

Extensions of Time

Mr. Shire gave an overview of the proposed amendment to the Zoning Ordinance and Subdivision Ordinance as they pertain to extension of time.

Chairman Thompson opened the public hearing to public comment; there were none.

Mr. Evans made a motion to continue this hearing to October 28, 2013 and Mr. Willard seconded. The motion passed by a 6-1 vote with Ms. Robrecht opposed.

DEVELOPMENT REVIEW**PUD #04-132-010 – Lexington Exchange aka Oak Crest Center Amendment**

The applicant is requesting review and approval of a minor amendment to an approved Planned Unit Development Plan (PUD) to add a sign plan. The property contains 146.4 acres; is zoned PUD-IP, AE Overlay; and is located on the Northeast side of Three Notch Road (MD Route 235) approximately 3,100 feet Northwest of its intersection with Patuxent Beach Road (MD Route 4); Tax Map 34, Grid 10, Parcel 292.

Owner: St. John Properties, Inc.
 Presenters: Bob Bowles, LUGM
 Chris Longmore, Dugan McKissick & Longmore
 Karen Watsic, Development Manager with St. John Properties
 Andrew Roud, St. John Properties

Mr. Longmore gave a brief overview of the request indicating the applicant is only asking for approval of the main sign located on the roadway and introduced Mr. Andrew Roud gave an overview of the construction progress of the Lexington Exchange aka Oak Crest Center. Mr. Longmore indicated the applicants are accepting of staff's recommendations.

Mr. Evans made a motion in the matter of PUD Amendment #04-132-010, Lexington Exchange, aka Oak Crest Center, Sign Plan, having accepted the staff report and having made a finding that the objectives of Section 44.4 and Sections 65.5, of the zoning ordinance have been met, noting that the referenced project has met all requirements for approval, including conditions noted, I move that this minor PUD Amendment Master Sign Plan consisting of an entry pylon sign be approved and Mr. Seibert seconded. Mr. Longmore clarified the staff report to read 30 feet rather than 30 inches. The motion passed by a 7-0 vote.

DISCUSSION**Discuss Additional Planning Commission Meetings**

Mr. Bowles reviewed the additional meetings with the Planning Commission.

ADJOURNMENT

The meeting was adjourned at 9:00 pm.

 Jada Stuckert
 Recording Secretary

Approved in open session: September 23, 2013

 Howard Thompson
 Chairman

PC 8/12/13
 ATTACHMENT 1

BREAK**B. Extensions of Time**

Mr. Shire gave a brief overview of the requested text amendment that would grant extension of time limits imposed on an applicant by the Ordinance.

Mr. Willard made a motion to change all references of April 1st to January 1, 2013 in the text amendment and Mr. Evans seconded. The motion passed by a 6-0 vote.

Chairman Thompson opened the hearing to public comment.

John Parlett

Mr. Parlett stated he is in favor of the request for extensions of time. Mr. Parlett stated this amendment will help keep current approvals active during this trying economic time.

Chris Longmore

Mr. Longmore stated he is in favor of the request as well as several as his clients. Mr. Longmore stated his clients feel very strongly that this amendment should be approved. Mr. Longmore asked that the extensions of time not be staggered.

George Rathlev

Mr. Rathlev, on behalf of The Woods at Myrtle Point, stated they are in favor of the proposed text amendment.

Tom Watts

Mr. Watts stated he is in favor of the text amendment indicating he is in the development business and this amendment will help a lot of developers.

Guy Curley

Mr. Curley stated he is in favor of the text amendment and offered a letter of support from the Maryland National Capital Building Industry Association.

Chairman Thompson closed the hearing to public testimony.

It was the consensus of the Commission to have staff report back on a yearly basis to inform the Commission of projects that are in fact moving forward.

Ms. Guazzo made a motion that the Planning Commission, having accepted the finding of the staff report, regarding the proposed text amendment, to make the changes to the Zoning Ordinance, Chapter 21.1 and the Subdivision Ordinance Chapter 21.1 as described in the Staff Report, approve a resolution recommending that the Board of County Commissioners approve this amendment and that the Chair be authorized to sign a resolution on behalf of the Planning Commission transmitting this recommendation to the Board of County Commissioners and Mr. Willard seconded. The motion passed by a 6-0 vote.

2. Zoning Map Amendment

**Walden Sierra Property
Lot 1 (6.0 acres), Parcel 0104, Tax Map 0042
44861 Saint Andrews Church Road
Current Zoning: Rural Preservation District (RPD)
Proposed Zoning: Residential Mixed Use (RMX)**

Subject: To Amend §21.1.3 of Chapters 285 and 264 of the *Code of St. Mary's County, Maryland*, to Extend the Validity of Land Use Approvals to May 4, 2017

RESOLUTION

TO AMEND §21.1.3 OF CHAPTER 285 AND 264 OF THE *CODE OF ST. MARY'S COUNTY, MARYLAND*, TO EXTEND THE VALIDITY OF LAND USE APPROVALS TO MAY 4, 2017

WHEREAS, pursuant to §§4-101 through §4-104 of the *Land Use Article* of the *Annotated Code of Maryland*, the Commissioners of St. Mary's County are authorized to establish zoning districts and prescribe and amend regulations applicable in such districts; and

WHEREAS, pursuant to §5.03 of the *Land Use Article* of the *Annotated Code of Maryland*, the Commissioners of St. Mary's County are authorized to adopt regulations governing the subdivision of land; and

WHEREAS, the Planning Director wishes the Planning Commission to consider amending Chapters 264 and 285 of the *Code of St. Mary's County, Maryland* to provide for approval of subdivisions around lawfully existing dwellings; and

WHEREAS, the Planning Commission, following due notice published in the July 26, 2013 and August 2, 2013 editions of the *Enterprise*, a newspaper of general circulation in St. Mary's County, held a public hearing on August 12, 2013, and October 28, 2013 to accept public comment regarding the proposed amendment to Chapters 264 and 285 of the *Code of St. Mary's County, Maryland* to extend the validity of land use approvals to May 4, 2017; and

WHEREAS, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the Planning Commission finds, with a _ to _ vote, that it is in the best interest of the public health, safety and welfare of the citizens of the St. Mary's County, Maryland, to recommend favorably the proposed amendment, and

WHEREAS, the Planning Commission authorized the chair to sign a resolution on its behalf to transmit its findings and recommendation to the Board of County Commissioners;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that the following amendments to the Zoning Ordinance are recommended to the Board for adoption:

SECTION I. §21.1.3 of Chapter 285 of the *Code of St. Mary's County, Maryland*, is amended to read as follows:

3. *Extensions of Time.*
 - a. Upon written request, the Planning Director may, for good cause shown and without any notice or hearing, grant an extension of any time limit imposed on an applicant by this

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Ordinance. An extension of time may also be granted by a body acting pursuant to this Ordinance unless this Ordinance expressly provides otherwise.

- b. No permit, variance or approval in effect as of January 1, 2013, shall expire prior to May 4, 2017, unless required by a statute, rule or regulation of the State of Maryland.

SECTION II. §21.1.3 of Chapter 264 of the *Code of St. Mary's County, Maryland*, is amended to read as follows:

3. Extensions of Time.

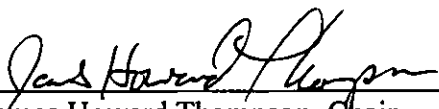
- a. Upon written request, the Planning Director may, for good cause shown and without any notice or hearing, grant an extension of any time limit imposed on an applicant by this Ordinance. An extension of time may also be granted by a body acting pursuant to this Ordinance unless this Ordinance expressly provides otherwise.
- b. No permit, variance or approval in effect as of January 1, 2013, shall expire prior to May 4, 2017, unless required by a statute, rule or regulation of the State of Maryland.

BE IT FURTHER RESOLVED by the Planning Commission that the foregoing recitals are hereby incorporated as if fully set forth herein.

Date of Adoption: 10/28/13


Ayes: 6 Nays: 0 Abstain: 0

ST. MARY'S COUNTY PLANNING COMMISSION



 James Howard Thompson, Chair

Attest:



 Phillip J. Shire, Director
 Department of Land Use and Growth Management