
MEMORANDUM TO: Mayor and City Council

FROM: Jasmine Forbes, Planner

DATE: August 3, 2020

SUBJECT: Preliminary Background Report
SP-8415-2020: 10 and 14 East Deer Park Drive

APPLICANT/ OWNER/DEVELOPER:

Robert DeVol
DeVol Funeral Home
2222 Wisconsin Avenue NW
Washington, DC, 20007

ATTORNEY

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ENGINEER

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TAX MAP REFERENCE:

Block V, Lot 1- ID# 09-02691081
Parcel P861- ID# 09-00818677

REQUEST:

Application SP-8415-2020¹ has been filed requesting concept site plan approval to expand the services for the existing DeVol Funeral Home at 10 East Deer Park. The application proposes converting an existing single-family house at 14 East Deer Park Drive to a funeral home, which includes viewing parlors and an associated crematorium. The plan also includes expansion of the existing parking lot and other minor site improvements. The subject properties are zoned CD (Corridor Development).

LOCATION:

The subject properties are situated along East Deer Park Drive. The site is currently accessible from East Deer Park Drive east of South Frederick Avenue.

¹ Exhibit 1



Location Map

REQUIRED ACTIONS

Approval of SP-8415-2020, 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 were annexed into the City of Gaithersburg in 1947. The properties were comprehensively rezoned to the CD Zone as part of the Frederick Avenue Corridor Master Plan. Site Plan S-684 was approved on May 20, 1987 for the construction of the funeral home at 10 East Deer Park Drive.

MASTER PLAN HISTORY

1997, 2003 and 2009 Master Plans

The subject properties were not included in the 1997, 2003 or 2009 Master Plans as specific map designations. The 1997 Master Plan designated the land use for the subject properties as Residential-Office. The 2003 and 2009 Master Plans designated the land use for the subject properties as Commercial-Office-Residential.

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 Southern Residential District, Map Designation F. In the plan, it notes that 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.

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO):

Traffic Impacts

According to the Applicant's APFO statement, the funeral home will not generate more than thirty (30) peak hour trips, therefore a traffic impact study is not required. Public Works Engineering Services Division Chief, Anthony Berger, 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 a funeral home 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).

² Exhibit #14

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 3 (Rockville), 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).

SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The property located at 10 East Deer Park Drive is 62,303 square feet and currently contains a 9,200 square foot funeral home building and parking lot. The property located at 14 East Deer Park Drive is 27,442 square feet and currently contains a 1,176 square foot residential building. 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	R-90 (Medium Density Residential) R-B (Low Density Residential)	Residential Office
South	R-A (Low Density Residential)	Office
East	R-A (Low Density Residential)	Residential
West	CD (Corridor Development)	Residential-Office



Zoning Map

CONCEPT SITE PLAN

The Applicant is requesting approval to expand the services for the existing DeVol Funeral Home at 10 East Deer Park. The application proposes converting an existing single-family house at 14 East Deer Park Drive to a funeral home, which includes viewing parlors and an associated crematorium. 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.

Pursuant to the City Code, a funeral home is defined as:

“Any building in which one or more parlors or rooms are maintained for the temporary resting place of dead human bodies pending final disposition thereof. Such building may also include the following: Space and facilities for the preparation of such bodies for burial or other final disposition; a chapel for the purpose of conducting religious or memorial services or ceremonies (and in which no emergency ambulance service is provided); rooms or space for administrative offices for conducting the business of the home; rooms or space for the housing of equipment, including motor vehicles; living quarters for not more than one family unit who are employees or owners of such

funeral home or children of such employees or owners. Emergency ambulance service shall not be provided from the building”.

The CD zone permits all uses which are listed as permitted and not solely as special exceptions or conditional uses in all zoning districts unless otherwise prohibited. A funeral home is a permitted use in the C-2 (General Commercial) Zone. The proposed building will not be used as a stand-alone crematorium and is part of the funeral home use. As stated in the letter from the manufacturer, the equipment for the crematorium will not generate smoke or odor³.

The project will be divided into two (2) phases. The first phase includes the conversion of the single-family structure and minor improvements to the site to accommodate ADA access to the building. The Applicant plans to construct a one-story 600 square foot addition in the rear of the existing building. The building will include viewing parlors and crematorium services. The building will serve the existing clients of the funeral home and is not anticipated to generate a significant number of new families visiting. The Applicant also plans to construct a five (5) foot sidewalk along the front of 14 East Deer Park Drive to provide a pedestrian connection to an existing sidewalk that stops at the second ingress/egress entrance at 10 East Deer Park Drive.

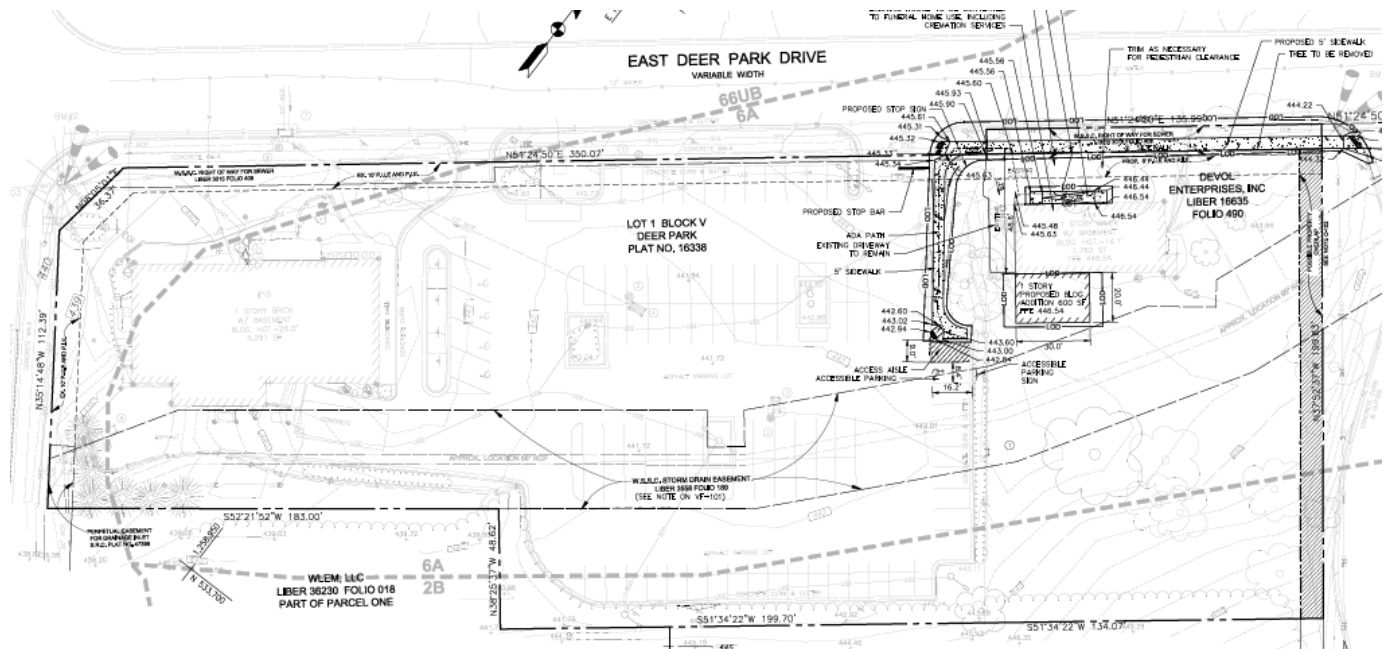


Exhibit #9: Phase One Site Plan

In the second phase of the project, the Applicant will increase the existing parking lot from 89 spaces to 111 spaces in order to accommodate occasions when there is a large funeral and decrease the amount of on-street parking required for vehicle overflow. A stormwater management facility will be provided in the new parking lot island.

³ Exhibit #19

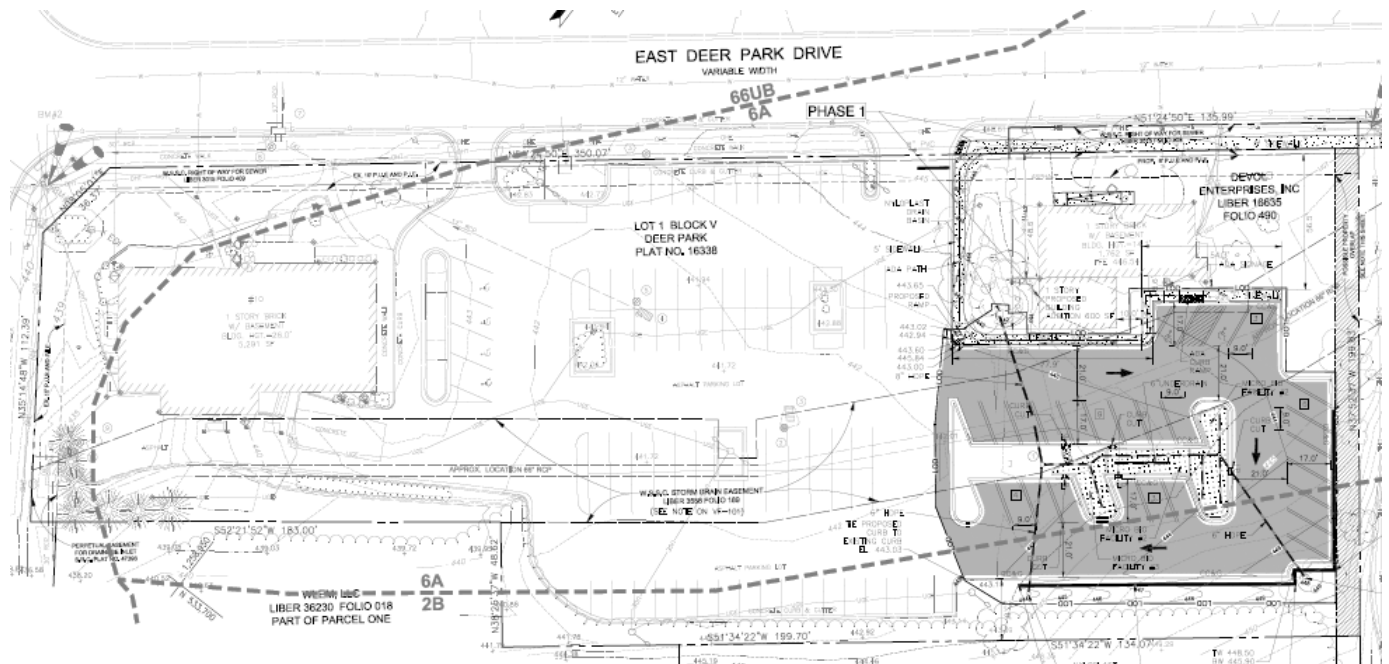


Exhibit #9: Phase Two Site Plan

As part of this application, the Applicant submitted a Preliminary Forest Conservation Plan. The Applicant plans to provide four (4) Common Hackberry trees to meet afforestation requirements.

Parking

The parking is located on an existing lot at 10 East Deer Park Drive, which contains 89 spaces and is accessible from East Deer Park Drive. The required parking calculation for a funeral home is one space per four seats plus one space per employee. The existing funeral home is required 83 spaces and provides 89 spaces. The new building at 14 East Deer Park Drive will have the funeral home require 89 spaces. There is adequate parking on the existing parking to facilitate both buildings. Phase Two of the project will provide an additional 22 spaces with a total of 111 spaces in order to accommodate occasions when there is a large funeral and decrease the amount of vehicle overflow in the street.

Architecture Elevations⁴

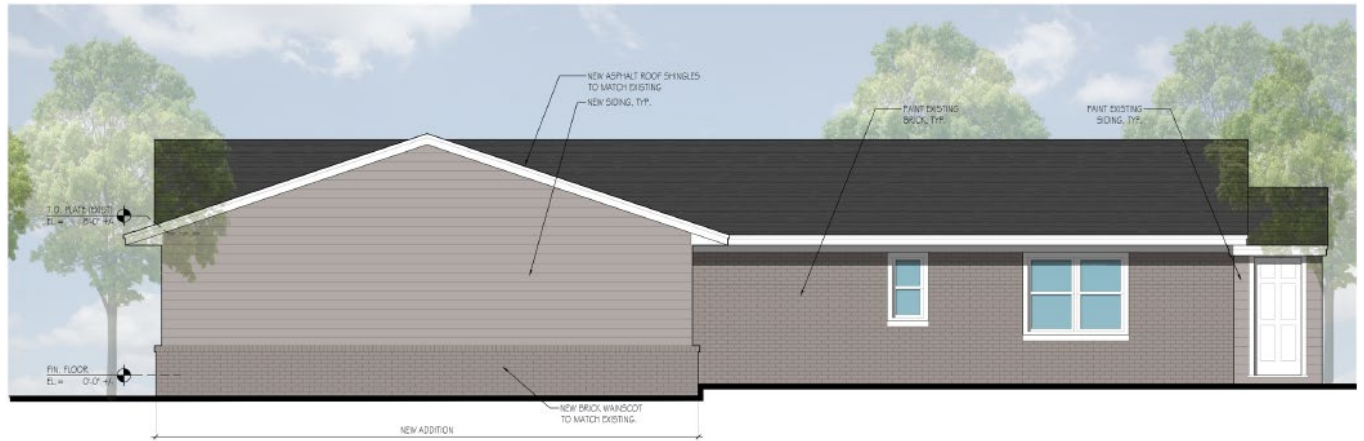
As part of the Concept Site Plan application, the Applicant has provided conceptual architectural elevations for the building. The new one-story 600 square foot addition will be clad in siding with a brick watertable. The Applicant plans to paint the brick on the existing building to match the addition. There are no other changes proposed to the existing building.

⁴ Exhibit #6



4 LEFT SIDE (EAST) ELEVATION
Scale: 1/4"=1'-0"

Exhibit #6: Conceptual Architecture Plans



3 REAR (SOUTH) ELEVATION
Scale: 1/4"=1'-0"



1 FRONT (NORTH) ELEVATION
Scale: 1/4"=1'-0"

Exhibit #6: Conceptual Architecture Plans



2 RIGHT SIDE (WEST) ELEVATION
Scale: 1/4"=1'-0"

Exhibit #6 Conceptual Architecture Plans

STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL⁵

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 and erosion control plan applications, SWM-8418-2020 and SEC-8417-2020 respectively. The Department of Public Works staff is currently reviewing both plans.

⁵ Exhibits #2 and #3

SUMMARY:

The Applicant has submitted for consideration concept site plan SP-8415-2020. This a complete application as set forth in § 24-160G.7(b). A public hearing with the Mayor & City Council has been scheduled for August 3, 2020.

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.