
MEMORANDUM TO: Mayor and City Council

FROM: Jasmine Forbes, Planner

DATE: March 21, 2022

SUBJECT: Preliminary Background Report
SP-8819-2021: 601, 605 and 607 South Frederick Avenue

APPLICANT/DEVELOPER

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TAX MAP REFERENCE:

Parcel P103- ID# 09-00777417
Parcel P114- ID# 09-00770201
Parcel P115- ID# 09-00773033

REQUEST:

Application SP-8819-2021¹ has been filed requesting concept site plan approval to combine three parcels into one lot to construct a 5,617 square foot automatic car wash facility and associated parking lot. The subject properties are zoned CD (Corridor Development).

¹ Exhibit #68

LOCATION:

The Subject Properties measure approximately 52,229 square feet in area and are situated along South Frederick Avenue. The Properties at 605 and 607 South Frederick Avenue are improved with single family detached homes and the Property at 601 South Frederick Avenue is undeveloped.



Location Map

REQUIRED ACTIONS

Approval of SP-8819-2021, by the City Council is dependent upon the findings required under § 24-160G.7(b) of the City Code as follows:

- (b) *The city council may approve a schematic development plan or concept plan only upon the finding that:*
- (1) *The plan is substantially in accord with architectural, signage, lighting, streetscape, parking and other regulations, requirements and guidelines adopted by the city council for applicable corridor area.*
 - (2) *The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone; 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 CD zoned area and adjacent areas; and*
 - (5) *The existing or planned public facilities are adequate to service the proposed development contained in the plan; and*
 - (6) *The development staging or phasing program if any, is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*
 - (7) *The plan, if approved, would be in the public interest.*
 - (8) *The existing buildings with historic significance are considered for preservation and retention pursuant to the city's historic preservation ordinance.*

Therefore, the Applicant has the burden of showing that the application complies with the purpose and intent of the CD Zone and the master plan. Additionally, evidence must be shown that the application will be compatible and harmonious with the surrounding planned and existing land uses and will accomplish the objectives, minimum standards, and requirements of the zone. As part of the application package, the Applicant has submitted a project compliance statement letter (Exhibit #91). The letter outlines the project narrative and required findings in compliance with the CD Zone.

SITE PLAN HISTORY

The Subject Properties were annexed into the City of Gaithersburg in 1990 as part Annexation Application X-150 (Resolution R-93-89)². At the time of annexation, the Properties were zoned C-B (Commercial Buffer). The Properties were later comprehensively rezoned to the CD Zone as part of the Frederick Avenue Corridor Master Plan. The following summarizes the site plans and amendments associated with the Properties:

Site Plan Number	Type of Site Plan	Property	Date	Approval Body	Proposal
S-910	Concept Site Plan	601 South Frederick Avenue	May 16, 1990	Planning Commission	Construct an upholstery shop and offices. Plan never moved forward for final site plan approval.
CSP-00-004	Concept Site Plan	601 South Frederick Avenue	November 14, 2000	Planning Commission	Construct a 7,480 square foot commercial building for an upholstery shop and repair shop.
SP-01-0001	Preliminary Site Plan	601 South Frederick Avenue	May 16, 2001	Planning Commission	Construct a 6,890 square foot upholstery shop and repair shop.
SP-01-0012	Final Site Plan	601 South Frederick Avenue	September 19, 2001	Planning Commission	Construct a 6,936 square foot upholstery shop and repair shop.

MASTER PLAN HISTORY

Frederick Avenue Corridor Land Use Plan- 2001

The Frederick Avenue Corridor Land Use Plan was adopted on January 2, 2001, as a guide for development of the Frederick Avenue Corridor. The Frederick Avenue Corridor Land Use Plan is the guiding document for these Properties. The corridor is divided into three (3) districts: Northern Employment, Fairgrounds Commercial and Southern Residential. The Subject Properties are situated within the Southern Residential District, as part of the larger Map Designation D. The Master Plan stated the following:

Retain parcels P103, P114, P115, N155, P116, N171, N206 and N261 (Map Designation D) as commercial-office-residential. In the 1997 Neighborhood One Land Use Plan these parcels were designated as commercial-office-residential. This area is in transition and has already experienced some redevelopment to commercial uses. While this designation remains appropriate, this Special Study Land Use Plan recommends a change in zoning category to the Corridor

² Exhibit #12

Development Zone. The CD zone will permit more flexible development of these properties and is better suited to the goals of the Frederick Avenue Corridor Plan. The lots are small in size and access should be from a shared common driveway in the rear of the lots, with ingress/egress from Central Avenue. This will help eliminate curb cuts along Frederick Avenue. Development is recommended to be in keeping with the residential character of this portion of the Corridor. Offices, light retail or live work units in low rise buildings are examples of what is envisioned. A maximum of 7,000 square feet of building area per lot is recommended.

Land Use and Zoning Recommendations:

- *Adopt commercial-office-residential land use designation*
- *Rezone parcels to CD*

2009 Master Plan- Transportation Element

The Transportation Element of the 2009 Master Plan recommends that the City study the feasibility of bus rapid transit (BRT) and future widening along the MD 355 corridor. The Transportation Element of the 2009 Master Plan recommends a minimum right-of-way of 120 feet for Frederick Avenue. The proposed plan will maintain the one hundred and twenty (120) foot right-of-way. Montgomery County Department of Transportation (MCDOT) reviewed the proposed project and did not have any comments.

2003 and 2009 Master Plans

The Subject Properties were not included in the 2003 or 2009 Master Plans as specific map designations. The 2003 and 2009 Master Plans designated the land use for the Subject Properties as Commercial-Office-Residential.

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO):

Traffic Impacts (§ 24-245)

According to the Applicant's APFO statement, the automatic car wash facility will generate more than thirty (30) peak hour trips, therefore a traffic impact study (TIS) will be required. Pursuant to the City's Traffic Impact Study Standards, a TIS is required in conjunction with any schematic development plans, preliminary plan, or final site plan submissions for any new development that generates 30 or more AM or PM peak hour trips. Staff notes a TIS is not required at this time, but one will be required with any subsequent preliminary or final site plan submission.

Adequacy of School Capacity (§ 24-246)

The proposed development is for a commercial use, therefore it will have no impact on the school system. The proposed development is exempt from the school test of the Adequate Public Facilities Ordinance.

Water and Sewer Services and Public Utilities (§ 24-247)

The Subject Properties are currently served by Category W-1 and S-1 of Washington Suburban Sanitary Commission (WSSC) services. Therefore, the application complies with the requirements of the City’s Adequate Public Facility Ordinance (APFO) for water and sewer.

Fire and Emergency Services (§ 24-248)

The City’s Adequate Public Facilities Ordinance (APFO) requires that at least two (2) fire stations serve any development project within a ten-minute response time. The Subject Properties are located within a ten-minute response time of Station 3 (Rockville), Station 8 (Gaithersburg), Station 28 (Gaithersburg) and Station 32 (Travilah). Therefore, the development complies with the requirements for the Adequate Public Facilities requirements for Emergency Services.

SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The Subject Properties measure approximately 52,229 square in area and are situated along South Frederick Avenue. 605 and 607 South Frederick Avenue are improved with single-family detached homes and the Property at 601 South Frederick Avenue is undeveloped. A record plat will be required to consolidate the three parcels prior to the issuance of permits. The following table demonstrates the land use and zoning for the surrounding properties.

Direction	Zoning	Land Use
North	R-A (Low Density Residential)	undeveloped- Stream Valley Buffer
South	R-A (Low Density Residential)	Church
East	CD (Corridor Development)	Commercial
West	R-A (Low Density Residential)	Residential



Zoning Map

NATURAL RESOURCES INVENTORY AND FOREST STAND DELINEATION

As part of this application, the Applicant has submitted a Natural Resources Inventory (NRI) and Forest Stand Delineation (FSD) plan, designed as application ENV-8438-2020. The NRI/FSD was approved May 2, 2020. The submitted NRI/FSD specified four specimen trees. According to the approved NRI/FSD, the Properties are located within the Muddy Branch watershed. The site contains no Special Protection or Primary Management areas. No designated Historic Resources are identified on the Properties nor were any potential Historic Resources identified in the 2018 City of Gaithersburg Historic Preservation Element. There are no rare or threatened species, or any critical habitats on the Properties.



Exhibit # 10: Approved NRI – ENV-8438-2020

CONCEPT SITE PLAN

Site Plan

The Applicant is requesting to construct a new 5,617 square foot automatic car wash building and associated parking lot. The plan includes a new ingress/egress entrance on Central Avenue per the requirements in the annexation agreement³ and 2001 Frederick Avenue Corridor Master Plan. Per the requirements by MCDOT, the Applicant is proposing to dedicate land to meet the required 60 foot right-of-way on Central Avenue. The site plan also includes the following improvements:

- Three micro-bioretention planter boxes;
- 16' x 11' trash dumpster enclosure;
- Approximately eighteen vacuum stations; and
- Retaining walls along the parking spaces and drive aisle to north of the building and south of the Property that will have a height of approximately three (3) feet. The retaining walls will not encroach in the stream valley buffer and wetlands buffer.

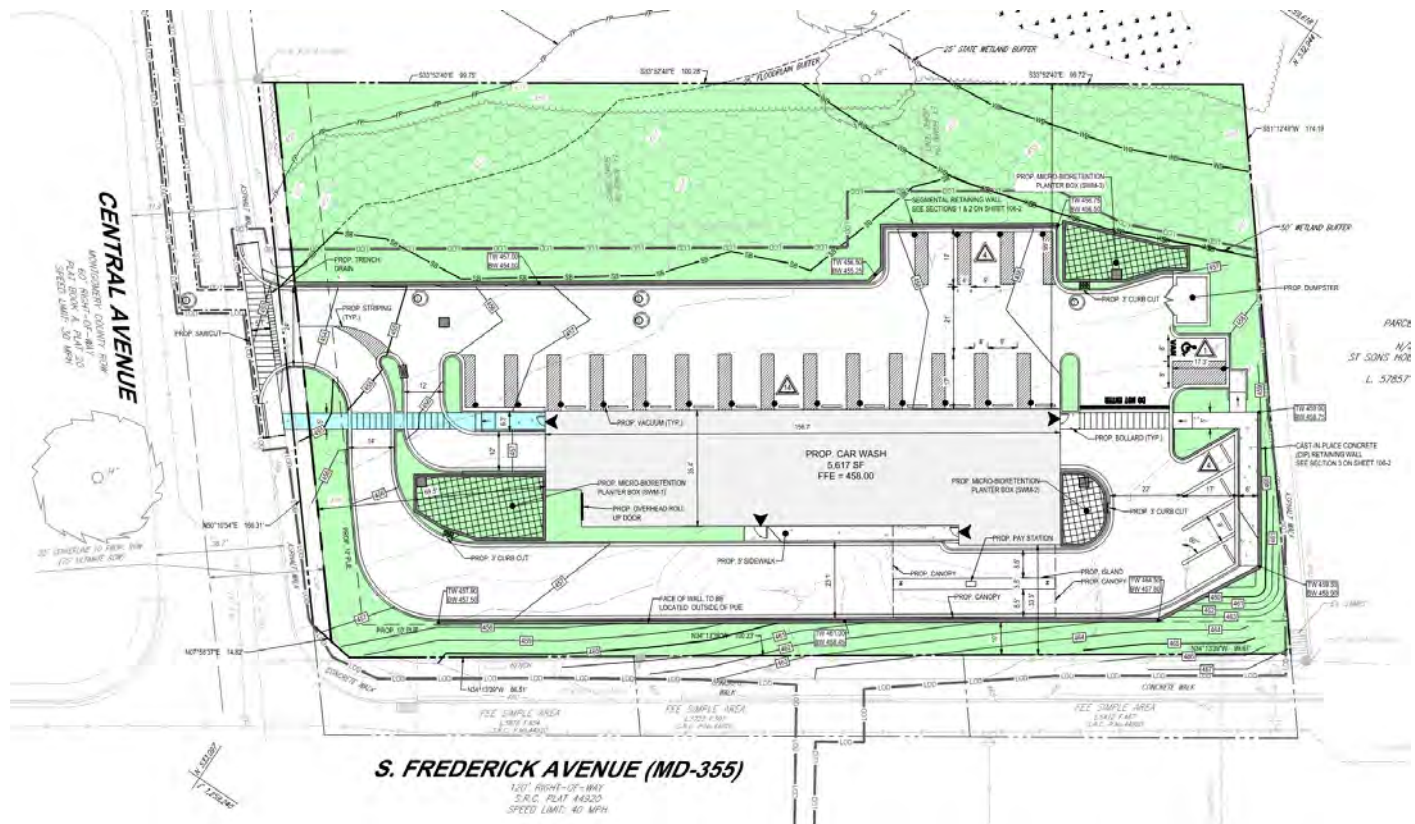


Exhibit #89: Site Plan

³ Exhibit #12

According to the City's Best Practices Memo for drive-through lanes, car centric establishments (car wash), should have a minimum stacking length of 200 feet⁴. The Applicant's stacking exhibit shows the project will accommodate 31 cars through double-stacked lanes measuring a combined total of 510 feet.

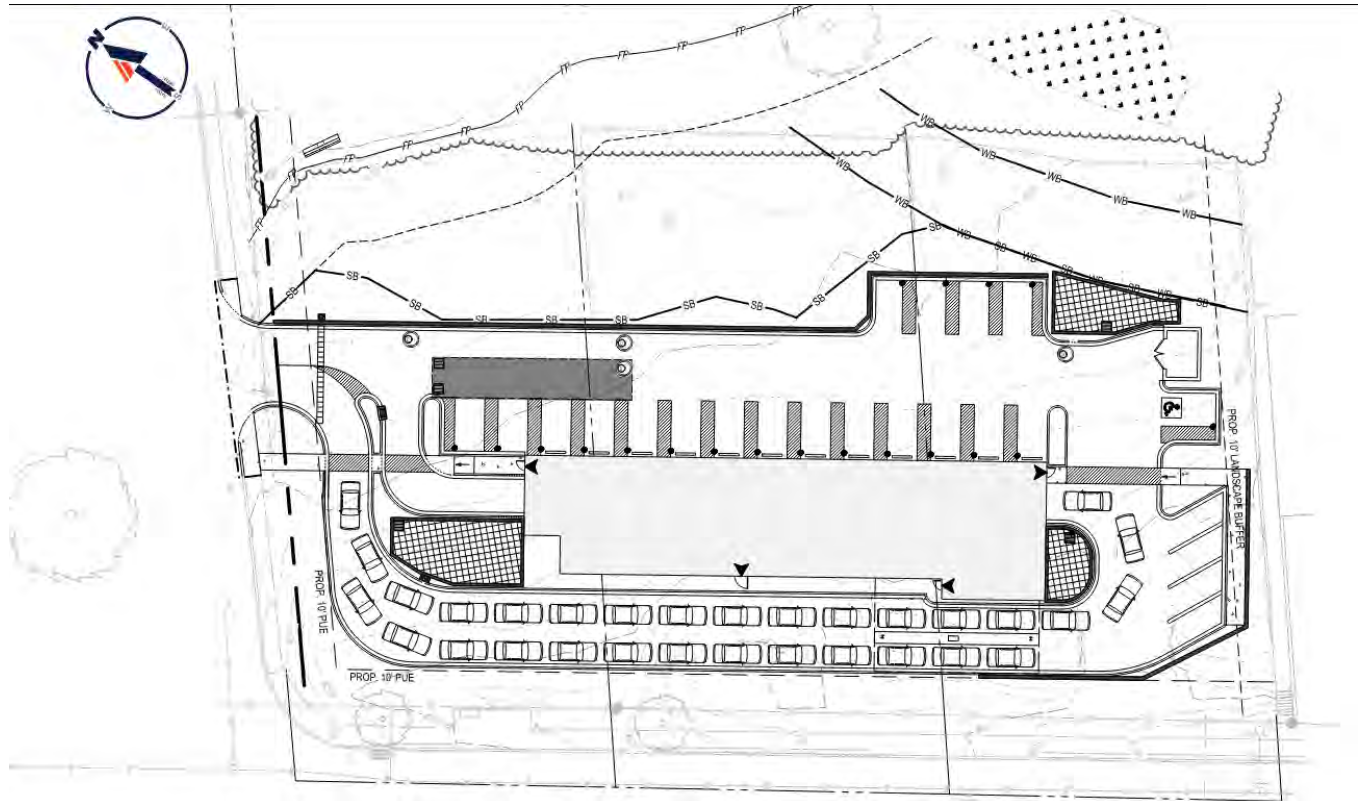


Exhibit #73- Stacking Exhibit: Page 5

Parking

Parking will be facilitated through on-site surface spaces located to the north and east of the building. Pursuant to §24-219 of the City Code, the project is required to provide 23 spaces and 23 spaces are provided. According to the Applicant, the facility will accommodate four (4) angled spaces for employees along the eastern property line. The Applicant notes that it will be seeking three parking waivers in future submissions. Pursuant to § 24-160G.4.(e), parking requirements may be waived in whole or in part by the City Council as part of a schematic development plan approval or by the Planning Commission if only a site plan approval is required. While the potential waivers are being mentioned now, they are not required to be granted at this stage and will be further evaluated in subsequent plan submissions. The Applicant's future waiver request are outlined below:

⁴ Exhibit #100

- Waiver to the City's dimensional requirements for double-stripe parking spaces.

Pursuant to § 24-218(e)(2), each edge of a perpendicular or angled parking stall should contain double parallel lines spaced to provide a clear area of twelve (12) inches between lines. Each proposed parking space will contain a vacuum and a four (4) foot wide cross-hatch striping area. The four (4) foot wide cross-hatch area will provide space for customers to vacuum their vehicles.

- Waiver to reduce the width of a two-way parking module to accommodate a drive-aisle below twenty-six (26) feet

Pursuant to § 24-218(e)(1), a two-way module shall be composed of a linear area at least 60-feet with each parking stall being 17-feet in length. The proposed parking module is 55-feet and accommodates a twenty-one (21) feet drive aisle and two rows of 17-foot length parking stalls. The Applicant reduced the modular width to keep the retaining wall and parking spaces out of the stream valley buffer.

- Waiver for the parking lot green space requirement.

Pursuant to § 24-220(e), a minimum of ten percent (10%) of the parking lot must be devoted to planting area and or/environmental site design for stormwater management. The plan proposes to provide approximately three percent (3%) of green area, within the parking lot.

Architecture Elevations

As part of the concept site plan application, the Applicant has provided preliminary architectural elevations for the building⁵. The building will be approximately thirty-five (35) feet in height and will be clad in stone, concrete masonry unit (CMU), metal canopies and storefront windows.

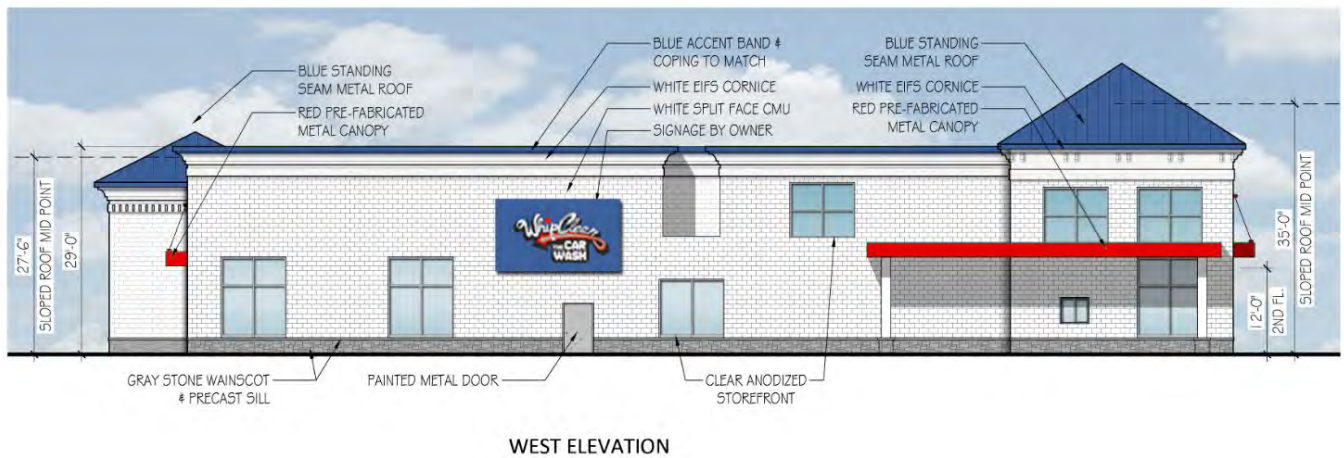
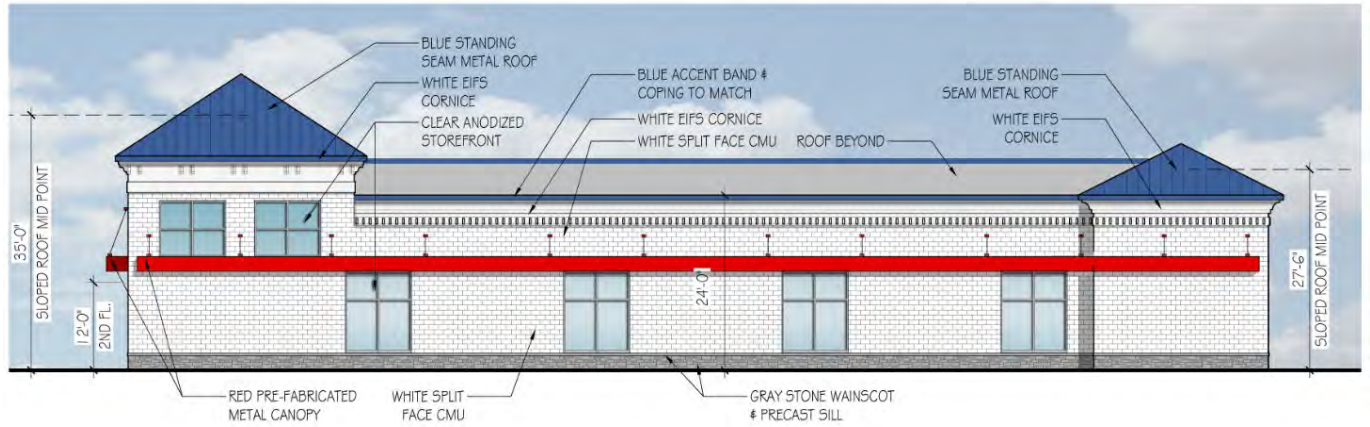


Exhibit #90: Conceptual Building Elevations

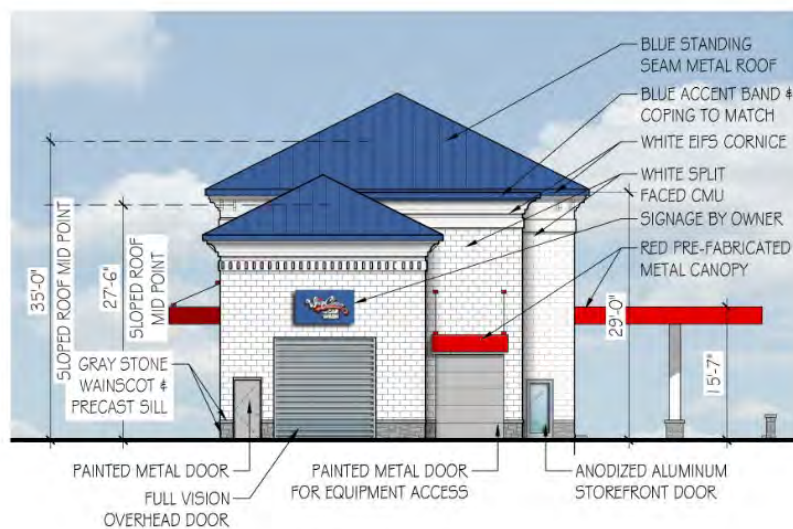
⁵ Exhibit #90



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Exhibit #90: Conceptual Building Elevations

Forest Conservation

As part of the submission, the Applicant has submitted a preliminary forest conservation plan. The plan identified the following three specimen trees that will be removed:

- Tree #1: Red Oak- 40" DBH (Poor Condition)
- Tree #3: Bradford Pear- 13" DBH (Fair Condition)
- Tree #4: Red Mulberry- 22" DBH (Good Condition)

The Applicant seeks a tree variance for the removal of the one specimen tree (Red Oak) that is forty (40) inches in Distance Breast Height (DBH)⁶. As required by Maryland Forest Conservation law and reaffirmed by Chapter 22 of the City Code, trees with a DBH of thirty (30) inches or greater require a variance to be granted prior to removal. The Applicant's tree waiver justification letter noted that the removal of the tree is needed to construct the car wash building and the tree is in poor condition. No forest will be cleared for this project. The preliminary forest conservation plan proposes fulfilling the 0.18 acres of required afforestation in the rear of the Property along the stream valley buffer, wetland buffer and floodplain buffer. This will build off an existing forest conservation easement and further protect and enhance sensitive environmental areas.

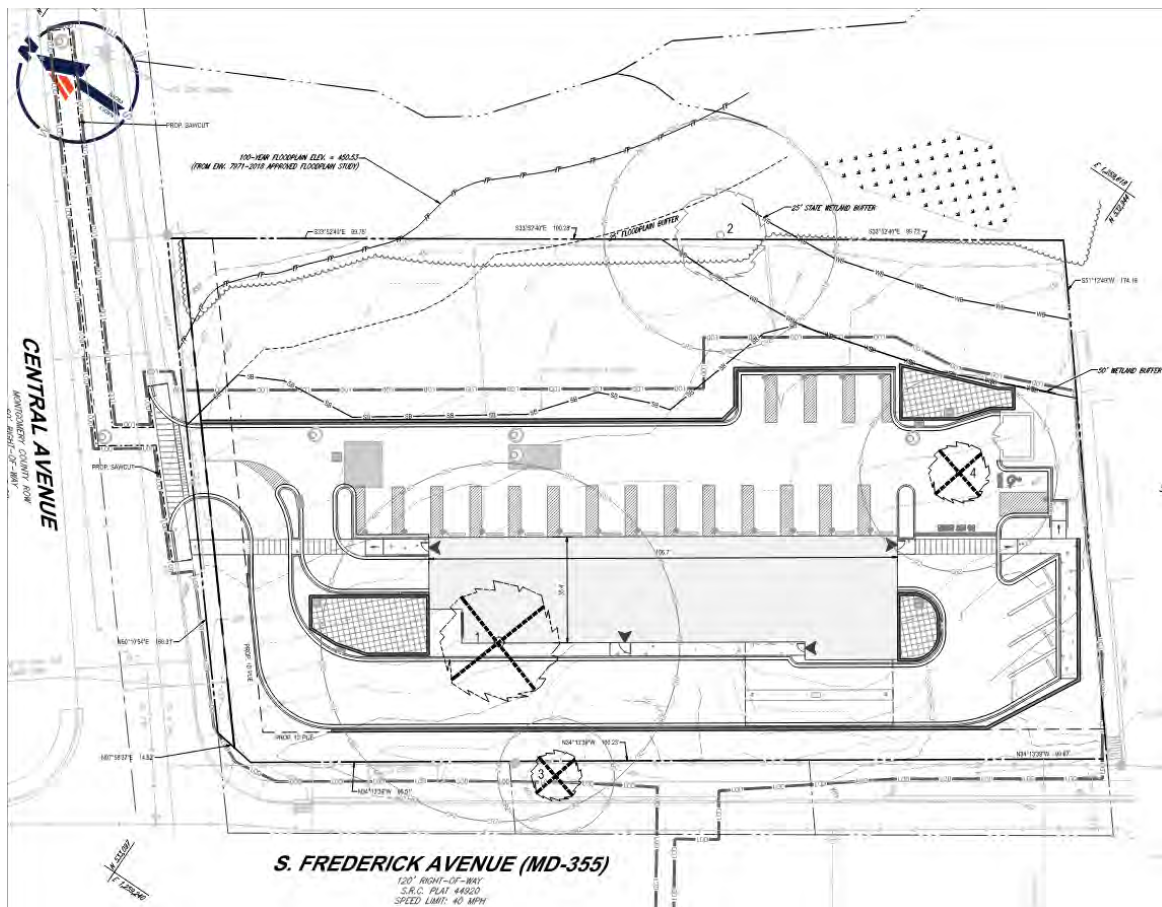


Exhibit #89: Preliminary Forest Conservation Plan (Sheet 108-1)

⁶ Exhibit #94

Landscape Plan

A preliminary landscape plan was submitted as part of the concept site plan application. The Applicant plans to provide approximately nine (9) trees and forty-six (46) shrubs throughout the Property. The plan includes the following landscape types:

Shade Trees

- Hackberry
- Swamp White Oak

Evergreen Trees

- Norway Spruce

Deciduous Shrubs

- Garnet Sweetspire

Evergreen Shrubs

- Dwarf Inkberry Holly
- Parson Juniper

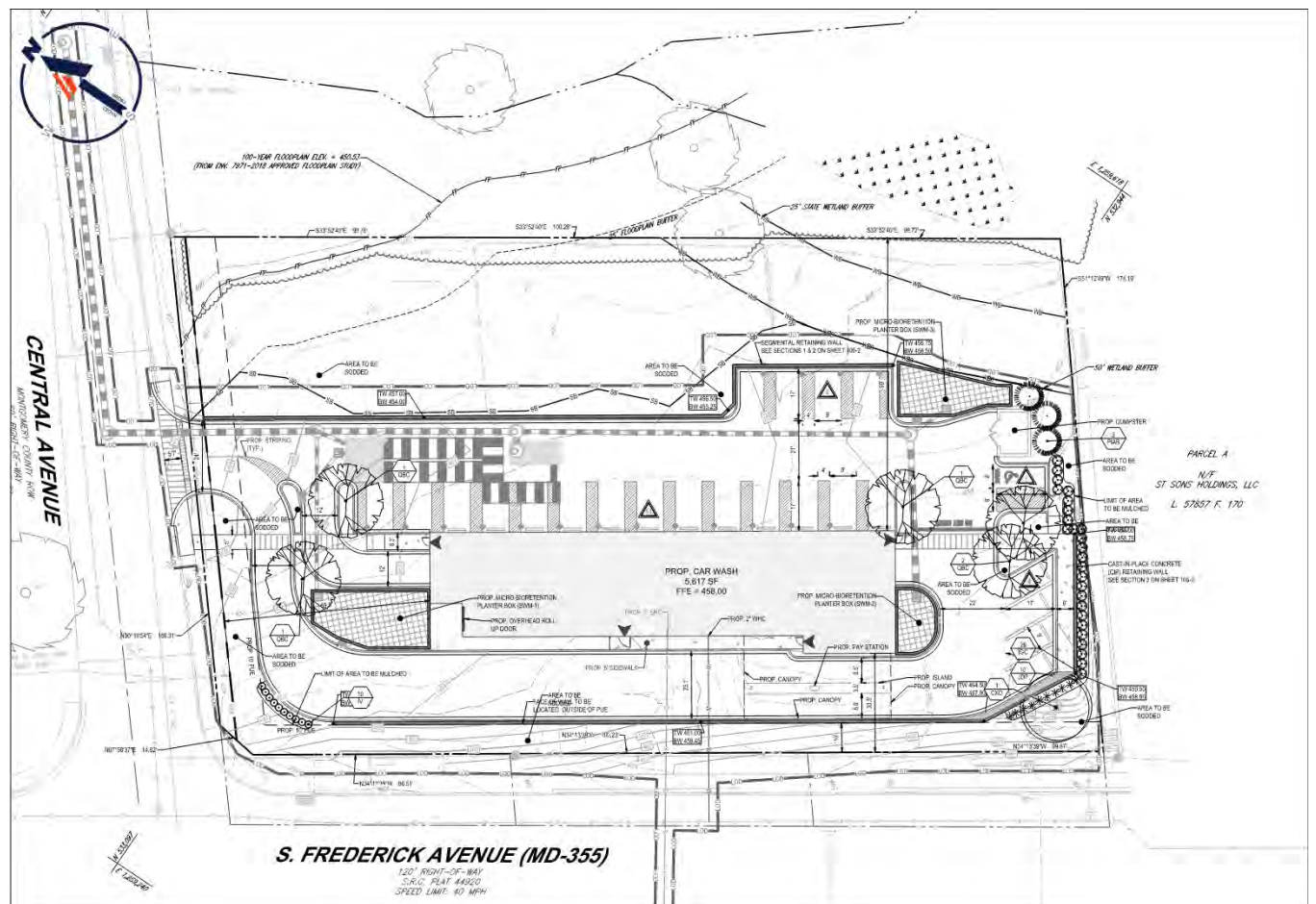
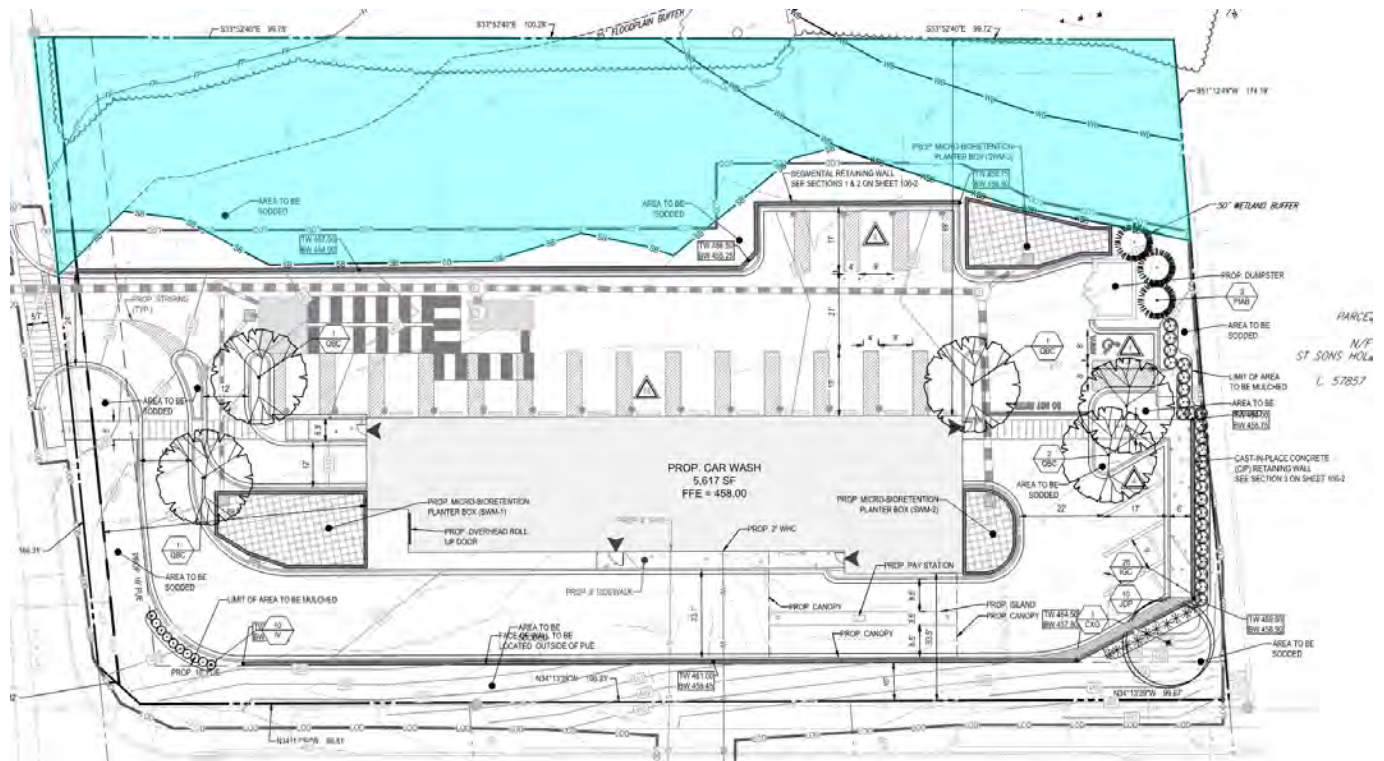


Exhibit #89 Landscape Plan (Sheet 107-1)

Environmental Waiver

As part of the Concept Site Plan, the Applicant is requesting an environmental waiver in accordance with Section 38 of the City's Environmental Standards for Development Regulation⁷. The Applicant is requesting approval to install and maintain a retaining wall located outside of the stream valley buffer boundary. The maximum total area of disturbance is approximately 1,232 square feet. The impacts only include temporary access by workers to construct and maintain the retaining wall, and no permanent structures or improvements are proposed within the environmental buffers. The disturbance will not involve any clearing or grading within the stream valley buffer boundaries.



Stream Valley Buffer Highlighted in Blue

STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL

In accordance with the requirement for the submission of a Concept Site Plan, Section 24-160D.9(b), the Applicant has submitted concept/preliminary stormwater management plan and sediment and erosion control plan applications, SWM-8809-2021 and SEC-8808-2021 respectively. The Department of Public Works staff has reviewed and approved both plans⁸.

⁷ Exhibit #92

⁸ Exhibits #95 and 96

SUMMARY:

The Applicant has submitted for consideration concept site plan SP-8819-2021. This a complete application as set forth in § 24-160G.7(b). A public hearing with the Mayor & City Council has been scheduled for March 21, 2022.

Because this is the initial public hearing and Staff continues to complete their analysis of the proposed project, no formal recommendation is provided at this time. A recommendation will be provided by Staff prior to the Mayor and City Council's policy discussion. Staff will continue to work with the Applicant on refining the plan, in response to comments offered at the public hearing or entered into the record.

For the purpose of concluding the public hearing, Staff recommends the Mayor and City Council make a motion to hold the record open until 5:00 PM on April 27, 2022 (37 days) with Policy Discussion tentatively scheduled for May 16, 2022.