

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING  
CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND  
Monday, April 13, 2015**

Members present were Howard Thompson, Chairman; Patricia Robrecht, Susan McNeill, Martin Siebert, and Hal Willard. Shelby Guazzo and Merl Evans were excused. Department of Land Use & Growth Management (LUGM) staff present were Phil Shire, Director; Bob Bowles, Planner IV; Hannah Pinkerton, Planner II; and Jada Stuckert, Recording Secretary. County Attorney George Sparling was also present.

The Chair called the meeting to order at 6:30 p.m.

**APPROVAL OF THE MINUTES** – The minutes of March 23, 2015 were approved as amended.

**PUBLIC HEARING**

**CCSP #13-132-010 – Lexington Park Ford**

Ms. Hannah Pinkerton was sworn for the record. Ms. Pinkerton submitted the certification of publication for the record, *hereby labeled as Exhibit 1 by the Recording Secretary*. The applicant is requesting concept site plan approval for 45,648 square foot car dealership. The property contains 21.44 acres; is zoned CMX/CC; and is located at 22667 Three Notch road, California, Maryland; Tax Map 43, Grid 02, Parcel 414 and Grid 01, Parcel 10.

Owner: Kody Holdings, LLC

Presenters: Jim Gotsch of Soltesz and John Penny with Penny Design Group

Notice of public hearing was advertised in The Enterprise on March 25, 2015 and April 1, 2015. Ms. Pinkerton gave an overview of the staff report dated March 31, 2015, the applicable regulations and the outstanding issues. Ms. Pinkerton submitted the staff report and attachments for the record, *hereby labeled as Exhibit 2 by the Recording Secretary*.

Mr. Gotsch and Mr. Penny were sworn for the record. Mr. Gotsch gave a brief overview of the proposed site plan explaining ingress and egress, adequate public facilities including the traffic study, forest conservation, stormwater management, and buffers. Mr. Gotsch indicated over time the property has lost its large buffer yard due to dedications to State Highway, which has created the need for a variance. Mr. Gotsch indicated we are proposing a 30 foot buffer which mimics the largest of buffers in the local area. Mr. Gotsch stated the Department of Public Works is already asking for a small triangle in the back corner of the property for the placement of FDR Blvd.

Chairman Thompson asked if the proposed entrance on FDR Blvd would be a merchant entrance. Mr. Gotsch indicated the entrance would be mainly for employees. Ms. McNeill asked if the parking would be used for inventory or customer parking. Mr. Gotsch indicated most of the customer parking is in the front of the building and inventory to the sides and rear. Ms. McNeill asked if this is a re-location or a new location. Mr. Gotsch stated this is a re-location but will include Lincoln.

Chairman Thompson asked if the Armsworthy would be using the entrance off Route 235. Mr. Gotsch indicated the entrance will be widened to the new standards but all the properties in this area will have a permanent right-of-way. Chairman Thompson asked if all the lighting would be directional to not disturb the neighbors. Mr. Penny indicated all the lighting would be directional.

Mr. Willard asked about all the underground storage systems. Mr. Gotsch indicated these are all the new stormwater treatment measures. Mr. Siebert indicated a 65 foot buffer yard seems extreme and asked if there is a plan "B" if the variance request is not granted. Mr. Gotsch indicated at this point there is no plan "B". Chairman Thompson asked if the variance was denied if the applicant would have to come before the Planning Commission again. Mr. Shire stated yes.

Mr. Penny gave a brief overview of the proposed building and elements as far as branding and elevations.

Chairman Thompson opened the hearing to public comment.

Ms. Michelle Armsworthy was sworn for the record.

Ms. Armsworthy indicated she doesn't live on the site but her in-laws do and the only concerns they have are regarding the stormwater management and keeping customers off their property. Mr. Gotsch indicated there is not a proposed fence on the property however the applicant is not opposed to adding signage. Ms. Armsworthy indicated all the citizens that live on this property are senior citizens and are concerned about their safety. Mr. Gotsch explained the stormwater management measures further stating that the storm drain size being installed is adequate to catch all stormwater coming from this property.

Mr. Siebert asked if a gate would be installed for the Armsworthy's to keep customers from going down their driveway instead of into the dealership. Mr. Penny indicated the applicant would be willing to provide a gate if that was the wish of the Armsworthy's. Mr. Tom Kody indicated security is a concern for the dealership too; we will do whatever necessary to make sure both the dealership and the Armsworthy's properties are protected. Mr. Kody stated there will be 24 hour video surveillance and possibly hiring security personnel if necessary.

Mr. Shire indicated there is a significant amount of fill going into this property and asked that Mr. Gotsch address this with the Board. Mr. Gotsch provided the Board with elevations and explained the grading procedures.

Chairman Thompson closed the hearing to public comment.

***Mr. Siebert made a motion in the matter of CCSP #13-132-010 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 and Mr. Willard seconded. The motion passed by a 5-0 vote.***

## RECESS

### **CCSP #13-132-014 – Living Hope Church**

Mr. Siebert stated for the record that although he has had business dealing with Mr. Parlett in the past, neither party has anything to gain from this particular project therefore Mr. Siebert will not be abstaining.

Ms. Hannah Pinkerton was sworn for the record. Ms. Pinkerton submitted the certification of publication for the record, *hereby labeled as Exhibit 1 by the Recording Secretary*. The applicant is requesting concept site plan approval for 24,956 square foot church. The property contains 39.33 acres; is zoned RL; and is located at on Chancellors Run Road, Lexington Park, Maryland; Tax Map 51, Grid 01, Parcel 01.

Owner: Living Hope 1<sup>st</sup> United Pentecostal Church  
Presenters: Jay Hopson Consulting, Inc. and John Parlett

Notice of public hearing was advertised in The Enterprise on March 25, 2015 and April 1, 2015. Ms. Pinkerton gave an overview of the staff report dated April 1, 2015, the applicable regulations and the outstanding issues. Ms. Pinkerton submitted the staff report and attachments for the record, *hereby labeled as Exhibit 2 by the Recording Secretary*.

Mr. Siebert clarified a typo in the staff report indicating it is a "C" buffer.

Mr. Hopson and Mr. Parlett were sworn for the record. Mr. Hopson gave a brief PowerPoint Presentation explaining the proposal for a church. Mr. Hopson submitted a color rendering of the proposed building, *hereby labeled as Exhibit 3 by the Recording Secretary*. Mr. Siebert asked if the fence is actually needed. Mr. Parlett indicated that the ordinance requires a 65 foot buffer. Mr. Parlett gave an overview of the proposed structure elevations and aesthetics.

Chairman Thompson opened the hearing to public comment, hearing none, closed the hearing to public comment.

Mr. Siebert asked about the sewer line. Mr. Hopson indicated there is not currently sewer in the area which creates the need for the sewerage lines to be placed.

***Ms. McNeill made a motion in the matter of CCSP #13-132-014, Living Hope church, 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 and Mr. Siebert seconded. The motion passed by a 5-0 vote.***

#### **ADJOURNMENT**

The meeting was adjourned at 8:15 p.m.

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Jada Stuckert  
Recording Secretary

Approved in open session:

April 27, 2015

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Howard Thompson  
Chairman