

COMMISSIONERS OF LEONARDTOWN  
**Leonardtownt Planning and Zoning Commission Meeting**  
*Monday, March 20, 2006 ~ 3:30 p.m.*

Attendees: Jean Moulds, chairperson  
Jack Candela, Member  
Tom Collier, Member  
Frank Fearn, Member

Absent: Gary Simpson, Member

Also in attendance were: Laschelle Miller, Town Administrator; Colleen Bonnel, Planning Director; Jackie Post, Fiscal Clerk, Teri Dimsey, Recording Secretary; Robert Switala, Bergmann Assoc/AutoZone; Joyanna Smith, Biggs & Haller/AutoZone; Joseph Mitchell, Council Building, LLC; Mike Mummaugh, Council Building, LLC; Bill Males, Wm E. Males Construction; Alan Buster, St. Mary's Hospital; John Norris, NG&O; Mike Nalepa, Street Traffic Studies; Terry Wright, R.A. Barrett; Sonny Burch, St. Mary's Hospital; Christine Wray, St. Mary's Hospital; Dan Burris, Leonardtown Business Association.

Chairperson Moulds called the meeting to order at 3:30 p.m.

**Approval of Minutes: February 21, 2006**

The meeting minutes for the February 2006 Planning and Zoning Commission meeting are presented for approval.

Chairperson Moulds noted that on page 11 her question should be changed to ask what was going to be included in Phase I and she requested this be corrected.

**Chairperson Moulds entertained a motion to approve the February 21, 2006 meeting minutes, Member Collier moved to approve the minutes with the requested correction, seconded by Member Fearn; motion passed unanimously.**

## **Town Administrators Report – Laschelle Miller**

Ms. Miller stated she would highlight the items that were acted upon at the March 13, 2006 Town Council meeting.

**Ordinance #124** was introduced adopting the 2007 Budget and setting the Tax Rate. Budget Workshops will be held on Thursday, March 23 and Monday, March 27. The budget will be presented for final adoption in April.

**Planned Infill and Redevelopment** request for the Lawrence Avenue and Pope Street projects under the PIRD Ordinance passed last month and will be coming, next month, before the Planning and Zoning Commission for final site plan.

**Hazard Mitigation Plan** – Council received a copy. Have worked on this committee over the last year with various organizations throughout the County. It is federally mandated and the Town is required to develop this plan and update it annually in order to receive any future money from FEMA in the case of a natural disaster. We did receive money after the last hurricane so it is important we maintain compliance. The County Commissioners will be adopting a resolution in support of the plan on March 28<sup>th</sup>.

**New Well** – Provided the Council with an update on the new well that will be drilled on Greenbrier Road. Attended a groundbreaking ceremony for the first well for METCOM this morning. Our well will be the second well drilled and this well is being built to meet arsenic regulations and new requirements. Construction will begin in late April through May and for a period of approximately 14 days there will be considerable noise associated with the well drilling. We are sending flyers out to all the adjacent neighbors and an advertisement in the newspaper in conjunction with METCOM. There are a total of six wells being built.

**PUD Waterfront Ordinance** – Have been working on a draft Ordinance and sent it out to the Department of Planning and a couple of our consultants to review. A notice to attend a Planning Workshop for the new PUD Waterfront Ordinance to include Sam Crozier, a consultant who is working on the Waterfront Plan, will be on March 31, 2006 at 1:30 p.m. We would like to have everyone attend.

**Proffitt Building.** Council voted to name the new building, where the Town Hall will be located, which has been called the Loker II building, was named the Proffitt building, in honor of Becky Proffitt.

A **Ribbon Cutting Ceremony** to showcase the new parking lot will be held in conjunction with the April 10 Town Council meeting. Invitations will be sent out to everyone.

## NEW BUSINESS

### **CASE #48-04, Loker II Building (Proffitt Building), at 41660 Courthouse Drive request for Condominium Plat.**

Joe Mitchell, Council Building LLC, stated that he was pleased to learn that the building was named the Proffitt building as a fitting tribute to a former Councilmember and has changed the plan documents accordingly. He is submitting a standard subdivision plat. LSR has gone back and measured the floor elevations and, as set forth on these two pages, have completed everything that is necessary to take this single lot and turn it into six parcels of record plus the common area. The plans are submitted for the Commission's consideration and hope it is in compliance with the rules and regulations of the Town.

Chairperson Moulds asked Ms. Bonnel for her report.

Ms. Bonnel stated that the purpose of this plat is to subdivide the three-story building, located at the above noted location, into six individual office units. Recordation of this Condominium Plat will not adversely affect this parcel or any adjacent parcels of land and this parcel will continue to follow the Leonardtown regulations.

Changes needed:

- Under General Notes #5, under vicinity map and at the bottom of both pages – Case number needs to be 48-2004.
- Add Guyther Drive to Vicinity Map.

**Motion needed: Plat approval, approval with conditions, or denied.**

Member Collier asked who owns the general area?

Mr. Mitchell remarked that the new Proffitt Condominium Association would consist of the unit owners and each one of the unit owners participates in the maintenance of the common area.

Member Collier asked if the association was just for the Proffitt Building or part of the Loker I building.

Mr. Mitchell remarked that association is just for the Proffitt Building and will include six members, one for each unit owner, two votes of which will be the Town.

**Chairperson Moulds asked for a motion. Member Candela moved to approve Case #48-04 request for Condominium Plat subject to the changes noted on the Planner's report, Member Fearn's seconded the motion, the motion passed unanimously.**

**Case #18-06, 22545 Washington Street request Front and Side Yard Setback Variance, Residential.**

Mr. Males came forward and stated he is here on behalf of Susan and Warren Hunt. He has submitted plans to demolish the existing small house and replace it with a two-story home with a basement that when finished will be about 2,100 square foot.

Chairperson Moulds asked Ms. Bonnel to give her report:

Ms. Bonnel stated that a copy of the plan is enclosed in your packets. This is the property plat as existing, as well as what Mr. Males is proposing and also enclosed is existing site photos and proposed architectural house drawings. The applicant is proposing to demolish (and properly dispose of all debris) the existing 975 sq. ft. house. This house was built in approximately 1915 and does not currently conform to the Town's setback requirements. The applicant then plans on constructing a 2,400 sq. ft. Victoria style single family home. The existing house is not on the historical register nor significant for the history of Leonardtown.

Per the Leonardtown Zoning Ordinance, Article XIV, Nonconformities, a copy of which is included is the Section within the Code that pertains to Nonconforming Structures and the requirements. Two variances are being requested per the Code:

The minimum front yard depth requirement is 25 feet, the existing house is setback 12.8' and the proposed new house will be 16'.

The minimum side yard depth requirement is 8 feet and the existing house is setback 5.8'. The proposed new house will be setback 7'.

Parcel limitation: An existing 20' sewer easement running along the side and rear of this parcel limits the actual usable building area of the parcel.

Also included are the Leonardtown Zoning Ordinance, Section 155-136, Limits Guidelines and Standards that needs to be reviewed for the neighborhood, as well as, for the proposed development. The conditions for a variance which are required under Section 155.105 and the Planning and Zoning Commission shall study the specific property involved, as well as, the neighborhood, public health, safety, security morals or general welfare, and the variance shall comply, as nearly as possible in every respect with the spirit, intent and purpose of the zoning Ordinance.

The Commission shall forward its recommendations to the Board of Appeals who will hold the required Public Hearing.

Chairperson Moulds asked if the setbacks were on both sides of the house?

Ms. Bonnel responded no, it is just the one variance for the one side; the other side has a 20' sewer easement.

Chairperson Moulds remarked that this does set back from the street farther than the two houses on either side.

Mr. Males noted that just the wraparound deck would be over the building restriction line.

Member Collier asked if a driveway would be put in?

Mr. Males responded that an asphalt driveway will be put in up to the line of the sewer easement.

**Chairperson Moulds asked for a motion. Councilmember Fearn moved to recommend in favor of the variance for Case #18-06, 22545 Washington Street request for a Front and Side Yard Setback Variance, Member Candela seconded the motion, the motion passed unanimously.**

## **OLD BUSINESS**

### **Case #133-05, Auto Zone, Shops at Breton Bay request for Concept C Plan Approval.**

Ms. Joyanna Smith, an attorney with Gibbs and Howard stated was here for Mr. Ed Gibbs to represent the applicant Auto Zone. With her today are Robert Switala, Bergmann Associates and Terry Wright of RA Bartlett and Associates. She is here today to present a second version of the conceptual site plan for Auto Zone. We appeared several months ago with a conceptual site plan with a different orientation of the building and, at that time, the Commission did not approve that conceptual site plan because the building was not in line with the TrueValu store. As a result, we have come up with an alternative concept site plan. Ms. Smith called Mr. Wright and Mr. Switala forward to go over the new plan.

Mr. Switala referred to the renderings and which are in compliance with Ordinances. He noted the location in the back corner of the building of the loading and dumpster facilities away from the Route 5. They have matched the shopping center brick façade with a finished top coping to it and the front entrance has a glass frontage. Along the longer sides of the building will be columns jutting out to interrupt the long face of a wall. To avoid the appearance of automobiles in the shopping center and to orient the building to the fronting street they have placed 30% of the parking to the rear and sides of the site. There is existing heavy landscaping along Charles Memorial going back to the cemetery and along the back of the site that will help to buffer the parking from Route 5. A dedicated pedestrian access way has been added along with screening along the access drive. Along the rear of the site there is a pretty dense buffer already there now. The layout where the building is situated is the high point of the site and they can orient the site so that the grade will allow the stormwater to sheetflow off of the parking lot into the wooded buffer area into the basin. That will help with the stormwater quality aspects of the site versus piping it and to the basin and will allow us to treat the water as it crosses into the wooded area in the basin.

Chairperson Moulds asked for Ms. Bonnel's comments:

**Case #133-05.** We have labeled this as Concept C because two concepts were presented in the past. The Planning and Zoning Commission did approve a Concept A. The location is at the Shops of Breton Bay, side lot and is a double front lot, which is fronted on Route 5, as well as, the primary shopping center and principal roadway. Included in your packets are the October 17, 2005 Planning and Zoning meeting minutes, Concept Plat A & B site designs from the prior presentations, building size is still proposed to be the same, 7,381 sq. ft. Included in your packet is Section 155-28, Standards for Site Planning and Building Design, architectural drawings are to be resubmitted and changed per comments from the October 17, 2005 and columns would be added to break the long wall, we have not seen those drawings yet. Stormwater management needs to be proposed.

Mr. Switala remarked that they would utilize the existing stormwater management basin. The basin has enough capacity to handle the run-off from the store and also will be using infiltration from the green space area where the wooded buffer.

Ms. Bonnel remarked that that is a Forest Conservation Area (FCA) and is not a wooded buffer. Stormwater management and designs will need to be submitted to the St. Mary's County Department of Public Works. They must have FCA signs and fencing installed to work within 50' of the FCA area. (Pavement is proposed within 4 to 11 feet of the FCA).

A detailed lighting plan will need to be submitted, usages of two styles, no light spillage allowed from the site. Parking required: 37 spaces showing 4 spaces in excess. Two dead-ends for vehicular traffic (possibility of removing four end one to make better circulation system). Article XI Off-Street Parking/Planning requirements must be met.

**Action needed: Revised concept plan c approval, approval with conditions or denial.**

Member Collier asked to clear up Concept B. Ms. Smith indicated that nothing was approved and we rejected everything. For the record, the minutes state that Concept A was previously approved.

Ms. Bonnel agreed that Member Collier was correct, Concept A was approved, Ms. Smith misstated. Member Collier would like it noted that the Commission previously approved Concept A.

Member Candela asked if the buffer noted on the plans between the building and Memorial Gardens is existing or proposed?

Mr. Switala responded they are existing. Behind the store are evergreen shrubs and along the access side are small yellow shrubs.

Member Collier stated that the intent of the Ordinance, Article 155.28, Paragraph A, #3, Orienting building to fronting streets and placing some of the parking at the rear and/or sides. He believes the intent of the Ordinance is that the building should be facing the main street, which is Route 5, which is the way all the other buildings are facing.

Mr. Switala responded that the short side is facing Route 5. The door is on the side but the front is facing Route 5. The entrance is at the corner of the building, but not directly in the front. Half of the wall is glass.

The members had discussion regarding the location of the door on the side. They commented that the door is located in the farthest corner from the rest of the shopping center, which makes it a long walk from TruValu and that the door should be located in the middle of the building.

Mr. Switala stated that the location of the door could be changed.

The members had discussion regarding the front and side of the building. It was noted that many of these items were discussed in Concept Plan A presentation.

Mr. Switala responded that they could change the store frontage to allow for a front entrance from the parking lot.

Mr. Wright proposed the building to have two fronts. The sidewall can be shown as a front and also have a front design that is facing Route 5.

Councilmember Fearn asked to clarify if the two islands have lighting and commented there was no lighting on the other side of the building.

Mr. Wright indicated there is one in the middle of the double beds, which is a double-headed fixture.

Member Candela asked if there were lights on the other parking spots?

Mr. Wright replied that they usually use the store frontage light from the glass windows.

Chairperson Moulds noted that the parking lot is a dead-end and you would have to back up to get out of the parking lot. There are an excess number of parking spaces and by deleting the last four in that row, it would allow circulation without adding any additional impervious asphalt.

Mr. Wright indicated they could make an island, similar to left side to allow circulation around the parking lot.

Councilmember Fearn inquired if the existing shrubbery is sufficient to buffer?

Ms. Bonnel replied that it will not be sufficient, they do have specific parking lot requirements and they will be required to show this on the detailed landscaping plan.

Member Collier stated that the building needs to comply with the changes proposed should be rotated 90% and married up with the rest of the subdivision, the way it was presented in Concept A, this Concept C does not comply.

**Chairperson Moulds asked for a motion. Member Fearn moved to recommend Case #133-05- Concept C plan with conditions to comply with the changes recommended, which are the entrance, parking lot circulation, moving the door down to the center, improving the façade, lighting, and landscaping, Member Candela seconded the motion, the motion passed unanimously.**

**Case #154-05, St. Mary's Hospital Revised Road Circulation Presentation.**

Mr. Allen Buster, Vice President, St. Mary's Hospital introduced himself along with Christine Wray, CEO, St. Mary's Hospital and John Norris with NG&O. Mr. Norris will present the changes made based upon the last meeting to change the road circulation process for the front of the drive.

Also present today is Mike Nalepa with Street Traffic Studies out of Glen Burnie and have asked him to look at some of the thoughts and concerns that the Commission has and provide an overview from a third party.

Mr. Norris referred to the drawing of the revised modified roundabout, certainly not a typical roundabout, and described the movement/function to the Commission members. Mr. Norris stated that they ran this model on a program called Auto Turn to see how different size vehicles, such as trucks and cars, can maneuver.

Member Candela asked if they had an alternative to this plan?

Mr. Norris replied that this is the plan they prefer, an alternative would have to be something that does not accomplish the objectives and the objective is to get good access to the hospital and let the people coming through Drs. Crossing Way have good access to the site.

Chairperson Moulds asked Ms. Bonnel for her comments:

Ms. Bonnel stated that at the December 10, 2005 Planning and Zoning meeting the concept plan was presented. Discussion items, stormwater management ponds needs to be addressed, can the existing pond handle the new loads? A roundabout design discussion was presented to the Town in 2002, which slows traffic down but also allows access to the hospital by all intersecting roads; pedestrian crosswalks needed, parking design standards, adequate lighting of minimal glare, interior landscaping, planting beds, plant materials, and buffering and screening. The applicant is presenting to the Commission a revised roadway design. Enclosed in your packet are revised traffic system drawings, as well as, preliminary comments received by email from the Department of Public Works because they performed the engineering review for the Town.

**Motion needed on Roadway Concept Proposed.**

Mr. Norris referred to the drawings and discussed the traffic movement and its effects.



Member Candela noted that those coming from Drs. Crossing Way would go half-way out to Route 5 and then have to turn around and come back to get around to the other side of the hospital.

Mr. Norris stated that they wanted to place it down far enough so that there was some separation, but if it was a typical roundabout they would go around and this gives us a little more separation. The intent is to allow movement but not to encourage movement, as there is a problem with through traffic.

Member Candela stated that the road now have vehicles backing into it, is that not a dangerous situation?

Mr. Norris replied that it is a parking lot; the intent is to only provide movement for those few folks that are going to be coming from Drs. Crossing Road.

Member Candela noted that eventually Drs. Crossing Way is planned to dump out into Clark Farm to a common intersection and there will be a light.

Mr. Norris noted that people are trying to use Drs. Crossing Way as a parallel road to Md. Route 5, but this roundabout is not supporting that, nor are there any other street systems outside of the private property of the hospital supporting that.

Mr. Buster stated that the current traffic flow uses the hospital's driveway as a street. There is a problem with that and there are folks trying to cross the street to get to Health Connections. We are intentionally slowing the traffic down.

Member Fearn commented that this has become a shortcut for folks to avoid the light on the corner. We have had several near misses. Speed bumps and signage have been added but it is still very dangerous to try and get across the hospital property.

Mr. Buster also noted that they are running 25% above admissions and the hospital has run out of parking spaces and need the new additional parking to serve the patients and their guests.

Member Candela quoted from a memo from John Groger, St. Mary's County Department of Public Works, *"I have review the concept sketch you sent me on the access road redesign. This design will result in confusion and wrong-way movement. Also the design does not accommodate truck-turning movements. I believe that round-about would function much better and in addition I would not recommend perdicular parking along Drs. Crossing Way due to the potential safety hazards for motorists backing from parking spaces."*

Mr. Buster noted that this is hospital property. Folks are trying to use this as a cut through and with the increased number of visitors and patients it just does not work that way anymore.

Mr. Nalepa stated that he ran the Auto Turn computer program with a single unit thirty-foot truck. It showed that a truck this size can make the left turn, another example shows the return movement can also be made.

Member Collier asked where the oblong island ends and starts?

Mr. Norris referred to the drawings to indicate where it started and ended.

Member Candela asked how the tractor-trailers are serviced.

Mr. Buster responded they are serviced a number of ways, the hospital controls how they enter and exit, mainly through Route 245. We are working with the County and the Town to widen Route 245 to make it easier for the tractor-trailers to enter. We also ran Auto Turn with passenger cars and they easily make the u-turn. This concept does not provide near the ease of movement that exists today, but that is not the intent. The intent of this is not to make it easy, this road carries through traffic and has parking on one side and pedestrians trying to cross a through road.

Chairperson Moulds asked if there would be signage? It will take a lot of signage to get people to come drive down, turn around and go back up. Many will think they can go to the left and around.

Mr. Norris replied yes.

Chairperson Moulds remarked there is proposed to be an increase on this roadway in the future.

Mr. Norris replied he doesn't think so. The hospital does not want to buy the circular road to connect the Clark Farm and Route 245. They are and have been providing this quasi street even though it goes through the middle of their operations.

Member Fearn stated they that did take this plan to both the Rescue Squad Association and the Leonardtown Fire Department, they are both comfortable with the layout.

Mr. Buster referred to the drawings to address Member Collier's earlier question about the ambulances and explained how it will function.

Member Collier stated that he understands what the hospital is trying to do but are we looking at this with a blindfold thinking that just putting in a semi-circle is going to prohibit the traffic flow. Seems to be that the people that are using it now will still continue to use it.

Mr. Norris responded that there are two answers to the problem. One is to place a traffic light on Md. Route 5 to queue the traffic (this may take years) and second, there is a need for the cross movement but not the front this property, which would be to utilize Miss Bessie's Drive. It loops around the hospital and is a neighborhood connection should be utilized more.

Member Candela asked what is going to stop people coming from Route 245 and cutting across?

Mr. Nalepa responded that people travel the path of least resistance. This is just a traffic-calming device that jurisdictions use to make it less convenient for people to travel on roads that they are

not supposed to be on. This makes it easier, as the only movement you can make is a right-hand turn; it also makes it safer for pedestrians as they only have to look in one direction.

Member Collier stressed his concern that they are creating a more dangerous situation.

Member Candela replied it is not whether we want the hospital to provide a street access between Route 5 and Route 245. The situation is whether this proposal is a safe proposal, or not, for the people who are on this campus and these people are not just the people cutting through, it is the employees, patients, visitors and doctors. The question is whether it is safe for everybody on that campus; that is my concern.

Mr. Burch, a St. Mary's Hospital board member, stated from the floor that there is no question we want safety but does not think it is fair to expect the hospital to provide the roadway.

Mr. Buster remarked that this design was determined to be the safest for the employees, visitors, and patients. We have had many near misses, as mentioned before, speed bumps were added but that has not slowed traffic. I believe this type of roundabout will help.

Chairperson Moulds remarked that the issue is the fact that you are doing away with a road there and it will now be a parking lot and it just seems like there ought be a way to slow it down without making everybody come from Moakley Street have to go so far down and turn around and come back.

Mr. Buster remarked that the turn around is not as far down to Route 5 as the drawing indicates.

Chairperson Moulds remarked that if this is a true roundabout, then the people coming in from Route 5 no longer have the right away.

Mr. Norris replied that signage is proposed to address these issues.

Member Collier asked Mr. Nalepa what happens if a 40' or 50' foot truck decides to use the entrance off of Route 5, can he make the right turn to head towards the rear of the building.

Mr. Nalepa replied yes. Also, at the request of the Leonardtown Fire Department, they will have curbs that do not damage tires.

**Chairperson Moulds asked for a motion. Member Collier moved to accept Case #154-05 SMH Revised Road Circulation Presentation, Member Fearn's seconded, Member Candela abstained, the motion passed, three in favor, one abstain.**

Member Candela stated that he feels there is a big potential for accidents with this road circulation plan.

### **Monthly Permits**

No questions/comments.

**Town Council Meeting Minutes – February 2006**

No questions/comments.

**Member Collier moved to adjourn the meeting at 4:55 p.m., seconded by Member Candela, motion passed unanimously.**

Respectfully Submitted:

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Teri Dimsey, Recording Secretary

**Approved:**

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Jean Moulds, Chairperson

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Frank Fearn, Vice Chair

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Jack Candela, Commission Member

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Tom Collier, Commission Member

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Gary Simpson, Commission Member