
MEMORANDUM TO: Mayor and City Council
Planning Commission

FROM: Trudy Schwarz, Community Planning Director

DATE: February 4, 2013

SUBJECT: Preliminary Background Report:
ASK-1746-2013 and SDP-1747-2013
Car Max
Sketch Plan Amendment and Schematic Development Plan
16331 Shady Grove Road

APPLICANT

CarMax Auto Superstores, Inc.
12800 Tuckahoe Creek Parkway
Richmond, Virginia 23238

OWNER

Sears, Roebuck & Company
3333 Beverly Road A2-262B
Hoffman Estates, Illinois 60179

TAX MAP REFERENCE:

Tax Sheet: FS 563 and GS 123
Tax Parcel ID Number: N606

TAX ACCOUNT NUMBERS:

Pt of Parcel A – ID #09-00768845

REQUEST

CarMax Auto Superstores, Inc. (CarMax) has submitted Amendment to Sketch Plan Application ASK-1746-2013 and Schematic Development Plan (SDP) Application SDP-1747-2013. Application ASK-1746-2013 proposes to amend the Sketch Plan for 13.66 acres of land in the MXD (Mixed Use Development) Zone, for the development of a 25,000 square foot Automotive Sales Center and a 225,000-square foot Office/Commercial Building. Application SDP-1747-2013 proposes a 25,000-square foot Automobile Sales Center on 9.83 acres (of the 13.66-acre parcel) of land located in the MXD (Mixed Use Development) Zone. The Property, formerly known as the Sears Warehouse and Great Indoors, is located at 16331 Shady Grove Road in the City of Gaithersburg, Maryland.

Joint Hearing - MCC & PC
ASK-1746-2013
Exhibit #20

Joint Hearing - MCC & PC
SDP-1747-2013
Exhibit #36



Amendment to Sketch Plan ASK-1746-2013
Schematic Development Plan SDP-1747-2013

LOCATION

The property is located off Shady Grove Road, south of its intersection with Oakmont Avenue and north of the intersection of North Frederick Avenue (MD Route 355) and Shady Grove Road. The property is addressed 16331 Shady Grove Road. The property includes one parcel and consists of 13.66 acres of land.

REQUIRED ACTIONS

Amendment to the Sketch Plan

Section 24-160D.10(a) states that the City Council may approve a sketch plan when they find the following:

- (1) *The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone; and*
- (2) *The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and*
- (3) *The application and sketch plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned areas and adjacent areas.*

Therefore, the applicants have the burden of proof of showing that this application complies with the purpose and intent of the MXD Zone. In addition, they must show that the accompanying sketch plan will be compatible and harmonious with the surrounding planned and existing land uses. The sketch plan must also meet or accomplish the objectives and minimum standards and requirements of the zone.

Schematic Development Plan Application SDP-12-001

Section 24-160D.10(b) outlines the findings for approval of the schematic development plan (SDP), as follows:

- (1) *The plan is substantially in accord with the approved sketch plan; and*
- (2) *The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone, and other requirements of the City Code; and*
- (3) *The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and*
- (4) *The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and*
- (5) *That existing or planned public facilities are adequate to service the proposed development contained in the plan; and*
- (6) *That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*
- (7) *That the plan, if approved, would be in the public interest.*

The applicant has the burden of proof of showing that this application complies with the schematic development plan findings of the MXD Zone.

EXISTING LAND PHYSICAL CHARACTERISTICS AND NATURAL RESOURCES INVENTORY/FOREST STAND DELINEATION:

A natural resource inventory/forest stand delineation (NRI/FSD) was submitted and approved as part of the X-184 Annexation Application (Exhibit #03, ASK-1746-2013/SDP-1747-2013). A copy is included in both the Sketch Plan Amendment and the SDP Exhibit Files. This somewhat rectangular site currently contains several retail stores and associated parking lots. The topography of this relatively flat site ranges from a high point of 512 feet above sea level at the northern portion of the site, near the entrance of the store, to 500 feet above sea level at the southern corner of the property by the Truck entrance to the County Landfill Transfer Station. There are no steep slopes on the site.

The Natural Resources Conservation Service (NRCS) Web Soil Survey indicates three soil types present on the site: Glenelg Silt Loam, Glenville Silt Loam, and Urban Land. None of these soils are highly erodible, unsuitable or unsafe soils. The majority of the

property is Urban Land designation, which applies to areas that are covered with impervious surfaces (buildings and parking lots).

There is no forest on the property. Landscape trees exist in parking islands and along the perimeter of the property. None of these trees are of significant size. There are no streams observed on the Sears property and FEMA has not mapped any floodplain on or within 100 feet of the property. Additionally, there are neither wetlands on the property nor any dams upstream of the property. The property is within the Upper Rock Creek watershed, in the Use Class IV portion.

There have been no rare, threatened, or endangered species observed, identified or known to occur on or near the site. While the property does receive noise pollution from vehicles on Shady Grove Road and I-370, the trucks and heavy equipment at the transfer station, rail stock moving within the WMATA site and vehicles from the Shady Grove Distribution Center/post office, a noise study was not required as a component of the Natural Resource Inventory. Existing light pollution sources are mostly security derived. The pollution comes from lights within the parking lot, the transfer station, the post office distribution center and along Shady Grove Road.

There are no cultural or historic resources on the site and none mapped in the Adopted Shady Grove Sector Plan of 2006 or the Montgomery County Location Atlas and Index of Historic Sites. There were no significant views on this property.

ZONING AND SITE PLAN HISTORY:

Annexation:

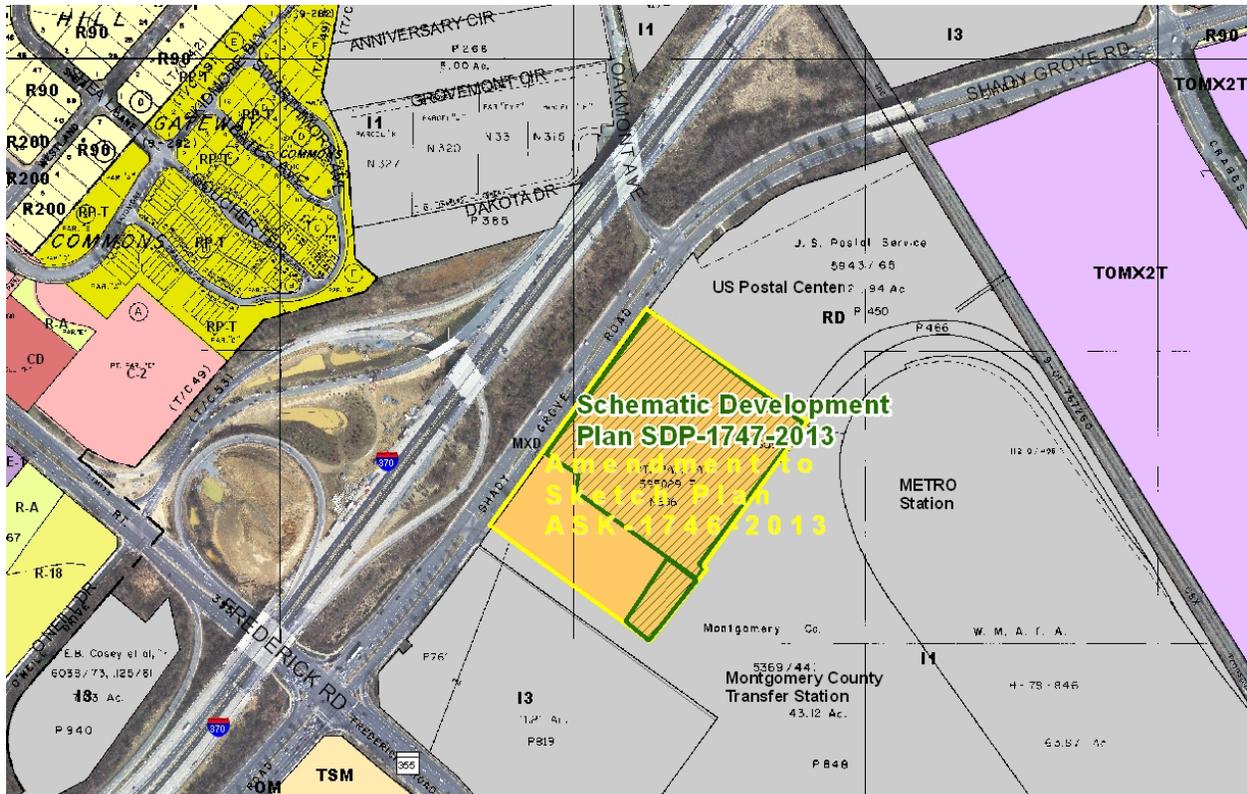
The Mayor and City Council annexed this property as owned by Sears Roebuck & Company as part of Annexation Petition X-184 by Resolution R-53-12, which became effective in September 20, 2012. At the time of the annexation approval, the City Council also established MXD (Mixed Use Development) zoning and retail and warehouse use for the property.

NEIGHBORHOOD LAND USE AND ZONING:

Northeast of the property is the U.S. Postal Distribution Center and Post Office at Shady Grove, which is zoned R&D in Montgomery County. North of the CSX Railroad right of way is the County Service Park, which is zoned Transit Oriented, Mixed Use Zones (TOMX-2). The TOMX-2 Zone surrounds the WMATA property (Shady Grove METRO Station) and the County's Transfer Station, which are zoned I-1. Southeast of the property is the truck entry road to the Transfer Station, which is also zoned I-1. South of the access road is the Casey Property, which is vacant and does include existing wetland and a stream. This property is zoned I-3 and is in the County jurisdiction.

West of the property is the rights of way of both Shady Grove Road and Interstate I-370. The areas further west include the Hyatt House hotel, which is zoned C-2 (General Commercial), and the Gateway Commons subdivision, which is zoned RPT (Medium Density Residential). Gateway Commons includes a mix of unit types including townhouses, back-to-back townhouse units and detached single-family units.

Northwest, across Shady Grove Road and I-370 is the Oakmont Industrial Park, which is zoned I-1 in the County. This includes a mix of retail, warehouse and industrial businesses.



Surrounding Zoning

PUBLIC FACILITIES:

Water and Sewer Services and Public Utilities

The site maintains W-1 and S-1 categories (areas served by community systems which are either existing or under construction). Service does exist and, therefore, the application complies with the requirements of the City's Adequate Public Facility Ordinance (APFO) for water and sewer, § 24-247. Further, the 2003 *Municipal Growth Element* and the 2009 *Water Resources Element* both affirmed that there is sufficient water and sewer supply capacity for growth area developments.

Fire and Emergency Services

The City's APFO requires that any development project be served by at least two (2) fire stations with a ten (10) minute response time. The Sears property is within the ten (10) minute response areas of Montgomery County Department of Fire and Rescue Services Stations 3, 8 and 28.

Schools

The proposed use of Automobile Sales and Services and Office/Commercial/Restaurant Building will not generate any students. Therefore, the schools test for adequate facilities is not required.

Traffic Impacts

The applicant has submitted a Traffic Study Application (Exhibit #6, SDP-1747-2013). Engineering Services Director Ollie Mumpower has reviewed the APF transportation statement, dated December 13, 2012, and has determined that less traffic will be generated by this site that was generated by the previous commercial site at this location and, as such, a formal TIS is not required, Exhibit #24, SDP-1747-2013. The Applicant and staff will be working with Montgomery County Department of Transportation concerning requirements proposed in their review of the plan, Exhibit #29, SDP-1747-2013.

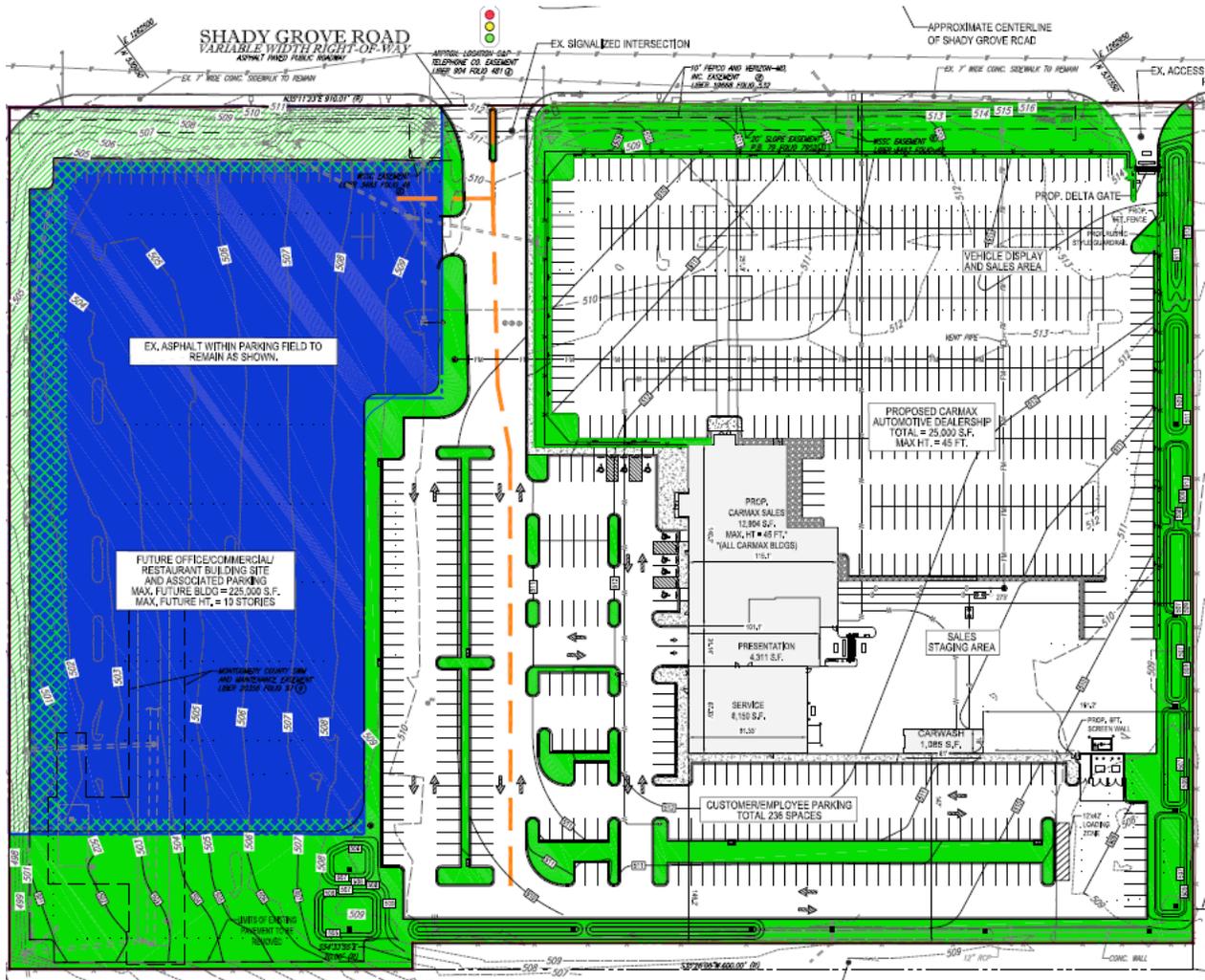
Transportation

The site is serviced by Montgomery County Ride On Bus Routes #43 and 61 on Shady Grove Road and is within a quarter of a mile to Routes #55, 59 and 67 on North Frederick Avenue (MD Route 355). Shady Grove Road is a six-lane major arterial roadway maintained by Montgomery County. There is a shared use (pedestrian & bike) path on the west side of Shady Grove and a sidewalk on the east side of the road. The property is within a one-mile walk to the Shady Grove METRO station.

The applicant has submitted a statement concerning compliance with the Adequate Public Facilities requirements of the City Code. The statement is Exhibit #5, SDP-1747-2013.

AMENDMENT TO SKETCH PLAN ASK-1746-2013 PROPOSAL

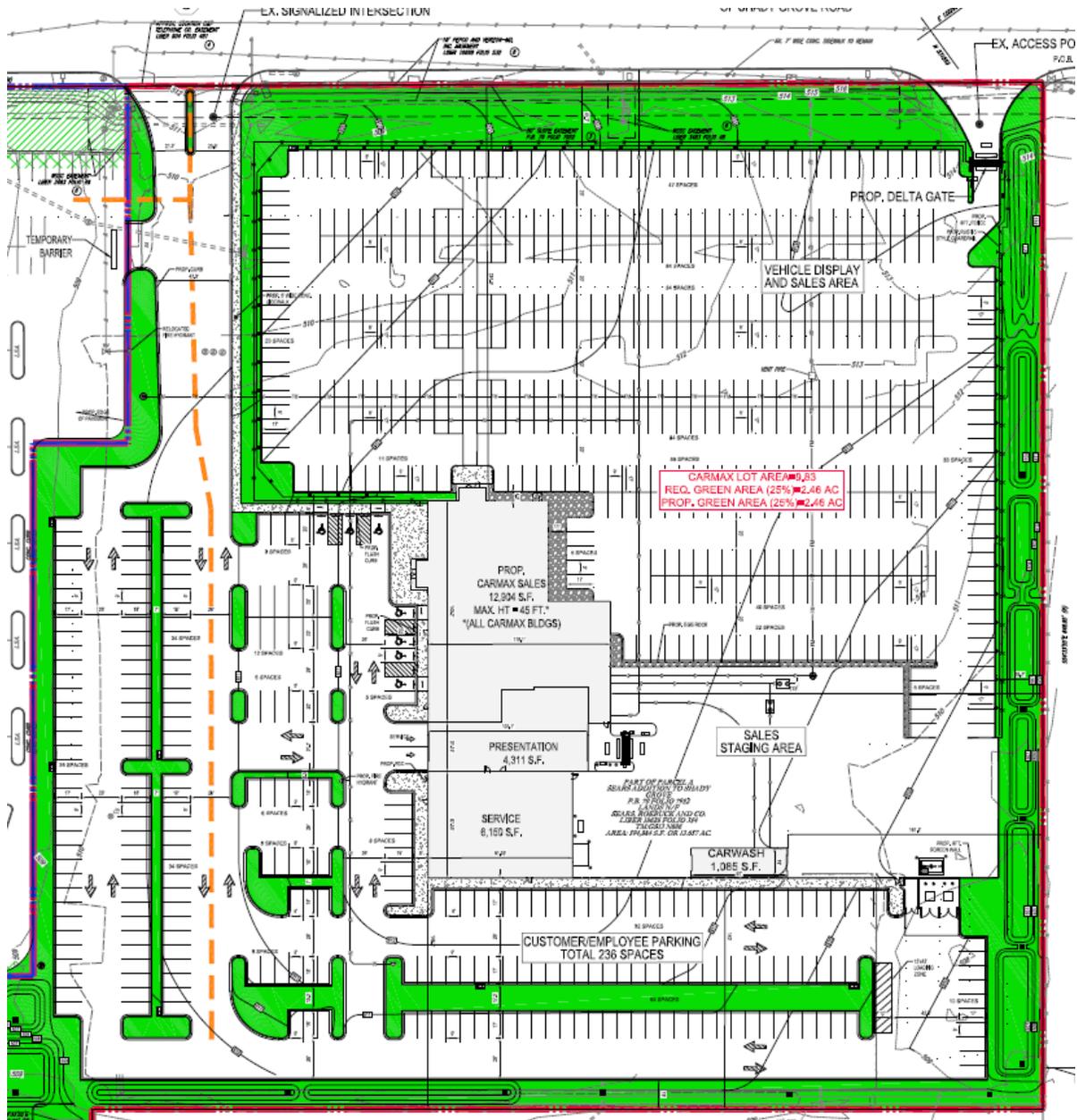
The Amendment to Sketch Plan proposes two use types for the 13.66-acre property. These are proposed to be developed in two phases. The first use type is a proposed Automotive Sales and Services for a CarMax Superstore (automobile dealership) to consist of a maximum of 25,000 square feet, with a maximum height limit of 45 feet, with associated parking and storage of automobiles. The second use would be a future office/commercial/restaurant building site with associated parking. The sketch plan amendment proposes to allow a maximum of 225,000-square foot building at a maximum height of ten (10) stories to be built as part of a future second phase. (This second phase would require a separate Schematic Development Plan.)



Sketch Plan ASK-1746-2013, Exhibit #4,

SCHEMATIC DEVELOPMENT PLAN SDP-1747-2013 PROPOSAL

The Schematic Development Plan (SDP) for CarMax includes the 9.83-acre property which is the first phase of the overall development of the proposed Amendment to the Sketch Plan, ASK-1746-2013. The SDP plan proposes a 25,000-square foot automobile sales and service center. There will be a sales center, a service area and a carwash. There will also be an outdoor sales staging area. This area will be separated by a masonry wall.



Schematic Development Plan SDP-1747-2013, Exhibit #4

Parking

The vehicle display area has parking for 490 cars. The applicant is requesting a waiver to reduce the size of the drive aisle from 26 feet in width to 20 feet in width. This waiver is only in the vehicle display area where vehicles are only driven by employees. The plan also includes 236 customer and employee parking spaces, this area complies with required drive aisle widths and parking stall sizes of the City Code. Below is the Parking Chart from the SDP (Exhibit # 4, SDP-1747-2013).

<u>PARKING ANALYSIS</u>	<u>REQUIRED</u>	<u>PROVIDED</u>
AUTOMOBILE/OTHER MOTOR VEHICLE SALES (BASED ON 12,904 S.F. AND 75 EMPLOYEES):	1 SPACE PER 600 S.F. + 1 SPACE PER EMPLOYEE = 97 SPACES	134 SPACES *
AUTOMOBILE/OTHER MOTOR VEHICLE REPAIR AND SERVICE STATIONS (BASED ON 26 BAYS AND 50 EMPLOYEES):	2 SPACES PER BAY + 1 SPACE PER EMPLOYEE = 102 SPACES	102 SPACES *
ADA PARKING SPACES	7 SPACES	7 SPACES

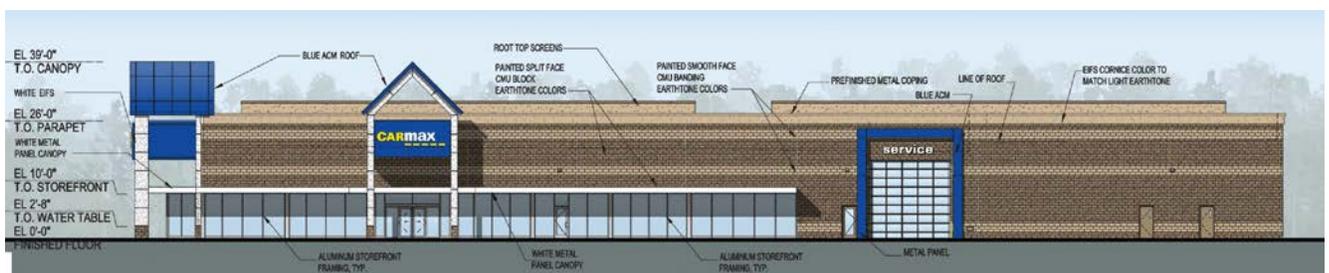
*490 PARKING SPACES PROVIDED IN THE VEHICLE DISPLAY AND SALES AREA.

Architecture

Snap shots of proposed architecture are shown below. The materials consist of painted split face and smooth face concrete masonry unit (CMU) block, aluminum store front glass, and metal panels. The architect has submitted a letter summarizing the architecture, Exhibit #9, SDP-1747-2013. The architectural plans and renderings are shown in Exhibits #10 - #12, SDP-1747-2013.



North Elevation facing Shady Grove Road



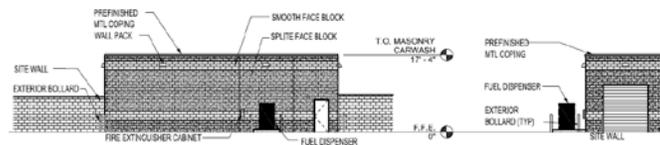
West Elevation facing the Customer Parking and the Transfer Station Access Road



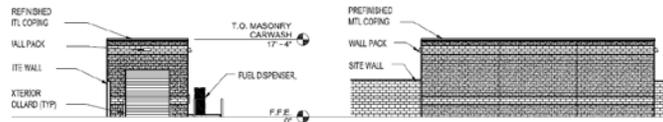
East Elevation facing the Post Office Facility



South Elevation facing the Transfer Station



CARWASH – NORTH & WEST

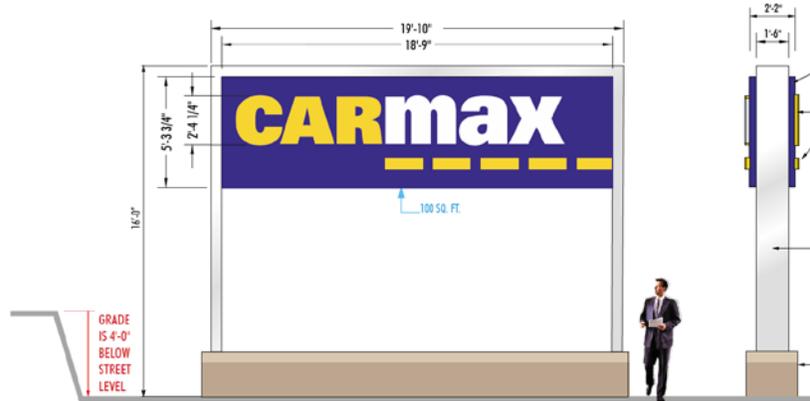


CARWASH – EAST & SOUTH

Carwash Elevations

Signage

The applicant has submitted a preliminary sign package for the project, which is Exhibit #17 of SDP-1747-2013. Below is the proposed main entry sign which will be located at the entry access to the property at the existing traffic signal:



SUMMARY:

The applicant has submitted for consideration Amendment to Sketch Plan ASK-1746 and Schematic Development Plan Application SDP-1767-2013. These are complete applications as defined by § 24-160D.9.(a) and (b) and § 24-198, Application for Amendment to Sketch Plan and Schematic Development Plan Approval of the City Code. A consolidated joint public hearing with the Mayor and City Council and the Planning Commission has been scheduled for February 19, 2013.