
MEMORANDUM TO: Mayor and City Council

FROM: Jasmine Forbes, Planner

DATE: June 17, 2019

SUBJECT: Preliminary Background Report
SP-8136-2019: 102 and 104 South Frederick Avenue

APPLICANT/ OWNER/DEVELOPER/ATTORNEY:

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TAX MAP REFERENCE:

Lot P65- ID# 09-00841296
Lot P66- ID# 09-00841308

REQUEST:

Application SP-8136-2019¹ has been filed requesting concept site plan approval for the construction of a new two-story, 5,600 square foot office building. The subject properties are zoned CD (Corridor Development).

LOCATION:

The subject properties are 12,238 square feet and are situated at the corner of South Frederick and Cedar Avenue. The subject properties are also located within the Observatory Heights neighborhood. The site is currently accessible from Cedar and South Frederick Avenue.

¹ Exhibit 1



Location Map

REQUIRED ACTIONS

Approval of SP-8136-2019, 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.

SITE PLAN HISTORY

The subject properties was part of the City of Gaithersburg in 1888. The HDC approved demolition permit, DEMO-16655-2018, on June 27, 2018 to demolish the previous 2,903 square foot structure. The lot is currently vacant and undeveloped.

MASTER PLAN HISTORY

1997 Master Plan

The subject properties was included in the 1997 Master Plan, under Neighborhood Two, Study Area 3, Map Designation 8. The 1997 Master Plan recommended that the properties adopt the residential-office land use designation and the zoning to remain R-B (Residential Buffer). The 1997 Master Plan designated the land use for the subject properties as residential-office.

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 corridor is divided into three (3) districts: Northern Employment, Fairgrounds Commercial and Southern Residential. The subject properties are situated within the Fairgrounds Commercial District, but was not included as a specific map designation in the 2001 Frederick Avenue Corridor Land Use Plan.

2003 and 2009 Master Plan

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 residential-office.

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. As part of the Concept Site Plan, the Applicant has dedicated approximately five (5) additional feet to meet the 120-foot right-of-way recommendation for the future BRT line. The concept site plan was routed to Montgomery County Department of Transportation for their review.

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO):

Traffic Impacts

According to the Applicant's statement and traffic statement analysis, the new office building will not generate more than thirty (30) peak hour trips than the previous office building, therefore a traffic impact study is not required. As stated, the new office building generates an additional 3.51 am peak hour trips and 3.56 pm peak hour trips. Transportation Planner, Alyssa Roff, has reviewed the application and concurs with the Applicant's statement that a traffic impact study is not required for this application submission². The Plan, therefore, complies with the City's Adequate Public Facilities requirements for § 24-245.

Adequacy of School Capacity

The proposed development will be an office 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 (§ 24-246).

Water and Sewer Services and Public Utilities

The subject property is currently served by Category W-1 and S-1 of Washington Suburban Sanitary Commission (WSSC) services. As referenced in the Applicant's statement, the application complies with the requirements of the City's Adequate Public Facility Ordinance (APFO) for water and sewer (§24-247).

Fire and Emergency Services

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 8 (Gaithersburg), Station 28 (Gaithersburg) and Station 32 (Travilah). Therefore, as referenced in the Applicant's statement, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services (§ 24-248).

² Exhibit #25

SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The subject properties are 12,238 square feet and currently vacant. The Applicant will submit a preliminary subdivision plan as part of the preliminary/final site plan application to consolidate the two (2) lots. A final record plat will be required prior to the issuance of a site development permit.

The following table demonstrates the land use and zoning for the surrounding properties:

Direction	Zoning	Land Use
North	CBD (Corridor Business District)	Commercial
South	R-90 (Medium Density Residential) R-B (Residential Buffer)	Residential
East	CBD (Corridor Business District) R-90 (Medium Density Residential)	Place of Worship
West	R-90 (Medium Density Residential)	Residential



Zoning Map

HISTORIC DISTRICT COMMISSION COURTESY REVIEW

Pursuant to § 24-227(4), Courtesy Reviews, the architectural design of the proposed office building was brought before the Historic District Commission (HDC) for a courtesy review at the May 22, 2019 meeting.

The HDC had made the following comments³ :

- The three (3) center windows on the rear elevation are not proportionate to the rest of the building. There should be harmony with the architecture.
- The door on the rear elevation should have the same trim color as the windows.

In response to the HDC's comments, the Applicant revised the scale of the three (3) center windows on the rear elevation. By scaling the windows size, the Applicant was able to keep a continuous brick band around the entire building. The Applicant also changed the color of the rear door to match the same color trim of the windows.⁴

CONCEPT SITE PLAN

The Applicant is requesting approval to construct a new two-story, 5,600 square foot office building. The plan proposes to close the existing curb-cut along South Frederick Avenue and maintain the existing entrance along Cedar Avenue. The existing guy wire to the southwest of the property will be relocated so it will not be in conflict with the drive aisle on Cedar Avenue. The building will be sited to front Frederick Avenue and will be located approximately forty-nine (49) feet from the adjacent single-family home to the southwest. A portion of the parking spaces will be located under the second floor of the building, which will be supported by two (2) columns and wing walls. The plan will have two (2) new lead walks in the front of the property to provide a connection to the existing sidewalk along South Frederick Avenue. The plan will not affect the bus stop on South Frederick Avenue. The plan also includes the widening of the existing sidewalk on both Cedar Avenue and South Frederick Avenue. The new sidewalks will be ten (10) feet wide.

As part of the Concept Site Plan, the Applicant submitted a preliminary forest conservation plan⁵. The Applicant is proposing to plant two (2) Princeton Elm trees to meet the afforestation credit requirement.

The Transportation Element of the 2009 Master Plan recommends a minimum right-of-way of 120 foot right-of-way for Frederick Avenue. The Applicant will dedicate approximately five (5) additional feet to meet this requirement. Additionally, Corey Pitts, from Montgomery County Department of Transportation, has reviewed the Concept Site Plans and found that the project will not encroach into the concept limit of disturbance

³ Exhibit #30

⁴ Exhibit #31

⁵ Exhibit #35

for the future 355 BRT project⁶. A new ten (10) public utilities easement (PUE) will be established adjacent to South Frederick Avenue.



Exhibit #32: Site Plan Rendering

Waiver Request⁷

The Applicant will be requesting from the Council a waiver from the development standards in the CD zone. Pursuant to § 24-160G.5 of the City Code, the City Council may by resolution waive setback requirements in the CD zone. The Applicant is requesting a four (4) foot setback waiver from the property located 106 South Frederick

⁶ Exhibit #24

⁷ Exhibit #11

Avenue. Pursuant to § 24-160G.4(c)(2) of the City Code, if a proposed building is abutting a lot or parcel containing an existing building with windows facing the proposed building, the setback must be at least fifteen (15) feet. In the waiver request letter, the Applicant is requesting a reduction to the fifteen (15) foot setback requirement for buildings abutting a lot containing a building with windows. In the letter it stated that the new office building and the adjacent building will be approximately thirty-three (33) feet apart, which will not detrimentally impact the light and air between the buildings. There is currently a drive aisle between the two (2) buildings.

Parking

The parking is facilitated in the rear of the building, which is accessible from Cedar Avenue. The width of the parking spaces are proposed to vary between 8.5 and 9 feet depending on if they are considered high or low turnover. There is one parking space that will be ten (10) in width that is adjacent to one the wing walls of the building. The parking space would provide space for a passenger to get out of the car. Pursuant to § 24-219 of the City Ordinance, office uses are required to provide one parking space per 300 square foot of gross floor area. This project is required to provide nineteen (19) parking spaces and the plans propose seventeen (17) spaces. The plan also includes two (2) bike racks. Pursuant to § 24-222A of the City Code, the Planning Commission has the authority to grant parking waivers. The Applicant will need to request a two (2) space parking waiver and a waiver for the parking landscape requirement. Pursuant to § 24-160G(e)(2), all parking areas should contain a ten (10) foot landscape perimeter between the parking area and public space or between differing uses. The Applicant is proposing a five (5) foot landscape area between the parking lot and the adjacent single family home. Both of these waivers will be presented to the Planning Commission at Preliminary/Final Site Plan review. At this time, Staff supports both waiver requests.

Architecture Elevations⁸

As part of the Concept Site Plan application, the Applicant has provided conceptual architectural elevations for the new building. The building includes brick veneer, a soldier course trim band, and a cornice. The building will also contain a metal screen wall on the roof of the building for the mechanical equipment. The east (front) elevation will incorporate one Palladian style metal clad wood window, eight (8) six-over-six double hung windows with wood shutters and precast keystone lintel; four (4) columns; metal railing and wood-glass front door. The south (right side) elevation will incorporate five (5) six-over-six double hung metal clad wood windows with precast keystone header and a door. The north (left side) elevation will incorporate six (6) six-over-six double hung windows with precast keystone lintel. The west (rear) elevation will incorporate four (4) six-over-six double hung windows with wood shutters and precast keystone lintel, three (3) six-over-six double hung windows with precast keystone lintel.

⁸ Exhibit #33



Exhibit #33: East (front) elevation



Exhibit #33: South (right) and North (left) elevations

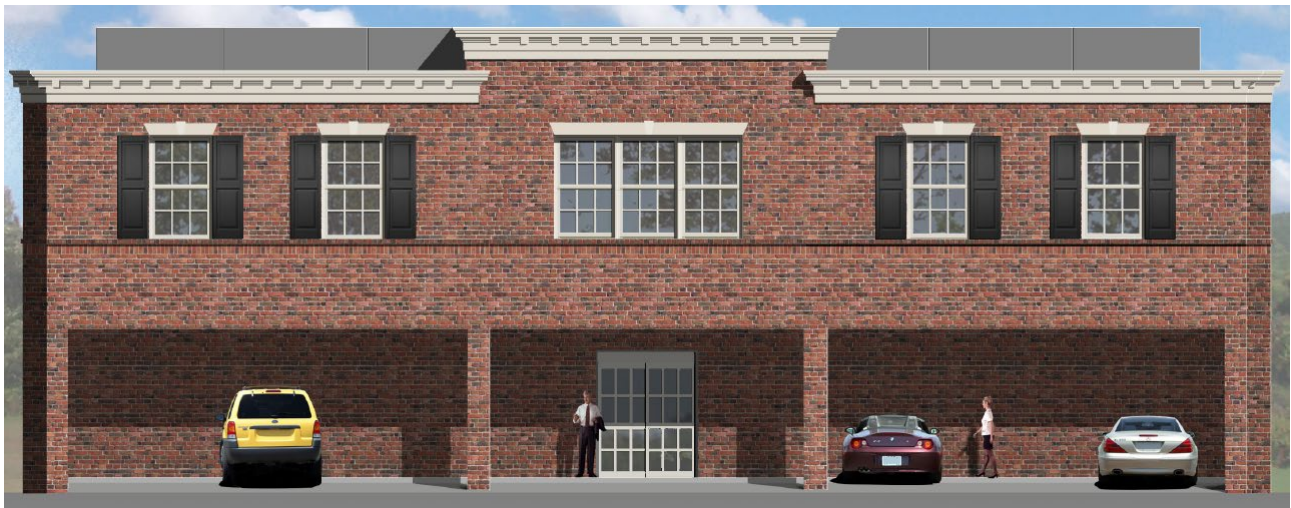


Exhibit #33: West (rear) elevation

STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL⁹

In accordance with the requirement for the submission of a Concept Site Plan, Section 24-160D.9(b), the Applicant has submitted concept stormwater management plan and sediment erosion control plan applications, SEC-8093-2018 and SWM-8092-2018. The Department of Public Works staff is currently reviewing both plans.

SUMMARY:

The Applicant has submitted for consideration concept site plan SP-8136-2019. This a complete application as set forth in § 24-160G.7(b). A public hearing with the Mayor & City Council has been scheduled for June 17, 2019.

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.

⁹ Exhibits #2 and #3