



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

## Commissioners of Leonardtown Leonardtown Planning and Zoning Commission Meeting September 18, 2023 ~ 4:00 p.m.

Attendees: Jean Moulds, Chair  
Laura Schultz, Vice-Chair  
Doug Isleib, Member  
Andrew Ponti, Member  
Sean Lawson, Member

Also, in attendance were Town staff members Laschelle McKay, Town Administrator, Mike Bailey, Town Planner; Teri Dimsey, Executive Secretary, Emily Stagner, Main Street Manager, Karl Schwartz, engineering consultant, Brian Fenwick, owners' representative, Bhoopendra Prakash, engineering consultant, and K. Prakash, engineering consultant. Sign-in sheets for this meeting are on file at the Town Office.

*Chairperson Moulds called the meeting to order at 4:00 p.m. Member Ponti made a motion to approve the minutes of July 17, 2023 and Doug Isleib seconded. The motion passed by a 5-0 vote.*

### **Town Administrator's Report:**

Mrs. McKay gave an overview of the recent Town Council meeting that was held on September 11, 2023. The Town Council in recognition of the 22<sup>nd</sup> anniversary of the terror attacks on the Country held a moment of silence for all the victims lost. Mrs. McKay communicated that the Council was introduced to the Splash-in Carwash. Mrs. McKay explained that the property has six (6) EDUs. Based on projected water usage the proposed project would need six (6) additional EDUs for a total of twelve (12) EDUs. Mrs. McKay explained that per the ordinance that the project did not meet the requirements of Leonardtown Ordinance 132. Mrs. McKay did communicate that the Splash-in Carwash could proceed with design and obtain approvals from the required government agencies. Mrs. McKay communicated that the waste water treatment plant upgrade is currently being constructed and an anticipated completion in the summer of 2024. The Council also approved a liquor license letter of support for the Mac's Tap & Table which is new restaurant coming where the old Leonardtown Grill was located. The Council also approved a Task Order for GHD who are the Town of Leonardtown engineers for the completion of the water storage tower being designed with additional laydown yard and equipment areas within the Meadows at Town Run, Section Two development. The Town Council appointed Mrs. Arnika Eskeland to fill the vacant position with the Board of Appeals.

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**COUNCIL:** NICK COLVIN HEATHER M. EARHART  
CHRISTY HOLLANDER J. MAGUIRE MATTINGLY IV MARY MADAY SLADE

**New Business:**

**Case No. 05-05 A      Splash-In Carwash – Lot 2 – Gordon Ragan Subdivision**  
Request for a Special Exception for construction of a Car Wash

Owner:                    NIVEA-NAGGENA, Inc.  
Engineer:                TPS (The Plan Source, Inc. C/O Kaviraj Arya Prakash  
Property:                40874 Merchants Lane, Leonardtown  
SDAT:                    Tax Map 0120, Grid 0018, Parcel 394 (Lot 2 – Gordon Ragan Subdivision)  
Land Area:              1.50 Acres or 65,340 square feet  
Zoning:                  Commercial Business (C-B)

Mr. Bailey communicated to the members that the applicant is requesting a special exception use recommendation from the Planning Commission to the Board of Appeals for the construction of a 3,543 sq. ft. Tunnel Carwash Facility. Per Town Municipal Code Chapter 155-26. C. allows for Automobile-related use as a Special Exception if approved by the Board of Appeals. Mr. Bailey described the location of the property being Lot 2 of the Gordon Ragan Subdivision as recorded in the St. Mary’s County Plat Records in Plat Liber 39, page 78. The Lot was recorded on August 23, 1994. The property is located between Maryland Route 5 (Point Lookout Road) and Merchants Lane that is a service road for both the Shops at Breton Bay and the Leonardtown Center. The existing access to the property is by utilizing the existing Merchants Lane which is a recorded forty-five (45) foot recorded access easement and existing fifty-foot access easement (Shown on Plat 29-118) directly to Maryland Route 5 and Maryland Route 243. Mr. Bailey described the existing site conditions as being currently occupied with a 4,600 sq. ft. +/- building and one hundred (100) existing parking spaces, with the total impervious surface of 57, 255 sq. ft. Over the years the property has served multiple restaurants such as Happy Seafood House, Bottom of the Hill Tavern, Vietnamese Restaurant, Sakura Bar & Grill, Rustic River Bar & Grill, Arizona Pizza, and a Perkins Restaurant. The existing building is currently serviced with public water and sewer system, which has been allocated six (6) Equivalent development units (EDUs).

Mr. Bailey communicated the proposed site development plan is proposing a Tunnel-Carwash. The proposed building is 3,543 sq. ft. in size. The proposed plan will utilize the existing entrance and recorded access easement for access to the proposed development. The proposed parking area will consist of twenty-seven (27) parking spaces. Per Chapter 155-55 Chart B the required parking spaces for this type of use is one (1) per three hundred (300) sq. ft. of floor area. Based on Chart B of said Ordinance the site is required to have twelve (12) parking spaces. The current proposed design exceeds the ordinance requirement by fifteen (15) parking spaces.

Per Chapter 155-73. D, Per the Redevelopment section of the ordinance the property is required to treat 50% of the existing impervious surface or reduce the proposed impervious by 50% of the existing impervious surface. The proposed impervious surface of the site is 35,555 sq. ft.; therefore, the site plan must implement environmental site design (ESD) to the maximum extent practicable (MEP) for 50% of the existing site.

Based on uses of other carwashes within the Town it is estimated that the proposed Car wash will require six (6) additional EDU prior to being issued a use & occupancy permit. The Town at this time does not have any available EDU for this project, however the Town's existing waste water treatment plant is under construction to expand the facility. The estimated time frame to complete the waste water treatment facility upgrade is approximately twelve (12) months. The project could continue with engineering and design during that time.

Mr. Bailey introduced the consultants to the Board and communicated that they were available for any questions the Board may have.

Chairperson Moulds requested clarity of the flow of the project as to traffic entering the proposed site. Mrs. McKay suggested for the engineering consultant to walk through the power point presentation to help answer questions for the Planning Commission. Mr. Schwartz explained each slide of the power point presentation which included operational information such as the hours of operation would be seven (7) days a week, three hundred sixty-five (365) days a year weather permitting. The facility would support employment of four (4) people with two shifts per day. The facility would recycle 60% of the water being used to lessen the impact on the environment. The proposed carwash would utilize biodegradable chemicals to also minimize the impact to the environment. Utilizing the power point presentation Mr. Bailey indicated the flow of traffic to and from the site. Mr. Schwartz communicated that there are six (6) parking spaces for employees and the remainder of the site are for the vacuum sites.

Member Lawson inquired as to if the proposed development looks similar to the Prince Frederick carwash. Mr. Schwartz communicated that it is similar but the Prince Frederick site is smaller in area size.

Chairperson Moulds wanted to communicate that although the architectural drawings are not being reviewed for approval at this time that the Town has in its Municipal Code standards for site planning and building design specific to building facades. In addition, building facades being proposed need to match existing facades of the surrounding buildings.

Member Isleib inquired about Chapter 155-73. D, and the impervious surface as it exists is greater than what is being proposed. Mr. Bailey explained that the property is required to treat 50% of the existing impervious surface or reduce the proposed impervious by 50% of the existing impervious surface. Plantings will be required within the proposed Micro-bioretenion areas.

Member Schultz inquired as to whether there has been any feed back from the community in referenced to the project. Mr. Bailey communicated that certified mailings were sent out to all contiguous properties and the property has been posted as required by the ordinance and that no feed back has been received on the property.

Mr. Prakash, the design consultant addressed the Planning Commission communicating that the application submitted was for a request from the Planning Commission for recommendation to the Board of Appeals for special exception of use for this property. The landscaping and storm water management will be submitted to the Planning Commission once the consultant has received Board of Appeals approval.

***Member Lawson moved to forward a favorable recommendation to the Board of Appeals for the request for Case No. 05-05 A – special exception for an automobile related use within a commercial business zoned property, Member Ponti seconded. The motion passed by a 5-0 vote.***

**Review of Monthly In-House Permits (July & August 2023)**

Member Lawson questioned the fee differences between some U&O versus others. Mr. Bailey explained that the impact fees charged to different subdivisions is based on Board of Education fees changing as well as one house maybe larger in size versus another house.

***Chairperson Moulds entertained a motion to adjourn the meeting. Vice Chairperson Shultz, made the motion to adjourn meeting; seconded by Member Isleib. There being no further discussion, the motion passed by a 5-0 vote. The meeting was adjourned at approximately 4:28 p.m.***

Respectfully submitted:

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Michael A. Bailey, Planning & Zoning

Approved:

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Jean Moulds, Chairperson

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Laura Schultz, Member

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Andrew Ponti, Member

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Sean Lawson, Member

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Doug Isleib, Member