STAFF REPORT
Planning Commission Meeting of
April 13, 2015

Agenda Item #1

Reviewed in accordance with the 2010 Comprehensive Plan, and Zoning Ordinance #10-02

I. DEVELOPMENT DATA:

CONCEPT SITE PLAN # 13-13200010, LEXINGTON PARK FORD
(Zoning Ordinance 10-02) (Use # 75)
OWNER: Kody Holdings, LLC
AGENT: Soltesz
LOCATION: 22667 Three Notch Rd, California, 20639
TM-043 GRID-02 PAR-0414 ED-08 TAX ID-047383
TM-043 GRID-01 PAR-0010 ED-08 TAX ID-050635
ZONING: CMX/CC
ACREAGE: 21.44
ACTION REQUESTED: Concept site plan approval for 45,648 square foot car dealership.

II. NOTIFICATION:
The property and hearing request were advertised in The Enterprise on March 25, 2015 and
April 1, 2015. The property has been posted and certified mail receipts have been submitted for the
required mailings.

II. APPLICABLE REGULATIONS

a. St. Mary’s County Comprehensive Plan
1. Section 4.1.1 Goal: Concentrate development in suitable areas.
2. Section 4.1.1.1 A. Policy: Concentrate commercial uses primarily in Leonardtown and Lexington
   Park, and secondarily in the town and village centers.
3. Section 4.1.1.1 A Policy: Work with the Maryland State Highway Administration to manage state
   road access points for existing and planned development.
4. Section 4.1.1.1 B Policy: Maintain visual and functional qualities of development through
   adherence to site standards.
5. Section 4.1.3 Apply excellent community design principles to the built environment, especially
   in the development districts, town centers, and village centers.
6. Section 4.1.3.1 F. Objective: Site design that maximizes attractiveness and connectivity.

b. St. Mary’s County Comprehensive Zoning Ordinance
1. Section 60.6 Concept Site Plan
2. Section 61.3 Lighting Standards
3. Section 62.3 Countywide Design Objectives
4. Section 62.6 Commercial and Mixed Use Development Standards
5. Section 63.2 Landscaping Requirements
6. Section 63.3 Buffer Yard Requirements
7. Section 64. Parking Requirements
8. Section 70 Adequate Public Facilities

III. BACKGROUND INFORMATION:

a. The concept site plan was reviewed during the September 2013 TEC cycle.
b. An administrative variance to remove one tree with a diameter of 30 inches or more was approved on 8/14/14.

IV. OUTSTANDING ISSUES:

a. Final findings for adequate public facilities will be made administratively by the Planning Director, as a prerequisite to final site plan approval.
b. A 65' ‘B’ buffer yard is required along Three Notch Road. A variance will be required to reduce this buffer yard to a 35' ‘B’ buffer yard.
c. Traffic mitigation, per memorandum from Department of Public Works & Transportation dated February 7, 2014 attached.

V. STAFF ANALYSIS:

a. Location Analysis – This project is located on the southbound side of Three Notch Road just north of MacArthur Boulevard. This project is new development on this site.

b. Site Analysis – The site consists of two tracts totaling 21.44 acres. These tracts are split by the Board of County Commissioners right of way and the future FDR boulevard right of way. All proposed development is to be on the northern side of the property, Tract 1, and is zoned CMX. The site is currently undeveloped. Staff believes the site is well suited for the proposed use.

c. Sensitive Areas Analysis – Staff has determined that this site contains no sensitive areas that would affect the proposed development.

d. Overall Project Analysis – This plan proposes one auto sales and service building of 45,648 square feet, including a showroom, service administration and reception area, sales area and reception, parts storage, service department with 21 stalls and a carwash and detail bay area. Any further development would require concept site plan review and Planning Commission approval.

e. Entrance and Traffic Flow – This plan proposes upgrading an existing entrance and creating an additional entrance from Maryland Route 235, which will require justification to State Highway Administration. The connected parking lot will be multi-directional. Drive isles and parking are designed in such a manner as to allow for smooth traffic flow throughout the site. The plan contains provisions for inter-parcel connection to the east and west.

f. Parking – Schedule 64.3.1 sets the maximum parking for each use. The parking requirements for this site have been met. There is sufficient landscaping proposed to encompass the 200 square feet of landscaping required per parking spot proposed above the maximum.
g. **Buffer Yard Requirements** – A 65’ ‘B’ buffer yard is required along Three Notch Road. A variance will be required to reduce this buffer yard to a 35’ ‘B’ buffer yard. A 15’ ‘A’ buffer yard is proposed along the the Board of County Commissioners right of way. A 30’ ‘C’ buffer yard is proposed along the adjoining residential property to the east.

h. **Landscaping and Lighting** – The concept landscaping and lighting plan is acceptable for concept approval.

i. **Other Special Considerations** – Staff has not identified any other issues that require special consideration.

k. Section 60.6.3 states: At a regularly scheduled meeting, the Planning Commission shall receive information regarding the concept site plan from the applicant and the Technical Evaluation Committee (TEC). In addition, the Planning Commission shall consider any information presented by the public.

l. Section 60.6.4 of the zoning ordinance requires the Planning Commission to make findings that the proposed development (*staff comments in italics*):

1. **Is consistent with the Comprehensive Plan and applicable functional plans:**
   
   **Staff Analysis:** This project is within the Lexington Park development District, an area where growth is to occur. The site is zoned Corridor Mixed Use (CMX) in the portion of the site where development is proposed. Staff believes this project is consistent with, and promotes the goals and objectives of the Comprehensive Plan.

2. **May be served by adequate public facilities as required by Section 70.2.2; and**
   
   **Staff Analysis:** This site is to be served by a public water and sewer system. As part of the review process, the availability of all adequate facilities will be further defined and resolved through subsequent engineering studies and the final design will be in accordance with Chapter 70 of the zoning ordinance. For the purpose of approving the concept plan, staff has not identified any issues that would prevent a favorable determination that adequate facilities are, or could be made available for this project. Should an issue arise; no site plan approval will be granted until Chapter 70 requirements have been met.

3. **Is consistent with the County Annual Growth Policy, including any required phasing plans:**
   
   **Staff Analysis:** The proposed commercial use is not subject to the Annual Growth Policy.

4. **Will promote the health, safety and welfare of the general public**
   
   **Staff Analysis:** The construction and operation of the auto sales and service business will provide additional job opportunities to the area. This project will also provide an additional auto service option to the development district.

5. **Adequately developed recreational and other community amenities are provided in accordance with the Comprehensive Plan and the Comprehensive Zoning Ordinance.**
   
   **Staff Analysis:** Staff believes that given the proposed use, this requirement is not practical for this site.

6. **Is consistent with countywide design objectives**
   
   **Staff Analysis:** The proposed building is a modern design. The entrances for the proposed building are clearly defined and a human scale has been attained. Staff believes this project is consistent with the countywide design objectives of Chapter 62 of the Comprehensive Zoning Ordinance.
VI. RECOMMENDATION:

1. Staff believes this plan is in keeping with the goals and objectives of the Comprehensive Plan. Staff recommends approval of this Concept Site Plan.

b. Staff offers the following motion (with modifications and additions pending discussion):

   1. Motion for Approval: “In the matter of CCSP #13-13200010 Lexington Park Ford, having accepted the staff report and having made a finding that the objectives of Section 60.5.4 of the zoning ordinance have been met, and noting that the referenced project has met all requirements for concept approval, I move that the concept site plan be APPROVED, with the condition that the required variance be obtained.”

   Signed: [Signature]
   Hannah Pinkerton, Planner II
   March 31, 2015

ATTACHMENTS:
Attachment 1 – Location Map
Attachment 2 – Metropolitan Commission Approval slip
Attachment 3 – St. Mary’s County Soil Conservation District Approval Slip
Attachment 4 – Department of Public Works Approval Slip and Mitigation Letter
Attachment 5 - State Highway Administration Approval Slip
Attachment 6 – Site Plan and Architectural Elevation Drawings

Cc: Kody Holdings, LLC
    c/o Tom Kody
    2440 Crain Highway
    Waldorf, MD 20601

    Soltesz
    c/o Jim Gotsch
    23140 Moakley Street, Suite 6
    Leonardtown, MD 20650
UPDATED
TEC AGENCY APPROVAL VERIFICATION SLIP
TRANSMITTAL FOR PLANNING COMMISSION REVIEW

TO: Department of Land Use and Growth Management, Attn: Phil Shire

FROM: St. Mary’s County Metropolitan Commission

Control Number and Project Name

DATE: March 12, 2015

The above-referenced project satisfactorily addresses the TEC comments
and is ready for approval for the Planning Commission.

YES ___ X___ NO _____

1. Water and sewer construction plans are required for MetCom review and
   approval. Please submit construction plans, all necessary review fees, and the
   review checklist directly to MetCom for review.

SIGNATURE: [Signature]
Christy Hollander, P. E., Assistant Engineer

ATTACHMENT 2
February 24, 2015

Brian,

The revised CONCEPT SWM E&S plan for Lexington Park Ford is approvable.

Thanks,

Jane Sanders
St. Mary's Soil Conservation District
26737 Radio Station Way
Leonardtown, MD 20650
301-475-8402, x109
FAX: 301-475-8391
www.stmarysscd.com
March 10, 2015

Mr. James M. Gotsch, P.E.
Soltesz Company
23140 Moakley Street, Suite 6
Leonardtown, Maryland 20650

Re: Lexington Park Ford, Concept Plan
File #10-132-010

Dear Mr. Gotsch:

This Department has approved the revised concept plan submitted on February 13, 2015. Per the Concept Checklist Item #25, once the concept stormwater management and sediment and erosion control plan approval is obtained from all applicable review agencies, the project may proceed to the site development phase (Phase 2) per Section 3.11.3 on Page 23 of the St. Mary's County Stormwater Management Ordinance.

Prior to Phase 2 Site Development Plan and final site plan approval, the following will be required:

- As the 'future' building is not shown on the concept plan it is noted that the size is twice what was previously approved (i.e., 32,141 sf versus 19,260 sf). It is understood that stormwater management for the future building must be reviewed at the time the next phase is proposed to assure rooftop runoff is captured and addressed.

- As the proposed Filtera F-15 captures a contributory drainage area of 22,295 square feet (21,029 square feet of impervious area) consider using two (2) devices to capture smaller drainage areas to adequately handle runoff from DA#15. Typically the maximum drainage area for a Filtera device is 0.5 acre or 21,780 square feet.

- Label the proposed Aqua Swirl manholes as pretreatment for the underground infiltration system.

- Adequate outfall must be demonstrated for runoff captured from drainage areas to the south and routed across Maryland Route 235 through the existing pipe near Station 2230+00. Analyze the stream channel downstream to assure stream bank erosion will not occur.

- It is understood that adequate public facilities and the Traffic Mitigation Plan must be addressed. Per correspondence from John Groeger, dated February 7, 2014 (File #13-132-010) this Department would entertain accepting a land donation in lieu of a fee-in-lieu payment. In addition, this Department has agreed to the optimal access locations to the future FDR Boulevard.

If you have any questions or comments, please do not hesitate to contact this Department.

Very truly yours,

Margaret C. Lewis
Engineer

cc: Brian Brookhart, Soltesz
    Tom Kody, Kody Holdings, LLC
    Steven D. Foster, MSHA Access Permits
    Bob Bowles, Department of Land Use and Growth Management
    Bruce Young, St. Mary's Soil Conservation District

P.O. BOX 508 • THE ARNOLD BUILDING • 44825 ST. ANDREWS CHURCH RD. • CALIFORNIA, MD. 20619
PHONE 301.863.8400 • FAX 301.863.8810 • www.co.saint-marys.md.us

ATTACHMENT
MEMORANDUM

DATE: February 7, 2014

TO: Phil Shire, Director
Department of Land Use and Growth Management

FROM: John J. Groeger, P.E.
Deputy Director

RE: Kody – Three Notch Road, 13-132-010
Traffic Mitigation Plan

This is in regard to adequate public facilities for the referenced site. We have reviewed the traffic impact study, which concluded that both analyzed major intersections on MD Route 235 (MD Route 237/Maple Road and Millstone Landing Road) will fail based on the critical lane analysis. Since the Applicant has identified no possible geometric improvements to offset the impact on these intersections, it may be reasonable to accept a fee-in-lieu towards the FDR Boulevard project, which will improve the level-of-service at each of the affected intersections. The segment of FDR Boulevard between MD Route 237 and Buck Hewitt Road would provide mitigation for this site. Consistent with other similar developments, the following is offered for the Applicant’s use in proffering a fee-in-lieu of improvements to satisfy APF for this development.

<table>
<thead>
<tr>
<th>Intersection</th>
<th>AM CLV INCREASE</th>
<th>PM CLV INCREASE</th>
<th>% of Background Worst Hour</th>
<th>FEE-IN-LIEU towards $4.9M project</th>
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</thead>
<tbody>
<tr>
<td>MD 235 and MD 237/Maple Rd</td>
<td>19</td>
<td>7</td>
<td>1.1%</td>
<td></td>
</tr>
<tr>
<td>MD 235 and Millstone Landing Road</td>
<td>3</td>
<td>22</td>
<td>1.5%</td>
<td></td>
</tr>
<tr>
<td>Site Access</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
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<tr>
<td>Average of 2 intersections</td>
<td></td>
<td></td>
<td>1.3%</td>
<td>$63,700</td>
</tr>
</tbody>
</table>

This Department is currently designing this phase of FDR Boulevard, which alignment runs through the Kody property, and would entertain accepting a land donation in lieu of a fee-in-lieu payment. It is trusted that the above will assist you in your determination of Adequate Public Facilities for this site. If you have any questions regarding the above comments, please do not hesitate to contact this Department.

John J. Groeger, P.E.

JJG:dlh

cc: Kody Holdings, LLC
Ken Schmid, Traffic Concepts, Inc.
Jim Gotsch, P.E., Sotlesz
Steve Foster, SHA Access Permits

S/JR GROEGER/shire kody three notch road mitigation

ATTACHMENT 4
RE:  
St. Mary's County  
MD 235, south side  
1,400 feet east of MD 237  
Lexington Park Ford  
SHA Tracking No. 14APSM001XX  
County No. 13-1320010  
Point-by-Point Response  
Mile Point 14.65

Mr. Jim Gotsch  
Soltesz, Inc.  
23140 Moakley Street #6  
Leonardtown, Maryland 20650

Dear Mr. Gotsch:

Thank you for the opportunity to review the point-by-point response prepared by Soltesz, Inc., dated May 15, 2014, for the Lexington Park Ford commercial development in St. Mary’s County, Maryland. The Maryland State Highway Administration (SHA) review is complete and we are pleased to respond.

The review determined the major report findings and the SHA comments and conclusions as follows:

- Access to the 30,000 square feet of automobile sales is proposed via two (2) right-in/right-out only site accesses to MD 235.

- The study analyzed the following intersections under existing, background and future conditions:
  - MD 235 at MD 237
  - MD 235 at Millstone Landing Road
  - MD 235 at Site Access ‘A’
  - MD 235 at Site Access ‘B’

- The report concludes that the MD 235 intersection with MD 237 and the MD 235 intersection with Millstone Landing Road are forecast to operate at Level-of-Service (LOS) 'E' or worse under total traffic conditions based on Critical Lane Volume (CLV) analysis. SYNCHRO analysis of these intersections shows that the MD 235 intersection with Millstone Landing Road is projected to operate at acceptable levels of service, while the MD 235 intersection with MD 237 is still projected to operate at LOS 'F'.
Ms. Rola Daher, SHA DSED
Ms. Mary Dietz, SHA RIPD
Mr. Bob French, SHA CPD
Mr. Roy Gothie, SHA RIPD
Mr. Derek Gunn, SHA DSED
Ms. Michelle Madzelan, SHA AMD
Mr. Greg Phillips, SHA District 5
Mr. Saed Rahwanji, SHA TDSD
Ms. Erica Rigby, SHA AMD
Mr. Lee Starkloff, SHA District 5
Mr. Errol Stoute, SHA TDSD
Mr. Bill Stroud, SHA CPD
Mr. Morteza Tadayon, SHA DSED
Ms. Kim Tran, SHA District 5
Mr. Eric Waitman, SHA AMD