

**ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF LAND USE
AND GROWTH MANAGEMENT**

William B. Hunt, AICP, Director

Harry Knight, Acting Deputy Director



COMMISSIONERS OF ST. MARY'S COUNTY

James R. Guy, President

Eric Colvin, Commissioner

Michael L. Hewitt, Commissioner

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner

STAFF REPORT

Planning Commission Meeting of
January 13, 2019

Agenda Item #II

- **Reviewed in accordance with the St. Mary's County Comprehensive Zoning Ordinance #10-02**

ACTION REQUESTED: Review of a concept site plan for a 6,562 sq. ft. winery.

I. DEVELOPMENT DATA

CONCEPT SITE PLAN # 19-13200008, Corteau Winery

(Zoning Ordinance 10-02) (Use # 12B, Winery)

OWNER: Long Looked For Come At Last, LLC

AGENT: J Hopson Consulting, LLC

LOCATION: 38713 Golden Beach Rd.

TM-05 GRID-01 PAR-039 ED-05 TAX ID-005604

LAND USE: Rural Preservation

ZONING: Rural Preservation District (RPD)

ACREAGE: 244.07

CZO 31.9 Purpose of the Rural Preservation District (RPD).

The regulations of Rural Preservation Districts are intended to foster agricultural, forestry, mineral resource extraction, and aquacultural uses and protect the land base necessary to support these activities. Low-density residential development in this type of district is permitted subject to performance standards that maintain the rural character of the district in recognition of the fact that a full range of public facilities is not provided or planned. The farmer has the right to farm without being restricted by neighboring residential areas. Restricted hours of operation for farm equipment, restricted odor-producing fertilizers, or mandatory noise reductions may not be imposed on farmers in an RPD zoning district. The general intent of the district is to encourage farming without undue burden on the landowner.

Comprehensive Plan Page 3-6

Rural Preservation District (RPD). Prime farm land, timber land and mineral resource lands, agriculturally related industries and limited nonfarm cottage industries, and low density nonfarm residential developments characteristic of the county's rural character which are to be preserved for a wide range of economic and aesthetic purposes. Acknowledges continued nonconforming commercial and residential activities on existing parcels throughout the district, but limits their expansion or creation. (Sending area for transferred development rights)

CZO Article 5 Use Type 12.b: Winery.

A facility for processing and fermenting grapes and other fruits into wine; includes the bottling, aging, storing, and shipping of wine. May include an area or separate facilities for incidental administrative office functions, incidental retail sales of wine and related promotional items, wine tasting events, promotional events incidental to the winery, and a kitchen facility for preparing and serving food at permitted events. Promotional events may include wedding receptions, private parties, and other similar events.

II. PUBLIC HEARING NOTICE REQUIREMENTS (CZO 21.3):

The public notice for the Planning Commission Public Hearing was published in *The Enterprise* on December 27, 2019, and January 3, 2020. The property has been posted in accordance with CZO requirements, Section 21.3.3. Certified mail receipts have been received and have been entered into the record of this public hearing.

III. BACKGROUND INFORMATION:

- a. The Concept Site Plan was reviewed at the TEC meeting held on May 22, 2019.

IV. APPLICABLE REQUIREMENTS:

- a. St. Mary's County Comprehensive Plan. The land use for the subject property is Rural Preservation. A map showing the property and the land use designation is attached.
- b. St. Mary's Comprehensive Zoning Ordinance. The zoning for the subject property is Rural Preservation District, RPD: The use of Winery (#12.b) is a permitted use in the RPD zoning district.
 - i. Section 51.3.12 B. a.: General Standards (Winery):
 - Site plan approval shall be required.
 - A winery may include space for administrative office functions, wine tasting events, other promotional events, kitchen facilities, and retail sales of wine and related promotional items, provided that such space is incidental to winery operations.
 - The maximum footprint of the area housing office space, retail sales of wine, incidental retail sales, wine tasting events, kitchen facilities and promotional events incidental to the winery operation shall be in accordance with Schedule 32.1 of this Ordinance.
 - The winery shall be operated in accordance with all federal, state, and local laws.
 - Adequate parking shall be provided in accordance with Schedule 64.3.1 of this Ordinance.
 - In the RPD, the following additional limitations apply:
 - (a) Promotional events other than wine tasting events must be temporary events and may include wedding receptions, private parties, and other similar events. Promotional events must comply with the applicable Maryland Winery Licenses and with the requirements for Use Type 125, indoor shows and events and Use Type 126, outdoor shows and events in accordance with Section 51.3 of this Ordinance.
 - (b) The facility shall not produce more than 27,500 gallons of wine per year.
 - (c) The owner or operator of the facility shall cultivate grapes or other fruit on site or on other land located in the County.
- c. 60.6. Concept Site Plan
 - 1) For all **non-residential** and multi-family residential projects that require major site plan approval, a concept site plan shall first be approved by the Planning Commission before the major site plan may be processed for approval by the Planning Director.
 - 2) The applicant shall create a phasing plan if the project size exceeds the County Annual Growth Policy. (**Not applicable**)

- 3) At a regularly scheduled meeting, the Planning Commission shall receive information regarding the concept site plan from the applicant and the TEC. In addition, the Planning Commission shall consider any information presented by the public.
- 4) In order to approve the concept plan, the Planning Commission shall make findings that the proposed development:
 - i. Is consistent with the Comprehensive Plan and applicable functional plans; the land use is Rural Preservation and the zoning is Rural Preservation District, RPD.
To be determined by the Planning Commission
 - ii. May be served by adequate public facilities as required by Section 70.2.2.
To be determined by the Planning Commission
 - iii. Is consistent with the County Annual Growth Policy, including any required phasing plans;
Not Applicable
 - iv. Will promote the health, safety, and welfare of the general public;
To be determined by the Planning Commission
 - v. Adequately developed recreational and other community amenities are provided in accordance with the Comprehensive Plan and the Comprehensive Zoning Ordinance;
To be determined by the Planning Commission
 - vi. Is consistent with Chapter 62 design objectives.
To be determined by the Planning Commission
- d. Section 61.3.1 Lighting Standards: Not shown on the Concept Site Plan; will be addressed on the Major Site Plan.
- e. Section 62.3.1 Countywide Design Standards: Shown on the Concept Plan. Compliance to be determined by the Planning Commission as part of its review of section 60.6.4.vi .
- f. Section 63.2. Landscaping: Conceptual landscaping has been shown on the Concept Site Plan and must be approved by the Planning Commission.
- g. Section 63.3. Buffer Yard Requirements: A 15 foot type "A" buffer shall be required on the northern portion of the property fronting Golden Beach Rd. A 30 foot type "C" buffer shall be required against residential property on the western and eastern portions of the subject property.
- h. Section 64 Parking Requirements: The number of parking spaces required are 11 spaces. The plan proposes 11 parking spaces, including 1 ADA space.
- i. Section 71 Sensitive Area Analysis: Staff has determined that this site of 244.07 acres contains no sensitive areas that would be affected by the proposed development.

V. OUTSTANDING ISSUES:

VI. MOTION: In the matter of CONCEPT SITE PLAN # 19-13200009, Corteau Winery, having accepted the staff report and having made a finding that the objectives of Section 60.6 of the Comprehensive Zoning Ordinance have been / have not been met, and noting that the referenced project has / has not met all requirements for concept approval, I move that the concept site plan be DENIED / APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS:

VII. FINAL APPROVAL:

Following approval of the concept site plan, a final site plan must be prepared and approved by the TEC agencies and Director of the Department of Land Use and Growth Management (CZO 60.6. 1. f. 6).

Approval of a final site plan by the Director shall be based on a determination that adequate public facilities, as defined in Sections 70.7 through 70.12, will be available to serve the new development. Prior to signature approval of any site plan approved by the Planning Director, all necessary legal arrangements and financial guarantees required under this chapter shall be executed (CZO 70.2.2).

VIII. EXPIRATION:

An approved **concept site plan** shall expire two years after the date of such approval unless final site plan approval has been obtained. Final approval of a major or minor site plan submitted under the provisions of this chapter shall expire one year after the date of such approval unless building permits have been obtained for construction in accordance therewith (CZO 60.9.1). A single one-year extension may be given by the Director upon written request by the applicant to be made within 30 days before the expiration of the **approved concept site plan** or final site plan. The Planning Director shall act on the request within 15 days of receipt of the request (CZO 60.9.2).

Signed: _____



Brandy Glenn, Planner III
December 13, 2019

ATTACHMENTS: **Attachment 1 – Location Map**
 Attachment 2 – Land Use Map
 Attachment 3 – Zoning Map
 Attachment 4 – Site Plan
 Attachment 5 – Color Renderings
 Attachment 6 – Adequate Public Facilities Report
 Attachment 7 – Department of Public Works and Transportation Approval
 Attachment 8 – State Highway Administration Approval
 Attachment 9 – Metropolitan Commission Approval
 Attachment 10 – Health Department Approval
 Attachment 11 – St. Mary’s Soil Conservation District Approval

cc Long Looked For Come At Last, LLC
 29555 Charlotte Hall Rd.
 Mechanicsville, MD 20659

J Hopson Consulting, LLC



Location Map





Adequate Public Facilities Report to Department of Public Works & Transportation

Name of Development CORTEAU VINEYARDS

Date 9-30-19

LU&GM Case File No. 19-132-0008

Checked By cjh 

1. In accordance with Article 7 of the St. Mary's County Comprehensive Zoning Ordinance, public roads within this development will be designed and constructed in accordance with the St. Mary's County Road Ordinance, and shall adequately accommodate vehicular traffic projected by this Department.

The Development must be served by roads which have a Level of Service "D" in development districts or Level of Service "C" in all other areas.

List existing roads and intersections that are directly affected by the proposed Development. Include from the point of first egress from and ingress to the proposed Development to the intersection with the first County collector road or State road in all directions.

2. This project is **inside** outside (circle one) the Development District.
3. Describe Existing Geometry, Road Conditions, ADT, PHV, LOS and Existing Speed Limit.

Existing Road(s)	Lane Width	Shoulder Width & Type	ADT	PHV	LOS	Existing Conditions
GOLDEN BEACH ROAD	11	8' PAVED	6989	668	A	45 MPH POSTED

4. If direct residential access to a public road is proposed, existing # lots & dwellings currently served by the access road = n/a
5. Additional # lots or units proposed = n/a
6. Size of commercial/industrial building = 6,830 SF
7. Projected Zoning Ordinance or ITE trip generation rates = 6.97/1000 SF
8. Specify independent variable used in computing ITE trip generation rates = 6.83
9. Proposed ADT: 48 Proposed PHV: 7 Proposed LOS: A

10. Specify proposed/future improvements to the public facility:

MINOR ACCEL/DECEL LANE IS PROPOSED

11. CERTIFICATION

I hereby certify that the data shown hereon is correct, existing conditions are as stated, and projected traffic volumes will not lower the Level of Service below an acceptable Level of Service after development.

Signed: 

Date: 9/30/19

ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF
PUBLIC WORKS & TRANSPORTATION

John Deatrack, P.E., AICP, LEED BD+C
Director



COMMISSIONERS OF ST. MARY'S COUNTY

James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

MEMORANDUM

DATE: October 10, 2019

TO: Kathy Garcia, **Senior Administrative Coordinator**, Department of Land Use & Growth Management

FROM: Daniel J. Fogel, **Engineer III**, Department of Public Works & Transportation

SUBJECT: **#19-132-008, Corteau Winery**

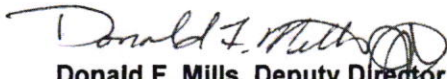
Agent: J Hopson Consulting, LLC

Owner: Long Looked For Come At Last, LLC

This Department has reviewed the APF Report Form for the referenced project and we find it is acceptable.

- Attached is a copy of the Adequate Public Facility Form dated September 30, 2019.
- The project is situated outside the Lexington Park Development District and generates less than 50 peak hour trips; therefore, no traffic impact study is required but the level-of-service (LOS) which needs to be met is a LOS 'C'.
- The developer has offered to install an acceleration and deceleration lane along the southern side of Golden Beach Road. This will widen the existing shoulder to 12' along the frontage of the project at the entrance.
- The site entrance for the proposed development will consist of one (1) two-way access onto Golden Beach Road. The entrance permit for work within a County right of way will be administered by this Department (DPW&T).
- No off-site intersection improvements are needed to satisfy the level-of-service (LOS) criteria.
- The site entrance onto Golden Beach Road and the All Faith Church Road intersections are expected to operate at an acceptable level of service when adding the projected trips of this development to the existing traffic.
- Due to the site location being approximately 2.4 miles from Maryland State Route 5 also known as Three Notch Road, a negligible impact to the operation of that intersection with Golden Beach Road is anticipated.

It is trusted that the above will assist in making the APF determination for this development. If you have any questions regarding this memo, please do not hesitate to contact this Department.


Donald F. Mills, Deputy Director
Donald.Mills@stmarysmd.com

Attachment

cc: Bill Hunt, Director, Department of Land Use & Growth Management
Jay Hopson, P.E., J Hopson Consulting, LLC

S:\DFogel\Comment Letters Traffic\APF Reviews\APF Memo 19-132-008 Corteau Winery to Hunt.doc

P.O. BOX 508 • THE ARNOLD BUILDING • 44825 ST. ANDREWS CHURCH RD. • CALIFORNIA, MD 20619

PHONE 301.475.4200 • FAX 301.863.8810 • www.co.saint-marys.md.us



ATTACHMENT 7

ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF
PUBLIC WORKS & TRANSPORTATION
John Deatrack, P.E., AICP, LEED BD+C
Director



COMMISSIONERS OF ST. MARY'S COUNTY
James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

MEMORANDUM

DATE: October 10, 2019
TO: Kathy Garcia, **Senior Administrative Coordinator**, Department of Land Use & Growth Management
FROM: Daniel J. Fogel, **Engineer III**, Department of Public Works & Transportation
SUBJECT: **#19-132-008, Corteau Winery**
Agent: J Hopson Consulting, LLC **Owner:** Long Looked For Come At Last, LLC

This Department has reviewed the revised Concept Site Plan submitted on September 30, 2019 for the above referenced project. We have determined that the plan as submitted meets the requirements of this Department for APPROVAL. Once all applicable approvals from other review agencies have been obtained, the project may proceed to the site development phase (Step 2) per the St. Mary's County Stormwater Management Ordinance. If other agency reviews cause changes to this plan version, then submit the latest version of the plan to this Department.

The following comments are to assist you in preparation of the detailed site development plan:

1. Geo-technical testing of soils will be required with the site development phase. Submit soils report for the soil tests shown on concept plan. (Item #13 of the *Concept Erosion & Sediment Control and Stormwater Management Plan Checklist*).
2. Confirm and demonstrate that the design of the entrance onto the existing major collector known as Golden Beach Road is compliant with the Minimum Standard for Sight Distance (Detail R/11, Manual of Design and Construction Standards).
3. Provide an adequate outfall analysis per Article 3.8.5 of *St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance* at the Site Development Phase.
4. Show benchmark locations, elevations and description to the plan.
5. Illustrate underdrain and outfall pipe locations and protections for stormwater management devices.
6. Add necessary landscaping per Appendix A for all stormwater management facilities.
7. Ensure that the limit of disturbance encompasses all the proposed grading.
8. NOCC forms are required for all the proposed ESD stormwater facilities and credits.

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


Daniel J. Fogel, Engineer III
Dan.Fogel@stmarysmd.com



cc: Jay Hopson, P.E., J Hopson Consulting, LLC
Jane Sanders, Soil Conservation District

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OCT 10 2019

St. Mary's County
Land Use & Growth Management

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ATTACHMENT 7



Kathy Garcia

From: Erich Florence <EFlorence@mdot.maryland.gov>
Sent: Monday, November 25, 2019 11:52 AM
To: Brandy Glenn
Cc: Kathy Garcia; Bill Hunt
Subject: Re: Production Products 19-132-009

Brandy,

I do not have any comments for this development. It is no impact to MDOT SHA right of way.

Erich

From: Brandy Glenn <Brandy.Glenn@stmarysmd.com>
Sent: Thursday, November 21, 2019 8:11 AM
To: Erich Florence <EFlorence@mdot.maryland.gov>
Cc: Kathy Garcia <Kathy.Garcia@stmarysmd.com>; Bill Hunt <Bill.Hunt@stmarysmd.com>
Subject: Production Products 19-132-009

Erich,

This project went through TEC, June 26, 2019. We never received comments from SHA, do you have any? They would like to go to the Planning Commission in December for concept approval.

Brandy Glenn
Development Facilitator, Planner III
301-475-4200 ext. *1524

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NOV 25 2019

St. Mary's County
Land Use & Growth Management

ATTACHMENT 8





St. Mary's County Metropolitan Commission

23121 Camden Way, California, MD 20619

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Phone: 301-737-7400

FAX: 301-737-7459

**TEC AGENCY CONCEPT APPROVAL VERIFICATION SLIP
TRANSMITTAL FOR PLANNING COMMISSION REVIEW**

TO: Department of Land Use and Growth Management

FROM: St. Mary's County Metropolitan Commission

RE: 19-132-008 Courteau Winery – 38625 Golden Beach Road
Control Number and Project Name

DATE: May 22, 2019

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

YES ☒

NO ☐

1. Public water and sewer is currently not available, or planned, for the location of this site. On-site systems are acceptable.

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NOV 25 2019

St. Mary's County
Land Use & Growth Management

RECEIVED

MAY 22 2019

St. Mary's County
Land Use & Growth Management

SIGNATURE:

M. Christy Hollander

M. Christy Hollander, P. E., MetCom Chief Engineer

ATTACHMENT 9



ST. MARY'S COUNTY
HEALTH DEPARTMENT

Meenakshi G. Brewster, MD, MPH - Health Officer

Administration, Records & Health Services: 301 – 475 – 4330

Environmental Health: 301 – 475 – 4321

Medical Assistance Transportation: 301 – 475 – 4296

Maryland Relay Service: 1 – 800 – 735 – 2258

Email: smchd.healthdept@maryland.gov

November 12, 2019

Re: Permit request #19-132-0008, Corteau Vineyard, Concept Development Plan
SMCHD No. 5005604

To Whom It May Concern:

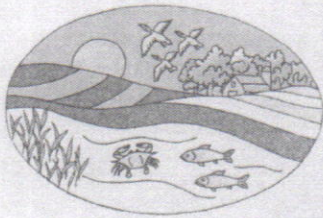
This office does not object to the above named Concept Plan. Please feel free to contact me with any questions. Thank you.

Sincerely,

Sheryl Skrabacz, LEHS
Program Supervisor

This letter does not constitute final Health Department approval.

ATTACHMENT 10



St. Mary's Soil Conservation District

26737 RADIO STATION WAY, SUITE B

LEONARDTOWN, MD 20650

PHONE 301-475-8402 EXT. 3 • FAX 301-475-8391

WWW.STMARYSSCD.COM

MEMO

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NOV 25 2019

To: Brandy Glenn, LUGM

St. Mary's County
Land Use & Growth Management

From: Jane R. Sanders, St. Mary's Soil Conservation District

Subject: Technical Evaluation Committee Comments

Date: May 16, 2019

Pursuant to the provisions of St. Mary's County Development Ordinances, the following comments are offered for consideration in review of the project titled: CORTEAU WINERY, zoning number #19-132-00008.

This submission circulated for review May 6, 2019 meets the requirements for **preliminary approval** by this agency as submitted.

YES X NO

Additions and corrections required or recommended by this agency prior to final approval are as follows:

THE CONCEPT STORMWATER/EROSION AND SEDIMENT CONTROL PLAN has been reviewed. Please provide location of existing and proposed utilities; correct shading that obscures perimeter controls and other parts of plan; provide the suitability factors for each ESD practice chosen; provide the "CONCEPT SWM E&S" label with page numbers on each sheet; and provide all property owners for lots in Laurel Ridge Subdivision. The site development plan for this project can be submitted for review once the revisions have been made and the CONCEPT SWM E&S plan has been recommended for approval by DPW&T. Please contact this office for the appropriate review fees on the 2nd and 3rd step of the three step review process.

Jane R. Sanders, Erosion and Sediment Control Specialist

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MAY 17 2019

St. Mary's County
Land Use & Growth Management

ATTACHMENT 11