



PLANNING COMMISSION MEETING

**Minutes of November 6, 2023, 6:00 p.m.
Hybrid (Virtual & In-Person)
La Plata, Maryland 20646**

The Charles County Planning Commission held its regularly scheduled meeting both in-person at the County Government Building and virtually via Microsoft Teams on Monday, November 6, 2023 at 6:01 p.m.

The following persons were present:

Kevin Wedding, Vice-Chair
Dawud Abdur-Rahman, Secretary
Robin Barnes
William Murray
Denard Earl
Maya Coleman
Elizabeth Theobalds, Deputy County Attorney
Heather Kelley, Planning Supervisor
Joel Binkley, Planning Supervisor
Kirby Blass, Planner III
Melissa Hively, Planner I
Kelly Palmer, Planner III
Ben Yeckley, Planner III
Sherri Davis, Clerk

1. Call to Order:

The meeting was called to order at 6:01 p.m. with four (6) members in attendance.

2. Approval of the Agenda:

A **MOTION** was made by Mr. Barnes to approve the agenda, which was **SECONDED** by Mr. Murray. The vote was unanimous, and the **MOTION** passed. Mr. Abdur-Rahman made a statement disclosing his involvement with Bryan's Road Business Association for transparency and stated that it would not conflict with his ability to participate in item 7B of the night's agenda.

3. Approval of the Minutes:

A. October 16, 2023, Minutes

A **MOTION** was made by Mr. Murray to approve the Minutes. which was **SECONDED** by Mr. Barnes. The vote was unanimous, and the **MOTION** passed. Mr. Abdur-Rahman did not vote as he was not present for the October 16, 2023 meeting.

4. Chairman's Comments:

None

5. Personal Appearances:

None

6. Public Hearing:

6.a Cannabis, ZTA #23-180

Staff introduced the Planning Commission on a proposed amendment to the Charles County Zoning Ordinance. Next, staff answered several questions from the Planning Commission Members.

There were no comments from the public on the proposed amendment. A **MOTION** was made by Mr. Murray to close the hearing, which was **SECONDED** by Mr. Earl. The vote was unanimous, and the **MOTION** passed. A second **MOTION** was made by Mr. Barnes to hold the record open for (30) days which was **SECONDED** by Mr. Murray. A vote was taken. The vote was unanimous, and the **MOTION** passed. The record will be held open until 4:30 p.m. on December 7, 2023.

6.b ZTA #23-177 – Amendments to the Transit Oriented Development Zoning District

Staff introduced the Planning Commission on a proposed amendment to the Charles County Zoning Ordinance. Next, staff answered several questions from the Planning Commission Members. The Applicant then made a brief presentation and answered several questions from the Planning Commission Members.

There were no comments from the public on the proposed amendment. A **MOTION** was made by Mr. Murray to close the hearing, which was **SECONDED** by Mr. Barnes. The vote was unanimous, and the **MOTION** passed. A second **MOTION** was made by Mr. Murray to hold the record open for (30) days which was **SECONDED** by Mr. Barnes. A vote was taken. The vote was unanimous, and the **MOTION** passed. The record will be held open until 4:30 p.m. on December 7, 2023.

7. Public Meeting:

7.a Waldorf Self Storage, SDP-230017

Staff introduced an Applicant's request to approve the Site Development Plan (SDP) for Waldorf Self Storage, SDP-230017. Next, Staff and Applicant made themselves available for questions. There were none. There were no public comments.

A **MOTION** was made by Mr. Murray to approve the project as recommended by staff with the conditions noted in the staff report dated November 6, 2023, which was **SECONDED**, by Mr. Barnes. The vote was unanimous, and the **MOTION** passed.

7.b Potomac Chase Conformity Review, Time Extension, XPN-120003

Staff introduced an Applicant’s request for an extension of the approval for the Preliminary Subdivision Plan (PSP) for Potomac Chase, XPN-120003. Next, Staff made themselves available for questions of which there was none. There were no public comments.

A **MOTION** was made by Mr. Barnes to approve the extension as recommended by staff with the conditions noted in the staff report dated November 6, 2023, which was **SECONDED**, by Mr. Murray. The vote was unanimous, and the **MOTION** passed.

8. Work Session:

None

9. Unfinished Business:

9.a Elbert, et al v. Charles County Planning Commission

At 7:52 p.m., a **MOTION** was made by Mr. Barnes made a *motion to move into Closed Session where all or a portion of this session may be closed pursuant to Section 3-305 (b)(7) of the General Provision Article of the Annotated Code of Maryland to receive legal advice on the resolution of a Court case. The reason for moving into closed session is to keep legal advice, negotiations and strategies confidential.* The motion was **SECONDED** by Mr. Murray. The vote was unanimous, and the **MOTION** passed.

Summary of Closed Session Item(s)

At 7:56 p.m. the Planning Commission went into Closed Session.

Elbert, et al. v. Charles County Planning Commission (Present: [list members present])

Elizabeth Theobalds, Deputy County Attorney reviewed outcome and effect of the appeal to the Planning Commission decision in the case.

At 8:31 p.m., a motion was made by Mr. Barnes and seconded by Mr. Murray to end closed session.

At 8:33 p.m., the Planning Commission resumed open session and the discussion of the Elbert matter. In light of the Court’s ruling, each member will be provided the link to the hearing and documents available to the Planning Commission on the June 20, 2020 and July 21, 2020 and was asked to review each for the Planning Commission meeting of December 4, 2023. During that meeting, the items will be called on the record and members will articulate reasons based on the record presented to support the approval of the respective items.

10. New Business:

The Clerk polled the Planning Commission Members for any new business. There was none.

11. Director's Report:

None

12. Adjournment:

A **MOTION** was made by Mr. Barnes to adjourn the meeting, which was **SECONDED** by Mr. Abdur-Rahman. The vote was unanimous, and the **MOTION** passed. The meeting was adjourned at 8:38 p.m.

Kevin B. Wedding

[Kevin B. Wedding \(Dec 7, 2023 11:52 EST\)](#)

Kevin Wedding, Chairman

Amy Brackett

Amy Brackett, Clerk