
MEMORANDUM TO: Mayor and City Council
Planning Commission

FROM: Jasmine Forbes, Planner

DATE: May 3, 2021

SUBJECT: Preliminary Background Report
SDP-8551-2020: 151 Lakelands Drive

APPLICANT/ DEVELOPER/OWNER:

Stephen Eckert/ William Gerald
Classic Group, LLC.
8120 Woodmont Avenue
Bethesda, Maryland, 20814

ATTORNEY:

Jody S. Kline
Miller, Miller & Canby
200B-Monroe Street
Rockville, Maryland, 20850

ARCHITECT

Javier Cora
ADA Architects, Inc.
17710 Detroit Avenue
Lakewood, Ohio, 44107

ENGINEER

William A. Joyce
Joyce Engineering Corporation
10766 Baltimore Avenue
Beltsville, Maryland, 20705

TAX MAP REFERENCE:

Map FS23, Block J – ID# 09-03309090

REQUEST:

Application SDP-8551-2020¹ has been filed requesting schematic development plan approval for the construction of a new one-story 12,900 square foot daycare/early childhood education building, outdoor play area and associated parking lot.

LOCATION:

The Subject Property is approximately 149,529 square feet and located at the corner of Great Seneca Highway (MD-119) and Lakelands Drive. The Property is addressed at 151 Lakelands Drive and zoned MXD (Mixed Use Development).

¹ Exhibit #1



Location Map

REQUIRED ACTIONS

Approval of SDP-8551-2020, by the City Council is dependent upon the findings required under § 24-160D.10 of the City Code as follows:

- (b) *The city council shall approve a schematic development plan only upon the finding that:*
- (1) *The plan is substantially in accord with the approved sketch plan; and*
 - (2) *The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone, and other requirements of the City Code; and*
 - (3) *The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and*
 - (4) *The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and*
 - (5) *That existing or planned public facilities are adequate to service the proposed development contained in the plan; and*
 - (6) *That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*
 - (7) *That the plan, if approved, would be in the public interest.*

Therefore, the Applicant has the burden of showing that the application complies with the purpose and intent of the MXD Zone and the master plan. Additionally, evidence must be shown that the application will be compatible and harmonious with the surrounding planned and existing land uses and will accomplish the objectives, minimum standards, and requirements of the zone.

As part of the application package, the applicant has submitted a project compliance statement letter (Exhibit #37). The letter outlines the project narrative and required findings in compliance with the MXD zone.

ANNEXATION, ZONING AND SITE PLAN HISTORY:

Annexation and Zoning

In 1967, the Mayor and City Council, by Resolution R-22-66, annexed the Subject Property into the City as part of Annexation Application X-088. On February 3, 1997, the Mayor and City Council, by Ordinance O-6-97, approved Rezoning Application Z-280 to rezone the properties within the Lakelands community to the Mixed Use Development (MXD) Zone. The application also included a Sketch Plan, which divided the entire Lakelands area into nine sections with varying land uses and densities. The Subject Property was located within Section 5 and designated to have Residential/ Retail/Commercial/ Institutional uses.

Site Plan History

On July 7, 1997, the Mayor and City Council, by Resolution R-86-97, approved Schematic Development Plan application SDP-7-1. The approval was for Kentlands Midtown Phase 2, Section 3 & 4, Market Square and Lakelands Phase 1 which included 1,175 dwelling units, 46 live/work units, 15 townhouse offices, 16,000 square foot office building, 246,018 square feet of retail space, 58,550 square feet of restaurant space and 3,000 square foot service station. On October 6, 1998, the Planning Commission approved Site Plan application L-1093 for Lakelands Phase 1, Section 2. In the approved site plan, it identified the Subject Property containing a 6,000 square foot Class A restaurant and parking lot. The final site plan noted that a final site plan amendment for the restaurant to be submitted at a later date. A site plan amendment was never submitted.

Master Plan

The Subject Property was included in the 1997 Master Plan, under Neighborhood Four, Study Area 4, Map Designation 18. The master plan recommended the properties to adopt the mixed residential land use designation, which contain uses such as restaurants, corner stores, day cares, etc. The master plan also recommend rezoning the properties to MXD. The Subject Property was not included as a specific map designation in either the 2003 and 2009 Master Plans.

SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The Subject Property is approximately 3.43 acres and located at the corner of Great Seneca Highway and Lakelands Drive. The Property is not developed and contains vegetation. The following table demonstrates the land use and zoning for the surrounding properties:

Direction	Zoning	Land Use
North	MXD (Mixed Use Development)	Residential (Orchard Park)
South	MXD (Mixed Use Development)	Undeveloped
East	MXD (Mixed Use Development)	Undeveloped
West	MXD (Mixed Use Development)	Lake Varuna



Zoning Map

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO)²:

Traffic Impacts

The Applicant has submitted a Traffic Impact Study (TIS), TRF-8574-2020, performed by Traffic Concepts, Inc. According to the TIS, the proposed development will generate an additional 109 AM and 111 PM peak hour trips. The analysis concludes that there is sufficient transportation capacity to accommodate the proposed development. The Department of Public Works has approved the traffic impact study³. Therefore, the application complies with the requirements of the City's APFO for traffic impacts (§ 24-245).

Adequacy of School Capacity

The proposed development will be for a daycare use, therefore it will have no impact on the school system. The proposed development is exempt from the school test of the Adequate Public Facilities Ordinance (§ 24-246).

Water and Sewer Services and Public Utilities

Category W-1 and S-1 of Washington Suburban Sanitary Commission (WSSC) services currently serve the Subject Property. As referenced in the Applicant's statement, the application complies with the requirements of the City's APFO for water and sewer (§24-247).

Fire and Emergency Services

The City's APFO requires that at least two (2) fire stations serve any development project within a ten-minute response time. The Subject Property is located within a ten-minute response time of Station 3 (Rockville), Station 8 (Gaithersburg), Station 31 (Rockville) and Station 32 (Travilah). Therefore, as referenced in the Applicant's statement, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services (§ 24-248).

² Exhibit #37

³ Exhibit #8

NATURAL RESOURCES INVENTORY AND FOREST STAND DELINEATION⁴

As part of this application, the Applicant has submitted Natural Resources Inventory (NRI) and Forest Stand Delineation (FSD), ENV-8351-2019, which was approved by the City of Gaithersburg on February 3, 2020. According to the approved NRI/FSD, the Subject Property is located in the Muddy Branch watersheds of the Potomac River Basin. The Property is not within a 100 year floodplain and contains eleven specimen trees. The Subject Property is an undeveloped site and is covered by vegetation. There are no rare, threatened or endangered species associated with the Subject Property.

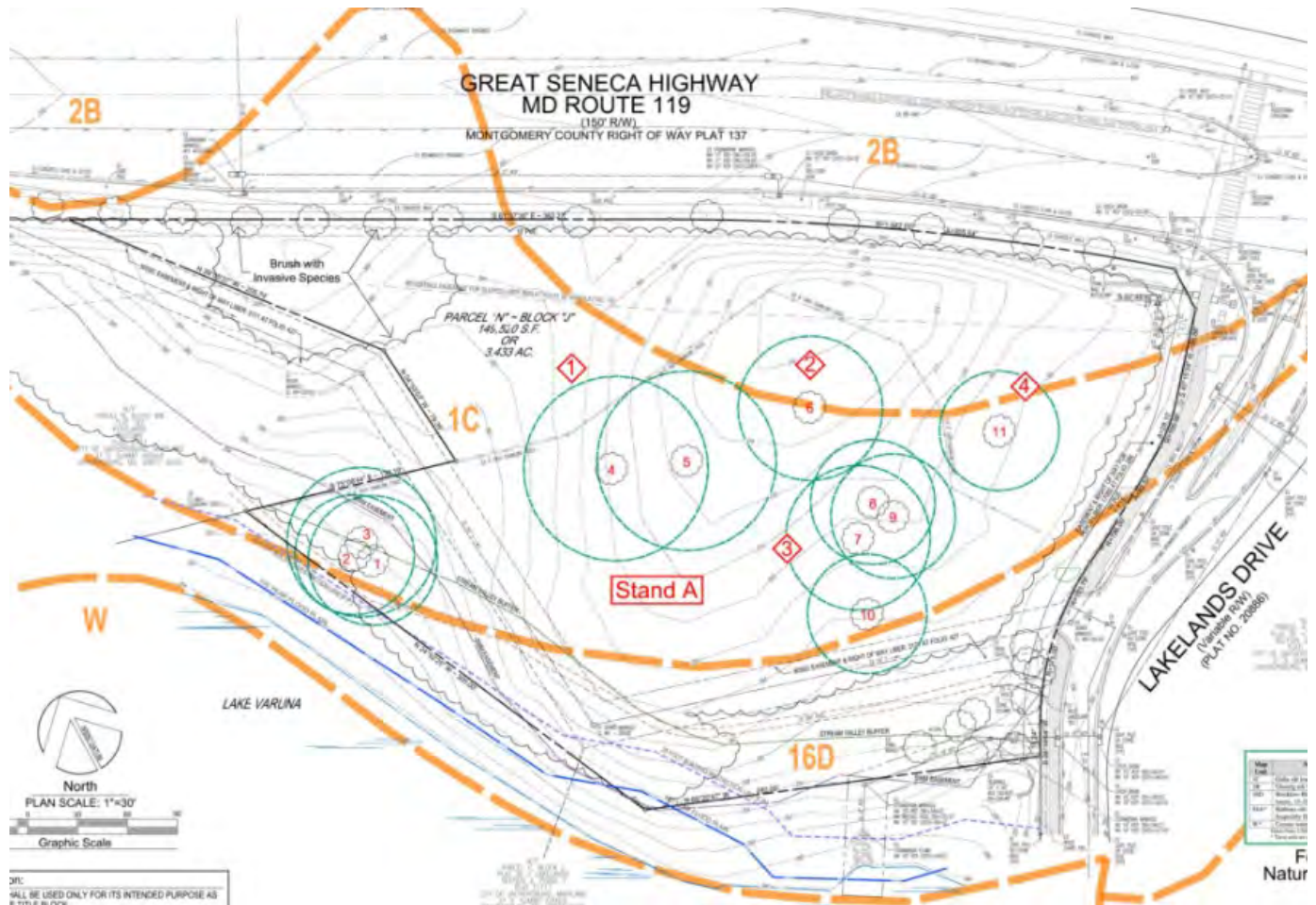


Exhibit #9: Approved NRI ENV-8351-2019

⁴ Exhibit #9

Forest Conservation Plan

As part of the submission, the Applicant has submitted a preliminary forest conservation plan. The plan proposes the removal of approximately eight (8) trees. A total of 0.36 acres of existing forest will be retained with 0.32 acres of reforestation on the Property provided. The proposed reforestation area will meet the forest conservation plan requirements for the plan.

As part of the proposed project, the Applicant seeks a variance for the removal of a specimen tree that is 37 inches in Distance Breast Height (DBH)⁵. The specimen tree being removed is a red maple that is in poor condition. As required by Maryland Forest Conservation law and reaffirmed by Chapter 22 of the City Code, trees with a DBH of thirty (30) inches or greater require a variance to be granted prior to removal.

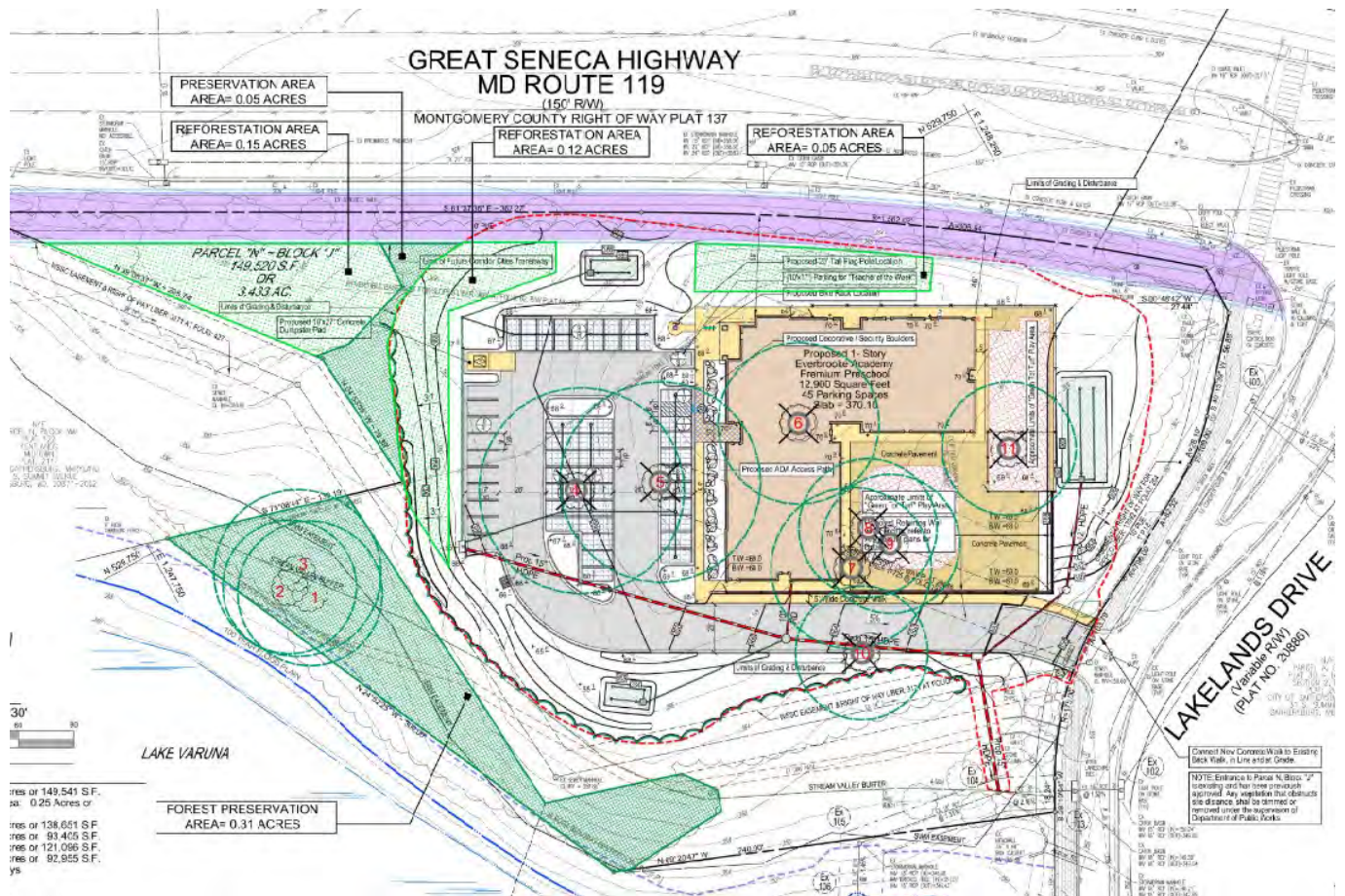


Exhibit #35k: Preliminary Forest Conservation Plan

⁵ Exhibit #41

SCHEMATIC DEVELOPMENT PLAN PROPOSAL⁶

Site Plan

The Applicant is requesting approval to construct a new one-story, 12,900 square foot, daycare/early childhood education building and associated parking lot. The building will have a height of approximately twenty-six feet. The Applicant proposes to utilize an existing curb cut on Lakelands Drive as the ingress/egress to the Property.

The site plan also includes the following improvements:

- 10' x 27' Concrete dumpster pad and dumpster;
- Five foot concrete sidewalk to connect with the existing sidewalk on Lakelands Drive;
- New retaining wall to the south of the building; and
- Outdoor Play Area in the back of the building.

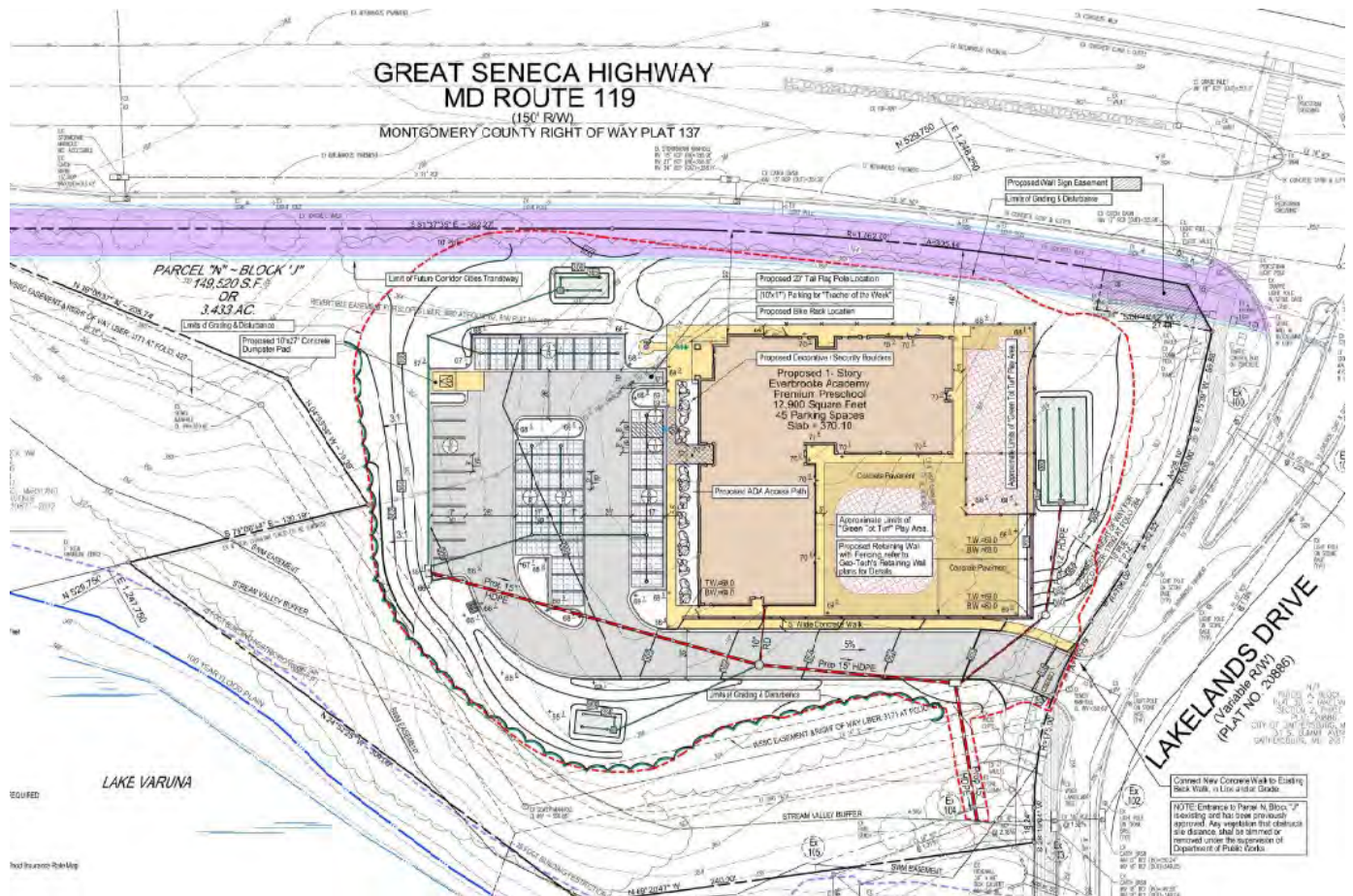


Exhibit #35d: Site Plan

⁶ Exhibit #35d

The future Corridor Cities Transitway is proposed to run along the northern boundary of the site between the development and Great Seneca Highway. In response to this, the Applicant has identified the boundaries of the future Corridor Cities Transitway (CCT) route on the proposed site plan. The plans demonstrate that the proposed development will not encroach within the future CCT boundaries. The plans were submitted to the State Highway Administration and County for review.

On October 6, 2020, the Applicant held a virtual community meeting with the Lakelands Community Association and residents to present the proposed project⁷. During the meeting, there were discussions about traffic impacts, noise and facility operations. In response to questions raised at the meeting, the Applicant has submitted additional exhibits as part of the Schematic Development Plan packet⁸.

Parking

Parking will be facilitated through an on-site surface lot located to the west of the building. Pursuant to § 24-219 of the City Code, the project is required to provide one space per employee. According to the Applicant, the facility will accommodate twenty-five number of employees. Therefore the total required number of parking spaces is twenty-five. The Applicant plans to provide approximately forty-seven parking spaces, which includes two (2) ADA spaces. The Applicant also plans to provide a bike rack that can hold up to eight bicycles in the front of the building.

Pursuant to § 24-160D.8(a) of the City Code, the Council, at the time of schematic development plan review, shall determine the appropriate approximate number of spaces. At the time of final site plan approval, the Commission shall determine the final number of spaces, based upon considerations of safety, convenience, pedestrian and vehicular circulation, and added landscaping within parking lot areas. In addition, the Planning Commission may reduce the number of spaces required for any use in Article XI, Section 24-219(b) of this Code where such reduction will meet the purposes of the MXD Zone.

Landscape Plan

As part of the SDP submission, the Applicant has submitted a preliminary landscape plan. The Applicant plans to provide approximately eighty-one trees on the Property. The landscape will be planted throughout the site with the majority located around the perimeter of the Property. The plan includes the following landscape types:

Shade Trees

- Fruitless Sweetgum
- Bald Cypress
- American Linden

⁷ Exhibit #17

⁸ Exhibit #35

Ornamental Trees

- Redbud

Evergreen Trees

- Eastern Red Cedar

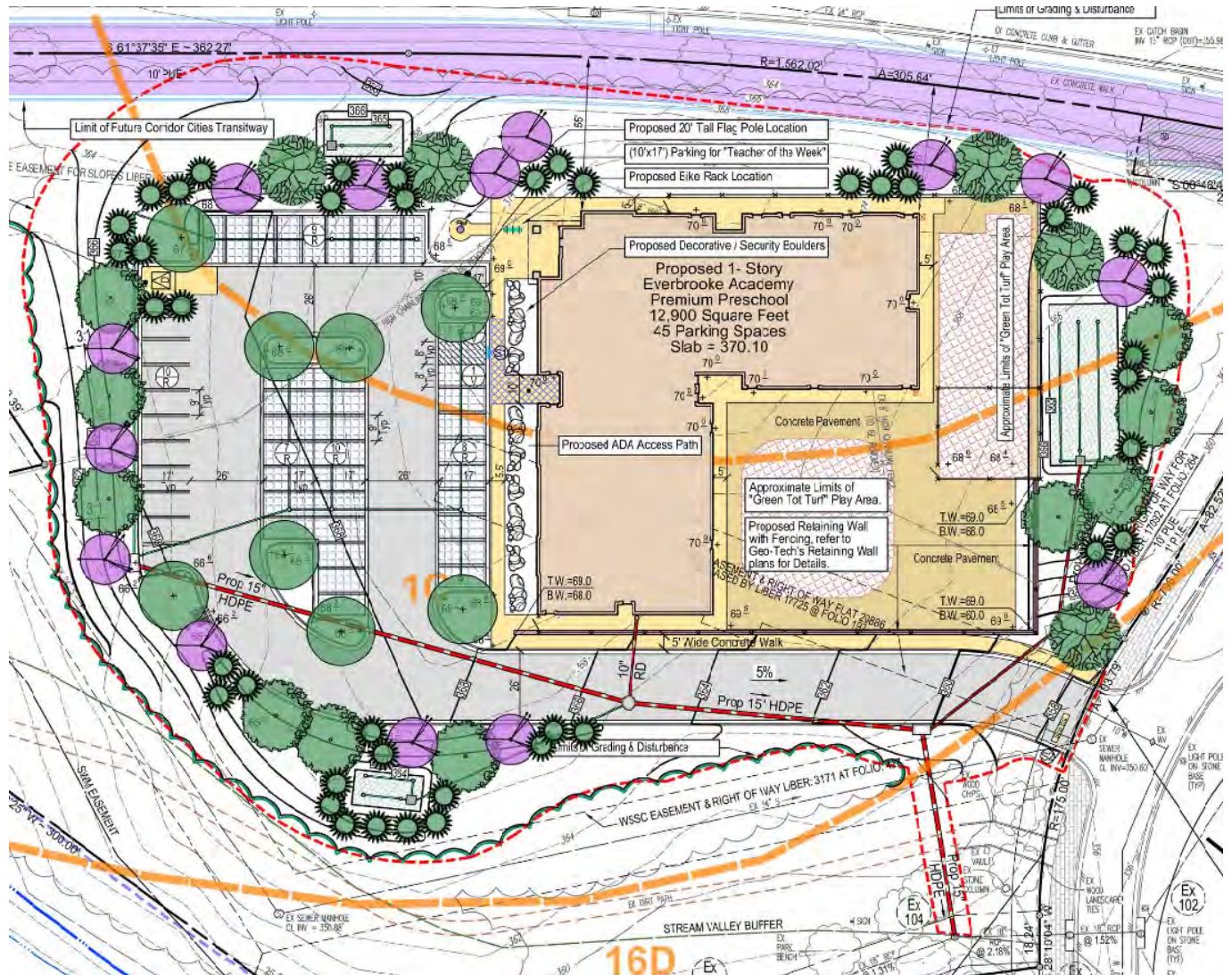


Exhibit #35e: Preliminary Landscape Plan

Utility Plan ⁹

A preliminary utility plan has been included as part of the schematic development plan submission. The Applicant proposes to install a new storm drain pipe underdrain pipe, sewer line and water line to serve the Property. The Applicant will be required to provide sign-off from all utility companies on the preliminary utility plan prior to schematic development plan approval.

⁹ Exhibit #351

Architecture Elevations¹⁰

As part of the SDP application, the Applicant has provided preliminary architectural elevations for the building. The proposed building will be one-story (twenty-six feet) in height and will be clad in brick, fiber cement siding, stone and vinyl windows. The building was designed to be compatible and harmonious with the Lakelands community.



Exhibit #36: Building Elevations

¹⁰ Exhibit #36



Exhibit #36: Building Elevations

STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL¹¹

In accordance with the requirement for the submission of a Schematic Development Plan, Section 24-160D.9(b)(1), the Applicant has submitted a preliminary stormwater management plan and sediment erosion control plan applications SEC-8551-2020 and SWM-8686-2020. The Department of Public Works staff is currently reviewing both applications. The Applicant is anticipated to have the preliminary plans approved prior to the closing of the record for the Planning Commission

SUMMARY:

The Applicant has submitted for consideration schematic development plan SDP-8551-2020. This a complete application as set forth in § 24-160G.6(c) of the City Code. A joint public hearing with the Mayor & City Council and Planning Commission has been scheduled for May 3, 2021.

Because this is the initial public hearing and Staff continues to complete their analysis of the proposed project, no formal recommendation is provided at this time. A recommendation will be provided by Staff prior to the Planning Commission's recommendation discussion.

For the purpose of concluding the public hearing, staff recommends:

1. The Planning Commission make a motion hold the record open until 5:00 PM on June 8, 2021 (36 days) with a Recommendation to the Mayor and City Council tentatively scheduled for June 16, 2021.
2. The Mayor and City Council make a motion to hold the record open until 5:00 PM on June 29, 2021 (57 days) with Policy Discussion tentatively scheduled for July 19, 2021.