

La Plata Planning Commission
Town Hall, La Plata, Maryland
Regular meeting
May 17, 2005, 7:00 PM
(Rescheduled from May 3, 2005)

Present: Chairman Garyton C. Echols, Jr., Keith A. Hettel, Zakary A. Krebeck, Rich Gilpin, Mark Rose, C. Keith Back – Commission members; Cathy Flerlage, Director of Planning and Zoning; Judith T. Frazier, Town Clerk [Mr. Rose was eligible to vote when Mr. Krebeck recused himself.]

Town staff: Steven F. Schroeder, Project Manager

Minutes:

Chairman Echols called the meeting to order at 7:00 PM and asked Mr. Back to lead the Commission and audience in reciting the Pledge of Allegiance.

Approval of April minutes

Mr. Hettel made a motion to approve the minutes of the April regular meeting. Mr. Krebeck seconded and the motion passed by unanimous vote. Chairman Echols expressed appreciation to Ms. Flerlage for having the meeting packets sent to Commission members on time last week.

Public hearing: Zoning recommendation regarding Potomac Investment Group, LLC and Maryland State Highway Administration Annexation

Chairman Echols explained the purpose of the hearing and called the hearing to order. Chairman Echols approved Mr. Krebeck's request to be recused due to employment-related conflicts. Ms. Flerlage entered for the record the Certification of Publication that the notice of the hearing was properly advertised in the April 29, 2005, edition of the Maryland Independent newspaper. Ms. Flerlage briefly described the location of the 22.38 acres of property and noted that the requested zoning classifications are LI Light Industrial and PL Public Land.

Steve Scott, Steve Mote, Sue Bauer and James Erdman presented information regarding the annexation petition, the proposed development of a business/industrial park on the front portion of the Potomac Investment Group, LLC property and the continued current uses on the SHA property.

Chairman Echols asked if anyone in the audience wished to speak. No one wished to speak.

There being no speakers and no further discussion by the Planning Commission, Chairman Echols closed the hearing at 7:31 PM.

Amended Master Site Development Plan: Heritage Green

Charis Lapas, Lois Page, Nicholas Tryfon, David Cooksey and Dan Anderton were present to discuss the amendments to the master site development plan, as outlined in a document from Loiederman Soltesz Associates, Inc., “Heritage Green Master Site Development Plan – Plan Adjustments”. They asked for approval of the minor amendments and noted they were not changing the number of units or the density. They provided a Power Point presentation and gave the Commission members written copies of the presentation.

Following their presentation, they answered questions and concerns of the Planning Commission. Chairman Echols approved Mr. Krebeck’s request to be recused due to the relationship of this project to roads, facilities and schools that are under the jurisdiction of Charles County. Concern was expressed regarding the location of the school site. Mr. Cooksey explained the site was determined after meeting with the Board of Education’s Facilities staff, and included consideration as to being a “walk to” site as much as is possible. Concern was also expressed regarding the railroad crossing. It was noted that the Town is awaiting a reply from CSX to Mayor Eckman’s letter regarding options other than closing three crossings in order to gain one. Mr. Cooksey confirmed that the developer is prepared to dedicate to the Town a right-of-way to make the connection.

Chairman Echols asked the Commission if they were prepared to act on this request, noting concerns exist regarding the road alignment and railroad crossing. Ms. Flerlage noted that Heritage Green would be on future agendas, such as when they apply for TND, and advised they have met the Code requirements for a master site development plan. Ms. Flerlage suggested that a motion to approve could include wording that the approval does not constitute approval of the road network or alignments.

Mr. Rose made a motion to approve the amended master site development plan. Mr. Gilpin seconded the motion. In discussion before the vote, the Commission discussed amending the motion to include reference to obtaining the railroad crossing at Heritage Green Parkway. Chairman Echols asked Mr. Rose if he would accept the amendment to his motion, to include that emphasis is to remain on efforts to obtain the future railroad crossing at Heritage Green Parkway. Mr. Rose agreed to accept the amendment to his motion. As amended, the motion is to approve the amended master site development plan, with emphasis to remain on efforts to obtain the future railroad crossing at Heritage Green Parkway. Mr. Gilpin seconded the amended motion. Vote on the motion: motion passed by unanimous vote *[of those eligible to vote]*.

Proposed amendment to Town Code §191-19D(2) – dimensional requirements for two-family dwellings

Ms. Flerlage briefly described the amendments contained in the draft language (copies provided in meeting packets) to amend Town Code §191-19D(2) – dimensional requirements for two-family dwellings, to increase the maximum lot coverage from 25% to 35%, and to correct language so that the minimum lot area would be 5,000 square feet per lot and 10,000 square feet per two-family dwelling. Mr. Gilpin asked what effect the amendments would have if the builder was not as good as the examples cited by Ms. Flerlage. Mr. Back pointed out that the

amendment only allows for a larger dwelling to be built with less green space around it, but does not change the density.

Following the discussion on the proposed amendment, Mr. Krebeck made a motion that an ordinance be prepared and public hearings be scheduled. Mr. Hettel seconded the motion and it passed by unanimous vote.

Dunkin Donuts-Baskin Robbins: Recommendation to Board of Appeals regarding special exception for drive-through fast food restaurant

Erwin Bonhomme, J & E Foods, LLC (applicant), and Dan Santoni and Bob Eitel, BL Companies, presented information and answered questions regarding Mr. Bonhomme's petition for a special exception for a drive-through fast food restaurant in the CH Commercial Highway zoning district. During the discussion, Mr. Santoni acknowledged they could add a sidewalk to provide interconnecting pedestrian access from the rest of the shopping center. Concern was expressed regarding the amount of and peak hours for drive-through traffic. When asked if the fast food restaurant would work without a drive-through, Mr. Bonhomme acknowledged it may be possible. Mr. Eitel explained that sites without a drive-through would be downtown locations where pedestrian traffic is greater.

Following the discussion, Mr. Back made a motion to recommend to the Board of Appeals that the drive-through special exception be granted for the Dunkin Donuts-Baskin Robbins franchise. Mr. Gilpin seconded the motion and it passed by majority vote.

Other business

Mr. Rose offered Ms. Flerlage the assistance of Soil Conservation District should it be needed. Ms. Flerlage remarked that their approval and signature are required on development plans and noted that they are even willing to meet in the field.

Chairman Echols announced that the next meeting would be June 7, which would mean that meeting packets will be received by May 31. Mr. Rose advised he will be absent from the June meeting.

There being no other business to discuss, the meeting adjourned at 9:14 PM.

Submitted by:

Judith T. Frazier
Town Clerk