



Commissioners of Leonardtown

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DANIEL W. BURRIS
Mayor

LASCHELLE E. MCKAY
Town Administrator

Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
May 20, 2024 ~ 4:00 p.m.

Attendees: Jean Moulds, Chairperson
Laura Schultz, Vice-Chair
Doug Isleib, Member
Andrew Ponti, Member
Sean Lawson, Member - Excused

Also, in attendance were Town staff members Laschelle McKay, Town Administrator, Mike Bailey, Town Planner; Teri Dimsey, Executive Secretary, Emily Stagner, Main Street Manager, Yagya Oli, TPS Engineering Consultant, Pranisha Karanjit, TPS Engineering Consultant, Jim Gotsch, SMC Public Works Director, Drew Kelly, SMC Public Works, Gary Whipple, SMC Public Works Deputy Director, Ben Clark, SMC Public Works, Arthur Shepherd, Director SMC Recreation & Parks, Naggena Ohr, Property Owner, Kumar Ohr, Property Owner, Jake White, John O'Connell, Property Owner, and Laura Clarke. Sign-in sheets for this meeting are on file at the Town Office.

Chairperson Moulds called the meeting to order at 4:00 p.m. Vice Chairperson Schultz made a motion to approve the minutes of February 20, 2023 and Member Isleib seconded. The motion passed by a 4-0 vote.

Town Administrator's Report:

Mrs. McKay gave an overview of the three recent Town Council meetings that were held on March 11, 2024, April 8, 2024 and May 13, 2024. Mrs. McKay communicated that in March the Council had a public hearing for the issuance and sale of general obligation bonds for the well and water tower project out at Meadows at Town Run Section 2, which was approved after the public hearing. The Council also gave final approval for the Dogwood Subdivision Site Plan and Subdivision. The Council awarded a contract for the rebuilding of the McIntosh Run sewer lift station and authorized the mayor to sign a memorandum of understanding for the State Highway sidewalk project. Mrs. McKay communicated that in April the Council conducted a public hearing to adopt the FY 2025 budget and setting the real property tax rate and Mrs. McKay further communicated that for the last ten years the Town has kept the tax rate unchanged. The Council also conducted a public hearing to approve Resolution 1-24 cable franchise agreement with Comcast, Mrs. McKay further communicated that the Town will have multiple options when it comes to cable services. Mrs. McKay communicated that the Council held a public hearing for the acquisition of real property for public purpose, Ordinance 221, which is the property that Quality Built Homes is donating for the well and water tower site at Meadows at Town Run

COUNCIL: NICK COLVIN HEATHER M. EARHART
CHRISTY HOLLANDER J. MAGUIRE MATTINGLY IV MARY MADAY SLADE

Section 2. Mrs. McKay introduced Resolution 224, which is a petition for annexation of three properties owned by Cedar Lane Senior Living Community as well as the introduction of Ordinance 324, for one property adjacent to the Cedar Lane Senior Living Community owned by Alfred and Joan Mattingly and public hearings will be held on the June 10, 2024 at the Town Council meeting for both properties. Mrs. McKay communicated that in the May Council meeting a public hearing was conducted for Ordinance 222, to purchase real property for public use at the Leonardtown Wharf for additional parking. Town Council also had a public hearing for Ordinance 223, which was approved to grant a real property tax credit to active members of both Leonardtown Volunteer Fire Department and Leonardtown Volunteer Rescue Squad.

Old Business:

Case No. 05-05 A Splash-In Carwash – Lot 2 – Gordon Ragan Subdivision

Request for Final approval for site development plans for a 3,543 sq. ft. Car Wash.

Owner: NIVEA-NAGGENA, Inc.
Engineer: TPS (The Plan Source, Inc. C/O Kaviraj Arya Prakash
Property: 40874 Merchants Lane, Leonardtown
SDAT: Tax Map 0120, Grid 0018, Parcel 394 (Lot 2 – Gordon Ragan Subdivision)
Land Area: 1.50 Acres or 65,340 square feet
Zoning: Commercial Business (C-B)

Mr. Bailey communicated that the applicant received special exception approval from the Board of Appeals hearing on September 25, 2023 with a 5-0 vote in favor of granting the Special Exception based on Town Municipal Code Chapter 155-26. C. which allows for Automobile-related use within a Commercial Business zoning. Concept approval was received February 20, 2024, minutes of those meetings are included in your packets.

Mr. Bailey communicated that Per Town Municipal Code the site is required to provide 10% of the site in landscaping which equals 6,534 sq. ft. The proposed site landscaping plan is providing 12,150 sq. ft of landscaping which equates to 28.5 % for the site. The landscaping proposed exceeds the landscape requirements by 4,267 sq. ft.

Mr. Bailey communicated that the site currently has six (6) EDUs. The proposed Car wash will require six (6) additional EDU's prior to being issued a use & occupancy permit. The Town at this time does not have any available EDUs for this project, however the Towns existing waste water treatment plant is under construction to expand the facility. The estimated time frame to complete the waste water treatment facility upgrade is projected to be fall. The project could proceed with construction but would not be issued a Use & Occupancy permit until the EDU's have been acquired.

Mr. Bailey communicated that the project has received Final review approval from St. Mary's County Public Works & Transportation, St. Mary's County Soil Conservation District, Town of Leonardtown Capital Projects Department and Town of Leonardtown Planning Department.

Mr. Bailey communicated that the Architectural drawings to date have not been submitted or reviewed by the Town or the State Fire Marshal, this is not a requirement for final approval by the Planning Commission at this

time, however Architectural Drawings and Maryland State Highway must be approved prior to a building permit being issued.

Action Needed Today:

The applicant is requesting Final site plan & façade approval for Case No. 05-05 A- Splash-In Carwash – Lot 2 – Gordon Ragan Subdivision. The Planning and Zoning Commission can vote to approve, approve with conditions, delay or deny a decision.

Member Isleib, inquired that the drawings received in the packages reflect shrubs and tree outside of the property boundaries and wanted to ensure that those trees would remain. Mr. Bailey communicated that no trees outside of the limits of disturbance as shown on the approved plans would be removed. Member Isleib inquired if the architectural drawings that haven't been submitted to the fire marshal for approval, if they could potentially change the façade as shown within the current package being reviewed at this meeting. Mr. Bailey communicated that the architectural drawings should not change the appearance of the exterior of the building as approved by the Planning Commission.

Chairperson Moulds entertained a motion for Case No. 05-05 A- Splash-In Carwash. Member Isleib, made a motion to approve request for final site plan and facade for Case No. 05-05 A- Splash-In Carwash, pending fire marshal and State Highway approval; seconded by Vice Chairperson Schultz. There being no further discussion, the motion passed by a 4-0 vote.

Case No. 71-21 Cottages of Leonardtown – 22800 Lawrence Avenue

Request for final approval for site development plan for eight (8) cottages in PIRD development and subdivision plat approval.

Owner: Laurel Grove Properties, LLC.
Consultant: R. Victor Buckler, Professional Land Surveyor
Property: **22800 Lawrence Avenue**
SDAT: Tax Map 127, Grid 0021, Parcel: 260
Land Area: 26,267 square feet +/-
Zoning: Residential Multi Family (RMF)

Mr. Bailey communicated that Town Council referred the project to the Planning Commission at their October 10, 2023 meeting. The Planning Commission, after holding a public meeting on October 16, 2023 sent a favorable recommendation to Town Council. A public hearing was held November 13, 2023.

Mr. Bailey communicated that the owner received a Planned Infill and Re-development District (PIRD) overlay and concept approval for the property located at 22800 Lawrence Avenue. The concept approval also consists of a minor subdivision to divide the existing 0.59-acre property into two (2) lots. Lot 1 consisting of 0.271 acres or 11,804.76 square feet and Lot 2 consisting of 0.319 acres or 13,895.64 square feet on December 11, 2023. Mr. Bailey communicated that the property consists of 0.59 acres or 25,700.4 square foot. The property in 2021 had an existing 9,990 sq. ft. 12-unit apartment building with associated gravel and asphalt area utilized for parking. The property was issued a demolition permit in August, 2021 to remove the dilapidated building.

Mr. Bailey communicated that Per the Town Municipal Code Chapter 155-34, the purpose of the Planned Infill and Re-Development District (PIRD) is to encourage the re-development of deteriorated sites while preserving the residential character of the surrounding residential neighborhood.

Mr. Bailey communicated that the approved PIRD includes construction of eight (8) single family dwelling units, four (4) dwelling units on the proposed lot 1 and four dwelling units on the proposed lot 2 with a base unit foot print between 640 square foot and 1080 square foot. All proposed dwellings will be two-story.

Mr. Bailey communicated that Per Chapter 155-55. the proposed project is required to have two (2) parking spaces per unit or sixteen (16) parking spaces for eight (8) dwelling units. The project has met the required sixteen (16) parking spaces for eight (8) dwelling units.

Mr. Bailey communicated that the property currently has twelve (12) Equivalent Dwelling Units (EDUs). Eight (8) EDUs are required for the proposed Leonardtown PIRD. The remaining four (4) EDUs would be held inactive for use with a future project.

Mr. Bailey communicated that the proposed project must meet the storm water management Town Municipal Code Chapter 155-73. D. Redevelopment standards. The plans for stormwater management have been reviewed by staff and DPW&T and are pending final approval with resolution of a few outstanding minor comments. Staff will not issue a building permit until those comments are satisfied. Based on site visit held on December 6, 2023, the owner agreed to manage water coming down the hill from the upslope towards Pope Street into the storm water proposed design. The proposed design appears to address this water.

Mr. Bailey communicated that Final approval by Soil Conservation District is pending due to finalization of the stormwater management plans. SCD approval is required prior to issuance of a building permit.

Action Needed Today:

The applicant is requesting Final site plan and subdivision approval for Case No. 71-21 Cottages of Leonardtown – 22800 Lawrence Avenue pending final Leonardtown Planning Department and St. Mary’s County Soil Conservation approval. The Planning and Zoning Commission can vote to approve, approve with conditions, delay or deny a decision.

Member Isleib communicated that he did not see a landscape plan sheet as part of the final submission package, however he did see plantings shown on the site development plan and wanted to know if the plantings shown on the plan will be planted as part of the landscaping. Mr. Bailey communicated that the plantings shown on the site plan on sheet 7 of the submitted package will be required to be planted. Member Isleib inquired as to whether the existing trees along the side property line of the proposed lot 2 were to remain. Mr. Bailey communicated that the tree located in that area are on the adjacent property and would not be disturbed by the Leonardtown Cottages owner.

Chairperson Moulds inquired if the houses would be constructed as different colors and sizes and whether they are rental units. Mr. Bailey communicated that yes, they are to be rental units and that there would be four different models constructed.

Member Schultz inquired if the colors of the proposed dwellings illustrated in the review package would be utilized or would different colors be used with the proposed dwellings. Mr. Bailey communicated that he wasn’t told that the proposed dwellings would be the exact colors as shown in the Planning Commission review package. Mr. Bailey didn’t want to speak for the owner but did communicate that the owner did communicate that they wanted to stay consistent with the current houses in the community.

Mrs. McKay communicated that the owners would be present for the meeting tonight and the project could be

tabled until the owner is present at the meeting to answer any questions for the Planning Commission. Member Shultz communicated that it might be best to wait for the owner.

Chairperson Moulds requested a motion to delay the case, Member Isleib made a motion to delay the case until the owner is present to answer questions. Member Schultz seconded the motion There being no further discussion, the motion passed by a 4-0 vote.

New Business:

Case No. 56-23 Child Care Facility– Governmental Center Complex.

Request for a Concept approval for site development plans for a 6,347 sq. ft modular building.

Owner: St. Mary’s County Commissioners
Surveyor: Soltesz, Inc.
Property: St. Mary’s County Governmental Center
SDAT: Tax Map 0127, Grid 0005, Parcel 503
Land Area: 85.36 Acres
Zoning: Institutional / Office District (IO)

Mr. Bailey communicated that the applicant is requesting Concept Approval for a 6,347 sq. ft. Child Care Facility. The proposed site is located on the west side of Leonard Hall Drive, adjacent to the Leonard Hall / Recreation & Parks building (AKA Drill Hall).

Mr. Bailey communicated that the proposed new childcare facility is intended to accommodate approximately 73 children on the governmental center property to provide County employees an additional benefit in proximity to their place of employment. The primary users are intended to be County staff with any additional capacity being opened up to serve the community at large once staff needs have been met. The facility is expected to have 15 additional staff.

Mr. Bailey communicated that the Commissioners of St. Mary’s County have requested this facility to be a modular unit to be placed on piles as a permanent foundation, like the Community Corrections Center located by the detention center, and to also expedite construction. The facility proposed is to be served by Leonardtown public water and sewer. The modular Childcare Facility will have a Hardi panel stucco siding that will be painted to match the existing brick and trim colors around the governmental center property. The proposed building will be a single story, sprinkled facility that will be entered by a ramp and staircase from the front facing the Patuxent Building.

Mr. Bailey communicated that the proposed parking area will consist of twenty-three (23) parking spaces. Per Chapter 155-55 Chart B the required parking spaces for this type of use is one (1) per employee and one (1) per six (6) children. Based on Chart B of said Ordinance the site is required to have twenty-seven (27) parking spaces. The current proposed design is short of the ordinance requirement by four (4) parking spaces. However, if the facility is to be used by County employees, the employees may be utilizing already allocated required parking spaces in another part of the governmental center complex.

Mr. Bailey further communicated that Per Town Municipal Code the site is required to provide 10% of the site

in landscaping which equals 6,347 sq. ft. or 635 sq. ft. of plantings. The proposed site landscaping plan is providing 400 sq. ft of landscaping. The landscaping proposed is short of the landscape requirements by 235 sq. ft. However, looking at the entire site there is ample green space & landscaping.

Mr. Bailey communicated that the Leonardtown Planning Department has reviewed the concept plans and have outstanding comments. The consultant will be required to investigate the proposed tie-in to the existing pump station to ensure the pump station can handle the additional projected flows.

Mr. Bailey communicated that the project has been submitted to Soil Conservation District and Department of Public Works, which the client has received concept review approvals from both agencies.

Action Needed Today: The applicant is requesting Concept approval, for Case No. 56-23 – Child Care Facility – Map: 127; Grid: 005; Parcel: 503 – Part of St. Mary’s County Governmental Center. The Planning and Zoning Commission can vote to approve, approve with conditions, delay or deny a decision.

Drew Kelly, DPW&T project manager described the picture that was displayed at the front of the commission meeting room. Mr. Kelly described the proposed location of the Child Care Facility being adjacent to Leonard Hall Drive and that the proposed parking would be shared between the proposed staff and remainder of the existing County buildings within the complex. Mr. Kelly further communicated that the site is very limited as to where they can provide additional storm water management, therefore they proposed to treat another area of the complex to address the requirements for storm water management. Mr. Kelly described the floor plan to the members of the Commission, pointing out classrooms and lobby area as well as the entry and exit points for the facility. Mr. Kelly explained that when exiting the back of the building, it would lead to two separate play ground areas for the different age groups.

Mr. Arthur Shepherd, Director of St. Mary’s County Recreation and Park addressed the Planning Commission communicating that this is a much-needed project to address recruitment and retention of county staff. Mr. Shepherd communicated that the intent of the proposed daycare was not to be in competition with other child care facilities but to directly assist county staff in affordable child care.

Mr. Jim Gotsch, Director of St. Mary’s County Public Works and Transportation, addressed the Planning Commission communicating that the funding for this project was 1.879 million dollars from the Commissioners of St. Mary’s County. Mr. Gotsch communicated that the estimated construction cost was four hundred and twenty-five thousand dollars over the project budget. We just refunded about six hundred thousand dollars into the Commissioners Reserve fund and we’re asking for 425,000 of that back. Mr. Gotsch communicated that if we get your approval, that would really help us, with getting the money back from the commissioners before they give it away to somebody else. Mr. Gotsch communicated based on the schedule that the County has, the project needs your approval before I can go back to the Commissioners and request it. The building will cost 1.156 six million dollars, so before I can purchase the building and have it delivered, I need the Planning Commission approval. Mr. Gotsch communicated that the schedule to open the child care facility is projected to be Fall of 2025.

Mr. Bailey communicated for clarity that once the project receives concept approval the project site has been approved for progressing to the next stage of the design. Mr. Bailey also communicated that the project would require final approval from all agencies including the State Fire Marshal.

Chairperson Moulds inquired as to what the hours of operation would be and what is being done to feed the child care children.

Mr. Shepherd communicated that the child care facility will be open from 6:00 a.m. to 5:30 p.m. Monday through Friday, within that time frame snack and beverages will be provided as well as what the parents provide. Mr. Shepherd further explained that all guidelines will need to be followed to also include staffing requirements.

Member Isleib inquired about the county survey that was conducted for county employees use of the proposed facility. Mr. Shepherd explained that in the initial review expectations were high, however it remains to be seen how many actually utilize the facility. There was a lot of interest especially through the sheriff's department.

Member Ponti referenced that he being a county employee would there be a concern for a conflict of interest if he participated in the vote for this particular project being presented. It was suggested that Member Ponti abstain from any vote on the Child Care project.

Member Isleib inquired in reference to the difference between the landscape plan reflecting two trees and the façade drawing reflects more plantings than the landscape plan. Mr. Bailey communicated that the landscaping shown on the façade drawings were not included on the landscape plan so the façade plants would not be part of the landscape credit.

Mr. Kelly communicated that the plantings shown on the façade drawing can become part of the plan if required by the Planning Commission. Member Isleib encouraged the county to try and make the plantings happen as referenced on the façade drawings submitted.

With no further discussion Chairperson Moulds requested a motion for the proposed project. Vice Chairperson Shultz made a motion to approve the Concept Plan Site Development Plan, for Case No. 56-23 – Child Care Facility – Map: 127; Grid: 005; Parcel: 503 – Part of St. Mary's County Governmental Center, Member Isleib seconded the motion, there being no further discussion, the motion passed by a 3-0 vote with Member Ponti abstaining from the vote.

Chairperson Moulds communicated that the Planning Commission would go back to the unfinished business of the Cottages of Leonardtown where the commission was interested in the architectural colors of the proposed houses.

John O'Connell, Property Owner was introduced to the Planning Commission Board. Vice Chairperson Shultz questioned the coloring of two of the proposed models to be placed on the proposed site. Mr. O'Connell, communicated that the colors would be more in line with the coloring of the existing dwellings surrounding the proposed property.

Member Ponti inquired as to whether the water running down the hill from Pope Street has been addressed by the owner of the proposed property. Mr. Bailey communicated that based on the drawing, grading and the proposed installation of storm drain structures for the project should solve the water coming down the hill, however the water collected on the Townhome properties from the impervious surfaces of the Townhomes probably will not be resolved.

With no further discussion Chairperson Moulds requested a motion for the proposed project. Member Ponti made a motion to approve the request for Final Site Plan and Subdivision approval for Case No. 71-21 Cottages of Leonardtown, pending final Leonardtown Planning Department and St. Mary's County Soil Conservation approval, Vice Chairperson Shultz seconded the motion, there being no further discussion, the motion passed by a 4-0 vote.

Review of In-House Permits:

- Review of Monthly In-House Permits for February, March & April, 2024.

Chairperson Moulds entertained a motion to adjourn the meeting. Member Ponti, made the motion to adjourn meeting; seconded by Vice Chairperson Schultz. There being no further discussion, the motion passed by a 4-0 vote. The meeting was adjourned at approximately 4:44 p.m.

Respectfully submitted:

Michael A. Bailey, Planning & Zoning

Approved:

Jean Moulds, Chairperson

Laura Schultz, Vice Chairperson

Andrew Ponti, Member

Excused

Sean Lawson, Member

Doug Isleib, Member