MEMORANDUM TO: The Planning Commission

FROM: Jasmine Forbes, Planner

DATE: November 16, 2016

SUBJECT: Preliminary Background Report
ASDP-7407-2016: Carvana

APPLICANT/OWNER:

Vanessa MacDonald
Carvana
4020 E. Indian School Road
Phoenix, Arizona, 85018

ATTORNEY:

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Lerch, Early & Brewer, Cthd.
3 Bethesda Metro Center, Suite 460
Bethesda, Maryland, 20814

TAX MAP REFERENCE:

N595 – 09-01743087

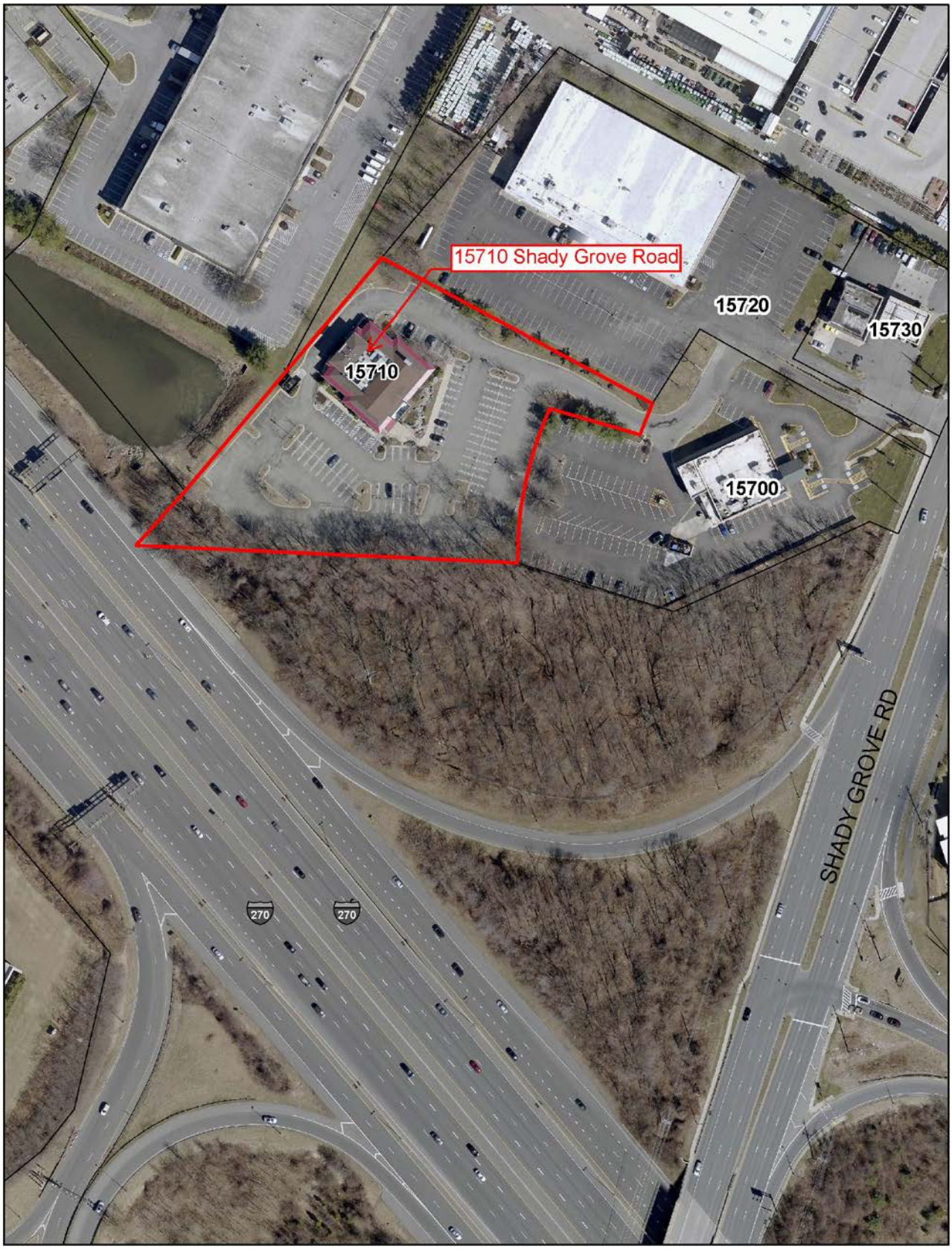
REQUEST:

Application ASDP-7407-2016 has been filed requesting an amendment to the Schematic Development Plan for the property located at 15710 Shady Grove Road (Subject Property) in Gaithersburg, Maryland.[1] The Subject Property is located west of Shady Grove Road and north of Interstate 270 (I-270) and is zoned MXD (Mixed Use Development). The Applicant is requesting to demolish the existing Bugaboo Steakhouse restaurant and construct a new 8,233 square foot Carvana Automobile Fulfillment Center and an associated 70 foot car tower display. Carvana is an online automobile retailer which specializes in the sale of pre-owned vehicles. Customers have the option to collect their vehicle at the car display tower or have it delivered to their home.

LOCATION:

The 2.5 acre Subject Property is located at 15710 Shady Grove Road. The property has low visibility from both Shady Grove Road and Interstate 270. Access is obtained from a shared entrance along Shady Grove Road. The shared entrance facilitates the existing Red Lobster restaurant, Shell gas station and the AMF Bowling Center.

[1] Exhibit 1



Location Map

PROJECT BACKGROUND

Application ASDP-7407-2016 was filed on August 26, 2016 by Vanessa MacDonald of Carvana. The application was presented to the Mayor and City Council as a courtesy review during their October 17, 2016 regular meeting, pursuant to § 24-198(C)(2)(C) of the City Code. During the courtesy review, the Council deemed the Planning Commission to hold the public hearing and make a final decision on the amendment.

REQUIRED ACTIONS

Approval of ASDP-7407-2016, by the City Council is dependent upon the findings required under § 24-160D.10 of the City Code as follows:

(b) The city council shall approve a schematic development plan only upon the finding that:

(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.

Therefore, the Applicant has the burden of affirming that this application for amendment continues to comply with the purpose and intent of the MXD Zone and with the master plan.

ANNEXATION

The Subject Property was annexed into the City of Gaithersburg as part of the Washingtonian Center Annexation Application X-159 (Resolution R-20-91) on March 4, 1991 by the Mayor and City Council. At the time of annexation, the property was zoned H-M (Hotel-Motel) and was later rezoned to MXD (Mixed Use Development).

MASTER PLAN AND SITE PLAN HISTORY

The property was included as part of the 1997 Land Use Plan, Neighborhood Two, Study Area Five, Map Designation Fourteen.[2] The Master Plan recommended that the property adopt the Commercial/Industrial-Research-Office land use designation and remain MXD zone. The Subject Property was not included as a specific map designation in the 2003 or 2009 Master Plans. Consequently the property is regulated by the 1997 Master Plan. The Land Use Element of 1997, 2003 and 2009 Master Plan designated the land use designation for the subject property as Commercial/Industrial-Research-Office.

Site Plan

The Subject Property was granted final site plan approval, S-1036, on November 2, 1994 by the Planning Commission.[3] The approval was for the construction of a 8,470 square foot restaurant. The property later received Staff Approval, AFP-4111-2013, on December 19, 2013 for exterior and interior improvements.

SURROUNDING LAND USE/ PHYSICAL CHARACTERISTICS

The Subject Property is surrounded by commercial and office uses to the north, east and west. The property is adjacent to the Interstate 270 (I-270) right-of-way to the southwest. The properties to the north, west and east are located within Montgomery County. The City property to the north is zoned MXD (Mixed Use Development) and the County properties to the north and west are zoned IM2.5 (Moderate Industrial). Additionally, the County property to the east is zoned GR1.5 (General Retail).

[2] Exhibit 23
[3] Exhibit 24

Zoning Map

ADEQUATE PUBLIC FACILITIES ORDIANCE (APFO)

Traffic Impacts

According to the Applicant's traffic statement[4], the proposed use will not generate an additional 30 weekday peak hour trips. Upon review of this statement, Engineered Services Division Chief, Ollie Mumpower, has determined that a traffic impact study is not required[5]. Therefore the proposed application complies with the requirements for the Adequate Public Facilities Ordinance for traffic impacts (§ 24-245).

Adequacy of School Capacity

Since the application proposes a commercial use only, it will have no impact on the school system. Therefore the proposed application is exempt from the school test of the Adequate Public Facilities Ordinance (§ 24-246).

Water and Sewer Services and Public Utilities

The Subject Property is currently served by water and sewer categories W-1 and S-1 respectively. The application complies with the requirements of the City's Adequate Public Facilities Ordinance for water and sewer (§ 24-247).

Fire and Emergency Services

The City's Adequate Public Facilities Ordinance (APFO) requires that any development project be served by at least two fire stations within a ten-minute response time. The subject property is located with a ten-minute response time of four fire stations:

- Station 3 (Rockville)
- Station 8 (Gaithersburg/Washington Grove- Montgomery Village Avenue)
- Station 28 (Gaithersburg)
- Station 32 (Travilah)

Therefore, as referenced in the applicant's statement, the site complies with the requirements for Adequate Public Facilities for Emergency Services (§ 24-248).

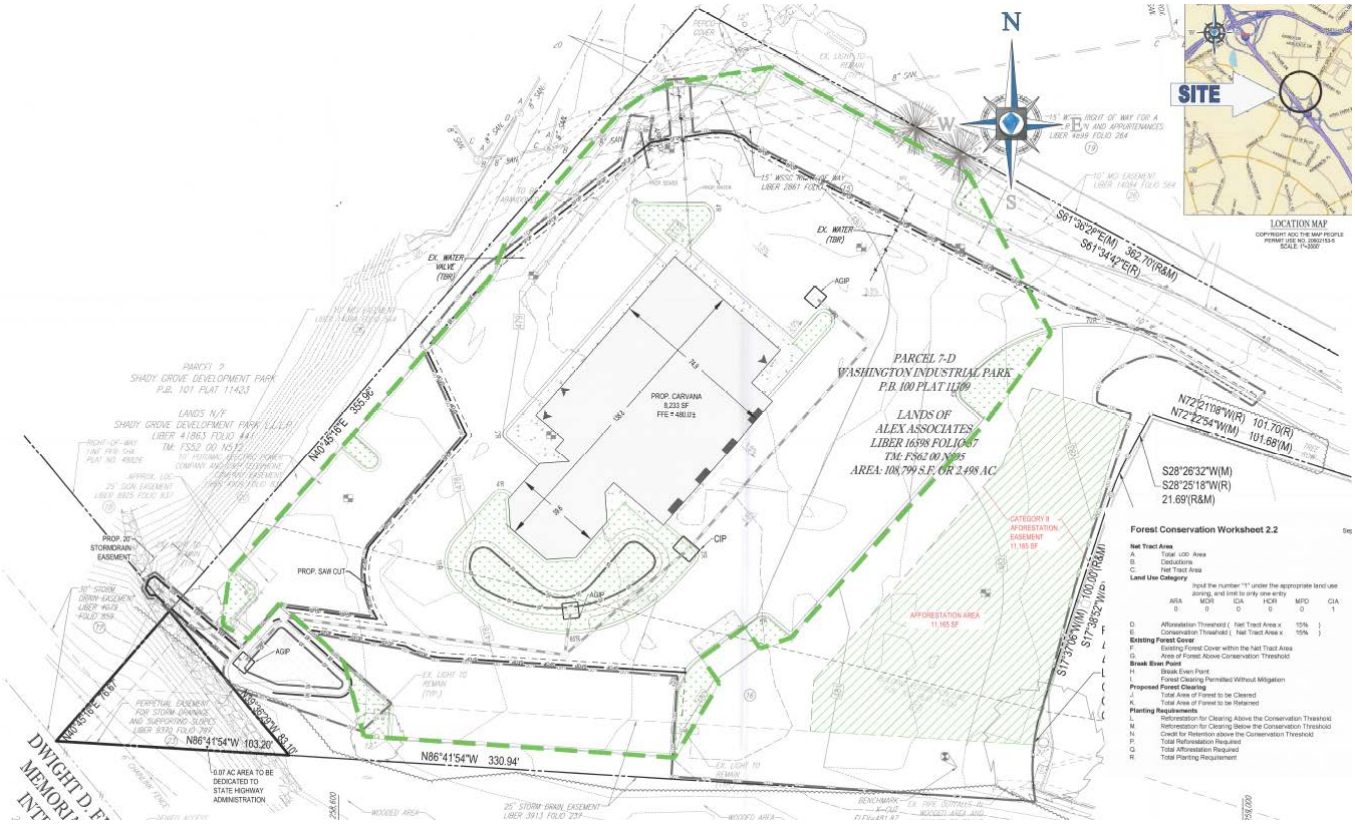
STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL

In accordance with the requirements for the submission of a Schematic Development Plan, §24-160D.9(b), the applicant has submitted a concept and preliminary sediment erosion control plan and stormwater management plan and, designated as applications SEC-7408-2016[6] and SWM-7406-2016[7], respectively. Currently both plans are under review by the City's Department of Public Works.

[4] Exhibit 6- Page 14
[5] Exhibit 8
[6] Exhibit 21
[7] Exhibit 22

FOREST CONSERVATION PLAN

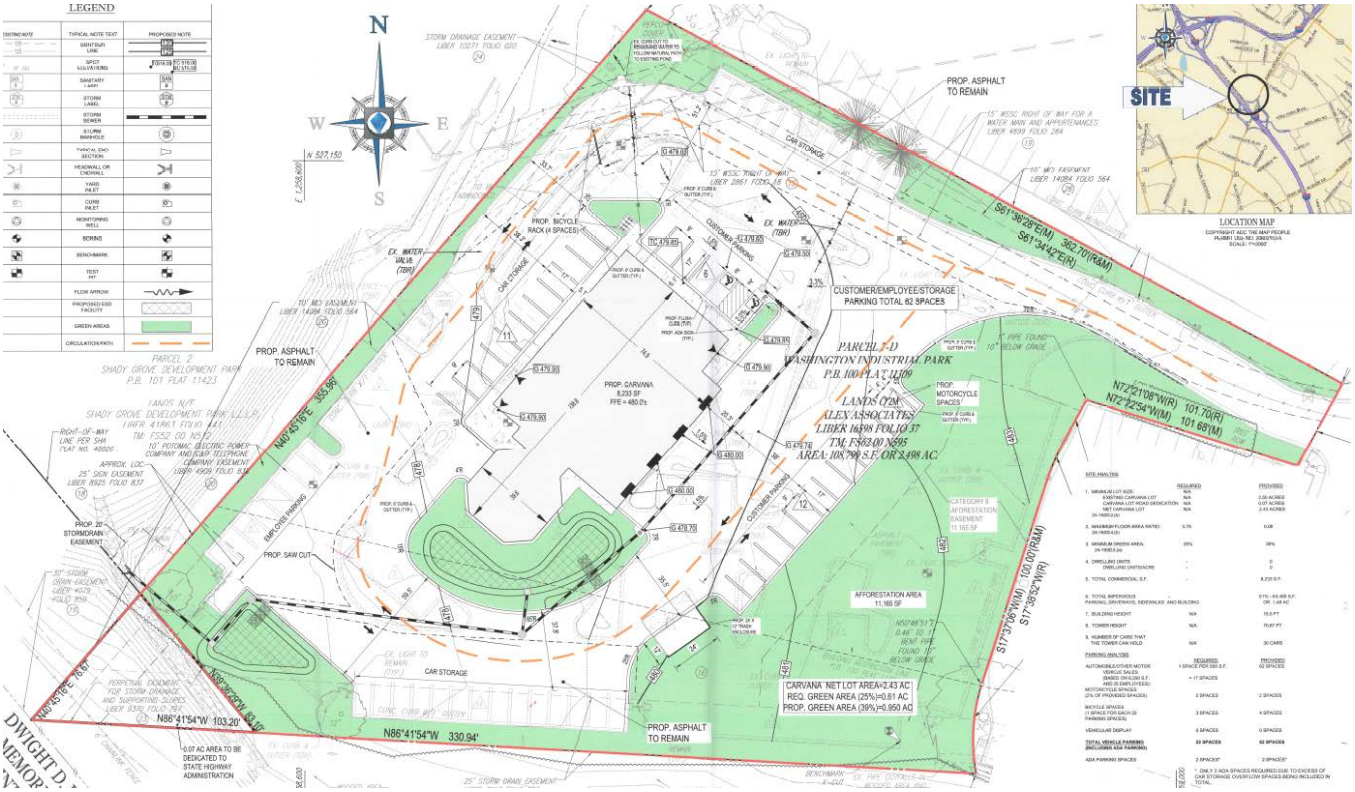
There is no forest area currently on the Subject Property. As such, due to the nature of this project, a Natural Resource Inventory (NRI) and Forest Stand Delineation (FSD) application was not required. The Applicant has submitted a preliminary Forest Conservation Plan. The Applicant is proposing to provide 0.25 acres of Category Two afforestation to the west side of the Subject Property.



ASDP-7404-2016 Preliminary Forest Conservation Plan

ASDP-7407-2016 AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN

The Applicant is requesting to demolish the existing Bugaboo Creek Steakhouse restaurant and build a new 8,233 square foot Carvana automobile fulfillment center. The proposed building will include a 70 foot tall car display tower. It is important to note that the new building footprint will be located in the same location as the restaurant, but will be slightly smaller. The proposed car display tower will be located on the south section of the building facing Interstate 270 (I-270). In the previously approved site plan, a section of the property was supposed to be dedicated to the Maryland State Highway Administration for the Interstate 270 right-of-way, but it was never dedicated. Currently a part of the property is located in the Interstate 270 right-of-way, so the Applicant is proposing to dedicate 0.07 acres of the southwest corner of the property to (SHA).[8]



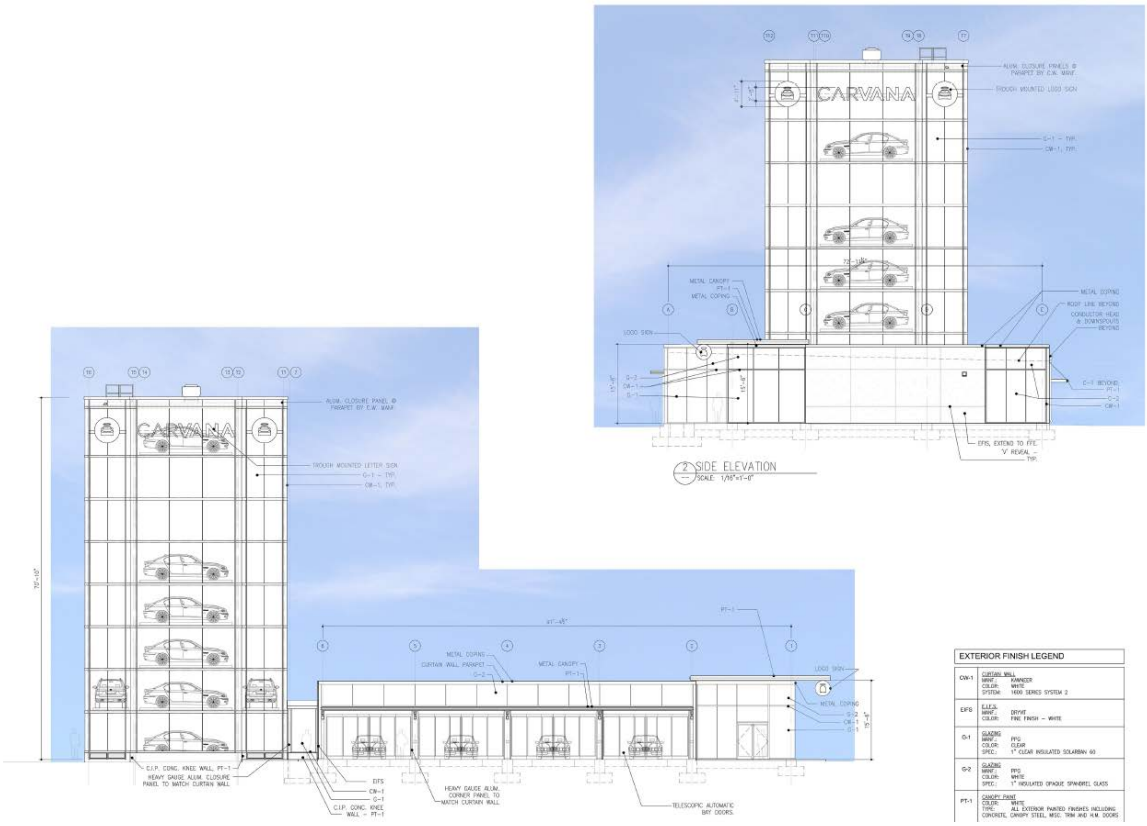
ASDP-7404-2016 Proposed Site Plan

[8] Exhibit 30

ARCHITECTURE

Excluding the proposed car display tower, the proposed building will be approximately 15 feet in height. The Applicant is proposing the building materials to include metal coping, insulated glass panels, and EIFS. The car display tower is proposed to be 70 feet tall and will be clad in insulated glass panels. The car display tower is approximately setback 128 feet from Interstate 270 (I-270). The Applicant is proposing future signage for the business to be located on the car display tower. Staff notes, while it is beneficial to understand the facade in conjunction with the signage, the review of the signs are not part of this application. As such, Pursuant to Section 24-212(b), all future signage for the automobile dealership must be approved by the Planning Commission. The review of the signage could be completed concurrently with the approval of the Final Site Plan.

Architecture Rendering



Architectural Drawings

Parking

The Subject Property currently contains 177 on-site parking spaces. Pursuant to §24-219, the proposed automobile use will require 17 on-site parking spaces. The Applicant is proposing to provide 62 parking spaces. Additionally, the car tower display can hold up to 30 vehicles for storage. The following is the Applicant's surface parking distribution for the property:

- Customer: 17
- Employee: 8
- Additional Car Storage Space: 37

Further, the Applicant is proposing to provide two spaces for motorcycles and four bicycle racks. Overall, the proposed plan will provide 45 additional parking spaces than what is required. Pursuant to § 24-219(b), a commercial use is permitted to provide no more than ten percent of the required on-site parking. According to the Applicant's statement, the Subject Property is permitted to have a minimum of 42 spaces and a maximum of 44 spaces.[9] As such, the Applicant is requesting a parking waiver to provide more than the maximum number of parking spaces permitted on-site.

[9] Exhibit 6- Page 12

Landscaping

Carvana requires fewer surface parking spaces than a regular automobile sale dealership, and as a result the Applicant is proposing to increase the onsite green space. The Applicant proposes to provide 38% of green space on the property. The proposed landscape plan delineates a total of 16,557 square feet of landscape area. The landscape plan includes a variety of shade trees and shrubs.[10]

ASDP-7404-2016 Landscape Plan

SUMMARY

Staff at this time is not providing a formal recommendation. A Staff recommendation will be provided prior to the Planning Commission recommendation discussion. For the purpose of concluding the public hearing, Staff recommends that the Planning Commission make a motion to close the public hearing and hold the record open till 5:00 PM on November 30, 2016.

[10] Exhibit 28