

Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
June 18, 2007 ~ 2:30 p.m.

Attendees: Jean Moulds, Chairperson
Frank Fearn, Vice Chair
Dan Burris, Member
Jack Candela, Member
Dave Frock, Member

Also in attendance were: Laschelle Miller, Town Administrator; DeAnn Adler, Plans Reviewer; Teri Dimsey, Recording Secretary; Jackie Post, Fiscal Clerk; Wayne Davis, WM Davis; Rodney Gertz, Andy Bice, Quality Built Homes; A complete list is available on file at the Leonardtown Town Office.

Chairperson Moulds called the meeting to order at 2:35 p.m.

The meeting minutes for the May 21, 2007 Planning and Zoning Commission meeting are presented for approval.

Chairperson Moulds entertained a motion to approve the May 21, 2007 meeting minutes, Member Burris moved to approve the minutes, seconded by Member Fearn, no further discussion; motion passed unanimously.

Town Administrator's Report – Laschelle Miller

Soap Box Derby Winners - The Soap Box Derby winners were invited, as we do annually, to the Town Council meeting and were presented with a Certificate of Appreciation and a small bag of gifts from the Town Council.

Ordinance #130 – Adopting FY08 Budget and Setting the Tax Rate – Ordinance #130 was passed approving the FY08 Budget and maintaining the current tax rate.

Audit Contract – Council awarded the Audit contract for FY07 to Murray and Wamsley.

MDE Grant for Manhole Rehabilitation - MDE has awarded the Town a grant in the amount of \$25,000. \$14,400 is to rehabilitate 3 manholes on the Town Run interceptor. The balance is for cleaning and TVing sewer lines. The Town has also budgeted funds toward this project if

needed in FY2008. Council awarded the project to Terre Hill Composites in the amount of \$11,395 for rehabilitation of 3 manholes. Staff is working closely with MDE in this process.

Award Waste Disposal Contract- The bid opening was held on June 6, 2007. Three bids were received. Council awarded the contract to Goode Trash Removal.

Banner City Program- In 2006 MML instituted a new program to recognize cities/towns that show outstanding commitment to MML programs. These cities/towns will be recognized annually at the convention. This first year only 14 cities/towns will receive the recognition. I am pleased to announce that Leonardtown will be among them. Thanks to the entire Council and Staff for their efforts.

Appointment of Rt. 245 Rezoning Committee- As part of the appeals process for the Brinsfield Funeral Home case a recommendation was made to form a committee to explore a comprehensive rezoning of the Rt. 245 area. I have asked Mike Paone of the Maryland Dept. of Planning if he would serve on the committee for guidance. One Town Council member, Councilmember Roberts and one Planning and Zoning member, selected today, will serve as well. Mike Paone, MD Park and Planning will also sit on the committee, along with an invitation for several residents to serve as well.

Chairperson Moulds asked the members if there were any volunteers. Member Fearn stated that he would volunteer to serve on the committee.

OLD BUSINESS:

CASE # 14-05: CLARK'S REST: REQUEST FOR REVISED CONCEPT APPROVAL:

Applicant: Rick Bailey, Marrick Homes Inc.
Engineer: John Oliff, Collinson, Oliff & Associates, Inc.
Location: Tax Map 127, Parcel 514, Grid 1, 177.86 acres off Point Lookout Road (MD Rt. 5).
Zoning: Planned Unit Development (PUD-M)

Existing: Managed agricultural fields, forests on the northern and western edges, a single family residence and several farm related buildings.

The parcel is comprised of 177.86 acres which include flat land, steep slopes, woods, open fields, floodplain and wetlands. It is located along Point Lookout Road (MD Rt. 5) within the incorporated limits of Leonardtown.

The concept plan was approved April 25, 2005 by the Planning and Zoning Board and on July 11, 2005 by the Town Council. It was to include 324 units, of which 212 were single family and 112 were townhomes. There was also to be 72,350 square feet of commercial space, 51.8 ac. of open space and 26 acres to be deeded to the Town of Leonardtown for a possible school site.

After numerous meetings with MDE and DNR, the applicant was informed that the development was going to be required to provide 100 foot wetland buffers instead of the designed and normal

requirement of 25 foot buffers. This impacts many areas on the plan and has caused some redesign.

The revised concept plan proposes 338 dwelling units (208 single family detached residential units, 130 Townhouses). The developer proposes 55.43 acres (excluding storm water management areas) as open space, 24.6 acres dedicated to the Town and 50,750 sq. ft. of commercial space.

An updated architectural presentation was held on 2/21/2006, minutes are included.

Included in Packets:

1. Amended concept plan with changes in number of houses highlighted in each section. Each section indicates the changes from the original approved plan. There are also a number of lots starred for consideration of appropriateness.

The Mayor and Council asked to look at the revised plan, even though it does not come back to them for the revision approval. They asked that the P&Z Board look closely at the double starred section of 6 homes adjacent to Singletree. This area's elevation is significantly higher than the existing Singletree homes. Possible elimination of these lots should be considered. If these are eliminated then possibly just the single starred lot beside the northwest town homes on the steep slopes and the two at the entrance to Leonard's Grant would be eliminated. This would remove 9 of the 14 increased.

2. The April 25, 2005, and Feb. 21, 2006 Planning and Zoning Commission meeting minutes.

3. The July 11, 2005 Town Council meeting minutes.

* This site does involve floodplain, wetlands, steep slopes, stream channels, and stormwater managements concerns - DNR/MDE approval and permits required. The environmental consultant for the developer has held meetings with the U.S. Army Corps of Engineers and MD Department of the Environment and they are awaiting approval.

* Forrest Conservation Act (FCA) - Requirements are being addressed on site.

*SHA approval needed

* Waiver Was Granted: ~Section 155-23.

B. Multi-family units including duplexes, townhouses, and apartments shall represent no more than 20% of the total number of residential units permitted in a mixed use planned development. The density of development for those portions of the site proposed for multi-family use shall not exceed 10 units per acre. In an area where townhouses are proposed, unless such is waived by the Planning and Zoning Commission, there shall be no more than five townhouse units in any contiguous group, and a variety of building setbacks, color, building materials and facades shall be provided for each contiguous group.

*New concept plan has 39% Multi-Family versus original plan of 35% Multi-Family.

Ms. Miller remarked that Mr. Bailey was in attendance today to provide a brief update of the project and answer any questions or concerns.

Mr. Bailey remarked that as Ms. Miller mentioned the biggest impact was the change of the 100 foot buffer requirement from MDE which caught us all by surprise. We looked at the overall plan to comply with the requirements. We wanted to maintain the same balance that we had originally both single family and town homes but were not able to do that. The biggest change is the one area that changed from single family homes to town homes, due to the requirement.

Specifically, the single families went from the original approval of 212 down to 208, we lost 4 homes even after reworking the plan. The commercial changed considerably, we went down from about 70,000 sq. ft. to about 50,000 sq. ft. and that may even drop more. Road plans have been submitted and we have received some comments back from DPW. In addition, today we would like to present elevations for the architectural design for final approval.

The Board members addressed concerns regarding the site plan and odd placement of some of the single family homes, such as:

- High elevation issue of some of the homes and the impact it has on homes already built in the adjoining development.
- Depth of some of the single family home lots adjoining another development.
- Moving a road in front of the homes versus between them to allow more buffer area.
- Two single family homes oddly placed at the end of the town home sections
- Four homes, oddly placed, located at the end backing into the Singletree development
- Houses located at the top of the proposed school yard were to originally provide a green background from Route 5, just trees, not homes
- Recreation area, mail delivery route, sidewalks and front load garages were discussed

Mr. Bailey and his team addressed each issue and discussed various plans of action with the Board's approval to correct the issues discussed and to come back with alternative plans for the Board's review.

A representative with the Lessard Group came forward to highlight the various architectural designs of the front loading and rear loading single family homes with porches and other architectural features for the Board's review.

Member Fearn moved to approve Case #14-05 Request for Revised Concept Approval to accept the concept in general for the 328 homes and upon their return before the Planning and Zoning Commission next month to bring forth a revised concept plan for the

remaining ten homes with alternative options, incorporating the items discussed today; Member Candela seconded, no further discussion, motion passed unanimously.

CASE # 100-06: RELAX INN, CONCEPT PLAN:

Applicant: W.M. Davis, Inc.
Owner: B. Santosy, Inc.
Engineer: Mehaffey & Associates, Johnathan Blasco
Location: 41655 Park Ave.
Zoning: Commercial Business (C-B)

The applicant received concept approval at the October 16, 2006 Planning and Zoning meeting for a 48 room, 3 story hotel for 41655 Park Ave. The applicant is now requesting final site plan approval for a 41 room, 3 story hotel. The plan shows 7,280 s.f. on the first floor with meeting space, lobby and other support facilities. The second and third floors are each 8,918 s.f. and hold 20 and 21 rooms respectively. The total building is 25,116 s.f.

Included in Packets:

- October 16, 2006 Planning and Zoning Minutes
- May 21, 2007 Planning and Zoning Minutes
- Site Plan
- Architectural Plans- Original and color renditions of revised plan

Discussion Items:

Should the alley be named for directional purposes?

41 parking spaces are required, 33 spaces are provided on site. The site is adjacent to two town parking lots that would be available weekends and evenings during the peak need for the hotel. Architectural – The Mayor has been working closely with the builder and architect to address comments from the Town Council and Planning Commission. An update will be provided at the meeting, the recommendation is to allow the Mayor and staff to continue working to achieve the desired goals.

The applicant has requested fees in lieu for storm water management since the redevelopment of this site leaves no suitable SWM options on this site. Staff is working with the Engineer to determine what would be required and what the fee would be based on requirement.

§ 155-73. Applicability; waivers; watershed management plans; variances:

D. Redevelopment.

(1) Stormwater management plans for redevelopment shall be consistent with the Design Manual, except that the recharge, channel protection storage volume and overbank flood protection volume requirements do not apply unless required by Planning and Zoning Commission.

(2) All redevelopment projects shall reduce existing site impervious areas by at least 20%. Where site conditions prevent the reduction of impervious area, then stormwater management practices shall be implemented to provide qualitative control for at least 20% of the site's impervious area. When a combination of impervious area reduction and stormwater practice implementation is used, the combined area shall equal or exceed 20% of the site.

(3) Where conditions prevent impervious area reduction or on-site stormwater management, practical alternatives may be considered, including but not limited to:

(a) Fees;

(b) Off-site BMP implementation for a drainage area comparable in size and percent of imperviousness to that of the project;

(c) Watershed or stream restoration;

(d) Retrofitting; or

(e) Other practices approved by Planning and Zoning Commission.

Landscaping – Could some pockets of landscaping be provided in some of the striped paving areas of the parking lot?

Needed:

- Fire Department comments
- Fire Marshall approval
- Address utility comments from Town Utilities Staff

Action Needed: The applicant is requesting final site plan approval at this time. The Planning and Zoning Commission can approve, approve with conditions, or deny.

Mr. Davis came forward to present the Concept Plan to the Board members. Mr. Davis noted that after consultation with the Mayor and the input he received from various parties interested in the new construction of the hotel, a few changes were made to incorporate those ideas to better reflect the architectural look in the downtown area.

Some of the items:

- Landscaping
- Parking – we are short 8 parking spaces but additional parking is located in public parking areas close by. The Patel family graciously offers the use of their parking for Town businesses during the day and we anticipate parking will be more active for the hotel in the evenings.
- Architectural grill work added to screen the air conditioning units
- Streetlights and building lights are the same as the Town's
- Sidewalk pavers added along Park Avenue for consistent look from downtown

- Signage changed for viewing purposes from the downtown area
- Windows were changed to look more appealing and some lowered for a more storefront look and feel to the building
- Wider parapets to blend with the features from the Drury building next door to continue the downtown look
- Added more brick to the back side of the hotel for a more finished look
- Columns were added for more architectural features

The Board members commented how nice the improved concept looked and the added features really made a difference. The building fits more into the downtown and will be a nice streetscape looking down from the square. They all agreed this would be an added benefit to the Town and our downtown area.

Ms. Miller noted that there were a few architectural items to resolve and if the members agree to allow the Mayor and staff to continue to work with Mr. Davis and the architect to finalize the details. One other item is the swm and their request for a fee-in-lieu. Included in your packet is a description that this is part of the Ordinance and on a case-by-case basis we can make that available. We have talked about some smaller projects in this very area that are more doable than some swm on the site so the recommendation is that we will continue to work with the engineers. They came up with what would be required if it was mandated to be done onsite and we tried to price that out. They would pay a fee-in-lieu comparable to that and the Town would use it to do a project in the area similar to the new parking lot incorporating swm. We still need Fire Department and Fire Marshal approval but will not be able to obtain it until final design of the building is done.

Member Candela remarked that he does have a concern with the swm that does not actually resolve the issue and may be a problem later.

Member Fearn asked if there was additional impervious surface.

Ms. Miller replied that there is not any additional impervious surface. The only issue is the water quality. We estimate the cost of \$7,000 and we already had a plan in place to move forward with some improvements in this parking area and this would assist us in benefiting this area in the near future.

Member Burriss moved on Case #100-06 to approve the Final Site Plan Approval for the 3-story building, subject to Town staff's outstanding items; Member Frock seconded, no further discussion, motion passed unanimously.

Mayor Norris stated that Mr. Neal Patel was in attendance today and has spoken with his parents, who are in Texas at this time, and they have allowed him to work with Mr. Davis to agree on a look of the building that met everyone's needs, financially and aesthetically. Mayor Norris wanted to thank them for being so generous.

Monthly In-House Permits – No Questions

Town Council Minutes – No Questions

Member Candela moved to adjourn the meeting at 3:30 p.m., seconded by Member Burris, no further discussion, motion passed unanimously.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

Jean Moulds, Chairperson

Frank Fearn, Vice Chair

Dan Burris, Commission Member

Jack Candela, Commission Member

Dave Frock, Commission Member