

**PLANNING AND CODE ADMINISTRATION**

City of Gaithersburg · 31 South Summit Avenue · Gaithersburg, Maryland 20877 · Telephone: (301) 258-6330 · Fax: (301) 258-6336  
[plancode@gaitersburgmd.gov](mailto:plancode@gaitersburgmd.gov) · [www.gaitersburgmd.gov](http://www.gaitersburgmd.gov)

**SITE or SCHEMATIC DEVELOPMENT PLAN APPLICATION**

*All information must be complete to initiate processing of application*

**SUBJECT PROPERTY**

Street Address or Location Southeast intersection of Federick Ave., Rte 355 and Central Avenue. Parcels P103, P114 and P115

**APPLICANT/BILLING CONTACT**

Business Name Crain Partners, LLC

Primary Contact Brett Schaechter

Street Address 1956 Crain Highway Suite No. \_\_\_\_\_

City Bowie State Maryland Zip Code 20716

Telephone Numbers: Work 301-943-7550 Cell \_\_\_\_\_ E-mail Address brett@whipclean.com

**OWNER**

Business Name Same- Applicant

Primary Contact \_\_\_\_\_

Street Address \_\_\_\_\_ Suite No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

**DEVELOPER**

Business Name Same- Applicant

Primary Contact \_\_\_\_\_

Street Address \_\_\_\_\_ Suite No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

**ATTORNEY**

Business Name Lerch, Early & Brewer

Primary Contact Stuart R. Barr

Street Address 7600 Wisconsin Avenue Suite No. 700

City Bethesda State Maryland Zip Code 20814

Telephone Numbers: Work (301) 961-6095 Cell (571) 213-2354 E-mail Address srbarr@lercheearly.com

**ARCHITECT**

Business Name PennyDesignGroup LLC MD Registration No. 15108

Primary Contact Jon Penny

Street Address 8120 Woodmont Avenue Suite No. 750

City Bethesda State Maryland Zip Code 20814

Telephone Numbers: Work (301) 949-7600 Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

**ENGINEER**

Business Name Charles P. Johnson & Assoc. MD Registration No. MD LA #612

Primary Contact Sallie P Stewart

Street Address 1751 Elton Road Suite No. 300

City Silver Spring State Maryland Zip Code 20903

Telephone Numbers: Work 301-434-7000 Cell 301-257-0529 E-mail Address sstewart@cpja.com

**PLAN TYPE (check one only)**  Concept  Preliminary  Final  Schematic Development

**PROPOSED PRIMARY USE (check one only)**  Residential  Non-Residential  Mixed Use

**PROPOSED UNIT TYPE**  
 Office/Professional  Restaurant  Retail/Commercial  
 Residential Single Family  Mixed Use  Residential Multi-Family  
 Other Use (*specify*) Car wash

**PARKING**  Parking Waiver Needed  Height Waiver Needed  
Number of Spaces Required 20

**PROJECT DESCRIPTION**

Construction of an automatic car wash facility with outdoor vacuum stations.

**SITE DETAILS**

Site Area Square Feet 51,967 Number of Lots 0  
Site Area Acres 1.19 Number of Dwelling Units/Acre 0  
Green Area \_\_\_\_\_ Parking Spaces Provided 23  
Green Area % \_\_\_\_\_ Height of Tallest Building (ft.) \_\_\_\_\_  
Height of Tallest Building (stories) \_\_\_\_\_

**SQUARE FOOTAGE - NON-RESIDENTIAL**

Retail \_\_\_\_\_ Office/Professional \_\_\_\_\_  
Restaurant (A) \_\_\_\_\_ Educational/Institutional/Religious \_\_\_\_\_  
Restaurant (B) \_\_\_\_\_ Industrial \_\_\_\_\_  
Restaurant (C) \_\_\_\_\_ Other (*please specify*) Car wash 7,454 sq. ft.

**UNIT COUNTS - RESIDENTIAL**

Single Family Detached Units \_\_\_\_\_ Apartment Units \_\_\_\_\_  
Townhouse Units \_\_\_\_\_ Condominium Units \_\_\_\_\_  
Duplex Units \_\_\_\_\_ Other (*please specify*) \_\_\_\_\_

Total Number Residential Units \_\_\_\_\_

**SEE FOLLOWING PAGES FOR SUBMISSION REQUIREMENTS**

**THE CHECKLIST BELOW IS A GENERAL GUIDE FOR ITEMS THAT ARE TYPICALLY REQUIRED FOR APPLICATIONS. PLEASE REFER TO CHAPTER 24, SECTION 24-169 OF THE CITY CODE FOR COMPLETE REQUIREMENTS OR CONTACT PLANNING STAFF AT 301-258-6330 FOR FURTHER CLARIFICATION**

**SUBMISSION REQUIREMENTS - Concept Site Plan:**

- Concept Stormwater Management Plans, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- NRI and FSD Plans, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Proof of APFO Compliance, One (1) digital copy, PDF
- Green Building Checklist, One (1) digital copy, PDF
- Preliminary Forest Conservation Plans, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Site, Architectural and Detail Plans, Ten (10) hard copies, One (1) digital copy (DWF preferred) or PDF
- Other Planning Commission Requested Information

**SUBMISSION REQUIREMENTS - Preliminary Site Plan:**

- Site, Architectural and Detail Plans, Ten (10) hard copies, One (1) digital copy (DWF preferred) or PDF
- Preliminary Stormwater Management Plans, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Preliminary Affordable Housing Plan, One (1) digital copy, PDF
- Preliminary Traffic Impact Study, One (1) digital copy, PDF
- Proof of APFO Compliance, One (1) digital copy, PDF
- Other Planning Commission Requested Information

**SUBMISSION REQUIREMENTS - Final Site Plan:**

- Site, Architectural and Detail Plans, Ten (10) hard copies, One (1) digital copy (DWF preferred) or PDF
- Final Stormwater Management Plans, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Final Traffic Impact Study, One (1) digital copy, PDF
- Affordable Housing Plan, One (1) digital copy, PDF
- Final Forest Conservation Plans, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Subdivision Plats
- Proposed Street Names, One (1) digital copy, PDF
- Draft HOA Bylaws, One (1) digital copy, PDF
- Green Building Checklist, One (1) digital copy, PDF
- Other Planning Commission Requested Information

**OPTIONAL (Required for MXD and CD Zones):**

- Phasing or Staging Plan, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Statement of Master Plan Compliance, One (1) digital copy, PDF
- Statement of Compliance with Approved Schematic Development Plan, One (1) digital copy, PDF
- Proposed Covenant, One (1) digital copy, PDF
- Site Plan Enforcement Agreement, One (1) digital copy, PDF
- Sign Package

**SUBMISSION REQUIREMENTS - Schematic Development Plan:**

- Site, Architectural and Detail Plans, Ten (10) hard copies, One (1) digital copy (DWF preferred) or PDF
- Natural Resource Inventory and Forest Stand Delineation Plans, Two (2) hard copies, One (1) digital copy (DWF preferred) or PDF
- Preliminary Stormwater Management Plans, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Preliminary Affordable Housing Plan, One (1) digital copy, PDF
- Preliminary Traffic Impact Study, One (1) digital copy, PDF
- Statement of Master Plan and Zone Regulations Compliance, One (1) digital copy, PDF
- Other Planning Commission Requested Information

**OPTIONAL:**

- Phasing or Staging Plan, Five (5) hard copies, One (1) digital copy (DWF preferred) or PDF
- Proposed Covenant, One (1) digital copy, PDF
- Proof of APFO Compliance, One (1) digital copy, PDF
- Green Building Checklist, One (1) digital copy, PDF

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# ENVIRONMENTAL STANDARDS WAIVER APPLICATION

**SUBJECT PROPERTY**

Street Address or Location Southeast intersection of Federick Ave., Rte 355 and Central Avenue. Parcels P103, P114 and P115

**PROJECT NAME** Whip Clean Carwash

**ASSOCIATED SITE PLAN NUMBER** \_\_\_\_\_

**APPLICANT/BILLING CONTACT**

Business Name Crain Partners, LLC

Primary Contact Brett Schaechter

Street Address 1956 Crain Highway Suite No. \_\_\_\_\_

City Bowie State Maryland Zip Code 20716

Telephone Numbers: Work 301-943-7550 Cell \_\_\_\_\_ E-mail Address brett@whipclean.com

**OWNER**

Business Name Same- Applicant

Primary Contact \_\_\_\_\_

Street Address \_\_\_\_\_ Suite No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

**DEVELOPER**

Business Name Same- Applicant

Primary Contact \_\_\_\_\_

Street Address \_\_\_\_\_ Suite No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

**WATERSHED:**  Great Seneca  Lower Great Seneca Creek  Middle Great Seneca Creek  
 Muddy Branch  Upper Rock Creek  Watts Branch

**TRIBUTARY:**  Long Draught Branch  Multiple  Muddy Branch  Whetstone Run



SEC-8808-2021  
2/23/21

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**SEDIMENT AND EROSION CONTROL PLAN APPLICATION**

**\*ALL APPLICATIONS, PLANS AND FEES SHOULD BE MAILED OR DELIVERED TO  
CITY OF GAITHERSBURG, CITY HALL, 31 S. SUMMIT AVENUE, GAITHERSBURG MD 20877**

**SUBJECT PROPERTY**

Street Address or Location 601 S Frederick Ave, Gaithersburg, MD 20877

**PROJECT NAME** Whip Clean

**APPLICANT/BILLING CONTACT**

Business Name Whip Clean - The Car Wash

Primary Contact Brett Schaechter

Street Address 1956 Crain Hwy Suite No. \_\_\_\_\_

City Bowie State Maryland Zip Code 20716

Telephone Numbers: Work 301-390-1000 Cell 301-943-7550 E-mail Address brett@whipclean.com

**OWNER**

Business Name Whip Clean - The Car Wash

Primary Contact Brett Schaechter

Street Address 1956 Crain Hwy Suite No. \_\_\_\_\_

City Bowie State Maryland Zip Code 20716

Telephone Numbers: Work 301-390-1000 Cell 301-943-7550 E-mail Address brett@whipclean.com

**DEVELOPER**

Business Name Whip Clean - The Car Wash

Primary Contact Brett Schaechter

Street Address 1956 Crain Hwy Suite No. \_\_\_\_\_

City Bowie State Maryland Zip Code 20716

Telephone Numbers: Work 301-390-1000 Cell 301-943-7550 E-mail Address brett@whipclean.com

**ENGINEER**

Business Name Charles P Johnson & Associates MD Registration No. \_\_\_\_\_

Primary Contact Brian Hargis

Street Address 1751 Elton Rd Suite No. 300

City Silver Spring State Maryland Zip Code 20903

Telephone Numbers: Work 301-434-7000 Cell 417-872-5425 E-mail Address private.dpspermits@cpja.com



SWM-8809-2021  
2/23/21

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**STORMWATER MANAGEMENT PLAN APPLICATION**

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CITY OF GAITHERSBURG, CITY HALL, 31 S. SUMMIT AVENUE GAITHERSBURG MD 20877**

**SUBJECT PROPERTY**

Street Address 601 S Frederick Ave, Gaithersburg, MD 20877

**PROJECT NAME** Whip Clean

**APPLICANT/BILLING CONTACT**

Business Name Whip Clean - The Car Wash

Primary Contact Brett Schaechter

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**ENGINEER**

Business Name Charles P Johnson & Associates MD Registration No. \_\_\_\_\_

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Street Address 1751 Elton Rd Suite No. 300

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Telephone Numbers: Work 301-434-7000 Cell 417-872-5425 E-mail Address private.dpspermits@cpja.com

March 6, 2021

## **Proposed Whip Clean Express Car Wash Facility**

### **Statement in Support of Concept Plan Application for the Property located at 601, 605, and 607 South Frederick Avenue, Gaithersburg**

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Crain Partners, LLC (the “Applicant”) submits this statement in support of its Concept Plan Application (the “Application”) for the properties located at 601, 605, and 607 South Frederick Avenue in the City of Gaithersburg, Maryland (collectively, the “Property”). The Applicant is the contract purchaser of the Property and proposes the creation of a single record lot and redevelopment of the Property with a Whip Clean Express Car Wash Facility, as described further below (the “Project”). The Applicant requests Concept Plan approval for the proposed Project, along with approval of an accompanying Environmental Standards Waiver request to be filed concurrently with this Application, so that it can move forward with preliminary and final site plan approval.

#### **I. Description of Property, Existing Conditions, and Surrounding Properties**

The Property is generally located at the southeastern quadrant of South Frederick Avenue and Central Avenue, is approximately 1.2 acres in size (approximately 52,000 square feet), and is located within the City’s Corridor Development (CD) Zone. The Property consists of three smaller adjoining properties identified as Parcels P103, P114, and P115, Tax Map FS63 (Tax ID numbers 09-00777417, 09-00770201, and 09-00773033). The Property was annexed into the City in 1989 (Annexation Agreement X-150).

The Property is currently improved with two existing single-family detached homes, which are proposed to be removed. The Property has frontage on South Frederick Avenue and Central Avenue. Sidewalks exist along the South Frederick Avenue and Central Avenue frontage, which are proposed to remain. Vehicular access is currently provided from South Frederick Avenue, but will be transitioned to Central Avenue, as discussed below, and as required by the Annexation Agreement.

The Property is surrounded by a mix of land uses and zoning. The Property is mostly surrounded by properties in the City’s R-A Zone (low density residential), but the properties along South Frederick Avenue are recommended for the CD Zone.<sup>1</sup> To the north, across Central Avenue, is a single-family home (R-A Zone). To the east, across a stream valley that is zoned R-A, are properties in the City’s R-90 C Zone (medium density residential). To the south are commercial properties in the City’s CD Zone. To the west across South Frederick Avenue is the Gaithersburg Presbyterian Church (R-A Zone). Further east and west of the Property are homes along Poplarwood Place and Alden Avenue, respectively, that are within the County limits (not within the City of Gaithersburg).

## **II. Description of Proposed Project and Operations**

Car wash facilities come in a variety of different types. These types include manual (self-serve) versus automatic machinery; in-bay versus tunnel structures; touchless versus friction equipment; express versus full service versus “flex” (a combination of express and full service); facilities connected to a gas station or other use, as an accessory use, versus standalone; and other distinguishing characteristics.

The Gaithersburg Whip Clean Car Wash facility is proposed to be an express facility that is designed to provide a particular type of customer experience to meet a particular type of customer demand. An express facility (as compared to a full service or “flex”) ensures that vehicles are generally in and out of the property quickly. The express type of automated car wash is faster than a traditional full service car wash model. A full service model typically requires customers to exit their vehicles for interior service and can take 20-30 minutes. By contrast, for an express facility such as the one proposed here, vehicles can proceed down the tunnel approximately every 30-40 seconds, and the entire wash/dry cycle takes approximately three minutes.

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<sup>1</sup> The Property is located in the area designated as the Southern Residential District in the adopted 2001 Frederick Avenue Corridor Land Use Plan (“Corridor Plan”). The Property is not specifically identified as a map designation in either the adopted 2009 or 2003 Land Use Elements of the Master Plan. The Corridor Plan includes the Property in the areas encouraged to be rezoned to CD. The Corridor Plan states,

“[P]roperties along the Corridor that are not undergoing a change in land use are eligible for subsequent comprehensive rezoning to the new CD Zone. Owners of properties not comprehensively rezoned are encouraged to apply for rezoning to the CD Zone in order to meet the goals and objectives of the [Corridor Plan].”

*Corridor Plan*, page 4.

As compared with other types of car wash facilities, this proposed wash is automatic, as opposed to manual, and the vacuums for interior cleaning are free, optional, and manual (self-serve). The car wash uses a tunnel, as opposed to a bay, with state-of-the-art cleaning and drying equipment and technology. It is a standalone facility and not attached to a gas station or any other use.

In order to construct the Whip Clean Express Car Wash facility, the Applicant proposes to remove the two existing single-family detached homes and consolidate the Property into one record lot. As reflected on the Concept Plan, the Project will include one building that primarily consists of the wash/dry tunnel, break room, and office space. Most of the building is one story in height, with some portions two stories to allow for office space and a conference room on the upstairs level. The first level is approximately 6,467 square feet, and the second floor is approximately 997 square feet (approximately 7,464 square feet total).

To the west of the building, along South Frederick Avenue, will be queuing lanes and the drive through pay terminals/windows. To the east of the building will be parking and vacuum stalls. The Application includes conceptual floor plans and conceptual building elevations. The architecture is flexible, and the Applicant is committed to provide a final architectural design that is highly aesthetic and exceeds expectations.

The proposed operation is designed for employees and customers to enter the Property from Central Avenue. No access is provided from South Frederick Avenue; access is only off of Central Avenue, as required by the Annexation Agreement. After entering the Property, employees can drive through the Property to park. Customers circulate to the right where two stacking lanes allow customers to access the pay terminals. Approximately 30 vehicle stacking spaces are provided, which will be far more than adequate to meet the expected customer demand (the Zoning Ordinance recommends a stacking capacity of at least 9 vehicles in this instance based on the duration of the wash cycle).<sup>2</sup> The express pay terminals, which is the preferred payment method, allow for efficient, easy payment processing. A cashier window with an attendant is also available, if necessary.

After paying, customers remain in their vehicles as they drive directly into and through the wash tunnel where the exterior of the vehicle is washed and dried. After exiting the tunnel, customers have two options. They can either end the service, turn left, and exit onto Central Avenue, or they can turn right and park in one of the oversized parking stalls to use one of the free optional vacuums for interior cleaning. Twenty-one (21) oversized parking spaces for the vacuums are provided. A total of 23 parking spaces are provided on the Property, which matches the 23

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<sup>2</sup> “Ingress automobile stacking capacity per bay shall be three (3) times the number of minutes required for one complete cycle of the mechanical equipment for those installations which do not employ attendants to supplement the washing, drying or vacuuming of the automobiles.” Section 24-117(15)g.1.

spaces required under City Code Sec. 24-219 based on the number of bays (9).<sup>3</sup> Vehicular access, parking, and circulation on the Property will be safe and efficient.

The Project proposes LED lighting. As the proposed development progresses through the review process, the Applicant will provide a detailed landscape and lighting plan. While the Project needs to provide adequate lighting for the safety and security of the Property, it also will make certain to minimize any lighting spillover onto adjoining properties.

The City approved a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) for the Property on April 2, 2020 (No. ENV-8438-2020). The Property contains no Special Protection Area or Primary Management Area. The Applicant is committed to environmental sustainability and protecting the nearby stream adjacent to the Property. The Project will implement the following initiatives to further the environmentally-friendly nature of the development:

- The Project will involve the removal of very few trees. The Property contains no forest. There is a small portion of canopy from the adjacent property to the east, and the Project is not expected to encroach on the tree line located along the east side of the Property.
- The building will meet any applicable City green building requirements, if any apply given the size of the proposed building. As of now, the building will be slightly less than 7,500 square feet in size.
- The Project will recycle its water and pay extra attention to the quality and treatment of water collected and discharged.
- The operation will use environmentally friendly soaps and cleaners, 3 reclaim/recycle tanks, and a grease interceptor.
- All stormwater management requirements will be satisfied. The Project will provide stormwater management on a property with no known existing stormwater management facilities. The proposed facilities will provide significant improvements to the treatment of stormwater on-site. The Project will utilize Environmental Site Design ("ESD") to the Maximum Extent Practicable. The Property was evaluated to determine the ESD requirement for a wooded site in good condition. This determination for the ESD requirement is based on the hydrologic soil group of the on-site soils and the proposed imperviousness due to new improvements. The required ESD volume for the Property is captured and treated using 4 micro-bio facilities. These 4 facilities are proposed in strategic locations to capture as much impervious runoff as possible while striving to maintain the natural flow patterns of the Property.

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<sup>3</sup> The City parking requirement schedule requires 2.5 parking spaces per bay. Section 24-219(b). The tunnel length is the equivalent of approximately 9 bays.

Whip Clean’s proposed hours of operation are Monday through Saturday 9:00 a.m. to 6:00 p.m. and Sunday 9:00 a.m. to 4:00 p.m. During operating hours, a sufficient number of managers and employees will be on hand to assist with customers and to maintain a clean, safe, and well managed Property and operation. Signs will be posted to remind customers that any loud music is strictly prohibited. After hours, the business will be closed, and the vacuums will be turned off. No loitering or gathering will be permitted during or after operating hours.

The Applicant is committed to reducing any potential off-site impacts. The car wash blowers are located indoors to reduce sound, and the vacuums produce a white noise similar to road noise, but slightly quieter with the vacuum motors located indoors. The Project will comply with the City Noise Ordinance (Section 15-8).

The Applicant has successfully operated a “flex” service car wash facility in Bowie for the last four years. A “flex” operation is simply one that offers customers either an express or full service experience. The Applicant is very proud of its existing Bowie operation and hopes to bring a similar top-of-the-line express-only facility to Gaithersburg for a first-rate customer experience. The Gaithersburg Whip Clean Express Project is proposed to be a one-of-a-kind car wash experience that is not currently available within the City and that has distinguishing characteristics from the other car wash facilities that are here today.

### **III. Findings for Concept Plan Approval**

The City Code outlines 8 requirements for Concept Plan approval. Based on the Application materials and information in this Statement, the Application meets the 8 requirements for Concept Plan approval provided in Section 24-160G.7(b), as follows:

***(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 the applicable corridor area.***

The Project is substantially in accord with architectural, signage, lighting, streetscape, parking and other regulations, requirements and guidelines adopted by the City Council for the applicable corridor area. The proposed plan will meet the development standards of the CD Zone, as explained further below. Conceptual architecture has been submitted as part of this Application, and should the Application be approved, plans will be refined further at the final site plan stage and will be compatible with the surrounding area.

***(2) The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone.***

The Property is within the City of Gaithersburg's Corridor Development (CD) Zone. The CD Zone permits an automatic car wash use because the CD Zone permits "all uses listed as permitted and not solely as special exceptions or conditional uses in all zoning districts, unless otherwise prohibited" (Section 24-160G.2). The City's C-2 Zone permits automatic car wash uses. The proposed car wash use is a perfectly logical use in this corridor given the high traffic volumes on South Frederick Avenue.

The proposed Project meets the applicable purposes, objectives, development standards, and requirements of the CD zone. The purposes of the CD zone, outlined in Section 24-160G.1, are as follows:

- (a) Encourage a form of development, consistent with the goals and provisions of the respective master plans for the city that will achieve the physical characteristics necessary to enhance the economic vitality, planned visual character and quality of life within an identified transportation corridor in the city.*

The proposed Project is consistent with the goals and provisions of the respective Master Plan for the City. The Property is located in the area designated as the Southern Residential District in the adopted 2001 Frederick Avenue Corridor Land Use Plan ("Corridor Plan"). The Property is not specifically identified as a map designation in either the adopted 2009 or 2003 Land Use Elements of the Master Plan. For the Property, and other small parcels located adjacent to the Property, the Corridor Plan recommends as follows:

"Retain [the Property] as commercial-office-residential. In the 1997 Neighborhood One Land Use Plan these five small 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 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" (Corridor Plan, page 8).

The Corridor Plan adopted the commercial-office-residential land use designation for the Property and rezoned it to CD. The Application is consistent with the Corridor Plan by proposing redevelopment of the Property to a commercial use with ingress/egress from Central Avenue. The proposed redevelopment is generally small in scale given the size and height of the proposed

building. Additionally, it should be noted that the Corridor Plan is 20 years old. When the Plan was written 20 years ago, it recognized that the area was in transition even at that time.

*(b) Create a more attractive and cohesive development pattern and to enhance the city's sense of place through the creation of individual character associated with the corridor in the applicable corridor master plan.*

The Property is not attractive in its present state. The Project will create a more attractive and cohesive development pattern. It will continue the commercial uses that exist to the south of the Property and the general commercial corridor along South Frederick Avenue. Converting the Property from its current use to a commercial use will bring the Property in line with the character of the surrounding properties on South Frederick Avenue, while also maintaining the buffer between the Property and single-family properties and residential community to the east.

*(c) Encourage development and redevelopment and renovation of declining or underutilized properties along the corridor.*

The Property is in decline, underutilized, and in need of redevelopment. The Project achieves this objective of improving underutilized properties by converting the Property, and the existing uses on the Property that are in decline, to a new commercial use that is compatible with surrounding uses.

*(d) Encourage the use of consistent, compatible, and attractive architecture, streetscape and visual themes.*

As shown in the conceptual architectural plans included with this Application, the Project will employ consistent, compatible, and attractive architecture. The Applicant has been extremely focused on high quality architecture and design and will continue to refine the proposed architecture as the Project moves forward through the review process.

*(e) Create a streamlined process for zoning and plan approvals.*

Not applicable.

*(f) Provide an appropriate scale of development and mix of retail, service, employment and residential uses as recommended in the applicable corridor plan.*

Given its proposed size, height, and massing, the Project will provide an appropriate scale of development on the Property. As noted above, the Corridor Plan recommends a maximum of 7,000 square feet of building area per lot, and this Project is approximately 7,500 square feet total across the entire Property (three existing lots). The Project's architecture and scale will be compatible with the character of the surrounding area. The Project also will contribute to a mix of uses as recommended by the Corridor Plan. The Property is located in the Southern Residential

District of the Corridor Plan. As noted above, the Corridor Plan recommends development in keeping with the residential character of this portion of the Corridor such as offices, light retail and live-work units in low-rise buildings. The Project will appropriately extend the existing commercial uses within the block. The proposed use also will be in harmony with the other surrounding land uses, which include places of worship, retail, and residential, while also retaining an appropriate buffer from the single-family residential properties further to the east.

The Project complies with the minimum standards and requirements for the CD Zone provided in Section 24-160G.4, as follows:

- (a) Height of buildings and structures. No building or structure in this zone shall exceed the following heights, exclusive of decorative elements, mechanical, communications or other equipment placed upon the roof.*
  - (1) Any residential district identified in a corridor development area master plan three (3) stories and not to exceed thirty-five (35) feet in height.*
  - (2) Any commercial district identified in a corridor development area master plan four (4) stories and not to exceed forty-five (45) feet in height.*
  - (3) Any employment district identified in a corridor development area master plan six (6) stories and not to exceed sixty-five (65) feet in height.*

The Corridor Plan identifies the Property as part of the Southern Residential District, which has a height limit of three stories not to exceed 35 feet, pursuant to Section 24-160G.4(a)(1). The Project will comply with these height limits.

*(b) Building and structure placement*

- (1) All buildings and building frontages shall be sited so as to front the nearest public street or public right-of-way with pedestrian entrances along the building frontage line. Buildings on a corner lot shall have the front of the building facing the major street.*
- (2) Screen walls may be allowed in the absence of a building facade with concurrence of the city council and planning commission.*
- (3) Loading docks, service areas and ancillary structures shall be located to the rear of a building and shall be screened by sight-tight fencing, walls and/or natural vegetation.*
- (4) A setback may be required along residential side streets, to be determined by the mayor and city council or planning commission at the time of schematic development plan or final site plan approval.*

The Project complies with these standards. The front of the proposed building faces South Frederick Avenue. Service areas for trash and recycling are proposed on the southeast corner of the Property, as depicted on the Concept Plan.

*(c) Building and/or structure setbacks. Shall be as specified in the applicable land use master plan. Where no setbacks are specified in the master plan, the setbacks shall be established by the city council at the time of schematic development plan approval, or in the absence of such schematic development plan approval or establishment thereof, by the city planning commission at site plan approval; provided, however, the following requirements shall be imposed in either case:*

- (1) No part of any building or structure shall be located on land which is currently a public right-of-way or which is indicated on an approved and adopted master plan or other approved planning document for the corridor development area as a right-of-way or walkway, sidewalk or bikeway.*
- (2) If a proposed building is abutting a lot or parcel containing an existing building with windows facing the proposed building, the setback shall be at least fifteen (15) feet.*
- (3) If the adjoining lot or parcel is in a residential zone and is not recommended for commercial, industrial or buffer zoning on an adopted master plan or approved planning document for the corridor development area, the setback shall be at least fifteen (15) feet.*

The Project will comply with these requirements. The proposed building is not located in an existing or planned right-of-way, and the building will meet the minimum setback requirements.

*(d) Building design.*

- (1) New development and redevelopment which includes new building facades shall incorporate the design theme and criteria, if any, in the applicable corridor development area master plan for building appearance, signage, streetscape, parking, and sidewalks.*
- (2) Except as provided hereinafter any side of a building that faces either a public street or private access drive shall have a building entrance and the appearance of a building front to the extent possible: No customer entrance to a retail or restaurant use shall face or be visible to abutting property in a single family residential zone. The city council in the approval of a schematic development plan or the city planning commission at the time of site development plan approval, may require more than one side of a building to be finished with architectural elements found on the building front due to the high visibility of the building on multiple sides.*
- (3) A sign package for all schematic development plan and site plan submittals in the CD zone is required.*

The applicable Corridor Plan does not include any specific design theme and criteria for the Property. However, the proposed architecture and building design will be compatible with neighboring properties and will comply with these provisions.

*(e) Parking and access. Parking shall be in accordance with the general requirements and special computation schedule set forth within article XI of this chapter. The 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 site plan approval is required. Such waiver shall be based upon the criteria and findings applicable in section 24-222A of this Code.*

*Notwithstanding the provisions contained in article XI of this chapter, the following requirements shall apply in all new development, redevelopment involving demolition of more than thirty (30) percent of an existing building or expansion of the floor area of an existing building by at least thirty (30) percent.*

- (1) All off-street parking shall be set back not less than twenty (20) feet behind the front building line.*
- (2) All parking areas shall contain a ten (10) foot landscape perimeter between the parking area and public space or between differing uses. This ten (10) foot area may be shared by adjacent properties with like uses. Interior landscaping within parking islands separating separate sections of parking areas shall also be provided.*
- (3) All parking areas shall contain dedicated pedestrian ways from street and parking areas to building entrances.*
- (4) When feasible, interior access drives with allowance for interconnection between abutting properties and/or shared access to the nearest roadway shall be provided. This should be provided in the rear of properties by alleyways or parking lot connections in order to avoid extensive service drives that make pedestrian access to buildings more difficult.*
- (5) Direct pedestrian access from rear lot parking areas to the closest public street shall be provided.*

As noted above, the Project will comply with the City parking requirements contained in section 24-219(b). The Project also will comply with the additional parking standards from this section.

*(f) Streetscape and signage. Streetscape and signage shall be coordinated between adjoining uses and be thematic in approach, in accord with the purposes of the zone, the overall character of the surrounding area and any design criteria set forth in an applicable master plan. The city council is authorized to adopt by resolution, guidelines and/or requirements regarding streetscape and signage which shall apply to all site development plan approvals for property in the CD zoning district. This section shall be supplemental and complimentary to the sign ordinance requirements in Article IX of this chapter.*

While no design criteria are specified for the Property in the Corridor Plan as it relates to streetscape and signage, should the current Concept Plan Application be approved, the Applicant will address this provision at final site plan with a strategy that will be appropriate and compatible with the surrounding properties.

*(g) Buffers. Adequate buffers shall be required between existing and proposed uses when needed. These buffers shall be in the form of fences, hedges, or walls that adequately buffer views and noise.*

The existing stream valley buffer to the east of the Property creates a natural buffer. If any concerns are still raised, the Applicant is committed to continuing to explore ways to limit any off-site impacts by creating additional buffers, if necessary.

***(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.***

As described above, the proposed Project is substantially in accord with the Master Plan recommendations.

***(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.***

As discussed in detail in this Statement, the Project is compatible with the surrounding land uses. The Property is located along a major arterial road with a high volume of traffic. Converting the Property from its existing use to a commercial use will make the Property consistent with the other commercial properties on the east side of South Frederick Avenue, in the block from North Westland Drive to Central Avenue. The Concept Plan is designed in an efficient and internally compatible manner given the needs of the proposed use and the Property's size, configuration, and other characteristics.

The scale of the Project is compatible and harmonious with existing and planned land uses. Approximately 250 feet and a forested stream valley buffer separate the eastern Property line from the property line of the lots along Central Court. That distance increases to over 300 feet between the eastern Property line and the property line of the homes along Poplarwood Place.

The Applicant is committed to providing a clean and well managed operation at all times that limits any possible adverse impacts. The Project will be an environmentally sensitive operation. The Project will comply with the City Noise Ordinance (Section 15-8). Exterior building and site lighting will be limited to the amount necessary to ensure safety and will be designed to limit light exposure on adjacent properties. The Applicant will effectively manage

traffic circulation, and there is more than sufficient vehicle stacking capacity based on the proposed layout. The Applicant certainly is committed to continuing the discussion of how to limit any off-site impacts, if any additional concerns are raised.

***(5) The existing or planned public facilities are adequate to service the proposed development contained in the plan.***

The existing public facilities are adequate to serve the proposed Project, in conformance with the City's Adequate Public Facilities Ordinance (Sec. 24-243-248).

The Applicant has retained a transportation consultant to review the impact of redeveloping the Property to the proposed use. The transportation consultant has conducted initial analysis of projected vehicle trips, and will submit a Traffic Impact Study in accordance with the City's Traffic Impact Study Standards and Regulations at preliminary and final site plan. The full Traffic Impact Study will comprehensively evaluate existing transportation facilities, projected trip generation, access, and circulation. The Property is convenient to public transportation.

There is no residential component to the proposed Project and, therefore, the school system will not be impacted. The Property is currently served by public water and sewer, and fire response times are 10 minutes or less from at least two stations (County Fire Stations 8, 28, and 32).

***(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.***

The Project will be constructed in one phase.

***(7) The plan, if approved, would be in the public interest.***

For all of the reasons discussed above, the proposed Project is in the public interest. The Project:

- complies with the minimum standards and requirements for the CD Zone;
- conforms with the recommendations in the applicable Master Plan;
- continues the commercial uses on the block in an appropriately scaled and well-designed way;
- improves the aesthetics of the Property, which is in need of redevelopment;
- is compatible with surrounding land uses;
- is environmentally sensitive;
- complies with the City's Adequate Public Facilities Ordinance; and
- complies with the Annexation Agreement.

The Project constitutes a higher and better use for the Property than its current use as two single-family detached homes. Additionally, the Project will provide employment opportunities and economic revitalization, and add to the City's tax base.

***(8) The existing buildings with historic significance are considered for preservation and retention pursuant to the city's historic preservation ordinance.***

The two existing homes on the Property must be referred to the City Historic District Commission for review, prior to demolition. Based on preliminary discussions with Planning Staff, the Applicant is not expecting any finding of historic or architectural significance or any interest in historic designation that would delay the issuance of the demolition permit.

**IV. Request for Environmental Standards Waiver**

In connection with the Project, the Applicant requests an Environmental Standards Waiver. That request is explained in the waiver application that is being filed concurrently with this Application. The request meets the requirements for approval of an Environmental Standards Waiver, as explained in the statement in support of that request.

**V. Community Outreach**

The Applicant has made every effort to conduct robust community outreach prior to filing this Application and is committed to continuing those efforts going forward.

In January, 2021, the Applicant launched a website – <http://bit.ly/393VDgX> – that provides contact information for the Applicant, allows anyone at any time to review Project information, and enables questions to be submitted. The website will remain live as the Project moves forward. The Applicant also has made every effort to provide its contact information to anyone for questions and comments.

On January 14, 2021, the Applicant participated in a virtual community meeting with the East Gaithersburg United neighborhood group to share the proposed plans and answer questions. On February 4, 2021, the Applicant conducted a widespread community outreach meeting to discuss the Project. In advance of that meeting, signs were posted on the Property announcing the meeting, and an invitation was sent to all property owners within 1,000 feet of the Property, along with nearby Community Associations. During the meeting, the Applicant made a comprehensive presentation, answered questions about potential traffic and other impacts, and provided contact information for any further questions. Approximately 10 community members attended the meeting.

In addition to the formal meetings, the Applicant has conducted community outreach on an informal basis with any community members who have questions or comments about the Project. Again, the Applicant is pleased to continue the dialogue going forward.

## **VI. Conclusion**

As demonstrated by this Statement and the contents of this Application, the Project complies with the purposes, standards, and requirements of the CD Zone and all applicable findings for Concept Plan approval. Furthermore, the Project is compatible with existing and proposed surrounding uses and is in substantial conformance with the recommendations of the Corridor Plan. Importantly, based on the Applicant's demand studies and demographic information, there is significant demand in the City for this type of facility.

The Property is in desperate need of redevelopment, and the Project constitutes a higher and better use for the Property than its current use. The Applicant is committed to constructing a Whip Clean Express Car Wash facility that the City and the Gaithersburg community can be proud of and that integrates with and complements neighboring properties. The Applicant will make sure that all final architecture, landscaping, lighting, and other design elements for the Project will create an attractive and highly aesthetic commercial addition to the corridor. The Applicant has operated a similar facility in Bowie very successfully for several years and has been a good corporate citizen in that area. For all of the reasons discussed in this Statement, we respectfully request approval of the Concept Plan.

We thank the Planning Staff and Mayor and Council for considering this Application. If you have any questions or need any additional information, please do not hesitate to contact us. Thank you very much.

Respectfully Submitted,

LERCH, EARLY & BREWER, CHTD.



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