

Commissioners of Leonardtown
Leonardtown Planning and Zoning Commission Meeting
March 19, 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; Jennie McGraw, Plans Reviewer; Teri Dimsey, Recording Secretary; Jackie Post, Fiscal Clerk; Bob Carlton, St. Mary's County Government; Jason Roth and Donna Daugherty, Bolton & Associates; Cheryl Blazer and Erick Klinger, Blazer's; Jeri Jewell, Mountain Mudd; Joel Andre, Architect; Deborah Brown and Bruce Bowman, BFA; Jim Dimisa and Steven Larson, Community Bank; John Wharton, Enterprise; Dean Beck, Washington St. LLC, Chip Norris, Mayor; Billy Mehaffey, Mehaffey & Associates. A complete list is available on file at the Leonardtown Town Office.

Chairperson Moulds called the meeting to order at 2:30 p.m.

The meeting minutes for the February 20, 2007 Planning and Zoning Commission meeting are presented for approval.

Chairperson Moulds entertained a motion to approve the February 20, 2007 meeting minutes, Member Candela moved to approve the minutes, seconded by Member Fearn, no further discussion; motion passed unanimously.

Town Administrator's Report – Laschelle Miller

Our Town Award – At the March 12, 2007 Town Council meeting, Loic and Karleen Jaffres of Café des Artistes were presented the Our Town Award. Loic and Karleen Jaffres were very surprised and pleased to receive this award.

Budget – Budget Calendars were passed out. A public hearing for the budget will be held at the May 14, 2007 meeting.

Letters of Support

Council voted to approve a letter of support for a liquor license for Breton Fine Wine and Spirits that will be located in the Breton Market Place.

Council voted in favor of a letter of support for the New Towne Village for the rehabilitation of the apartments and they will be moving forward with financing.

Contract Renewals – Discussed working on some of the major contracts in Town that are up for renewal and re-bid, which are Lawn, Trash and Audit Services.

Chairperson Moulds moved on to new business.

NEW BUSINESS

CASE # 9 -07: Ledo's Restaurant, Breton Market Place, Final Site Approval

Applicant: Wayne Davis
Engineer: Mehaffey and Associates
Location: Breton Market Place

The applicant has brought forward the final site plan with the architectural drawings for the proposed Ledo's restaurant. They received concept approval for the entire site and we have seen the office condos, which they have approvals for and they have been redoing the individual units in the larger building.

This is a pad site located near the front of the property, proposed 3,263 sq. ft. building; it will be new construction, approximately located where the old gas station was located. The site plan needed set back and final approval and will be contingent upon the Fire Marshal, State Highway and Health department sign offs.

Mr. Davis briefed the Board members on the items needed to be completed for the project, such as, landscaping, upgrading entrances, adding sidewalks and setting the buildings back in anticipation of the Route 5 road widening.

Member Candela asked if the building faced Route 5.

Mr. Davis responded that it faces the south side with one side paralleling Route 5. He also noted that they have added two major landscape islands in the center of the parking lot.

Member Burris commented that it looks like the building is 70' away from the middle of the road, was there some conversation with the SHA that they would require a 60' easement?

Ms. Miller responded that we were trying to keep it back at least 60' because we don't know for sure what will be required so we went a little further back to be safe.

Action need: Applicant is requesting final site plan approval. The Board can approve, approve with conditions or deny.

Member Burris moved on Case # 9-07 to approve the final site plan as presented with approvals from SHA; Member Fearn seconded, no further discussion, motion passed unanimously.

CASE # 16-07: Mountain Mudd Espresso, 25805 Point Lookout Road, Final Site Approval

Applicant: Jewell's Coffee, Inc.

Location: Waring Ahearn Insurance Building on Route 5

Ms. Jewell is here today to answer any questions. They are proposing to open a Mountain Mudd kiosk in the Waring Ahearn parking lot at 25805 Point Lookout Road. Per the Leonardtown code there is no specific section that refers to either allowing or not allowing this type of business, however, I included in the staff report the section of the permitted uses in Commercial Highway Zoning and pointed out restaurants, refreshment stands, and fast food restaurants with a drive-thru window. This should fit within any of those categories.

A detailed packet has been included for the members. There are no water and sewer hook-ups required for this property. There has been some discussion about signage and according to what is shown in the packet, they should meet the 100 sq. ft. requirement.

Member Candela inquired why water hook-up is not required.

Ms. Jewell responded that this is an 8' by 8' foot self-contained kiosk. The water is changed out daily and the gray water is removed, a service truck puts in fresh water.

Member Candela asked if they had any bathroom facilities for the employees.

Ms. Jewell replied that the kiosks do not have any bathroom facilities but they have obtained permission to use local businesses. We have five other locations: Lexington Park, Sans Souci, Solomon's Island, Callaway and Charlotte Hall. The kiosks can be moved if necessary.

Member Candela clarified that none of these facilities have any underground water or sewer.

Ms. Jewell responded they do not.

Member Frock stated that he is concerned about the traffic along Route 5 turning left to get into the parking lot.

Ms. Jewell noted that the traffic is a little slower further from the light. There is plenty of room for five or more cars in this location.

Member Burris asked if we needed any comments from State Highway and how far from the road is the kiosk located?

Ms. Miller stated that she did not believe comment from SHA was necessary and the kiosk will sit back about 70'.

Member Candela clarified that the ingress/egress would be what is already there for the Waring Ahearn building?

Ms. Jewell replied yes.

Member Candela moved on Case # 16-07 to approve the final site plan for the erection of a Mountain Mudd Expresso; Member Frock seconded, no further discussion, motion passed unanimously.

OLD BUSINESS

CASE # 38-06: Sterling House Site, 22770 Washington Street, Final Site Approval for Restaurant and Parking Lot

Applicant: Dean Beck
Location: 22770 Washington Street
Engineer: Jonathan Blasco, Mehaffey & Associates

The applicant is requesting final site approval for the restaurant and for the parking lot only. They have received concept approval for the entire site. They were here last month and they discussed changes to the entire concept, specifically about the two offices that were being added along Washington Street. Mr. Beck has accommodated the Board's concerns and moved these buildings back as shown on the new site plan. They are seeking revised concept approval. If you were happy with those changes for the entire site they would also like to obtain final approval so they can move forward and put in all the parking and finish up the restaurant. They will come back before the Board with individual final plans for the other buildings. They did lose a handful of parking spaces by moving the one building back but it was felt it was important enough to lose a couple of spaces. We are still waiting on revised Soil Conservation and Fire Marshal comments. We have received swm comments and all other review agencies that are required.

Mr. Beck came forward and explained that they have accomplished what everyone was looking for as far as the sight line and moved building number two back and coming down Washington Street with this new sight line, you can see the corner of Mr. Aikens building. Other than that, the plan has remained unchanged.

Chairperson Moulds inquired about the parking on the side. Is there any screening or is there a sidewalk there, what is in front of that area?

Mr. Beck responded that there is a space between the sidewalk and the parking lot. We plan to place some screening with a hedge.

Member Burris asked how high the retaining wall will be between buildings one and three. Will there be a fence there?

Mr. Beck stated that a fence would be there to help screen the porch from other property. It will be an ornamental fence with some plantings to create a courtyard feel.

Chairperson Moulds asked if there would be tables on the porch or is the porch just for folks who are waiting to be seated?

Mr. Beck replied that most likely the porch will be for those people waiting but another individual will be running the restaurant and the porch is large enough for folks to eat out there in the summer time.

Member Fearn's inquired as to the height of the retaining wall.

Mr. Beck responded it will vary according to the level of the sidewalk but will be roughly 4' high.

Chairperson Moulds asked about the parking requirements.

Ms. Miller commented that they are short three spaces due to moving the one building back.

Ms. Miller stated that the applicant is requesting revision to the concept plan that the Board approved last month, to accommodate Mr. Aiken's building being seen. Mr. Beck would also like final approval so that he can move forward to construct the parking lot, the swm system and finish the restaurant.

Member Fearn's moved on Case # 38-06 to grant final site approval for the restaurant, parking lot and revised concept approval for the site with the condition that they complete the required items still pending; Member Burris seconded, no further discussion, motion passed unanimously.

CASE # 70-06: Community Bank of Tri-County

Applicant: Community Bank of Tri-County
Location: 25395 Point Lookout Road
Engineer: Bolton and Associates

The applicant is requesting a final site plan approval; a revised concept approval was given on November 20, 2006 when they added the 7/Eleven parcel to utilize the space and build a larger more attractive and functional facility. The design shows a three-story building, approximately 13,000 sq. ft., with banking on the first floor, tenant space on the second floor and a disaster recovery room on the third floor. The architectural's have not changed significantly. Enclosed in your packet is the revised site plan, the November minutes and updated architectural's. Still pending are comments back from State Highway. There were no significant comments received from the first submittal and they are still waiting on the Fire Marshall comments.

Mr. Steve Larson, architect with the design build firm of Overton came forward to provide a brief overview of the project to the Board members. Two representatives from Bolton and Associates are also on hand today to answer any questions.

Member Burris remarked that there is a 15-foot widening, what does that bring the total to?

Ms. Miller responded that that is what State Highway has requested.

Member Candela asked them to explain their swm basin. Is it an open basin or is it an underground basin that will deter nosy little boys? My main concern is child safety.

A representative with Bolton and Associates replied that it was going to be open but it is now going to be underground and covered. It will mainly look like a grassy area.

Member Candela noted that adding the cupola affects the overall height issue and he would be disappointed if it was not included.

Ms. Miller stated that in the staff report it notes a section of the code for the Board members to review to give approval over and above the 45'.

Mr. Dimsa remarked that they have had quite a number of requests from folks to include a cupola. The original drawing did not have it on it. The cupola is a non-functional item and strictly ornamental. We need to have 45' for the elevator tower.

Chairperson Mould asked if it required a variance.

Ms. Miller responded no, as long as the Board is in agreement, under Section 155-58 it does not exceed the 12' requirement, and this is 9', I believe it can fall under the Church Spire, Chimney's and Elevator Stair Towers. This section should cover this request; it is not inhabited and is only ornamental.

Mr. Dimisa remarked that folks have also requested they double the amount of tulips. He also noted that they have signed a year lease with Mr. Davis to provide temporary facilities but their goal is to try and occupy before the end of the year.

Member Candela moved on Case #70-06 for final site approval and the additional permission of allowing the 9' cupola, subject to any regulatory issues that are pending; Member Fearn's seconded; no further discussion, motion passed unanimously.

CASE # 70-06: Board of County Commissioners, 41770 Baldrige Street, New Meeting Room at the Governmental

**Applicant: Board of County Commissioners
Location: 41770 Baldrige Street**

The applicant is the Board of County Commissioners. They submitted plans at the January 16, 2007 Planning and Zoning meeting for a new meeting room located at the Governmental Center site and received concept approval. The plan showed a 17,144 sq. ft. building. The building will be a steel frame brick. There is also an 857 sq. ft. covered walkway that connects with the proposed meeting room to the existing Government building. The existing building was demolished at the site and the engineer has provided a layout where the demolished building was standing. Enclosed in your packets are updated site plans, an aerial of the Governmental Center parking lot, a letter from Mr. Erichson addressing a number of items and minutes from the January Planning and Zoning meeting?

The applicant is requesting final site plan approval. The Board can approve, approve with conditions or deny.

Mr. Bob Carlton remarked that he is substituting for Mr. Gary Whipple who is with the Reserves over in the Middle East. Mr. Carlton provided a brief updated overview of the project.

Mr. Andre, architect for the project, provided the Board with a description of the building.

Member Burris remarked that the aerial shot still shows the old building. He asked if this building will only be used for meetings and if the first floor of the building will mainly be used in the evenings.

Mr. Carlton responded that yes, it will be used for the County Commissioners, their staff, and are planning on moving the finance and legal departments upstairs.

Member Candela inquired if a variance would be required for parking?

Ms. Miller responded that the way our ordinance is written and because of the existing building they tore down, as long as they are not increasing over 50% and they stay within that guideline they really are not obligated to provide additional parking. They do have a plan, which they did submit for additional parking areas on the site if it becomes a problem; at this time they feel they have enough parking to meet their needs.

Member Candela asked how long ago the building was demolished.

Ms. Miller replied about a year ago.

Member Fearn remarked that there is not going to be an increase at the site, they are just moving people from one location to this new location.

Ms. Miller noted that is the reason the aerial was provided so that you could see a lot of the outlying areas and even when they have overflow meetings now, even though they cannot accommodate them in the meeting room, the parking has not been an issue.

Member Burris moved on Case # 3-07 for final site plan approval as presented subject to any outstanding requirements; Member Candela seconded, no further discussion, motion passed unanimously.

Monthly In-House Permits – No Questions

Town Council Minutes – No Questions

Member Fearn's moved to adjourn the meeting at 3:25 p.m., seconded by Member Fearn's, motion passed unanimously.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

Jean Moulds, Chairperson

Frank Fearn's, Vice Chair

Dan Burris, Commission Member

Jack Candela, Commission Member

Dave Frock, Commission Member