions proposed.

The applicant and representative, Mr. Doug Meeker, Elm Street Development, LLC, and Ms. Sue A. Greer, Esq. made a presentation to the Planning Commission. They spoke to the reasons they felt this proposal should have been considered a superior design townhouse subdivision. Both Ms. Greer and Mr. Meeker answered all questions posed by the commission members.

Ms. Schertler made a **MOTION** which was **SECONDED** by Mr. Viohl to deny the approval of the Preliminary Subdivision Plan entitled: **Woods Edge XPN #15-0007**.

The **MOTION** included the denial citing the following reasons:

1. The Open Space documented in the plan does not meet the zoning ordinance definition for Open Space which states: ... *Areas devoted to this (open space) are readily accessible to the public or residents of the development.*
2. The Plan does not satisfy Zoning Ordinance Cluster Development Purpose C objective 8: *Encourage pedestrian and bicycle circulation, rather than automobile circulation, by providing well-designed sidewalks and hiker-biker paths between cluster neighborhoods and related community areas.*
3. The Open Space documented in the plan does not meet the zoning ordinance Cluster Development General Requirements B (2).....*All recreational facilities, whether active or passive, shall be integrated fully with the layout of the units in the cluster development so that all cluster development residents have ready access to and use of all such facilities.*
4. The Plan does not adequately meet the superior design criteria for cluster developments.
5. The Plan does not meet the intent of the Subdivision Regulations Provisions of Open Space §61c) *Pedestrian trails and any similar features such as sidewalks shall be provided, and coordinated and/or linked to similar trails or sidewalks on surrounding properties. Future links to adjoining, undeveloped property are to be provided, as well as access to neighboring commercial areas.*”

One commission member submitted, this project was in a Priority Funding Area, and resided within the Development District where this type of cluster development was desirable. He agreed with staff that the project provided good stewardship of the portion of land in the Water Conservation District (WCD), staff evaluation of superior design and staff evaluation of good open space planning.

Another commission member, stated this area was in the development district where intense development is desired. It seemed, Mr. Meeker had exhausted every issue possible and answered all questions the Planning Commission Members had brought before him.



A roll call vote was taken. The results were as follows:

Mr. Bowling - No  
Mr. Magoon - No  
Ms. Marckel - Yes  
Ms. Schertler - Yes  
Mr. Viohl - Yes  
Ms. Daya - Yes  
Ms. Sherard – Did Not Vote

The **MOTION** was approved by a vote of four (4) to two (2). Ms. Sherard as chair, did not exercise her right to vote as her vote would not affect the outcome. The Project is denied.

**KESWICK HISTORIC PRESERVATION PLAN, XPN 06-0024 & XRS 17-0017**, The Historic Preservation Plan was prepared in accordance with a condition of preliminary plan approval. The property, containing 262.95 acres, is zoned Agricultural Conservation (AC) and is located northeast of Hughesville, approximately 1 mile north of the intersection of Goode Road and MD 231. Applicant/Agent: Lorenzi, Dodds and Gunnill, Inc.

**Presenter:** Beth Groth (Planner III)

A Planning Commission Member asked for clarification pertaining to the archaeological investigation Phase 1. Ms. Groth explained there were two archaeological sites on this project. A Phase 1 was prepared on the first neighborhood but the report stated that a Phase 1 must be completed on the second part of the neighborhood prior to the approval of development services permit.

A Planning Commission Member requested an additional condition be added to the Log House ruins and standing chimneys. The member requested that the stumps of the cut plants to be treated with an appropriate herbicide to prevent re-sprouting for a period of no less than one year.

The Planning Commission made inquire into maintaining the Log House ruins and standing chimneys area. Ms. Groth provided information about how the site would be maintained. The member also questioned the language on the signage. Ms. Groth assured the commission that staff would coordinate with Community Planning to ensure historic accuracy on the signage.

A **MOTION** was made by Ms. Schertler with a **SECOND** by Ms. Daya, to approve the Keswick Historic Preservation Plan as modified by the Planning Commission and adopt the findings, conclusions and recommendations incorporated within the Staff Report.

8. **Work Session:** None

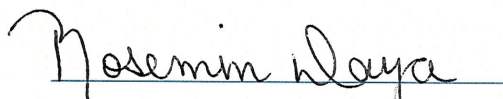
9. **Old Business:** None

10. **New Business:** None

11. **Director's Report:** None

12. **Adjournment:**

The meeting adjourned at 9:08 p.m.

  
Rosemin Daya, Secretary

  
Sheila Geisert, Acting Clerk