

3759

THE St. Mary's County Chamber OF COMMERCE

"Where business and community meet"

September 5, 2013

The Honorable Francis Jack Russell
St. Mary's County Board
of County Commissioners
P.O. Box 653
Leonardtown, Maryland 20650

Dear Mr. Russell:

On behalf of the St. Mary's County Chamber of Commerce Governmental Affairs Committee, we would like to express our concern about recent action taken regarding a proposal by the Department of Land Use and Growth Management.

The LUGM staff presented a proposal that would extend the validity of approved permits to 2017. We believe that this action was not only valid but also supportive of all land owners that have approved plans but, due to economic and other conditions, have found a number of issues preventing them from implementing their plans through no fault of their own.

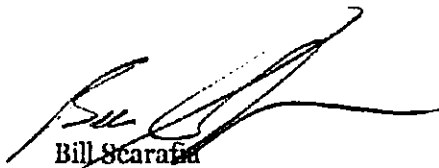
At the Planning Commission Public Hearing, to our knowledge, there was no opposition offered to the proposal, yet the Planning Commission deferred action until at least October. This action only increases the number of permit holders that are now unable to make any plans or take any action as to their proposed and approved projects.

We respectfully request that the County Commissioners support the staff proposal and take action to approve this measure at your earliest opportunity.

Very truly yours,



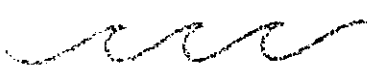
Thomas Dennison, Chair
St. Mary's County Chamber
Governmental Affairs Committee



Bill Scarafid
President/CEO
St. Mary's County Chamber of Commerce

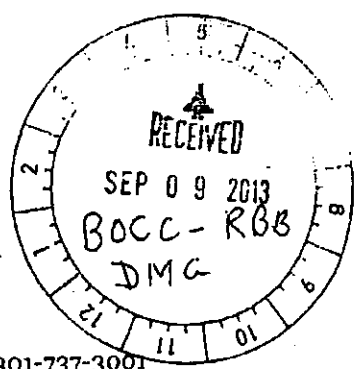
cc: St. Mary's County Planning Commission

44200 Airport Road, Suite B
California, MD 20619



www.smcchamber.com

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Action
PJS

ATTACHMENT

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DUGAN, MCKISSICK & LONGMORE LLC

BRYAN T. DUGAN
BILL D. MCKISSICK, JR.
CHRISTOPHER T. LONGMORE

22738 MAPLE ROAD, SUITE 101
LEXINGTON PARK, MARYLAND 20653

PHONE: 301 862-3764
FAX: 301 862-3789
PAXLAWYERS.COM

SAMUEL H. WIEST
SHANNON A. DENT

October 23, 2013

Via Hand Delivery

St. Mary's County Planning Commission
c/o Phil Shire
Director of Department of Land Use and Growth Management
P.O. Box 653
Leonardtown, Maryland 20650

Re: Public Hearing on Proposed Zoning Text Amendment to Chapters 264 and 285 of the Code of St. Mary's County to extend the validity of land use approvals to May 4, 2017

Dear Commissioners:

Please accept this letter as a comment regarding the proposed zoning text amendment to Chapters 264 and 285 of the Code of St. Mary's County to extend the validity of land use approvals to May 4, 2017. The public hearing on the proposed amendment commenced on August 12, 2013 and is scheduled to resume on October 28, 2013. I am submitting this comment on behalf of my client, St. John Properties, Inc.

As I believe you are aware, my client is the owner/developer of the Oak Crest Planned Unit Development (n/k/a Lexington Exchange). This is a Planned Unit Development that is in the process of being developed and has several existing approvals that would be affected by the proposed text amendment. My client last appeared before the Planning Commission for this project on August 12, 2013. The project continues to be under active development, including the current construction of improvements on Maryland Route 235 and infrastructure and road improvements within the project itself. At the August 12, 2013 hearing, my client presented the preliminary plans for an Aldi grocery store as part of the project. Recently, my client announced that it is actively negotiating with a cinema to be located within the project and will be presenting an update in this regard to the Planning Commission in the very near future. As you all well know, many in the County have long desired a new movie theater and my client is excited to bring this amenity to the County.

My client strongly supports the proposed amendment. As you know, the project has been in the development process for some time. While my client has been diligently pursuing the project, the current and recent economic conditions in our community and the nation as a whole have presented significant challenges to this project, like many others in our community and elsewhere. Coupled with the many state mandates and new requirements over the past several years, my client appreciates the

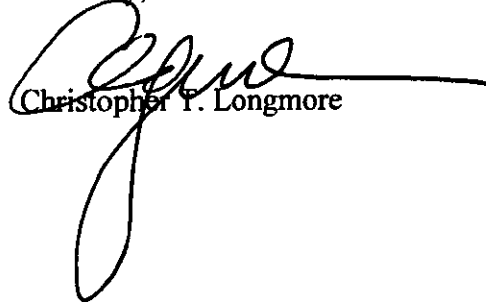
October 23, 2013

Page -2-

County considering a reasonable extension period of County approvals, to allow my client and the other members of the development community to adjust to the economic conditions and address the various other mandates. This will allow them to protect their investment and continue to develop a quality project that will be a vibrant part of our community for many years to come.

I appreciate your attention to this letter and would be happy to discuss any of the issues raised in this letter with you if you have any further questions or concerns.

Sincerely,



Christopher F. Longmore

DUGAN, MCKISSICK & LONGMORE LLC

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October 24, 2013

Via Hand Delivery

St. Mary's County Planning Commission
c/o Phil Shire
Director of Department of Land Use and Growth Management
P.O. Box 653
Leonardtown, Maryland 20650

Re: Public Hearing on Proposed Zoning Text Amendment to Chapters 264 and 285 of the Code of St. Mary's County to extend the validity of land use approvals to May 4, 2017

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As I believe you are all aware, this project was originally undertaken by a different builder and my client has taken the project over in recent years. The project itself consists of single family homes, proposed town homes, and various amenities for the residents of the neighborhood. My client was last before the Planning Commission on June 24, 2013 at which time it was granted concept plan approval for Section 3 of the project consisting of 131 townhomes. The project includes other sections that are at various stages in the approval process.

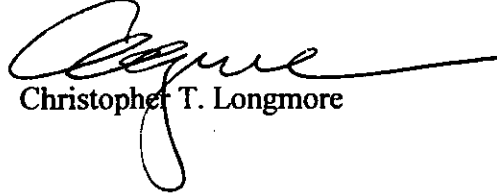
My client strongly supports the proposed text amendment and will directly benefit from the amendment in relation to the project. My client, like many other land owners and developers, has been navigating through the recent tough economic times as well as constantly having to respond and react to the various state mandates that have been handed down over the past several years. While this has created challenges for the project, my client continues to diligently continue the development of the project as the market will allow. The adoption of the text amendment will provide some certainty to my client and others as to the status of deadlines for the project. The extensions will also allow my client to continue the project in a way that will allow it to protect its investment while simultaneously continuing to create a well thought out and quality project.

October 24, 2013

Page -2-

We strongly urge you to adopt the text amendments extending the various county deadlines until May 4, 2017. We appreciate your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Longmore", with a long horizontal flourish extending to the right and a vertical line extending downwards from the end of the flourish.

Christopher T. Longmore

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Dear Commissioners:

Please accept this letter as a comment regarding the proposed zoning text amendment to Chapters 264 and 285 of the Code of St. Mary's County to extend the validity of land use approvals to May 4, 2017. The public hearing on the proposed amendment commenced on August 12, 2013 and is scheduled to resume on October 28, 2013. Please accept this letter on behalf of James Castillo and Westmoreland Partners, LLC, who are the agents for the developers of the Lexington Village commercial center, which is located at the intersection of Maryland Route 235 and Buck Hewitt Road in Lexington Park, Maryland.

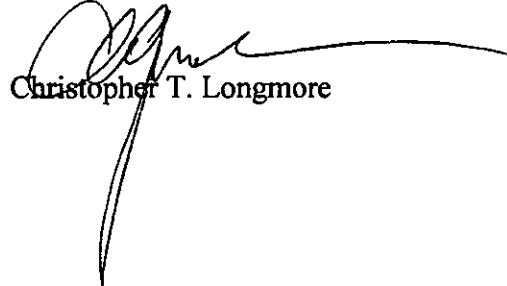
My client strongly supports the text amendment. As you are probably aware, the project has been in development over the past several years and continues attract quality, commercial businesses to our community. Like many other property owners and developers, the past few years have been challenging for this project given the state of the local and national economies. In addition, Maryland has enacted several state programs and mandates over the past several years that have made the development process more costly and time consuming. The project would benefit from the text amendment, as it continues to develop the project. My client appreciates that this text amendment would only affect county approvals. However, providing for the extensions will allow my client to appropriately plan and implement the continued development of this project. While we are aware that some Planning Commission members have questioned whether a shorter extension would be appropriate and then reconsider it later, we believe the proposed date of May 4, 2017 is the most appropriate date, to allow for certainty as to when existing approvals expire and so that the extensions will coincide with Maryland state stormwater management vesting date.

October 24, 2013

Page -2-

We appreciate your consideration of my client's position, and we are certainly available if you have any questions or concerns in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Longmore', with a long horizontal flourish extending to the right and a vertical line extending downwards from the end of the signature.

Christopher T. Longmore



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 - CARTER WILLSON
Carter, Inc.

October 28, 2013

Mr. James Howard Thompson
 Chairperson
 St. Mary's County Planning Commission
 P.O. 653
 Patuxent Building
 Leonardtown, Maryland 20650

Mr. Thompson,

To the members of the St. Mary's County Planning Commission, for the record my name is Marcus Jackson and I am Director, Government Affairs for the Maryland-National Capital Building Industry Association (MNCBIA) with offices in Silver Spring, Maryland. I am writing today to urge your support for the text amendments that would extend the validity period from April 1, 2013 to May 17, 2017. We feel that the proposed amendments to the subdivision and zoning ordinance properly comports with the Storm-water Management Grandfathering provision established by the State of Maryland.

Although there has been some modest economic growth in the housing sector during the past year, many economist have acknowledge that it is unlikely the housing market will return to pre - crisis levels, prior to housing bubble burst of 2008.

Since the housing market continues to struggle, and our members continue to struggle with getting financing from lending institutions, we respectfully come before this committee again requesting extensions. The regulations that Congress has enacted in response to the financial meltdown in the Fall of 2008 is still taking its toll on our members' attempts to move forward with what viable projects they have.

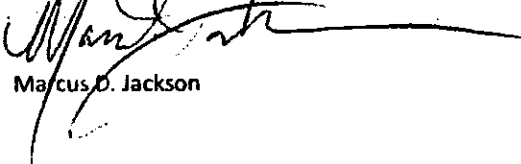
The continued time extension is necessary to keep alive those projects caught in mid-stream due to the housing crisis and will enable them to come out of this downturn without having to restart projects that would otherwise have to go back to square one and redo their applications and plans. Our members do not like to sit on projects they think can move forward. There is no advantage for them to do so since they continue to pay carrying costs on what loans they still have outstanding.

The housing market, though seeing some up-tick, remains fragile here in the County and in Maryland and any continued assistance you can provide will be greatly appreciated.

We thank the Planning Commission for their continued sensitivity to this issue and urge you to give this measure a favorable recommendation.

Sincerely,

MARYLAND-NATIONAL CAPITAL BUILDING INDUSTRY ASSOCIATION



Marcus D. Jackson

BUILDING HOMES, CREATING NEIGHBORHOODS

Representing Calvert, Charles, Montgomery, Prince George's and St. Mary's Counties and Washington, DC
 Affiliated with the Maryland State Builders Association and the National Association of Home Builders

