

La Plata Planning Commission
Town Hall, La Plata, Maryland
February 5, 2002, 7:00 PM

Present: Chairman Raymond J. Becmer, Walter T. Sollars, Jr., Garyton C. Echols, Jr., Keith A. Hettel, C. Keith Back, Roy G. Hale - Commission Members; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Steven F. Schroeder, Project Manager; Judith T. Frazier

Guests: (See roster.)

Minutes:

Chairman Becmer called the meeting to order at 7:00 PM and read the agenda. Chairman Becmer asked Mr. Hale to lead the Commission and audience in reciting the Pledge of Allegiance.

Approval of December, 2001 minutes

Mr. Sollars made a motion to approve the minutes of the December, 2001 meeting. Mr. Hale seconded the motion and it carried.

Extension of preliminary Plat for King's Grant Subdivision

Mr. Miller remarked that there is a concern regarding the connection over a ravine between sections 6 and 7. Gore Bolton responded that they were in the process of obtaining permits, and noted his belief that this should not be an issue to hold up extension of the preliminary plat, which contains no deviations from the original plan.

Mr. Hale remarked that there was another issue concerning forestation regarding removal of champion trees and more vegetation than normally required. Mr. Hale stated that because these issues, especially regarding the connector, have come up several times before, and because he was not convinced of what would actually happen between the two sections, he moved that the Planning Commission not approve the extension of the preliminary plan at this time until the issue is specifically resolved. Mr. Hale further pointed out that there is a lot of concern in the community. Mr. Bolton pointed out that neither he nor the developer had been notified that there were issues to be discussed, and asked that the extension be granted and that the issues be placed on the next agenda for discussion. Mr. Hale remarked that these are not new issues and are the subject of a lot of community concern, and noted that the Commission needs more information before approving the extension. Mr. Hale recommended tabling the item until the next meeting. Chairman Becmer asked Mr. Bolton to ask Mr. Volman to contact the Town Manager.

In response to Mr. Echols' question about the expiration date, Mr. Miller explained the preliminary plat expired in January, during which the Planning Commission did not meet. Because of that, it was felt that the developer could not be held liable for not receiving an extension in January. Mr. Miller acknowledged that Mr. Bolton and Mr. Volman were not notified of these issues and concerns. Mr. Miller suggested that the Planning Commission approve the extension of

the preliminary plat as a matter of routine, and address the issues and concerns when Section 8 comes in for final plat approval. Mr. Hale agreed with this suggestion. Mr. Echols offered a motion to approve the extension of the preliminary plat for King's Grant. Mr. Sollars seconded the motion and it carried.

Burleigh Manor presentation

Gore Bolton, of Bolton Latham, Inc., John and Darlene Breck, owners, and Jack Weaver, architect, made a brief presentation on their proposed Burleigh House, a banquet hall to be built on the east side of Washington Avenue, just north of Heritage Green Parkway, facing Washington Avenue. Mrs. Breck handed out cards displaying a drawing of and information about Burleigh House. Mr. Weaver displayed elevations. They advised that the buildings would have all brick exteriors. In response to questions from the Commission, they advised that they plan to have a wet pond stormwater management device with a fountain, and gazebo and attractive landscaping so it will be a decorative feature. They also advised they will construct sidewalk along the entire Washington Avenue frontage of the site. Mr. Miller explained that it wouldn't make sense to construct sidewalk along the Heritage Green Parkway frontage until that road is built, due to the amount of fill which will be needed to bring that roadbed up to grade, which would cover any sidewalk built now. The Planning Commission commended the owners for the appearance of their proposed Burleigh House project, which they believe will set the tone for that part of the town.

Public hearing: Proposed Comprehensive Plan

(THE FOLLOWING IS A SUMMARY OF THE PUBLIC HEARING PROCEEDINGS. AN AUDIOTAPE OF THE COMPLETE HEARING IS ON FILE AT TOWN HALL.)

Chairman Becmer called the hearing to order and set a time limit of three to four minutes per speaker. Chairman Becmer advised that the record would be kept open for two weeks (to February 19), and advised that written comments should be sent to the Town Manager. The Planning Commission will meet again after that period and consider all comments received. It was noted that the Planning Commission could adopt the Plan at their March 2, 2002 meeting, after which the Town Council will hold their hearing on March 12. A new zoning map will be adopted after the Comprehensive Plan has been adopted.

Mr. Miller noted for the record that a Certification of Publication was on file certifying that the notice of the hearing was properly advertised in the Maryland Independent on January 16 and January 23, 2002. Mr. Miller spoke briefly about the changes reflected in this Comprehensive Plan, which includes many recommendations resulting from the Vision Plan process.

Chairman Becmer asked that speakers sit at the front table and give their name and address for the record.

Bernard R. Winkler, Jr., 206 Oak Ave.; President of La Plata Mill & Supply, 213 Kent Ave., spoke in opposition to the proposed rezoning of the La Plata Mill property from Light Industrial (LI) to Central Business (CB). He asked for and received clarification from Mr. Miller that if the rezoning creates a nonconforming use, that nonconforming use would be grandfathered in but would need approval from the Town's Board of Appeals to make any building changes. Mr. Winkler remarked that he had appeared before the Town in 1986 when the Town proposed rezoning his property from LI to CB, at which time he persuaded the Town to keep LI on his property. He explained that since the early 1990s, businesses in his industry have had a difficult time with the "big box" stores, and all have been trying to find niches to continue in the industry. Mr. Winkler explained that La Plata Mill has become partners with their wholesalers and has spent several thousands of dollars for market surveys, site plans, and footprints of building plans. He advised that to survive they must grow, and if the zoning is changed, he will be unable to continue his business. He said the niche they found to be competitive with "big box" stores, in addition to building supplies, is equipment rental and commercial and industrial supplies. Mr. Winkler further noted that their plans had been partially put on hold to see where the Vision Plan was going. He asked that the Town leave the LI zoning in place on his property.

B. R. Winkler, III, La Plata Mill, spoke in opposition to the change in zoning from LI to CB. He noted that CB zoning would prevent them from making improvements to the store, display rental equipment or building supplies, or warehouse items for customers, such as they did for the La Plata Volunteer Fire Department, whose furniture they held for several months. Mr. Winkler advised they have hired an industrial sales representative. Mr. Winkler submitted three catalogs ("Industrial Commercial Supplies 2001 Catalog", "Industrial Commercial Supply Cleaning & Maintenance 2001 Products Catalog", "Industrial Commercial Supply Facility & Safety 2001 Products Catalog") and two advertisement brochures from La Plata Mill. Mr. Winkler pointed out that La Plata Mill needs to be able to build and grow in order to survive, and further pointed out that nonconforming uses in the CB zone are not allowed to rebuild if over 50% of the structure is destroyed.

Richard C. Baldus, 217 Washington Ave., spoke in favor of the proposed rezoning on four properties: A & B Realty on Charles St., Stagecoach Crossing, Southtowne Center, and the Turner parcel on Rt. 301 near E. Hawthorne Dr. Mr. Baldus noted that all four proposed rezonings are supported by the Vision Implementation Team. Mr. Baldus provided three hand-outs containing information on the A & B Realty, Stagecoach Crossing and Southtowne Center properties.

R. J. Earnshaw, 104 Haldane Dr., spoke in support of the proposed rezoning to Mixed Use District on the Agricopia Farms property, but questioned the exclusion of allowing commercial uses. Mr. Earnshaw stated he thought this was supported by the Vision Implementation Team when he met with them, and expressed concern that there was a change since that meeting. Mr. Earnshaw noted that the proposed commercial uses were a telework center, doctor's office, day care center, coffee shop, small deli. Chairman Becmer asked Mr. Earnshaw to submit his comments in letter form within the two-week period the record is being kept open.

Charles Baumgart, 8 E. Hawthorne Dr., spoke in favor of the proposed rezoning of his and

other properties along E. Hawthorne Dr.

Terence Brown, owner of 6 E. Hawthorne Dr., spoke in favor of the proposed rezoning of his and other properties along E. Hawthorne Dr., and expressed support of the whole Comprehensive Plan.

Jim Ringer, 10 E. Hawthorne Dr., advised he would not oppose the proposed rezoning if the developers who agreed to buy the property meet the agreement he has with them.

Stuart Geisbert, La Plata Farm Supply on Simms Ave., spoke in opposition to the proposed rezoning from LI to CB, noting his agreement with the concerns stated by his business neighbor, Mr. Winkler. He also noted the importance of outside storage for his seasonal items.

There being no other speakers or questions from the Planning Commission, Chairman Becmer thanked all for attending and reminded everyone that the record would remain open for two weeks for written comments, after which the Planning Commission would meet and make a recommendation to the Town Council. Mr. Miller thanked Mike Pellegrino for the fast service in supplying the maps. Chairman Becmer closed the public hearing.

Amendments to Cluster Subdivision Regulations

Mr. Miller lead the discussion regarding amending cluster subdivision regulations, as outlined in his memorandum to the Planning Commission, dated February 4, 2002. The amendments have been requested by the developer of Steeplechase. Harry Shasho, of Baldus Real Estate, Gary Bagley, builder, and Ken Crouse, of Lorenzi, Dodds & Gunnill, Inc., presented information about the size of dwellings and lots and the density in Steeplechase if the amendments are adopted. Mr. Shasho presented a 2-page hand-out, "Single Family Lots, Steeplechase, Lot Exhibit."

The Planning Commission expressed concern regarding the small lots and agreed the amendments need to be studied more before the Commission can make a recommendation to the Town Council. In response to Chairman Becmer's request, Mr. Crouse agreed to bring a larger drawing of the entire Steeplechase subdivision to Mr. Miller on February 6, so it may be brought to the Planning Commission meeting.

Other business

The Planning Commission agreed to schedule a work session on the Comprehensive Plan on Tuesday, February 19, at 7:00 PM.

In response to Chairman Becmer's question, Mr. Miller advised that the Facchina building project is underway.

Mr. Sollars questioned when the crosswalk at Rt. 6 for The Maples will be painted, noting

he witnessed a pedestrian almost get hit while crossing there with her grocery cart. Mr. Schroeder advised that SHA will provide the crosswalk after the sidewalk is done. Mr. Sollars asked if the Town should take another route to get the crosswalk before a pedestrian is hurt there. Mr. Miller advised Town staff will pursue this project.

There being no other business to discuss, the meeting adjourned at 8:36 PM.

Respectfully submitted,

Judith T. Frazier