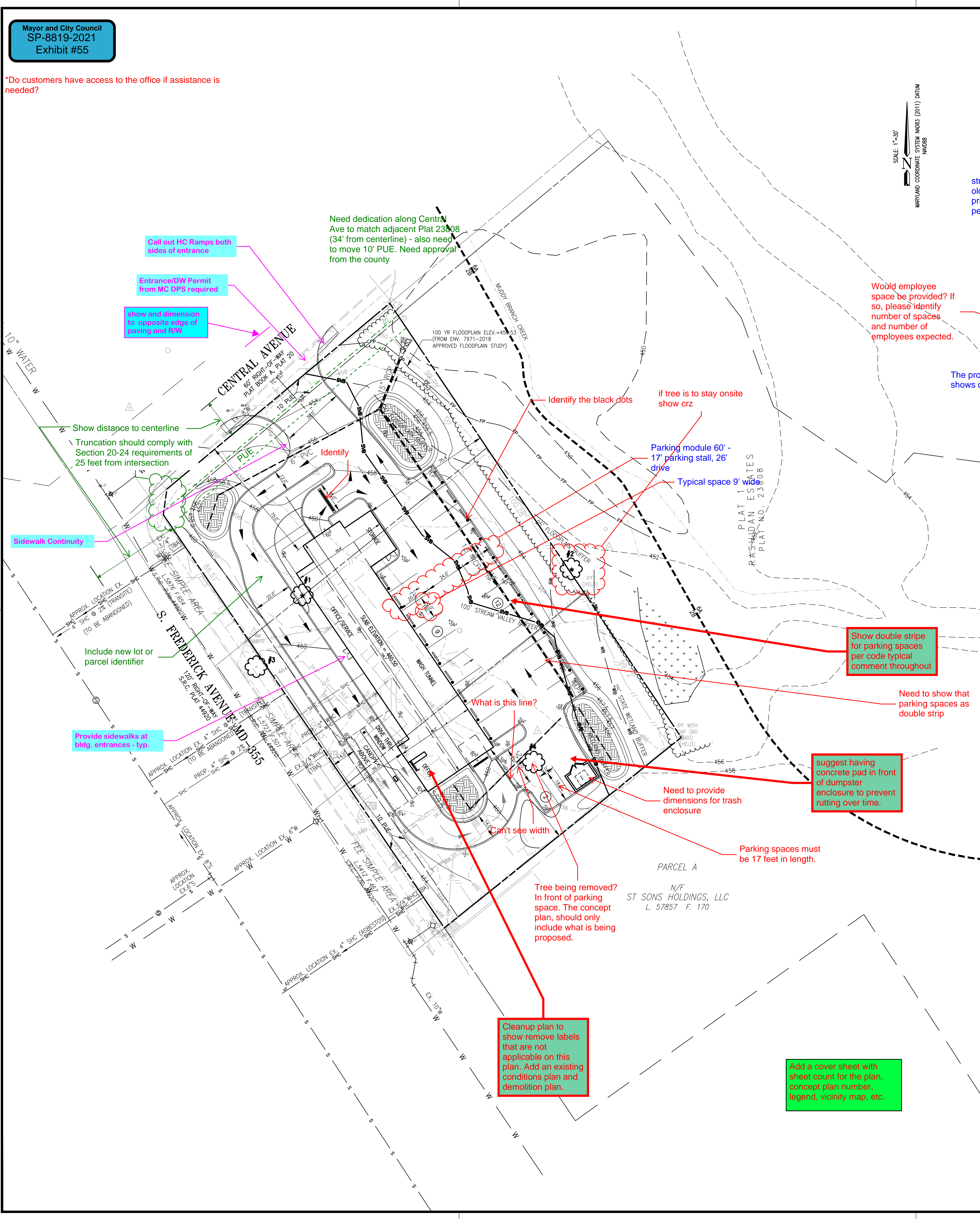


*Do customers have access to the office if assistance is needed?



- Area: 51,967 sqft or 1.1930 Acres
Zone: CD
- This site is located on Tax Map F563 and WSSC grid 222NW09, and identified as Parcels P103, P114 and P115 with Tax ID numbers 09-0077417, 09-00770201 and 09-00773033. Street addresses are 601 S. Frederick Ave., 605 S. Frederick Ave., and 607 S. Frederick Ave. respectively.
 - Fieldwork for Boundary information, and Topography information - 2' contours, was conducted on 12/9/2019, 12/11/2019 by Charles P. Johnson & Associates.
 - Wetlands information was done by Mike Kiebasco of Wetlands Studies and Solutions Inc, and field located by survey team of Charles P. Johnson & Associates on 1/14/2020. Wetlands location were revised and approved by MDE on 3/6/2020. The 100 year Floodplain from approved ENV. 7971-2018 approved Floodplain Study - Elevation 450.53.
 - Soils information was obtained from www.websoilsurvey.nrcs.usda.gov on January 14, 2020.
 - The site is located within the Muddy Branch watershed.
 - One stream was observed off-site (Muddy Branch Creek).
 - The site contains no Special Protection (SPA) or Primary Management (PMA) areas.
 - No designated Historic Resources are identified on the property nor were any potential Historic Resources identified in the 2018 City of Gaithersburg Historic Preservation Element on the property.
 - No Rare or Threatened Species, Critical Habitats were observed on this property. A letter from Maryland Dept. of Natural Resources dated January 30, 2020 confirms.
 - Individual trees 24" DBH or greater were field located by Charles P. Johnson & Associates using D-Tape and verified by Mark Staniford on January 10, 2020.
 - There are no steep slopes located on-site.
 - The site contains no forest. There is a small portion of canopy from the adjacent property protruding over the back of the property.
 - There are no significant views or vistas located on this site.

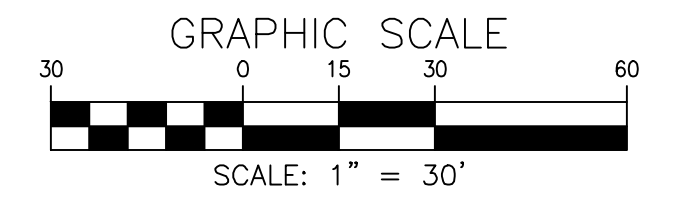
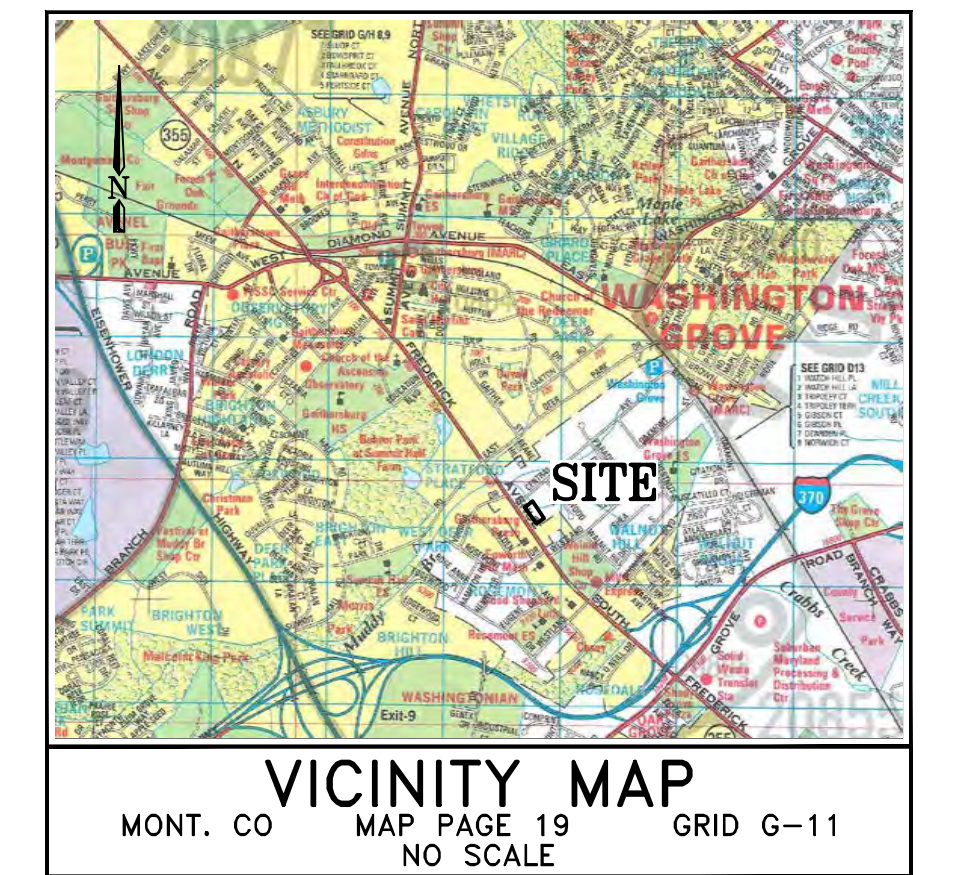
PARKING REQUIREMENTS per Sec. 24-219

Parking Required
2.5sp per Bay 8 bays x 2.5=20sp required.

Parking Provided
23sp provided.

PROJECT DATA

Area of Site	
Number of Dwelling Units	
Area Covered by Buildings (1)	7,454 sqft or 14.3%
Building Height	35' - 8"
Area of Proposed Pavement (Parking/Drive Aisles/Loading Area of Open Space)	20,343 sqft or 39.2%



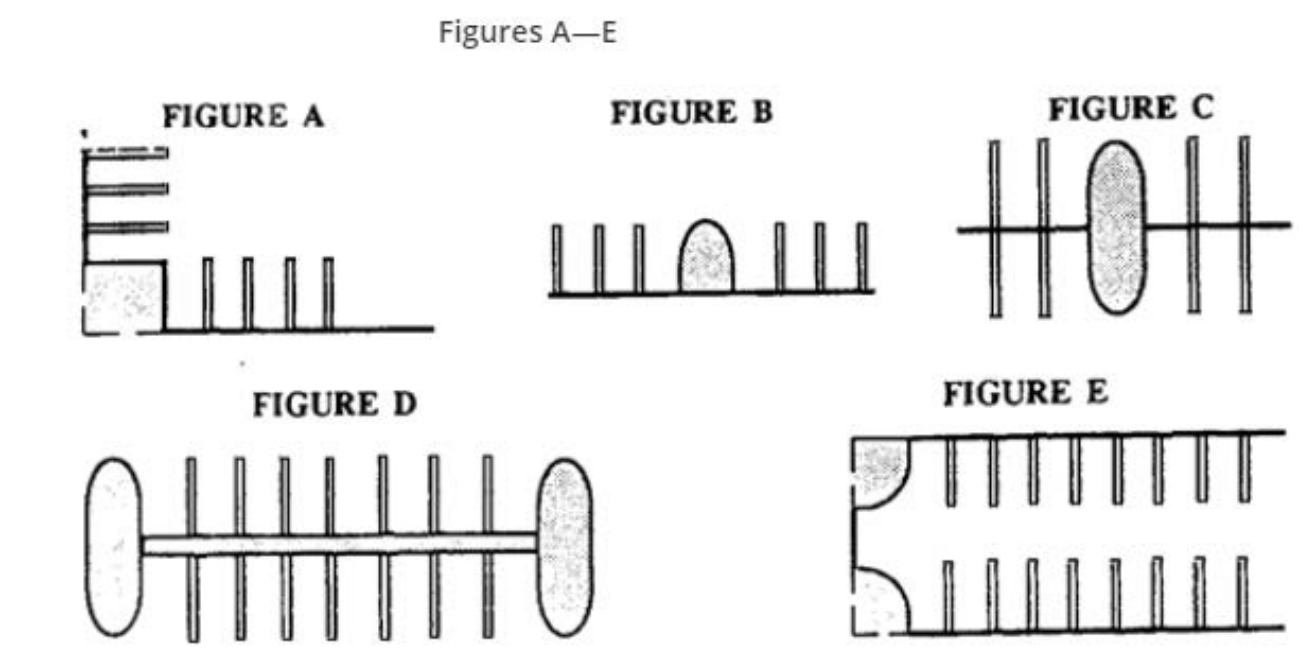
LEGEND

- BOUNDARY LINE
- LDD LIMIT OF DISTURBANCE
- EXISTING TREE CANOPY
- EXISTING OVERHEAD LINES
- EXISTING WATER LINE
- EXISTING STREAM
- EXISTING WOOD FENCE
- EXISTING FIRE HYDRANT
- SOILS
- 100-YEAR FLOODPLAIN
- FLOODPLAIN BUFFER
- ENVIRONMENTAL BUFFER
- WETLANDS BUFFER
- WETLANDS
- PROPOSED SWM STRUCTURE

SITE GRADING CERTIFICATE

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

DATE: _____ SALLIE P. STEWART REGISTERED LAND. ARCH. MD. #612 EXPIRES: 9/9/2021 Seal not valid without signature



UPDATES/REVISIONS:

CONCEPT PLAN

WHIP CLEAN
CITY OF GAITHERSBURG
MONTGOMERY COUNTY, MARYLAND

CPJ Associates Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers - Planners - Landscape Architects - Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: Whip Clean Mr Brett Schachter 3956 Chain Hwy. Bowie, MD, 20716 (301)390-1000	TAX MAP/WSSC 0-00000	SITE PLAN NO. 0-00000
DESIGN: SPS	SHEET: 1	OF: 1
DRAPT: HWD	DATE: Sept, 2020	FILE NO.: 2019-1594-09 B
COPYRIGHT © LATEST DATE HEREON CHARLES P. JOHNSON & ASSOCIATES, INC. ALL RIGHTS RESERVED. UNAUTHORIZED USE OR REPRODUCTION IS PROHIBITED.		

January 30, 2020

Ms. Sallie P. Stewart
Charles P. Johnson & Associates, Inc.
1751 Elton Road
Suite 300
Silver Spring, MD 20903

RE: Environmental Review for Whip Clean, 601, 605 and 607 S. Frederick Avenue, Gaithersburg, Parcels 103, 114 & 115, Montgomery County, Maryland.

Dear Ms. Stewart:

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

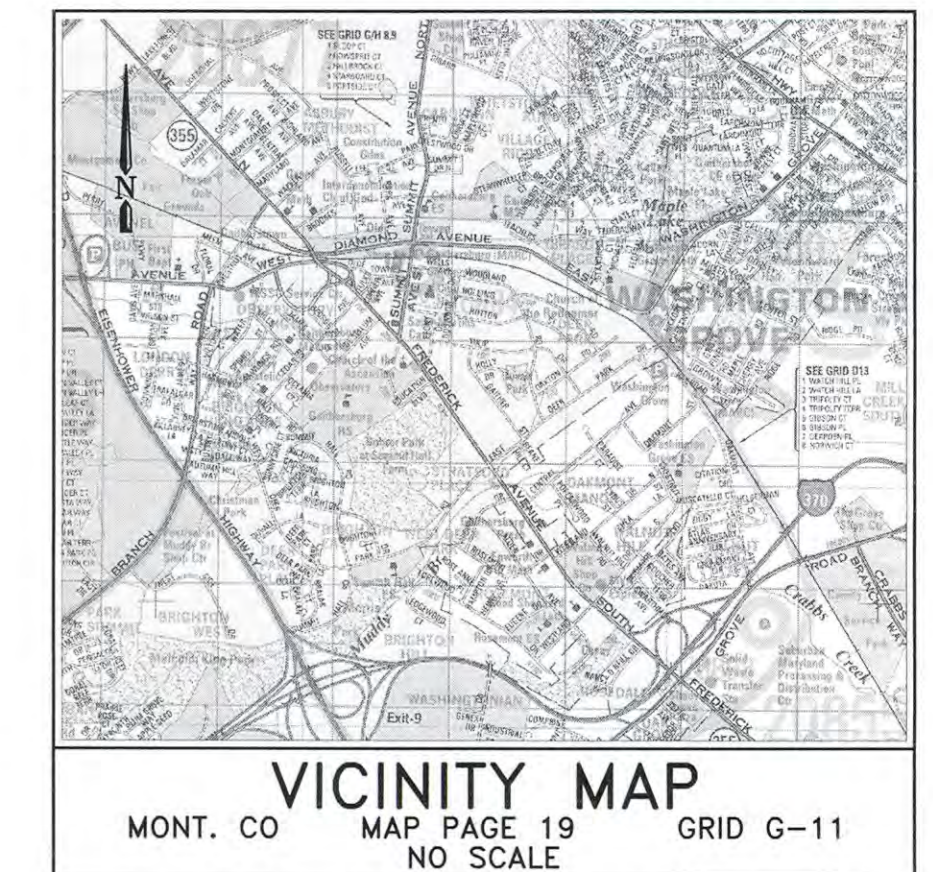
Sincerely,

Lori A. Byrne

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2020.0028.mo

Taxes State Office Building - 580 Taylor Avenue - Annapolis, Maryland 21401
410-360-8DNR or toll free in Maryland 877-620-8DNR - dnr.maryland.gov - TTY Users Call via the Maryland Relay



VICINITY MAP
MONT. CO MAP PAGE 19 GRID G-11
NO SCALE
GRAPHIC SCALE
SCALE: 1" = 20'

LEGEND

	UTILITY POLE
	GUY WIRE
	EX. STREAM
	ENVIRONMENTAL BUFFER
	100 YR FLOODPLAIN
	WETLANDS
	SOILS
	FIRE HYDRANT
	WOOD FENCE
	OVER HEAD WIRE
	TREE CANOPY
	EX. TREE 24" DBH w/CRZ

CERTIFICATE OF COMPLIANCE

I DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND REASONABLE BELIEF, THAT ALL OF THE INFORMATION AND DATA PROVIDED WITH THIS APPLICATION IS ACCURATE, AND ALL OF THE FEATURES AND ELEMENTS PROVIDED ON THE PLANS IS CONSISTENT WITH THE STANDARDS OF THE APPLICABLE ZONE. THE CERTIFICATION INCLUDES, BUT IS NOT LIMITED TO BOUNDARY INFORMATION, PROPERTY INFORMATION AND OWNERSHIP, TOPOGRAPHY, HISTORIC RESOURCES, ETC. I AGREE THAT THE SUBMITTED PLANS MAY BE REJECTED BY MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION IF THE PLANS ARE FOUND TO INACCURATE, FALSE OR MISLEADING.

LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN IS PREPARED IN ACCORDANCE WITH MONTGOMERY COUNTY FOREST CONSERVATION REGULATIONS.

Sallie P. Stewart
SALLIE P. STEWART
REGISTERED LANDSCAPE ARCHITECT
MD. #612
EXPIRES: 9/8/2021
DATE: 4/1/20

Seal not valid without signature

CITY OF GAITHERSBURG
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
NRI /FSD APPROVAL
THE CITY OF GAITHERSBURG HEREBY GRANTS APPROVAL OF
**NATURAL RESOURCE INVENTORY/
FOREST STAND DELINEATION**
FOR APPLICATION NO. ENV-8438-2020
DATE 4/2/2020 BY *[Signature]*

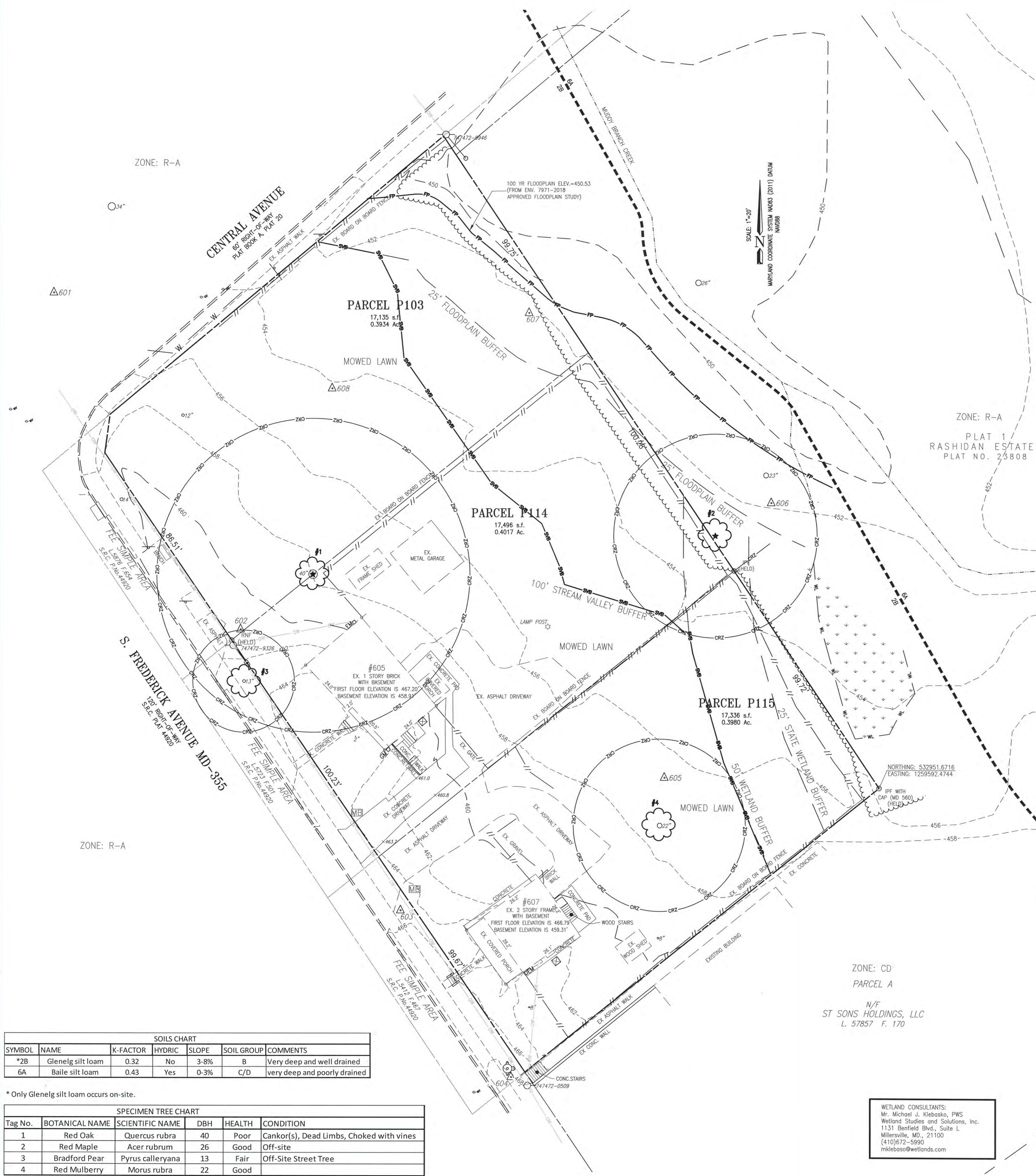
GENERAL NOTES

Area: 51,967 sqft or 1.1930 Acres
Zone: CD

- This site is located on Tax Map F563 and WSSC grid 222N09, and identified as Parcels P103, P114 and P115 with Tax ID numbers 09-0077417, 09-00770201 and 09-00773033. Street addresses are 601 S. Frederick Ave., 605 S. Frederick Ave., and 607 S. Frederick Ave. respectively.
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- Wetlands information was done by Mike Klebasco of Wetlands Studies and Solutions Inc, and field located by survey team of Charles P. Johnson & Associates on 1/14/2020. Wetlands location were revised and approved by MDE on 3/6/2020. The 100 year Floodplain from approved ENV. 7971-2018 approved Floodplain Study - Elevation 450.53.
- Soils information was obtained from www.websoilsurvey.nrcs.usda.gov on January 14, 2020.
- The site is located within the Muddy Branch watershed.
- One stream was observed off-site (Muddy Branch Creek).
- The site contains no Special Protection (SPA) or Primary Management (PMA) areas.
- No designated Historic Resources are identified on the property nor were any potential Historic Resources identified in the 2018 City of Gaithersburg Historic Preservation Element on the property.
- No Rare or Threatened Species, Critical Habitats were observed on this property. A letter of inquiry has been sent to Maryland Dept. of Natural Resources dtd January 10, 2020.
- Individual trees 24" DBH or greater were field located by Charles P. Johnson & Associates using D-Tape and verified by Mark Staniford on January 10, 2020.
- There are no steep slopes located on-site.
- The site contains no forest. There is a small portion of canopy from the adjacent property protruding over the back of the property.
- There are no significant views or vistas located on this site.

ZONE: CD
PARCEL A
N/F
ST SONS HOLDINGS, LLC
L. 57857 F. 170

WETLAND CONSULTANTS:
Mr. Michael J. Klebasco, PWS
Wetland Studies and Solutions, Inc.
1131 Benfield Blvd., Suite L
Millersville, MD., 21100
(410)672-5990
mklebasco@wetlands.com



SOILS CHART

SYMBOL	NAME	K-FACTOR	HYDRIC	SLOPE	SOIL GROUP	COMMENTS
*2B	Glenelg silt loam	0.32	No	3-8%	B	Very deep and well drained
6A	Baile silt loam	0.43	Yes	0-3%	C/D	very deep and poorly drained

* Only Glenelg silt loam occurs on-site.

SPECIMEN TREE CHART

Tag No.	BOTANICAL NAME	SCIENTIFIC NAME	DBH	HEALTH	CONDITION
1	Red Oak	Quercus rubra	40	Poor	Cankor(s), Dead Limbs, Choked with vines
2	Red Maple	Acer rubrum	26	Good	Off-site
3	Bradford Pear	Pyrus calleryana	13	Fair	Off-Site Street Tree
4	Red Mulberry	Morus rubra	22	Good	

UPDATES/REVISIONS:
3/9/2020 Add off-site Floodplain/Buffer, revise wetlands per MDE reqs
3/11/2020 Update wetlands per MDE Approval
3/26/2020 Update Wetlands/Buffers reqs
3/30/2020 Updated par. City of Gaithersburg comments reqs

**NATURAL-RESOURCES-INVENTORY
FOREST-STAND-DELINEATION
WHIP CLEAN
CITY OF GAITHERSBURG
MONTGOMERY COUNTY, MARYLAND**

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers - Planners - Landscape Architects - Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

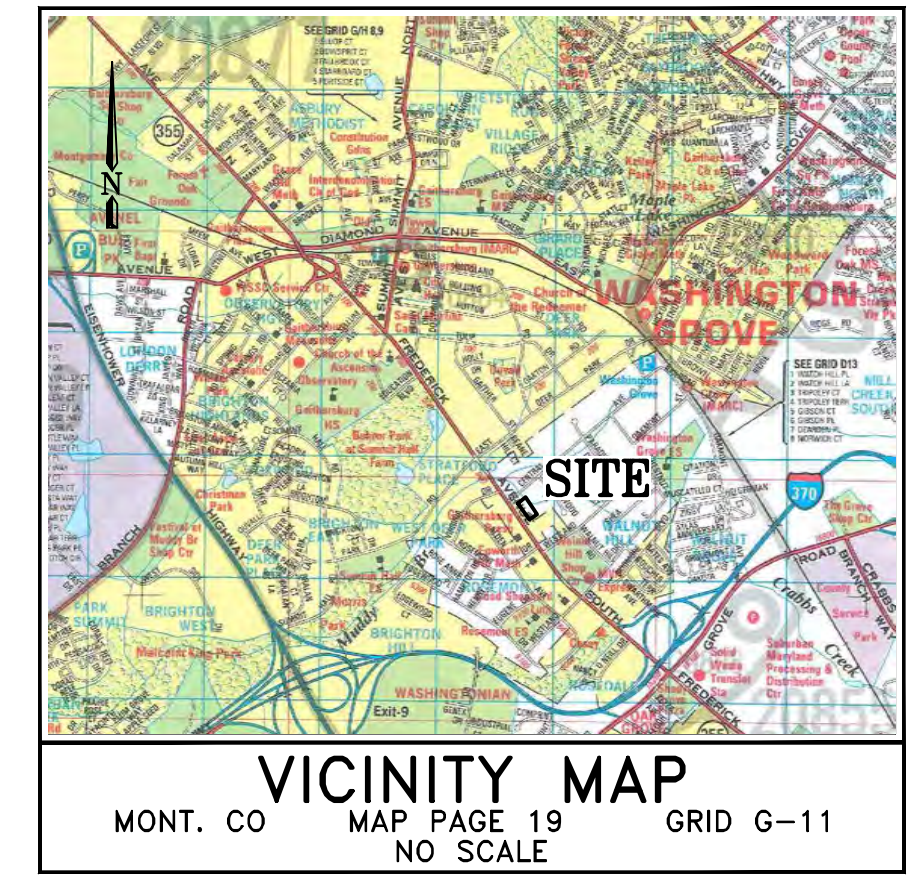
CLIENT: Whip Clean Mr Brett Schaechter 1956 Crain Hwy. Bowie, MD 20706 (301)390-1000	TAX MAP/WSSC F563	SITE PLAN NO. SPLAN#
DESIGN MES	SHEET 1	OF 1
DRAFT MES	DATE JAN.2020	FILE NO.: 2019-1594-20
DATE JAN.2020	SCALE 1"=20'	

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GENERAL NOTES

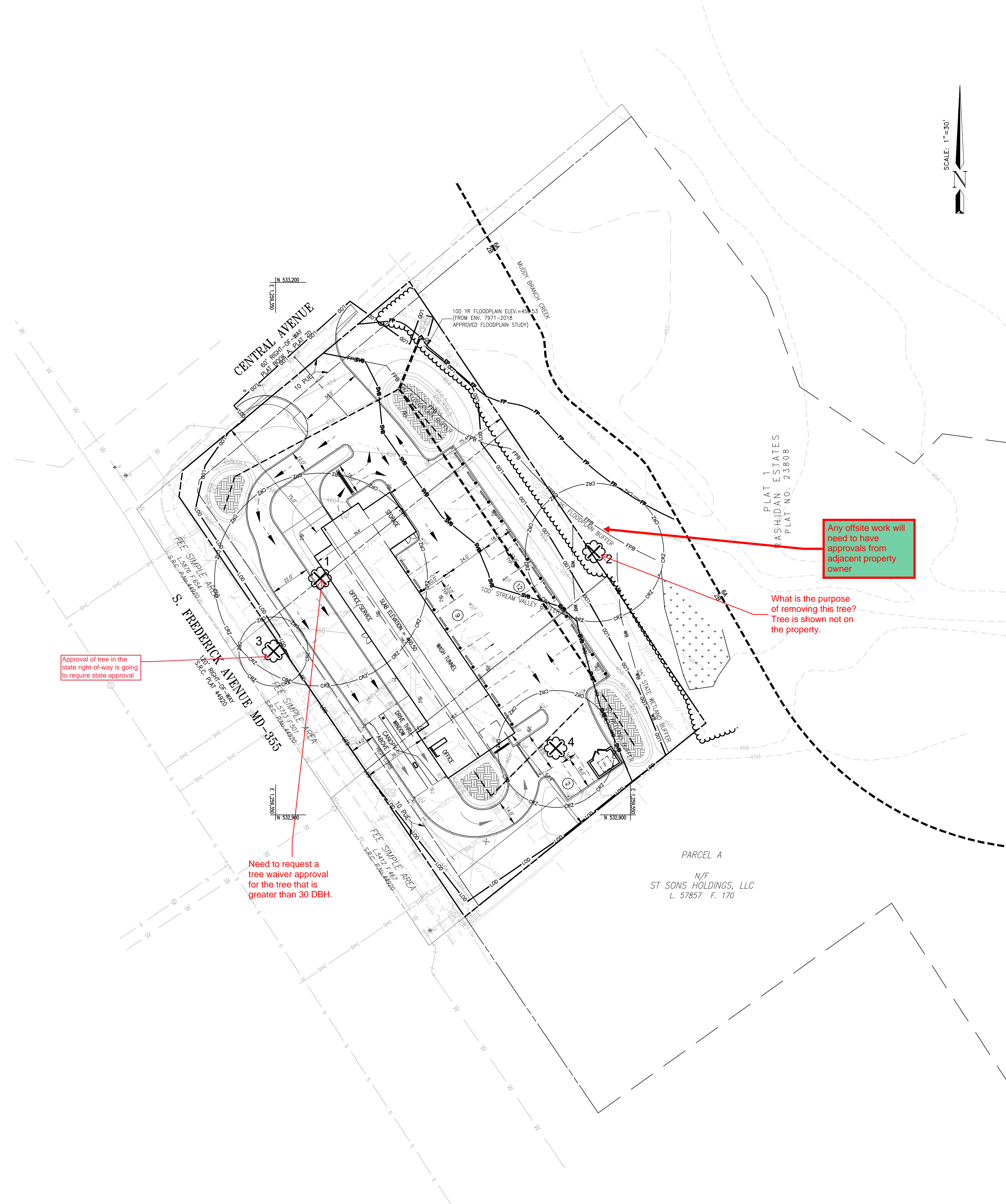
1. THE PROPERTY IS 1.19 AC (51,967 SF).
2. THE PROPERTY IS LOCATED ON WSSC MAP 222NW09.
3. THE SUBJECT PROPERTY IS LOCATED ON TAX MAP FS63.
4. THE SUBJECT PROPERTY COMPRISES THE FOLLOWING:

LOT/PARCEL NO.	BLOCK	TAX ACCT. NO.	LIBER & FOLIO
A. PARCEL P103	--	09-00777417	L. 55284, F. 155
B. PARCEL P114	--	09-00770201	L. 9520, F. 14
C. PARCEL P115	--	09-00773033	L. 10656, F. 355
5. THE SUBJECT PROPERTY IS ZONED FOR COMMERCIAL USE, ZONE CD.
6. SITE BOUNDARY AND TOPOGRAPHIC SURVEY WAS PERFORMED BY CPJ ON 12/09/2019 AND 12/11/2020.
7. THE SUBJECT PROPERTY IS LOCATED IN THE MUDDY BRANCH WATERSHED.
8. WETLAND LOCATION WAS REVISED AND APPROVED BY MDE ON 03/06/2020.
9. THE 100-YEAR FLOODPLAIN IS AT ELEVATION 450.53 FT AND WAS APPROVED UNDER FLOODPLAIN STUDY #7971-2018.
10. SOILS INFORMATION WAS OBTAINED FROM WWW.WEBSOILSURVEY.NCRS.USDA.GOV ON MAY 11, 2020.
11. PER U.S. FISH & WILDLIFE SERVICES NATIONAL WETLANDS INVENTORY ON-LINE MAPPER (HTTP://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML) AND MARYLAND'S ENVIRONMENTAL RESOURCES AND LAND INFORMATION NETWORK (MERLIN)(HTTP://WWW.MDMERLIN.NET), THERE ARE NO WETLANDS LOCATED ON THE SITE.
12. THIS SITE CONTAINS NO SPECIAL PROTECTION (SPA) OR PRIMARY MANAGEMENT AREAS (PMA).
13. NO DESIGNATED HISTORIC RESOURCES ARE IDENTIFIED ON THE PROPERTY NOR WERE ANY POTENTIAL HISTORIC RESOURCES IDENTIFIED IN THE 2018 CITY OF GAITHERSBURG HISTORIC PRESERVATION ELEMENT ON THE PROPERTY.
14. THERE ARE ZERO (0) ACRES OF EXISTING FOREST. THERE IS A SMALL PORTION OF CANOPY FROM THE ADJACENT PROPERTY PROTRUDING OVER THE BACK OF THE SITE.
15. THERE ARE NO STEEP SLOPES.
16. THERE ARE NO SIGNIFICANT VIEWS OR VISTAS LOCATED ON THIS SITE.
17. A WAIVER REQUEST FOR ENVIRONMENTAL IMPACTS HAS BEEN SUBMITTED.



LEGEND

---	BOUNDARY LINE
---	LOD LIMIT OF DISTURBANCE
---	EXISTING TREE CANOPY
---	EXISTING OVERHEAD LINES
---	EXISTING WATER LINE
---	EXISTING STREAM
---	EXISTING WOOD FENCE
---	EXISTING FIRE HYDRANT
---	SOILS
---	100-YEAR FLOODPLAIN
---	FLOODPLAIN BUFFER
---	ENVIRONMENTAL BUFFER
---	WETLANDS BUFFER
---	WETLANDS
---	CRZ CRITICAL ROOT ZONE
---	RP ROOT PRUNING
---	TPF TEMPORARY TREE PROTECTION FENCE
---	TREE TO BE REMOVED



Name this sheet
Conceptual Forest
Conservation Plan

CITY OF GAITHERSBURG
31 SOUTH SUMMIT AVENUE
GAITHERSBURG, MARYLAND 20877

FCP APPROVAL

THE CITY OF GAITHERSBURG DEVELOPMENT REVIEW TEAM HEREBY GRANTS APPROVAL OF FOREST CONSERVATION PLAN

FOR APPLICATION NO. _____
DATE _____ BY _____

LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN IS PREPARED IN ACCORDANCE WITH CITY OF GAITHERSBURG FOREST CONSERVATION REGULATIONS.

SALLIE P. STEWART
REGISTERED LANDSCAPE ARCHITECT
MD. #612
EXPIRES: 9/9/2021

DATE _____ Seal not valid without signature

UPDATES/REVISIONS :

DRAFT FOREST CONSERVATION PLAN

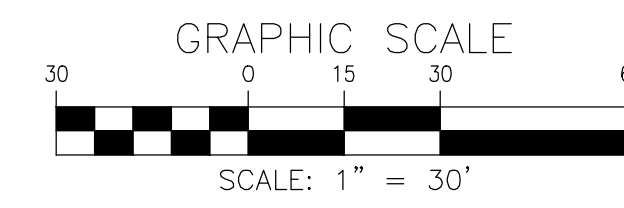
WHIP CLEAN
CITY OF GAITHERSBURG
MONTGOMERY COUNTY, MARYLAND

CPJ Associates Charles P. Johnson & Associates, Inc.
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www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: Whip Clean Mr Brett Schachter 3956 Chain Hwy. Bowie, MD, 20716 (301)390-1000	TAX MAP/WSSC 0-00000	SITE PLAN NO. 0-00000
DESIGN SPS	DESIGN SPS	SHEET OF
DRAFT SSS	DRAFT SSS	1 2
DATE: SEPT. 2020	SCALE: 1" = 30'	FILE NO: 2019-1594-22 B

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Sequence of Events for Properties Required to Comply With Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved final forest conservation plan or tree save plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American National Standards Institute (ANSI A300).

Pre-Construction

- An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance.
- The property owner must arrange for the meeting and following people should must participate at the pre-construction meeting: the property owner or their representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist/Maryland Licensed Tree Expert (representing owner) that will implement the tree protection measures, The Planning Department Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is to verify the limits of disturbance and discuss specific tree protection and tree care measures shown on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector.
 - Typical tree protection devices include:
 - Chain link fence (four feet high)
 - Super silt fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging.
 - 14 gauge, 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
 - Typical stress reduction measures may include, but are not limited to:
 - Root pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest Conservation Inspector
 - Crown Reduction or pruning
 - Watering
 - Fertilizing
 - Vertical mulching
 - Root aeration systems

Measures not specified on the Forest Conservation Plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist.
- A Maryland Licensed Tree expert must perform, or directly supervise, the implementation of all stress reduction measures. Documentation of the process (including photographs) may be required by the Forest Conservation Inspector, and will be determined at the pre-construction meeting.
- Temporary tree protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan.
- Tree protection fencing must be installed and maintained by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction activity within protected tree and forest areas is prohibited. This includes the following activities:
 - Parking or driving of equipment, machinery or vehicles of any type.
 - Storage of any construction materials, equipment, stockpiling, fill, debris, etc.
 - Dumping of any chemicals (i.e., paint thinner), mortar or concrete remainder, trash, garbage, or debris of any kind.
 - Felling of trees into a protected area.
 - Trenching or grading for utilities, irrigation, drainage, etc.
- Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and Spanish.

During Construction

- Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to tree protection devices must be completed within the timeframe given by the Inspector.
- The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understory, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions, and the relative timeframes to restore these areas, will be determined by the Forest Conservation Inspector.

Post-Construction

- After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
 - Removal, and possible replacement, of dead, dying, or hazardous trees
 - Pruning of dead or declining limbs
 - Soil aeration
 - Fertilization
 - Watering
 - Wound repair
 - Clean up of retention areas, including trash removal
- After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector and cannot be removed without permission of the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.
- Long-term protection measures, including permanent signage, must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

INSPECTIONS

All field inspections must be requested by the applicant.

Field Inspections must be conducted as follows:

Plans without Planting Requirements

- After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.
- After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
- After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

Additional Requirements for Plans with Planting Requirements

- Before the start of any required reforestation and afforestation planting.
- After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
- At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

NOTES:

- Pre-construction meeting, held on-site to include a presentation of protective measures to construction supervisors, equipment operators, developer's representative, and site and sediment control inspectors.
- Clearing limits shall be rough staked by developer in order to facilitate location for trenching and fencing installation.
- No clearing or grading shall begin in areas where tree treatment and preservation measures have not been completed.
- The sequence of tree treatment and conservation measures shall be:
 - Root pruning and chemical treatment.
 - Tree protection fencing.
 - Aeration system installation.
 - Sign installation.
 - Tree pruning and chemical treatment.
 - Mulch treatment.
- Above measures shall be directed in the field by the project forester, arborist, naturalist, ecologist, site engineer or landscape architect.
- Tree protection fencing shall be maintained and repaired by the developer or contractor for the duration of construction and once approved by the city site inspector, must not be altered without prior approval by the city site inspector.
- Access to fenced areas will only be permitted with the prior approval of the owner's representative and the city site inspector.
- Designated aeration zones shall be protected with temporary fencing until final grading.
- Any excavation or grading required within the fenced areas shall be done as directed and approved by the person mentioned in note #5 and the city site inspector.
- Trees, shrubs, or undergrowth shall be removed from the protected root zone areas only when necessary and shall be removed by hand.
- Refer to tree protection action key for specific treatment of each specimen tree.
- Attachment of signage, fencing, etc., to trees to be saved is prohibited.
- After construction, all temporary barriers, fencing, debris, etc., shall be removed from the site by the contractor.
- No sod or see shall be planted within the designated root zones for all trees to be saved.

FOREST CONSERVATION WORKSHEET

WHIP CLEAN

NET TRACT AREA:

- A. Tract area ... 1.19
- B. Existing Forest Cover ... 0.00
- C. Cleared Forest Cover ... 0.00
- D. Retained Forest Cover ... 0.00

AFFORESTATION:

- E. Afforestation Threshold ... 0.18
- F. Afforestation Required ... 0.18

REFORESTATION:

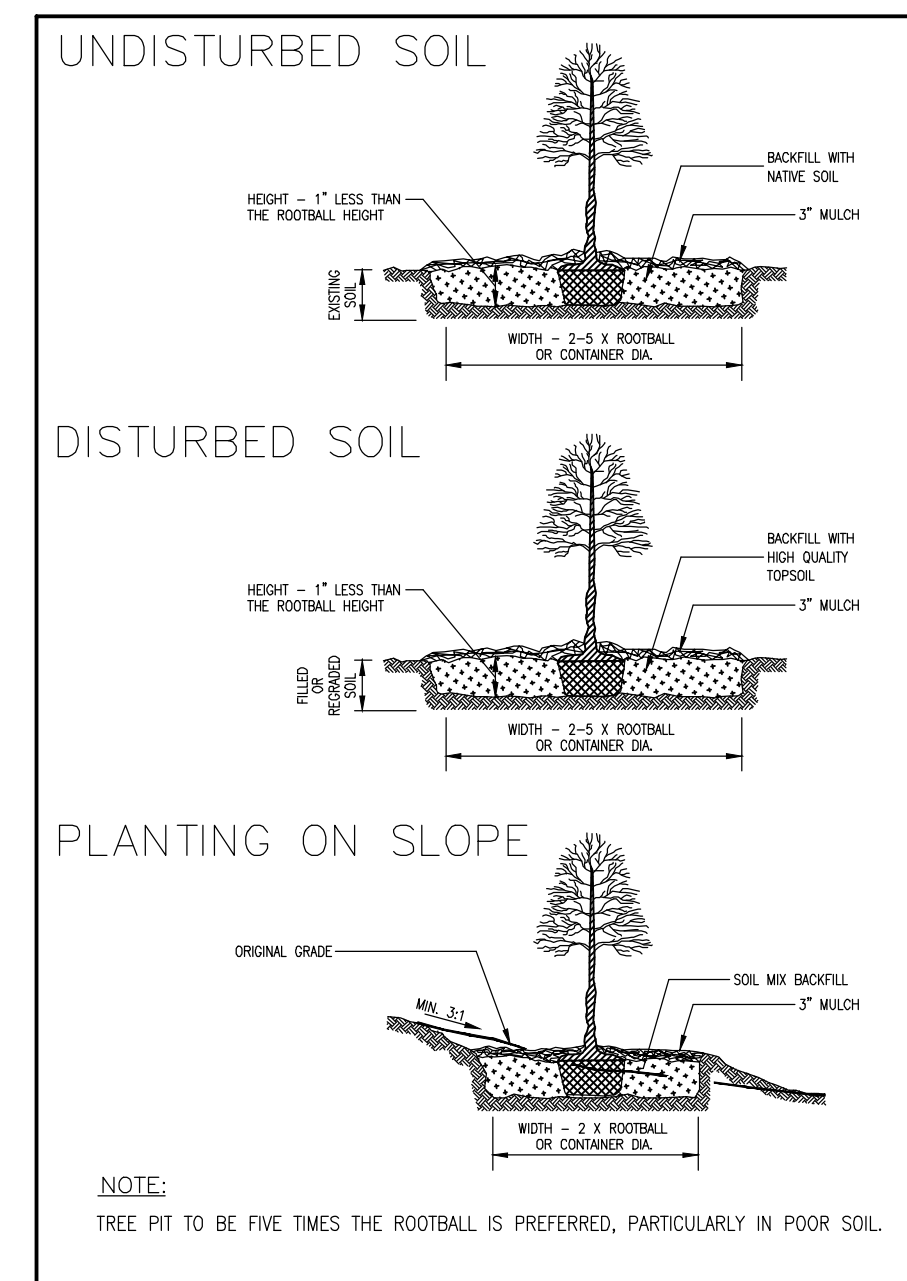
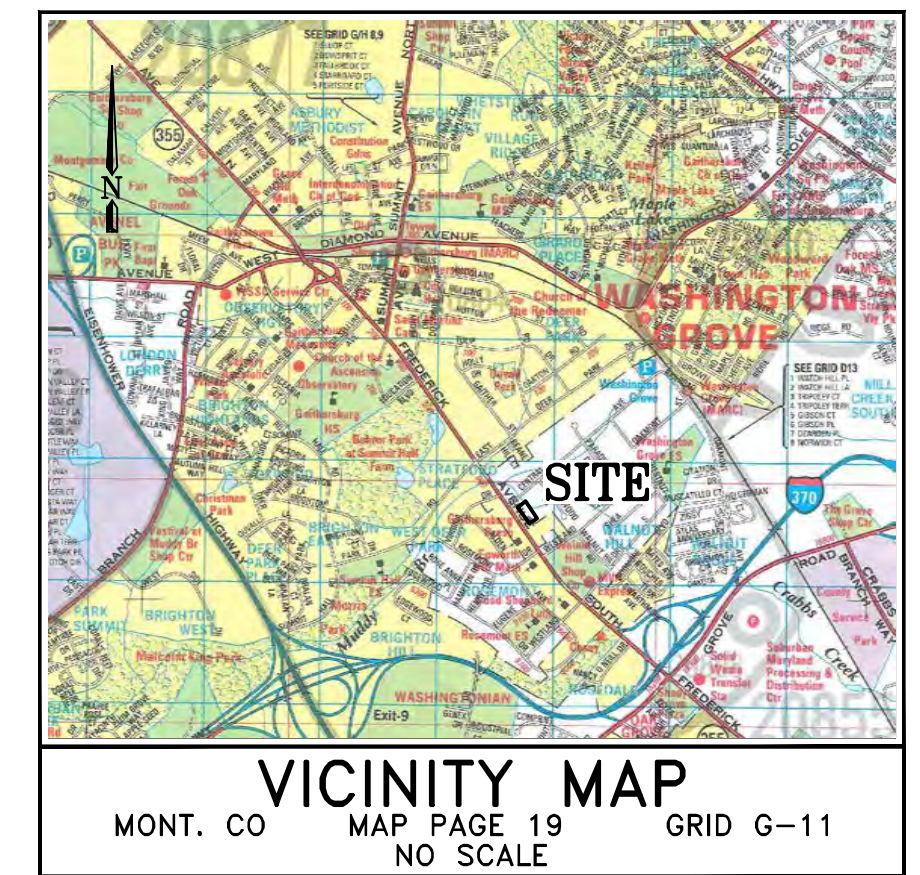
- LAND USE CATEGORY:**
- Residential Areas: 20%
 - Institutional Development Areas: 20%
 - Commercial and Industrial Areas: 15%
 - Mixed-Use Development Areas: 15-20%
- G. Conservation Threshold ... 15% x A = 0.18
 - H. Existing Forest Cover greater than Conservation Threshold ... 0.00
 - I. Retained Forest Cover greater than Conservation Threshold ... 0.00
 - J. Clearance greater than Conservation Threshold ... 0.00
 - K. Retention Credit for retained forest cover greater than Conservation Threshold ... 0.00
 - L. Clearance less than Conservation Threshold ... 0.18
 - M. Reforestation Requirement ... 0.36

BREAKEYEN POINT:

- N. Breakeven Point ... 0.18
- O. Clearance allowed without Reforestation ... 0.00

SPECIMEN TREE CHART						
Tag No.	BOTANICAL NAME	SCIENTIFIC NAME	DBH	HEALTH	STATUS	CONDITION
*1	Red Oak	Quercus rubra	40	Poor	Remove	Cankor(s), Dead Limbs, Choked with vines
2	Red Maple	Acer rubrum	26	Good	Remove	Off-site
3	Bradford Pear	Pyrus calleryana	13	Fair	Remove	Off-Site Street Tree, Invasive
4	Red Mulberry	Morus rubra	22	Good	Remove	

* - Mitigation Tree
101" of total tree calipers to be removed.
Mitigation required for 40" of tree calipers, and replaced at a quarter, or 25%. 10" of tree caliper to be replaced.



TREE PLANTING DETAIL
NTS

CITY OF GAITHERSBURG
31 SOUTH SUMMIT AVENUE
GAITHERSBURG, MARYLAND 20877

FCP APPROVAL

THE CITY OF GAITHERSBURG DEVELOPMENT REVIEW TEAM HEREBY GRANTS APPROVAL OF FOREST CONSERVATION PLAN

FOR APPLICATION NO. _____
DATE _____ BY _____

LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN IS PREPARED IN ACCORDANCE WITH CITY OF GAITHERSBURG FOREST CONSERVATION REGULATIONS.

SALLIE P. STEWART
REGISTERED LANDSCAPE ARCHITECT
MD. #612
EXPIRES: 9/9/2021

DATE _____ Seal not valid without signature

Remove this sheet
Conceptual Forest
Conservation Plan

UPDATES/REVISIONS :

DRAFT FOREST CONSERVATION PLAN

WHIP CLEAN
CITY OF GAITHERSBURG
MONTGOMERY COUNTY, MARYLAND

CPJ Associates Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: Whip Clean Mr Brett Schraechter 3936 Cabin Hwy. Bowie, MD. 20716 (301)390-1000	TAX MAP/WSSC 0-00000	SITE PLAN NO. 0-00000
DESIGN: SPS	SHEET: 2	OF: 2
DATE: SEPT. 2020	FILE NO.: 2019-1594-22 B	

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*Where are the doors ?



SOUTH ELEVATION

WEST ELEVATION

What is this white rectangle?



NORTH ELEVATION

EAST ELEVATION

Need to provide building height and width dimensions

Call out all of the proposed materials

*A Green Building checklist or statement must be provided demonstrating how the proposed building will conceptually meet the green building requirements.



PENNEY DESIGN GROUP
8120 Woodmont Avenue | Suite 410 | Bethesda, Maryland 20814
p.301.979.7600 | f.301.710.6384 | www.penneydesigngroup.com

Whip Clean- The Car Wash

Proposed Elevations

06/17/2020

Whip Clean
City of Gaithersburg
Montgomery County, Maryland
WIP001a

A-2
SCALE:
scale
12 X 18

GENERAL NOTES

1. THE PROPERTY IS 1.19 AC (51,967 SF).
2. THE PROPERTY IS LOCATED ON WSSC MAP 222NW09.
3. THE SUBJECT PROPERTY IS LOCATED ON TAX MAP FS63.
4. THE SUBJECT PROPERTY COMPRISES THE FOLLOWING:

LOT/PARCEL NO.	BLOCK	TAX ACCT. NO.	LIBER & FOLIO
A. PARCEL P103	--	09-00777417	L. 55284, F. 155
B. PARCEL P114	--	09-00770201	L. 9520, F. 14
C. PARCEL P115	--	09-00773033	L. 10656, F. 355
5. THE SUBJECT PROPERTY IS ZONED FOR COMMERCIAL USE.
6. SITE BOUNDARY AND TOPOGRAPHIC SURVEY WAS PERFORMED BY CPJ ON 12/09/2019 AND 12/11/2020.
7. THE SUBJECT PROPERTY IS LOCATED IN THE MUDDY BRANCH WATERSHED.
8. WETLAND LOCATION WAS REVISED AND APPROVED BY MDE ON 03/06/2020.
9. THE 100-YEAR FLOODPLAIN IS AT ELEVATION 450.53 FT AND WAS APPROVED UNDER FLOODPLAIN STUDY #7971-2018.
10. SOILS INFORMATION WAS OBTAINED FROM WWW.WEBSOILSURVEY.NCRS.USDA.GOV ON MAY 11, 2020.
11. PER U.S. FISH & WILDLIFE SERVICES NATIONAL WETLANDS INVENTORY ON-LINE MAPPER (HTTP://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML) AND MARYLAND'S ENVIRONMENTAL RESOURCES AND LAND INFORMATION NETWORK (MERLIN)(HTTP://WWW.MDMERLIN.NET), THERE ARE NO WETLANDS LOCATED ON THE SITE.
12. THIS SITE CONTAINS NO SPECIAL PROTECTION (SPA) OR PRIMARY MANAGEMENT AREAS (PMA).
13. NO DESIGNATED HISTORIC RESOURCES ARE IDENTIFIED ON THE PROPERTY NOR WERE ANY POTENTIAL HISTORIC RESOURCES IDENTIFIED IN THE 2018 CITY OF GAITHERSBURG HISTORIC PRESERVATION ELEMENT ON THE PROPERTY.
14. THERE ARE ZERO (0) ACRES OF EXISTING FOREST. THERE IS A SMALL PORTION OF CANOPY FROM THE ADJACENT PROPERTY PROTRUDING OVER THE BACK OF THE SITE.
15. THERE ARE NO STEEP SLOPES.
16. THERE ARE NO SIGNIFICANT VIEWS OR VISTAS LOCATED ON THIS SITE.
17. THE SITE IS SUBJECT TO APPROVAL OF NR/IFSD ENV-8438-2020 DATED 04/02/2020.

SITE DESCRIPTION

THIS 1.19 ACRE SITE IS BOUNDED BY CENTRAL AVENUE TO THE NORTH, FREDERICK AVENUE TO THE WEST, AND CORRIDOR DEVELOPMENT TO THE SOUTH AND EAST.

THE SITE CONSISTS OF ONE VACANT LOT AND TWO RESIDENTIAL LOTS TO BE REZONED AS COMMERCIAL.

THE SITE TOPOGRAPHY IS MOSTLY FLAT.

VEGETATION IS LIMITED TO SMALL-MEDIUM TREES IN THE EASTERN PORTION OF THE LOT.

IMPERVIOUS CALCULATIONS	
SURFACE	AREA (SF)
SIDEWALK	1,326
BUILDING	6,466
PARKING LOT	21,699
TOTAL	29,491

PRIVATE STRUCTURE SCHEDULE		
No.	TYPE	REMARKS
1	15" NYLOPLAST DRAIN BASIN	DOME GRATE
2	12" NYLOPLAST DRAIN BASIN	DOME GRATE
3	8" NYLOPLAST DRAIN BASIN	DOME GRATE
4	8" NYLOPLAST DRAIN BASIN	DOME GRATE

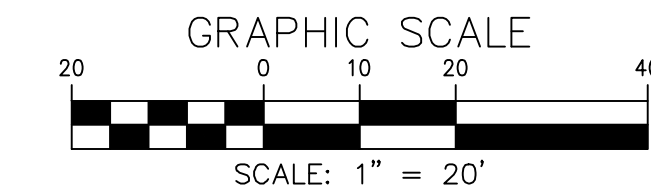
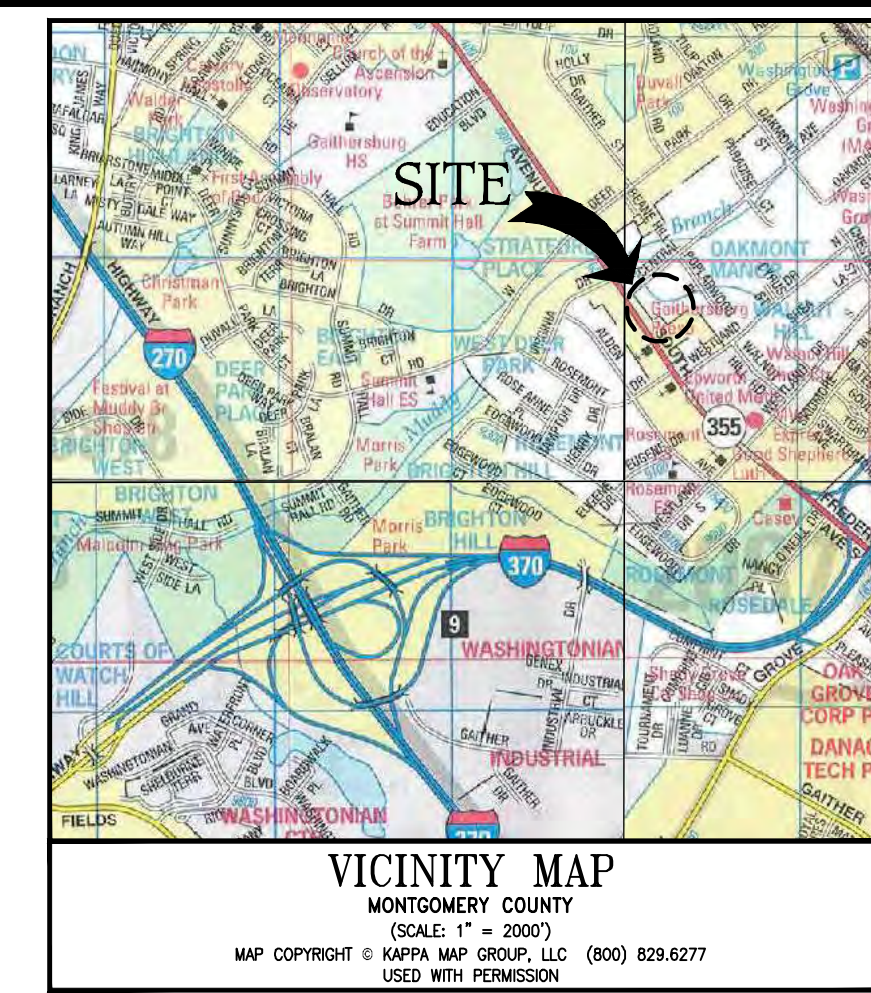
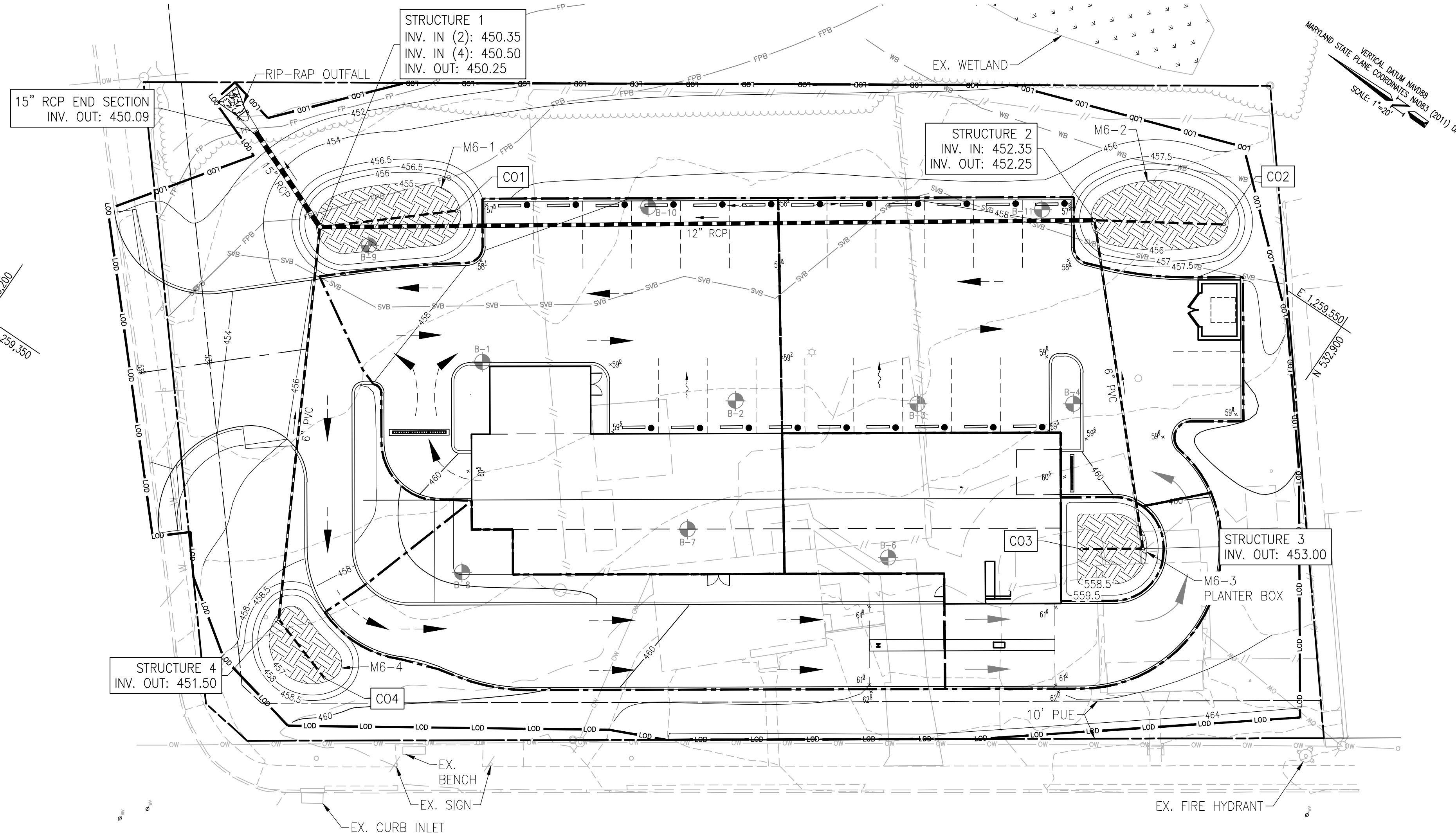
ESD SUMMARY TABLE					
ESD/SWM PRACTICE	DEPTH (ft)	FACILITY TOP ELEV.	FACILITY BOTTOM ELEV.	DRAINAGE AREA (sf)	ESD PROVIDED (cf)
M6-1 (MICRO-BIORETENTION)	5.00	455.00	450.00	9,821	1,676
M6-2 (MICRO-BIORETENTION)	4.00	456.00	452.00	7,381	1,347
M6-3 (MICRO-BIORETENTION)	5.75	458.50	452.75	5,565	1,009
M6-4 (MICRO-BIORETENTION)	5.75	557.00	451.25	5,007	855
			TOTAL=	27,774	4,887
		P _e REQUIRED	2.0"	ESD _v REQUIRED	4,852

WHIP CLEAN

SITE DEVELOPMENT CONCEPT PLAN

GAITHERSBURG (9th) ELECTION DISTRICT

MONTGOMERY COUNTY, MARYLAND



LIMITS OF DISTURBANCE= 1.15 AC

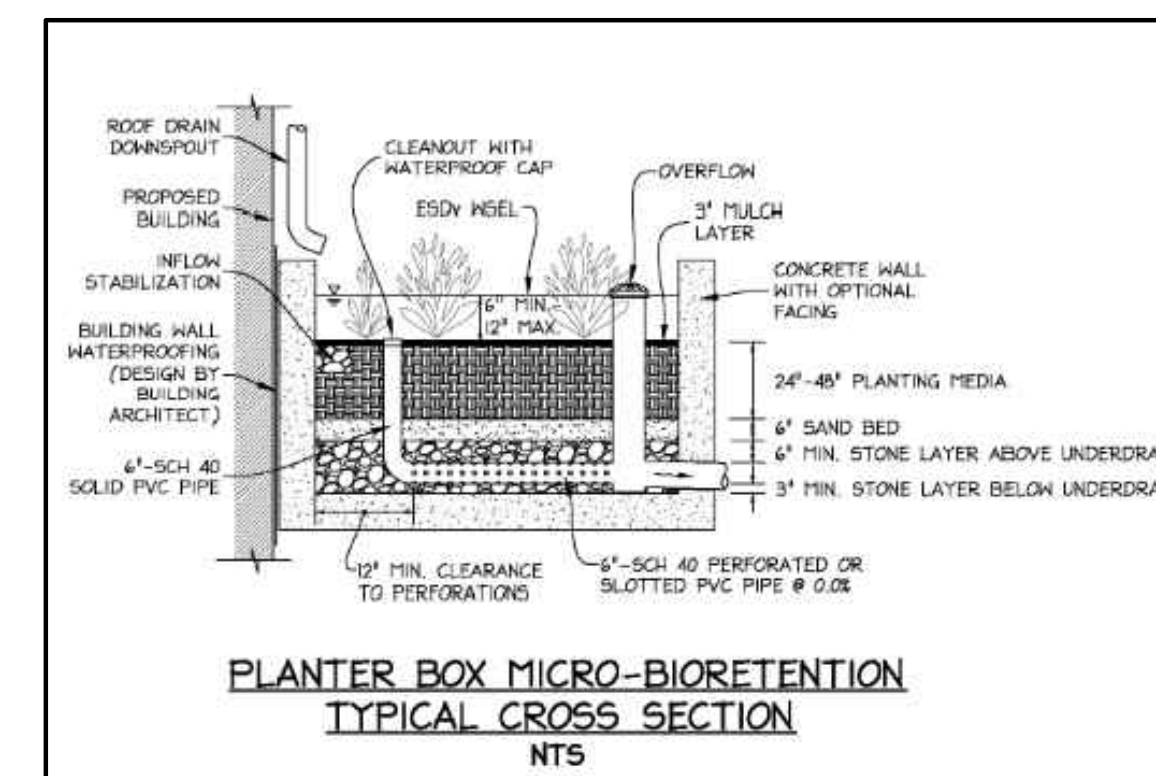
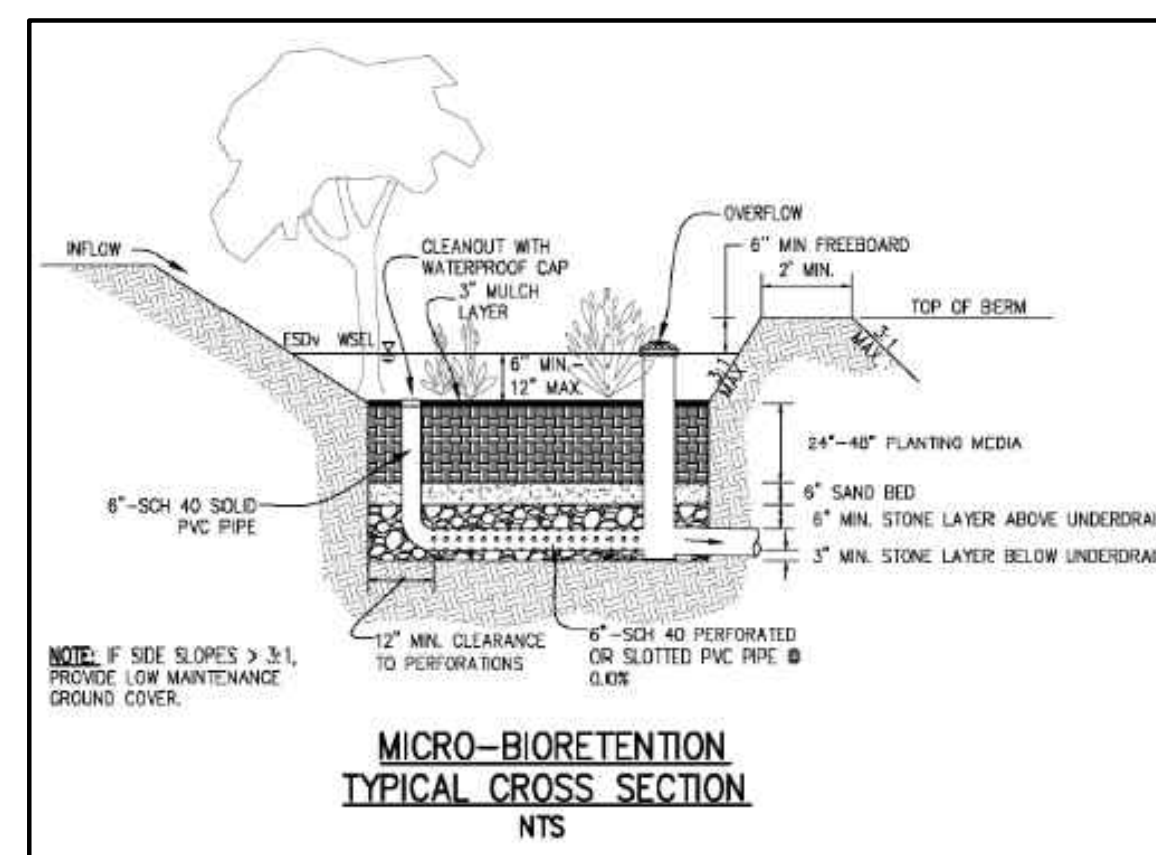
LEGEND

- 0.5' PROP. GRADE SPOT ELEVATION
- 331.0 EX. GRADE SPOT ELEVATION
- EX. EDGE OF PAVEMENT
- GAS EX. GAS LINE
- EX. UTILITY POLE
- EX. GUY WIRE
- LOD LIMITS OF DISTURBANCE
- BOUNDARY LINE
- EX. WOOD FENCE
- S EX. SEWER
- DW EX. OVERHEAD WIRE
- W EX. WATER LINE
- EX. GRADE
- PROP. GRADE
- PROP. DRAINAGE DIVIDE
- PROP. STORM DRAIN
- PROP. PERFORATED PIPE
- PROP. PLANTING MEDIA
- SOIL BORING LOCATIONS
- EX. 100-YEAR FLOODPLAIN
- EX. 100-YEAR FLOODPLAIN 25' BUFFER
- EX. 25' WETLAND BUFFER
- EX. 100' STREAM VALLEY BUFFER

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER: 49288
 EXPIRATION DATE: 5/12/22



SITE DEVELOPMENT CONCEPT PLAN
 WHIP CLEAN
 GAITHERSBURG (9th) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

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CLIENT: WHIP CLEAN MR. BRETT SCHAEGHTER 1836 CHAIN HWY. ROWIE, MD 20716 (301) 390-1000	TAX MAP/WSSC FS63	SITE PLAN NO. 0-00000
DESIGN BDH	SHEET 1	OF 1
DRAFT BDH	DATE FEB, 2021	FILE NO. 2019-1594-38-01
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SP-8819-2021 Initial Plan- Staff Comments

Planning Staff Comments

Applicant Statement

- Page 2: I would say zoned CD, not recommended. Then state in what master plan established the CD zone designation.
- Page 3:
 - Vehicle stacking: I would also mention how this meets the best practices memo. In the best practices memo-a car-centric establishment should provide a minimum of 200 feet of stacking area. I would also reference the dimensions for an automatic car wash in the C-2 zone and what aspects of the C-2 zoned does it meet.
 - Conference room: Explain why this is needed and who will be using it
 - State that entrance on Central Avenue must get approval from Montgomery County
 - How many cars can do into the tunnel at one time.
 - 30 vehicles: Is this number higher during the winter periods.
 - Floor plans were not submitted.
- Page 4
 - Parking requirements: How is the number determined?
 - You should mention that a waiver is being requested to remove a tree (#1) that is larger than 30 DBH.
 - A green building checklist should be submitted as part of the Concept Site Plan application.
- Page 5
 - The City follows the Montgomery County noise standards
 - Can you provide an estimate number of employees
 - You should make it clear here, that this property will be different from the Bowie site. State what is at Bowie site and how it is going to be different from the proposed car wash.
- Page 9: Give example, such as the materials on the existing buildings along the Frederick Avenue corridor and how would this be compatible to the proposed building.
- Page 12: At the community meeting, there were traffic generation numbers presented. Can you please submit those preliminary numbers with your application?
- Page 13: You should state that the structures are more than 50 years old and that a demolition permit will need to be reviewed by the Historic District Commission.
- Page 14: Applicant demand studies: Do you have that information available to be part of your Concept Site Plan submission.

Sheet 1

- What is the line near the drive tunnel entrance?
- Provide a conceptual plan and conceptual utility plan
- Need to provide a separate existing plan sheet
- Waiver will need to be requested for the number of spaces, parking space dimensions and drive aisle dimensions

- Need to provide square feet of green space provided on the property
- Need to provide a minimum of ten percent of surface parking lot areas shall be devoted to planting area and/or environmental site design for stormwater management. Please identify percentage.
- Project has one bay, how did you determine that number
- Need handicap parking
- Note #8: Change note to state: "Structures over 50 years old require review by HDC prior to issuance of a demo permit.
- Would employee spaces be provided? If so, please provide the estimated number of spaces and the number of employees expected.
- Parking module must be 60 feet. Parking stall must be 17 feet in length, drive aisle must be 26 feet.
- If tree is to stay onsite, show critical root zone.
- Need dedication along Central Avenue to match adjacent Plat 23808 (34' from centerline). Also need to move 10' PUE
- Identify black dots
- Identify drain
- Show distance to centerline
- Truncation should comply with Section 20-24 requirements of 25 feet from intersection
- Include new lot or parcel identifier.
- Can't see drive aisle width
- Tree in parking lot being removed in the front of parking space. Remove the tree from the plans.
- Do customers have access to the office, if assistance is needed?
- Show parking spaces as double stripe

Sheet 3

- Need to request a tree waiver approval for the tree that is greater than 30 DBH. Must be done during the concept site plan process.
- What is the purpose of removing tree #2? Tree is not on the property.
- Name this sheet as Conceptual Forest Conservation Plan
- Approval of tree in the state right-of-way is going to require state approval

Sheet 4

- Name this sheet as Conceptual Forest Conservation Plan

Sheet 5 (A-2)

- What is this white rectangle?
- Where are the doors?
- Need to provide building height and width dimensions
- Call out all of the proposed materials
- A green building checklist or statement must be provided demonstrating how the proposed building will conceptually meet the green building requirements.

Public Works Staff Comments

Sheet 1

- Show double stripe for parking spaces per code typical comment throughout
- Suggest having concrete pad in front of dumpster enclosure to prevent rutting over time.
- Cleanup plan to show remove labels that are not applicable on this plan. Add an existing conditions plan and demolition plan.
- Entrance/DW permit from MC DPS required
- Add a cover sheet with sheet count for the plan, concept plan number, legend, vicinity map, etc.

Sheet 3

- Any offsite work will need to have approvals from adjacent property owner



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

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.¹ 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).

State zoned CD not recommended. Then state in what master plan established the CD zone designation.

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.

¹ 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.

Mention how this meets the best practices memo for drive-throughs. In the best practices memo- a car-centric establishment should provide a minimum of 200 feet of stacking area. I would also reference the the dimensions for an automatic car wash in the C-2 zone and what aspects of the C-2 zone does it meet.

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).

Explain why this is needed and who will be using it

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.

Provide a copy in the application

Floor plans were not submitted.

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).² 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.

Will there also be a smartphone app available for payment?

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

² "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.

Will need to get approval from Montgomery County.

How many cars can go into the tunnel at one time?

Is this number higher during the winter periods?

Mention that a waiver is being requested to remove a tree (#1) that is larger than 30 DBH.

spaces required under City Code Sec. 24-219 based on the number of bays (9).³ 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. ← A green building checklist should be submitted as part of the Concept site Plan application.
- 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.

³ 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. ← How was this determine?

Can you provide an estimate number of employees

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 City follows the Montgomery County noise standards .

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.

I would make it clear here, that this property will be different from the Bowie site. State what is at the Bowie site.

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.

Give examples, such as the materials on the existing building and how would this be compatible to the proposed building.

(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.

At the community meeting, there were traffic generation numbers presented. Can you please submit those preliminary numbers.

(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.

You should state that the structures are more than 50 years old and that a demolition permit will need to be reviewed by the Historic District Commission.

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.



Steven A. Robins



Stuart R. Barr

Attorneys for Applicant
7600 Wisconsin Avenue, Suite 700
Bethesda, Maryland 20814

Do you have that information available to be part your Concept Site Plan submission?

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Stream valley buffer encroachments:

Environmental Standards for Development Regulation

Sec. 25. Stream Valley Protection

b. “No buildings, structures, **impervious surfaces**, or activities requiring **clearing or grading** will be permitted in stream buffers,; except for public uses such as infrastructure, bikeways, and trails found to be necessary and unavoidable or necessary maintenance or minor changes to existing impervious areas that are identified on an approved site plan where impacts are minimized. Intrusions into the stream buffer may only be approved by the granting of a waiver on a case-by case basis pursuant to Section 38 of this Regulation. **The applicant shall provide rationale for stream buffer intrusions addressing at a minimum the factors below.** The extent to which the proposal meets the following factors will form the basis of whether or not a waiver is approved:

1. Reasonable alternatives for avoidance of the buffer are not available.
2. Encroachment into the buffer has been minimized.
3. Existing sensitive areas have been avoided (forest, headwaters, and wetlands and their designated buffers, floodplains, steep slopes, and habitat for rare, threatened, and endangered species and their associated protection buffers).
4. The proposed use is consistent with the preferred use of the buffer (e.g., pervious areas such as tie-outs to existing grades, slope stabilizing BMPs, etc.)”
5. The plan design provides compensation for the loss of buffers.

COMMENTS ON STREAM VALLEY BUFFER INTRUSION REQUEST:

The submitted document did not provide responses to the above criteria. At present the submitted plan and subsequent Environmental Variance request and justification does not clearly demonstrate that reasonable alternatives for avoidance of the buffer are unavailable. The submitted documents do not demonstrate that encroachment into the stream valley buffer has been minimized. Based upon the proposed plan sensitive areas such as wetland buffers, floodplains, and forested areas have proposed impacts. The documents submitted also lacked any details concerning compensation or mitigation for the loss of the stream valley buffer. The submitted documents cite parking requirements as the primary justification for intrusions into the stream valley buffer. At present the site is over parked and the current parking space size is larger than required by code. The proposed use of impervious asphalt parking lot is inconsistent with the intended use of the stream valley buffer. Based upon submitted documents the current proposal does not meet the minimum requirements to receive the waiver.

Storm water facilities within SVB:

Environmental Standards for Development Regulation

Sec. 25. Stream Valley Protection

(D) **Storm water management (SWM) facilities are discouraged within stream buffers** since, as a general rule, location of this permanent use within the buffer does not allow maximized accomplishment of all environmental management objectives for the stream buffer. However, maximum long-term effectiveness of the SWM facilities is also an important objective of an overall stream protection strategy, and must be considered together with the buffer objectives in siting decisions. **Waivers for minimal buffer intrusions may only be approved by the granting of a waiver on a case-by-case basis pursuant to Section 38 of this**

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Regulation for construction of suitable SWM facilities, non-erosive storm drain outfalls, and unavoidable and consolidated sanitary sewer connections. The extent to which the proposal meets the following factors will form the basis of whether or not a waiver is approved:

1. Documented and measurable improvement in the effectiveness of the SWM control system if placed in the buffer.
2. Minimization of encroachment into the buffer.
3. Avoidance of existing sensitive areas (forests, headwaters and wetlands and their designated buffers, floodplains, steep slopes, and habitat for rare, threatened, and endangered species with their associated protection buffers).
4. Extent of which the SWM ESD or BMP design is consistent with the preferred use of the buffer (for example, preservation of existing forest and natural vegetation within part or all of the flood pool; naturally contoured and vegetated infiltration areas or filter strips; etc.)
5. Excessive grading caused by an uphill SWM location. - 26 - ESDR 2010
6. Existence of severely degraded conditions within the buffer area that could not be improved if the SWM facility is outside the buffer area.
7. Presence of man-made structures (e.g., farm ponds) in the buffer area under pre-development conditions that can be converted to SWM use without excessive stream disturbance
8. Ability to provide full or partial compensation for the loss of buffer function from the disturbance and permanent absence of forested areas
- g. The applicant must analyze the impact the development will have on ephemeral channels and the water quality impact in the receiving waters through the loss of ephemeral channels. If necessary, City staff may recommend the protection of ephemeral channels. If protection is recommended, the City Council or Planning Commission shall require the land adjoining the ephemeral channels to be undisturbed or designated as open space with a buffer to be determined by staff.

COMMENTS ON STREAM VALLEY BUFFER INTRUSION REQUEST:

The submitted document does not provide responses to the above criteria. No justification or findings were provided to explicitly support the placement of the storm water management devices within the stream valley buffer. The current proposed stormwater facilities can be expanded into what is currently proposed as parking lots. In addition the use of planter style stormwater management within proposed landscaped areas can be expanded. Utilizing these options will lessen the need to grade within the SVB and the need for the proposed stormwater facilities. The waiver cannot be supported unless the above findings and justifications are provided.

Wetland Buffer encroachments:

Environmental Standards for Development Regulation

Sec. 26. Wetlands, Ponds and Lakes, and Floodplain Protection

1. Wetlands

The wetland standards are based on the Maryland State Nontidal Wetlands Protection Act. It is the goal of the State's program to attain no net overall loss in nontidal wetland acreage and function and to strive for a net resource gain in nontidal wetlands over present conditions. In support of this goal, the following wetland standards will be followed during review of plans:

- a. Wetlands will be regulated in accordance with applicable State and Federal law. A minimum buffer of 50 feet will be established around nontidal wetland areas. The buffer will be expanded to 100 feet around wetlands of special State, County, or City concern, and around wetlands with adjacent areas containing steep slopes or highly erodible soils. City staff may recommend the expansion of the wetland

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buffer, to the Planning Commission, for the protection of ephemeral channels. When a wetland buffer extends beyond the stream buffer that would be required according to Table 1 of these standards, the stream buffer will be expanded to the wetland buffer line. For example, see Figure 3.

b. The Planning and Code Administration and Environmental Services evaluates proposed wetland impacts under the Federal/State avoidance standards that are listed in order of preference as follows:

- (1) Avoiding the wetland impact altogether by not taking a certain action or parts of an action.
- (2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (3) Rectifying the impacts by repairing, rehabilitating, or restoring the affected environment.
- (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (5) Compensating for the impact by replacing or providing substitute resources or environments.

c. Wetlands and their associated buffer areas shall be maintained in their natural condition unless the proposed disturbance is for a project determined to be necessary and unavoidable for the public good, such as:

- (1) Road crossing, sewer lines, and storm drain outfalls for which no alternative exists.
- (2) Stormwater management facilities, when it can be demonstrated that upland areas are infeasible or would severely limit the effectiveness of the facility.
- (3) Park projects for wildlife and habitat.
- (4) Wetland quality improvement projects.

COMMENTS ON WETLAND BUFFER INTRUSION REQUEST:

Wetland buffer intrusions currently are stated at 2,019.91 square feet. Currently no mitigation is proposed to compensate for the square footage loss of wetland buffer. The proposed use of the wetland buffer is impervious parking lot surface, car vacuums, and a stormwater management facility. The justification provided states the intrusions are necessary to meet parking lot requirements. This is not true as previously mentioned the proposed site is over parked. There are 20 parking spaces required and 23 parking spaces are provided. In addition the current parking space size is larger than required by code. Though it is not explicitly stated in the submitted documents in previous meetings the applicant has stated this is due to the use as a car vacuuming station. Wetland buffer intrusions can be minimized through the use of planter style stormwater management devices within proposed landscaping adjacent to the building. Some level of wetland buffer intrusion may be tolerated if the parking lot size was reduced so as to no longer impact the wetland buffer and adequate mitigation efforts were documented on the site plan. Wetland Buffer intrusion shall be avoided unless the project is determined to be necessary and unavoidable for the public good. Stormwater management can be allowed within the Wetland buffer if the storm water management design seeks to improve wetland conditions. This can be achieved through wetland restoration efforts such as tree planting, wetland plant planting, and invasive species removal.

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Floodplain & Setback Info:
Gaithersburg City Code
Subdivision Ordinance

20-29(b) Floodplain or unsafe land on part of a lot. *The commission may permit floodplain or unsafe land to be platted as a part of a lot in which there is sufficient safe ground to erect a building or dwelling within the required setbacks of the zoning classification. In the event that such land is platted as a part of a buildable lot, there shall be placed on such platted lot a building restriction line which shall be located so as to provide at least a twenty-five (25) foot setback between any building and the unsafe areas, and a greater setback, where necessary, to provide positive drainage between the building and unsafe area.*

COMMENTS ON FLOODPLAIN AND FLOODPLAIN SET-BACK INTRUSION REQUEST:

These twenty-five (25) foot setbacks from the established floodplain area relate only to the construction of a building. The floodplain setbacks allow grading, outfalls, BMPs, etc. No variance or environmental waiver can grant the construction of a building in the floodplain setback. As such the request and justification submission from the applicant should not include information regarding the floodplain set back. For simplicity sake please do not include the Floodplain set back on any figures created to support the request and justification for Environmental Standards Waiver. The same is true for floodplain intrusions. Floodplain intrusions are regulated at the state level and require a permit from MDE. Please do not include Floodplain intrusion information on the Environmental Standards Waiver Application. This information is only pertinent to the site plan application and approval will be granted by the planning commission at site plan approval.

Code Sections from Chapter 10 of the City Code

Sec. 10-10 – Definitions

Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, placement of manufactured homes, mining, dredging, filling, clearing, dumping, grading, paving, extractions, excavation or drilling operations or storage of equipment or materials. Development includes the subdivision or resubdivision of land.

Flood protection setback means a distance measured perpendicular to the top of bank of a watercourse that delineates an area to be left undisturbed to minimize future flood damage and to recognize the potential for bank erosion. Along nontidal waters of the state, the flood protection setback is:

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- (a) *One hundred (100) feet, if the watercourse has special flood hazard areas shown on the FIRM, except where the setback extends beyond the boundary of the special flood hazard area; or*
- (b) *Fifty (50) feet, if the watercourse does not have special flood hazard areas shown on the FIRM.*

Sec. 10-23. - Placement of fill or fill placement limitations.

- (a) Disposal of fill, including but not limited to earthen soils, rock, rubble, construction debris, woody debris, and trash, shall not be permitted in special flood hazard areas
- (b) Fill proposed to be placed to elevate structures in flood hazard areas shall comply with the floodways requirements in [section 10-33\(a\)](#), [section 10-33\(b\)](#), and [section 10-33\(c\)](#) and the limitations of [section 10-34\(b\)](#).

Sec. 10-32. - Flood protection setbacks.

Within areas defined by flood protection setbacks along nontidal waters of the state:

- (a) *No new buildings, structures, or other development (see definition of development below) shall be permitted unless the applicant demonstrates that **the site cannot be developed without such encroachment into the flood protection setback** and the encroachment is the minimum necessary after consideration of varying other siting standards such as side, front, and back lot line setbacks.*
- (b) ***Disturbance of natural vegetation shall be minimized** and any disturbance allowed shall be vegetatively stabilized.*
- (c) *Public works and temporary construction may be permitted.*

Sec.10-33.(c)-Development that affects flood-carrying capacity of nontidal waters of the state.

- (c) *Development in areas with base flood elevations but no designated floodways. For development in special flood hazard areas of nontidal waters of the state with base flood elevations but no designated floodways:*

(1) The applicant shall develop hydrologic and hydraulic engineering analyses and technical data reflecting the proposed activity and shall submit such technical data to the floodplain administrator as required in [section 10-15\(a\)\(6\)](#). The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a conditional letter of map revision and a letter of map revision upon completion of the project. Submittal requirements and fees shall be the responsibility of the applicant.

(2) The proposed development may be permitted if the applicant has received a permit by MDE and if the analyses demonstrate that the cumulative effect of the proposed development, when combined with all other existing and potential flood hazard area encroachments will not increase the base flood elevation more than one-foot at any point.

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**ADDITIONAL COMMENTS ON FLOODPLAIN INTRUSION AND FLOODPLAIN SET-BACK
INTRUSION:**

By utilizing the HEC-RAS data of ENV-7971-2018, the Engineers have established a Flood Protection Setback delineated as "FPB" on the plan. This defined as the Flood Plain Buffer. While some amount of intrusion is allowable under code, the development, including the grading should not impact the floodplain. (The proposed Storm drain outfall does not come under Section 10-32(c).) The LOD (Limit of Disturbance) and SSF (Super Silt Fence) should follow the FP delineation line. At present the LOD is underestimated and further grading is anticipated in the floodplain intrusions for the construction of the storm drain outfall. This indicates projected Floodplain intrusions are expected to be greater than what is shown in the application.

To encroach into the flood protection setback in accordance with Sec.10-32(a) and (b), the applicant must demonstrate to DPW-Engineering and the Planning Commission with written analysis and different plans demonstrating that the site cannot be developed without such encroachment into the flood protection setback and the encroachment is the minimum necessary after consideration of varying other siting standards such as side, front, and back lot line setbacks.

Additionally, the applicant does not show any topography/proposed grading lines for the outfall structure and rip rap. The area needed for bringing in machinery/equipment to complete the installation of the entire structure is also not shown. It is recommend that the applicant create an enlarged drawing of this area to show the actual impact into the Floodplain Protection Setback and the Floodplain.

There should be certification that there will not be any additional fill Sec. 10-23. The addition of rocks for riprap is considered fill.

Also, if there is encroachment into the floodplain, there should be a statement from engineer talking about the impact that the proposed grading will this have on the raising the flood level of the floodplain both upstream, downstream and across the stream, even if it is minimal.) In the past we have required the information even if it was .001 inches. If there is a flood, the City does not want to be held liable. The applicant must develop hydrologic and hydraulic engineering analyses and technical data reflecting the proposed activity and shall submit that to DPW-Engineering and Planning & Code (Sec 10-33(c).)

Encroachment into the floodplain will require getting a permit from MDE in compliance with Sec. 10-33(c).

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ADDITIONAL COMMENTS UPON ENVIRONMENTAL REVIEW:

The Environmental Standards Waiver Request from CPJ only mimics the code and does not give sufficient factual basis for the conclusions. It needs major enhancements.

In addition the proposed plan demonstrates the removal of a tree not currently sited on the applicant's property. The tree (Tree #2) is located within a conservation easement and cannot be removed without written permission from the owner and the City of Gaithersburg. In addition Tree #1 is measured at 40" DBH and is being removed as demonstrated on the plan. Trees over the size of 30" DBH require a tree removal variance to be grant in order to permit their removal. It is suggested this tree removal variance be granted at conceptual site plan review stage.

Exhibit A: Buffer Impacts – Does not show the Floodplain Impacts with the correct Legend identifier or properly identify as flood protection setbacks. (page 11 of Exhibit #6) Additionally, this area does not provide enough area for equipment to construct the rip rap area and the outfall structure.

Jasmine Forbes

From: Jasmine Forbes
Sent: Thursday, April 22, 2021 3:54 PM
To: 'Carla Weinberg'
Subject: RE: Concept Site Plan- SP-8819-2021

Good Afternoon,

Thank you for your correspondence related to Concept Site Plan SP-8819-2021 (Whip Clean Car Wash). Your correspondence will be included into the record. If you have any questions, please feel free to contact me.

Regards,
Jasmine Forbes

Jasmine Forbes, Planner II
Planning and Code Administration

City of Gaithersburg | 31 South Summit Avenue | Gaithersburg, MD, 20877
Direct: 240-805-1069 | Main: 301-258-6330 | www.gaithersburgmd.gov
Jasmine.Forbes@gaithersburgmd.gov

-----Original Message-----

From: Carla Weinberg <cweinberg@gmail.com>
Sent: Thursday, April 22, 2021 1:14 PM
To: Planning External Mailing <Planning@gaithersburgmd.gov>
Subject: Concept Site Plan- SP-8819-2021

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I am opposed to having another car wash built at the corner of Central Avenue and S. Frederick Avenue. There are already several car washes and gas stations that offer car washes in the area. The community will not benefit from another one. Also, the cars exiting the car wash will contribute unwanted traffic lined up on Central Avenue, having to make a U-turn once they turn right onto Rt. 355 in order to head south on Rt. 355.

That section of Rt. 355 is already a dangerous one. Accidents have disrupted traffic many times on that stretch of road because there is no traffic light at Central Avenue.

I favor a development that does not contribute to greater traffic for that intersection. I urge the City to publish a detailed plan for that section of the corridor. What is the vision for the types of residences or businesses that the City wants to see there?

Carla Weinberg