

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Work Session
July 8, 2008, 7:00 PM

Present: Mayor Gene Ambrogio, Councilman James Goldsmith, Councilman Scot D. Lucas, Daniel J. Mears, Town Manager; Michelle D. Miner, Assistant Town Manager; Judith T. Frazier, Town Clerk; Joseph W. Norris, Treasurer

Minutes:

Mayor Ambrogio called the meeting to order at 7:01 PM.

Matters of Council Discussion

Discussion of Morris, Kneib, Hogan, Monopoli and Hill annexation agreement prohibition on fast food restaurants as it applies to a particular parcel

Description: The Town Council is being asked if they concur that the proposed development of a fast food restaurant on Lot 3A in the La Plata Village Center is not inconsistent with the terms of the original annexation agreement. [A memorandum/staff report dated July 8, 2008 was included in the Town Council's meeting packets.]

Mr. Mears provided background information regarding the annexation agreement prohibition on fast food restaurants on the Morris, Kneib, Hogan and Monopoli properties but not on the Hill property. He explained that a small portion of one of those properties was brought into the Hill property due to a lot line reconfiguration to provide for a more rectangular lot with more frontage on Drury Drive, which will provide for better traffic circulation.

Council consensus: Following discussion, the Town Council agreed they would take action by Resolution at the July 22 meeting that they concur that the proposed development of a fast food restaurant on Lot 3A in the La Plata Village Center is not inconsistent with the terms of the original annexation agreement, and that the Resolution should include that Lot 1RR remains under the terms of the annexation agreement.

Johel Limited Partnership and FCD-Development, LLC annexation (Mitchell Supply property on Crain Highway)

Description: Discussion of the request to annex land located at the corner of Rosewick Road and Crain Highway and the annexation agreement.

The Town Council reviewed the list of items discussed at the May 13, 2008 work session:

- Consider use of LEED certification standards for the buildings proposed.
- Consider use of more pervious surfaces; filter pollutants off surfaces.
- Use of gray water/reduction of water use within the development.
- No use of potable water for irrigation purposes.
- Stipulation that certain buildings are to be office building uses versus retail uses.

- Continue requirements listed within the current Rosewick Crossing annexation agreement.
- Provide more information regarding increase in assessable base and projected infrastructure costs to Town.
- Citizen safety – assure areas are surveilled, such as by use of high-tech camera system.
- Provide more information regarding the traffic signal at Rosewick Road and Washington Avenue, recommended in the traffic analysis.
- Has consideration been given to use of geothermal systems?
- How will the developer assure the Town that the two 50,000 sq. ft. office buildings will be maintained as office buildings, and has consideration been given to use as medical offices? Would the developer have any problem with a stipulation being included in the annexation agreement that these buildings remain office buildings?

During discussion, Councilman Goldsmith stated he wished to have workshops with developers' representatives to discuss what impact, including financial implications, there are in providing what the Town is asking them to do. Councilman Goldsmith indicated he wanted the workshops to be round-table style for a free flow of communication.

Following discussion, the Town Council members were in general agreement regarding adding the following items to the list created at the May 13 work session. The Town Council further agreed that Mr. Mears is to compile a list of the comments from the May 13 work session and this work session, send the list to the Town Council for any requests for further information, and then send the list to the petitioner for their response.

- \$20,000 donation to the La Plata Community Foundation.
- Buildings to achieve LEED Silver designation; attain maximum number of points for water efficiency.
- Before the first occupancy permit is issued, the traffic signal at Rosewick Road and Washington Avenue must be installed.
- A statement that the two 50,000 sq. ft. buildings will be office buildings.
- Provide public art.
- Place broadband node on a new structure for Town use.
- Requirement to ensure the property is well maintained.

Report on MML Convention

Description: The Town Manager will provide this report.

Mr. Mears reported on the sessions he attended at the MML Convention, including sessions on cable franchising, police departments and elected officials, employment issues, housing issues, and ADA update.

Raffle items at Town concerts

Description: Discuss acceptance of donated items to be raffled at Town concerts.

Council consensus: Following discussion, the Town Council agreed they would not solicit donations but, if offered, would accept items with a maximum value of \$25.00 each. They further agreed to limit raffles to two times per concert.

Matters of Information

Councilman Goldsmith noted he is on the Board of Directors for Washington Square Homeowners' Association and described a situation there involving the purchase of foreclosed property by a person who is fully disabled and needs a caregiver, but who is not 55 years of age or older, which is a requirement in the restrictive covenants, as required by Town Code. Councilman Goldsmith was told that the realtor thought there would be a waiver. Councilman Goldsmith said he was bringing this to the attention of the Town because the Homeowners' Association's attorney will be sending a letter to the property owner to cease and desist and will be sending a copy to the Town, who will need to act on it to enforce the Town's zoning code.

In response to Councilman Goldsmith, Mr. Mears advised that Town staff is working on developing standards for sidewalk maintenance.

A brief discussion was held regarding responding to emails and the need to keep all involved aware that the issue is being addressed.

Future Work Session Topics

Other business

There being no other business, Mayor Ambrogio moved to adjourn the meeting at 8:39 PM. Councilman Goldsmith seconded the motion and it carried. Following a short break, the Council moved into closed session.

Submitted by:

Judith T. Frazier
Town Clerk