
STAFF ANALYSIS FOR PLANNING COMMISSION

REPORT DATE: November 27, 2019

RESPONSIBLE STAFF: Jasmine Forbes,
Planner I

PUBLIC MEETING DATE

December 4, 2019

APPLICATION NUMBER

SDP-8198-2019

SUMMARY OF REQUEST-RECOMMENDATION TO MC&C

The Applicant is requesting Schematic Development Plan approval for the construction of a 4,649 square foot retail building, 1,248 square foot car wash, and ten (10) double sided filling pump stations for Royal Farms. The application also includes a 2,500 square foot Starbucks building with a drive-thru and reduces the approved building size on Pad Site B from 9,500 square feet to 4,500 square feet to accommodate retail, restaurant or office uses.

APPLICANT

Matthew Walters,
BP Realty Investments

SUBJECT PROPERTY ADDRESS

Spectrum

ZONE

MXD(Mixed Use Development)

EXISTING LAND USE

Mixed Use Community

STAFF RECOMMENDATION

Please see Staff recommended motions at the end of the report.

Approve

Approve With Conditions

Deny

Defer

Enclosures:

Final Staff Analysis and Index of Memorandum (**Exhibits in Bold**)

MEMORANDUM TO: Planning Commission
FROM: Jasmine Forbes, Planner
DATE: December 4, 2019
SUBJECT: Final Staff Analysis
SDP-8198-2019: Spectrum Development

APPLICANT/DEVELOPER:

Matthew Walters
BP Realty Investments
226 Spectrum Avenue
Gaithersburg, MD, 20879

OWNER:

Peter Henry
BPTC Two, LLC.
226 Spectrum Avenue
Gaithersburg, MD, 20879

ENGINEER

Mike Razai
Raztec Associates, Inc.
341 West Patrick Street
Frederick, MD, 21701

TAX MAP REFERENCE:

Parcel "N", Block "D" (plat number 24032)
Lot 8, Block "B" (plat number 25278)
Lot 2, Block "A" (plat number 25278)

REQUEST:

The Applicant, Mathew Walters on behalf of BP Realty Investments, has submitted Schematic Development Plan (SDP) application SDP-8198-2019¹. The area that is the subject of this application is known as the Spectrum development. The plan proposes a 4,649 square foot Royal Farms, a 2,500 square foot Starbucks restaurant, and a change in use for building "B" from restaurant to retail/restaurant/office. The subject properties are zoned MXD (Mixed Use Development)

LOCATION

The subject properties are located within the Spectrum Development and are bounded by Watkins Mill Road to the east and North Frederick Avenue (Route 355) to the north.

¹ Exhibit #1



Location Map

PROJECT BACKGROUND

The Applicant, Matthew Walters, of BP Realty Investments, submitted Schematic Development Plan (SDP) application SDP-8198-2019. The application requests SDP approval for the construction of a 4,649 square foot retail building, 1,248 square foot car wash, and ten (10) double sided filling pump stations for Royal Farms. The application also includes a 2,500 square foot Starbucks building with a drive-thru and reduces the approved building size on Pad Site B from 9,500 square feet to 4,500 square feet to accommodate retail, restaurant or office uses. A consolidated joint public hearing for SDP-8198-2019 was held on October 21, 2019. During the course of the hearing, the following aspects of the proposed plan were discussed:

- Enhance the rear elevations for both the Royal Farms and Starbucks buildings;
- Provide a plan for wayfinding signage on the site
- Explore the possibility of providing a median break on Spectrum Boulevard to facilitate a left turn into the Royal Farms property; and

- Flip the proposed location of the Royal Farms retail building with the filling pumps so that the retail building fronts Watkins Mill Road.

At the conclusion of the hearing the Planning Commission announced, by motion, the closing of their record on November 25, 2019 with recommendation scheduled for December 5, 2019. Subsequently, the Mayor and City Council announced by motion, the closing of their record on December 11, 2019 with policy discussion anticipated for January 6, 2020.

In response to the comments received during the Joint Public Hearing, the Applicant has submitted a response letter and exhibits, which are labeled as Exhibits 35-41 in the application packet. This analysis focuses on the revised plans, which are identified in the application package as Exhibits 40 and 41. Items unchanged from the October 21, 2019 joint public hearing, including annexation history, Site Plan History, APFO requirements, and the application reviewed can be found in the Preliminary Background Report².

SCHEMATIC DEVELOPMENT PLAN PROPOSAL

Site Plan

As mentioned above, the Applicant plans to construct a 4,649 square foot retail building, 1,248 square foot car wash and ten (10) double sided filling pump stations for Royal Farms. The application also includes a 2,500 square foot Starbucks building with a drive-thru and the building reduction of Pad Site B from 9,500 square feet to 4,500 square feet to accommodate retail, restaurant or office uses.

The Royal Farms retail building is located along Paramount Park Drive and the gas pumps are located along Watkins Mill Road. In response to comments related to rotating the retail building and gas pumps, the Applicant has stated that proposed location of the canopy and retail building is the preferred design by the Royal Farms corporation. Royal Farms prefers to have the pumps face the main road for branding and visibility on Watkins Mill Road³.

The Applicant has explored the possibility of creating a break in the existing Spectrum Boulevard median to provide a left turn into the Royal Farms property. According to the Applicant, a median break on Spectrum Boulevard is not feasible and could have potential vehicle stacking issues. As noted in the preliminary staff analysis, Staff had concerns about the new entrance on Spectrum Boulevard and is of the opinion that it could create vehicles making unsafe U-turns at the intersection of Paramount Park Drive and Spectrum Boulevard to use the proposed right-in/right-out entrance on Spectrum Boulevard. In response, the Applicant extended the existing median further towards Paramount Drive and proposes a temporary curb and concrete sidewalk along the undeveloped parcel. Both of these changes were proposed to further discourage vehicles to make illegal U-turns.

² Exhibit #34

³ Exhibit #39

Lastly, the Applicant provided proposed wayfinding signage for the overall development and the Royal Farms⁴. A new directional sign is proposed to be located at the intersection of Spectrum Boulevard and Paramount Park Drive. Additionally, the Applicant will incorporate a new no U-turn sign to further discourage vehicles from making a U-turn on Spectrum Boulevard. The final signage for Royal Farms will be reviewed as part of the Final Site Plan review. The proposed signage must be in conformance with the approved sign package and the City's Sign Ordinance.

Another aspect of the application includes a 2,500 square Starbucks building at the corner Paramount Park Drive and Spectrum Avenue. The plan also includes an associated drive-thru that wraps around the building. The aspects of the site plan have not changed since the joint public hearing. Staff is of the opinion that the proposed drive thru is in conformance with the Staff's memo on best practices for drive- thrus⁵.

The parking is established by a shared parking chart for the overall Spectrum development. The parking is facilitated through spaces in the surface lots, on-street and parking garages throughout the Spectrum development. A shared parking chart was established for the overall Spectrum development and was divided into two phases. A total of 613 parking spaces are required and the Applicant proposes to provide 1,947 spaces when the Spectrum development is complete⁶. In Staff's opinion there is adequate parking throughout the development to facilitate the proposed changes.



Exhibit #37: Directional Wayfinding Exhibit

⁴ Exhibit #37
⁵ Exhibit #42
⁶ Exhibit #40a

Architecture

Based on the comments received during the joint public hearing, the Applicant has revised the rear elevations for both the Royal Farms and Starbucks buildings⁷. The revised Royal Farms building includes an entrance canopy, aluminum storefront windows, accent light fixtures and canvas awnings along the rear of the building. It should be noted that this elevation would face Paramount Park Drive. Overall, the design of the rear elevation will mimic the front elevation.

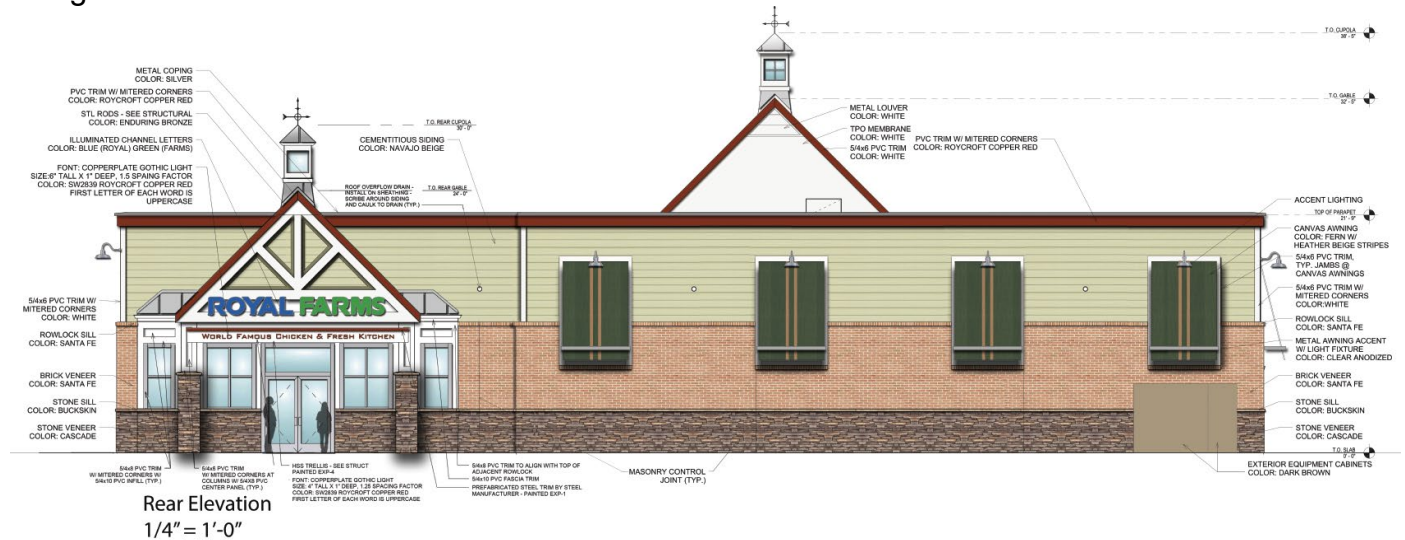


Exhibit #36: Revised Rear Elevation for the Royal Farms building

The rear (north) and side (east) elevations for the proposed Starbucks building was also revised to incorporate wood panels on all sides of the building. The rear (north) elevation that faces Paramount Park Drive will incorporate decorative metal panels and light fixtures to break up the massing of the brick.



Exhibit #36: Starbucks Building Elevations

⁷ Exhibit #41



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

Exhibit #36: Starbucks Building Elevations

Staff Comments

Staff has reviewed the Applicant's revised plans and is of the opinion that they have adequately addressed the comments raised by both the Mayor and City Council and Planning Commission. As noted in the preliminary analysis staff report, Staff had concerns about the new entrance on Spectrum Boulevard and the potential conflicts it would cause for vehicles and non-motorist. The revisions that was made by the Applicant addressed Staff's concerns, therefore Staff supports the right-in and right-out on Spectrum Boulevard. Staff finds that the proposed plan will provide adequate pedestrian connectivity by providing new sidewalks and maintaining the existing sidewalks within the Spectrum development. The proposed uses are in conformance with approved Sketch Plan Z-310 (A), which permits restaurant, office, retail and service station uses. Staff is also supportive of the revised plans for the rear elevations for the Royal Farms and Starbucks. It should be noted that the proposed building elevations are preliminary and the final design of the buildings will be reviewed as part of the final site plan review. The proposed plan is the continuation of development within Spectrum, therefore will not adversely impact the character of Spectrum and the adjacent properties.

STAFF FINDINGS, ANALYSIS AND RECOMMENDATION

FINDINGS:

Approval of SDP-8198-2019, by the City Council is dependent upon the findings required under § 24-160D.10(b) of the City Code. The following outlines the required findings and justifications for a City Council approval of application SDP-8198-2019.

(1) The plan is substantially in accord with the approved sketch plan:

The plan is consistent with approved Sketch Plan Z-301(A). The sketch plan allows 214,810 square feet of mixed office, restaurant, commercial, service station, senior center/ public uses and 669 multi-family residential units. The proposed plan includes a service station, commercial, restaurant and office use, which are permitted uses as listed in the approved sketch plan. The proposed 207,710 square feet of total development is under the maximum permitted.

(2) The plan meets or accomplished the purposes, objectives and minimum standards and requirements of the zone:

(a) Application SDP-8198-2019 will be developed with retail, automobile filling station and office uses, which is in conformance with the approved Sketch Plan Z-301(A).

(b) Application SDP-8198-2019 will contain building materials and design elements that will be compatible with the existing buildings located within the Spectrum development.

- (c) Application SDP-8198-2019 will continue to development an existing mixed-use community by creating an attractive and cohesive development by maintaining the existing sidewalks and roadways.
 - (d) Application SDP-8198-2019 encourages the efficient use of land by locating the Royal Farms and Starbucks within an existing mixed use community, which reduces the reliance upon automobile uses and encourages pedestrian and other non-vehicular circulation systems.
 - (e) Application SDP-8198-2019 is part of phase two of the Spectrum development, which will be integrated within the existing road networks and utilities.
- (3) The plan is in accord with the area master plan and any accompanying special condition or requirements in said master plan for the area under consideration:

The Spectrum Development was included in the 1997 Master Plan, Land Use Element under Neighborhood 6, as part of Study Area 3, Map Designation 6. The land use recommendation states:

Designate the 73-acres of I.B.M and N417, owned by the Casey Trust, as commercial/industrial-research-office (Map Designation 6) which equate to the Mixed Use development (MXD) Zone. Development of this site for commercial retail facilities could possibly include a hotel: expansion of office and research and development uses would be permitted. The City is currently evaluating the feasibility of constructing a new interchange at Watkins Mill Road Extended over Interstate 270 to link Neighborhoods Five and Six and provide alternative transportation options to the interchange of North Frederick Avenue and Montgomery Village Avenue. The location of any development on the vacant 33-acre parcel on the northern portion of the I.B.M property should take into consideration the placement of a new interchange. The main emphasis of the siting of new buildings will be towards Watkins Mill Road Extended. Watkins Mill Road Extended should be designed so that is compatible with surrounding uses and the design of the interchange incorporating, where feasible, appropriate traffic calming measures more in keeping with the City's design standards emphasizing pedestrian access. Access to the vacant 33 acres will be from Watkins Mill Road Extended and an additional access point from North Frederick Avenue.

The Spectrum Development is also located within the Northern Employment District of the Frederick Avenue Lands Use Master Plan. While the Frederick Avenue Corridor Land Use Master Plan does not have a specific recommendation for the subject properties, it does note that all land use designations and zoning recommendations made in the 1997 Neighborhood Six Land Use Plan are reconfirmed. However, all parcels are required to adhere to the Frederick Avenue Corridor Plan development requirements. The subject

properties were not included in the 2003 or 2009 Master Plans as specific map designations.

The application will continue developing the Spectrum community by incorporating commercial uses along Frederick Avenue/MD 355 and Watkins Mill Road. The Royal Farms and Starbucks building will be located within an existing road network that provides adequate circulation for vehicles and pedestrians, which is envisioned in the City's master plan.

Lastly, the proposed building will not exceed the maximum building height permitted in the Northern Employment District of six (6) stories and will not exceed sixty-five (65) feet in height. The height of the Royal Farms retail building will be approximately twenty-one (21) feet to the top of the parapet and thirty-eight (38) feet to the top of the cupola above the main entrance. The height of the automobile filling canopy is approximately nineteen (19) feet. The height of the Starbucks building will be approximately twenty-feet (23) feet.

(4) The plan will be internally and externally compatible and harmonious with existing and planned uses in the MXD zoned area and adjacent areas:

The application is compatible and harmonious with the existing and planned land uses in the MXD zone and adjacent areas. The proposed retail, office and service station will be located within a mixed use community which consist of commercial, office and residential uses. The proposed plan will also be adjacent to existing commercial and office uses.

(5) That existing or planned public facilities are adequate to service the proposed development contained in the plan:

This application complies with the City's adequate public facilities requirements, as follows:

1. **Traffic Impacts-** The proposed plan would generate thirty-eight (38) less morning peak hours trips and 170 less evening peak hour trips from the previously approved Traffic Impact Study. Therefore, the proposed development is exempt from the Adequate Public Facilities requirements for Traffic Impacts.
2. **Adequacy of School Capacity-** The proposed development will be for retail and office uses, therefore it will have no impact on the school system. Therefore, the proposed development is exempt from the school test of the Adequate Public Facilities.
3. **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.

4. Fire and Emergency Services- The property is located within a ten-minute response time of Station 8 (Gaithersburg-Washington Grove), Station 29 (Germantown) and Station 34 (Germantown/Milestone). Therefore, adequate fire and emergency services are provided and satisfy the Adequate Public Facilities requirements for Fire and Emergency Services.

(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:

The previously approved sketch plan, Z-301(A), outlined the phasing for the overall Spectrum development into two phases. The proposed plan is in conformance with phase two of the Spectrum development, which can commence once construction of the Watkins Mill Road Interchange started. The proposed plan will be integrated within the existing road networks and utility infrastructures.

(7) That the plan, if approved, would be in the public interest:

The plan advances the overall Spectrum development vision by providing a vibrant and walkable mixed use community. The proposed uses will facilitate new businesses in the City, which will contribute to the City's overall economic health. The proposed uses will enhance the existing array of commercial and residential uses within the Spectrum development. Lastly, the plan will not have any adverse impacts to existing development and adjacent properties.

STAFF RECOMMENDATION

Staff is supportive of the submitted Schematic Development Plan, SDP-8198-2019. The plan meets and accomplishes the purposes, objectives and minimal standards and requirements of the MXD Zone. The development will not adversely affect the character of the surrounding neighborhood.

Staff recommends THAT THE PLANNING COMMISSION, BASED ON THE EVIDENCE AND TESTIMONY SUBMITTED TO THE RECORD AND THE FINDINGS IN THE FINAL STAFF ANALYSIS, RECOMMEND APPROVAL OF SDP-8198-2019, TO THE MAYOR AND CITY COUNCIL WITH TWO (2) CONDITIONS.

1. Applicant to continue to participate in the Watkins Mill Road agreement for all necessary improvements related to development associated with this application;
2. Applicant to provide a revised Forest Conservation Plan as part of any future Final Site plan submissions; and

3. Applicant to coordinate with Montgomery County on relocation of the storm drain connection for the future police station.