
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: December 7, 2016

SITE PLAN: **ASDP-7407-2016**

TITLE: Carvana
15710 Shady Grove Road

REQUEST: **AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN**
Construction of an 8,233 square foot Carvana fulfillment center and a 70 foot tall car display tower

ZONE: MXD, Mixed Use Development

APPLICANT/ENGINEER/ATTORNEY/DEVELOPER: (as applicable)

Applicant: Vanessa MacDonald, Carvana
Attorney: Christopher Rulen, Lerch, Early & Brewer
Engineer: Nicholas Speach, Boheler Engineering

STAFF PERSON: Jasmine Forbes, Planner
Planning and Code Administration

Enclosures:

Staff Analysis Report
Draft Resolution
Index of Memorandum and Exhibits (In **Bold**)

See attached Staff Analysis

Preliminary background information for the November 16 public hearing can be found at the following link:

<http://sirepub.gaithersburgmd.gov/sirepub/mtgviewer.aspx?meetid=2537&doctype=AGENDA>

All individual exhibits may be reviewed on the City's web page.

<http://www.gaithersburgmd.gov/government/city-projects/caravana>

MEMORANDUM TO: The Planning Commission
FROM: Jasmine Forbes, Planner
DATE: November 16, 2016
SUBJECT: Staff Analysis Report
ASDP-7407-2016: Carvana

APPLICANT/OWNER:

Vanessa MacDonald
Carvana
4020 E. Indian School Road
Phoenix, Arizona, 85018

ATTORNEY:

Christopher M. Ruhlen
Lerch, Early & Brewer, Cthd.
3 Bethesda Metro Center, Suite 460
Bethesda, Maryland, 20814

ENGINEER:

Nicholas Speach, P.E.
Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, Maryland, 20715

TAX MAP REFERENCE:

N595 – 09-01743087

REQUEST

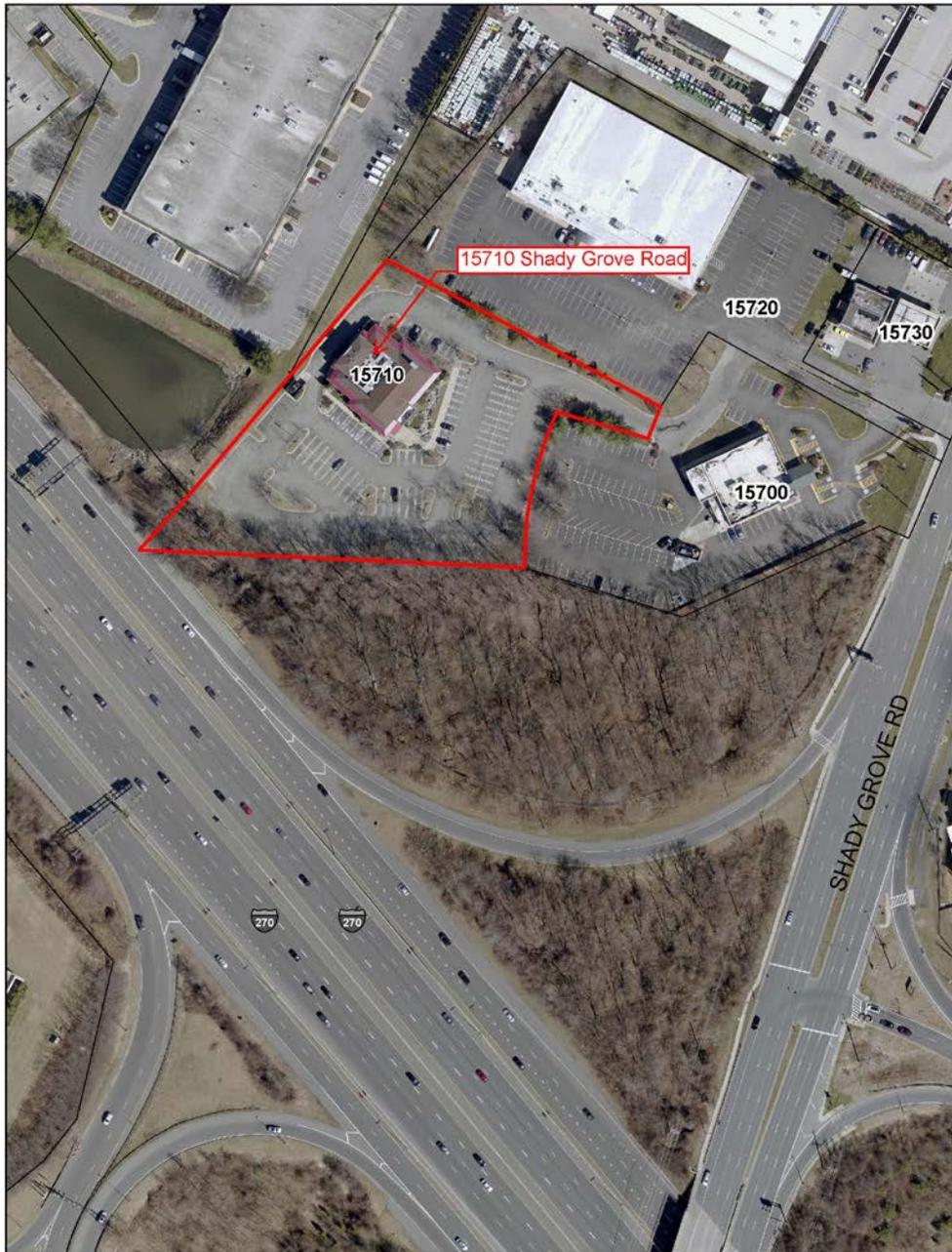
Application ASDP-7407-2016 has been filed requesting an amendment to the Schematic Development Plan for the property located at 15710 Shady Grove Road (Subject Property) in Gaithersburg, Maryland.¹ The Subject Property is located west of Shady Grove Road and north of Interstate 270 (I-270) and is zoned MXD (Mixed Use Development). The Applicant is requesting to demolish the existing Bugaboo Steakhouse restaurant and construct a new 8,233 square foot Carvana Automobile Fulfillment Center and an associated 70 foot tall car tower display. Carvana is an online automobile retailer which specializes in the sale of pre-owned vehicles. Customers have the option to collect their vehicle at the car display tower or have it delivered to their home.

¹ Exhibit 1

GENERAL INFORMATION

Location

The 2.5 acre Subject Property is located at 15710 Shady Grove Road and is zoned MXD (Mixed Use Development). The property has low visibility from both Shady Grove Road and Interstate 270. Access is obtained from a shared entrance along Shady Grove Road. The shared entrance facilitates the existing Red Lobster restaurant, Shell gas station and the AMF Bowling Center.



Location Map

PROJECT BACKGROUND

Application ASDP-7407-2016 was filed on August 26, 2016 by Vanessa MacDonald of Carvana. The application was presented to the Mayor and City Council as a courtesy review during their regular meeting on October 17, 2016, pursuant to §24-198(c) of the City Code. Following the courtesy review, the Council deemed that the application had a minor effect and directed the Planning Commission to hold the public hearing and to make a final decision on the amendment.

The public hearing for this application was presented to the Planning Commission during their regular meeting on November 16, 2016. During the course of the public hearing the following was discussed:

- The amount of lighting in the car display tower facing Interstate 270 (I-270) and its effect on the adjacent properties.
- Signage for Carvana on the shared access along Shady Grove Road.
- Possibility of shared access improvements along Shady Grove Road.
- Truck turning movement going north bound from Shady Grove Road and the type of car carriers that would deliver the vehicles on the site.

During the public hearing, there were no speakers from the public on this application. After the Applicant's presentation and discussion, the Planning Commission announced, by motion, the closing of their record on November 30, 2016 at 5 pm. At the close of the Planning Commission's records, no further public comments have been received.

In response to the questions raised by the Planning Commission, the Applicant has submitted a letter addressing those comments.²

AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN

The Applicant is requesting to demolish the existing Bugaboo Creek Steakhouse restaurant and build a new 8,233 square foot Carvana automobile fulfillment center. The proposed building will include a 70 foot tall car display tower. It is important to note that the new building footprint will be located in the same location as the restaurant, but will be slightly smaller. The proposed car display tower will be located on the south section of the building facing Interstate 270 (I-270). In the previously approved site plan, a section of the property was supposed to be dedicated to the Maryland State Highway Administration (SHA) for the Interstate 270 right-of-way, but it was never dedicated. Currently a part of the property is located in the Interstate 270 right-of-way, so the Applicant is proposing to dedicate 0.07 acres of the southwest corner of the property to SHA.³

² Exhibit 38

³ Exhibit 30



ASDP-7404-2016 Proposed Site Plan

Truck Movement

During the public hearing, the Planning Commission raised a question about truck movement going north bound from Shady Grove Road and the type of car carriers that would deliver the vehicles on the site. As stated in the Applicant's response letter⁴, Carvana will be using their own five car hauler to transport cars to the site. An on-site and off-site truck plan was submitted with the application and reviewed by Staff. Since Carvana uses their own truck services, they will be able to direct the delivery drivers to access the site from Shady Grove Road/Interstate 370 to be able to make a right turn onto the property. Staff is supportive of this response.

Architectural Elevations

Excluding the proposed car display tower, the proposed building will be approximately 15 feet in height. The Applicant is proposing the building materials to include metal coping, insulated glass panels, and EIFS. The car display tower is proposed to be 70 feet tall and will be clad in insulated glass panels. The car display tower is approximately setback 128 feet from Interstate 270 (I-270).

In response to the Commissioners concerns about the amount of light illuminating from the tower, the Applicant has submitted a preliminary photometric plan.⁵ As discussed by the Applicant, the car display tower will be internally illuminated with lights under the car

⁴ Exhibit 40
⁵ Exhibit 42

lifts. The preliminary photometric plan further shows that 50 feet from the tower, there are no more than .01 foot-candles of illumination projected by the car display tower. Staff does note that the Applicant will be required to submit a final photometric plan for the entire property during final site plan review. Additionally, the Applicant has also included an exhibit demonstrating the distances from the tower to the property lines.⁶ At its closest, the display tower will be approximately 94 feet from the property line. As such, the Applicant is of the opinion that the display tower lighting will not have any adverse impacts on the surrounding properties. Staff is supportive of the applicant's response.

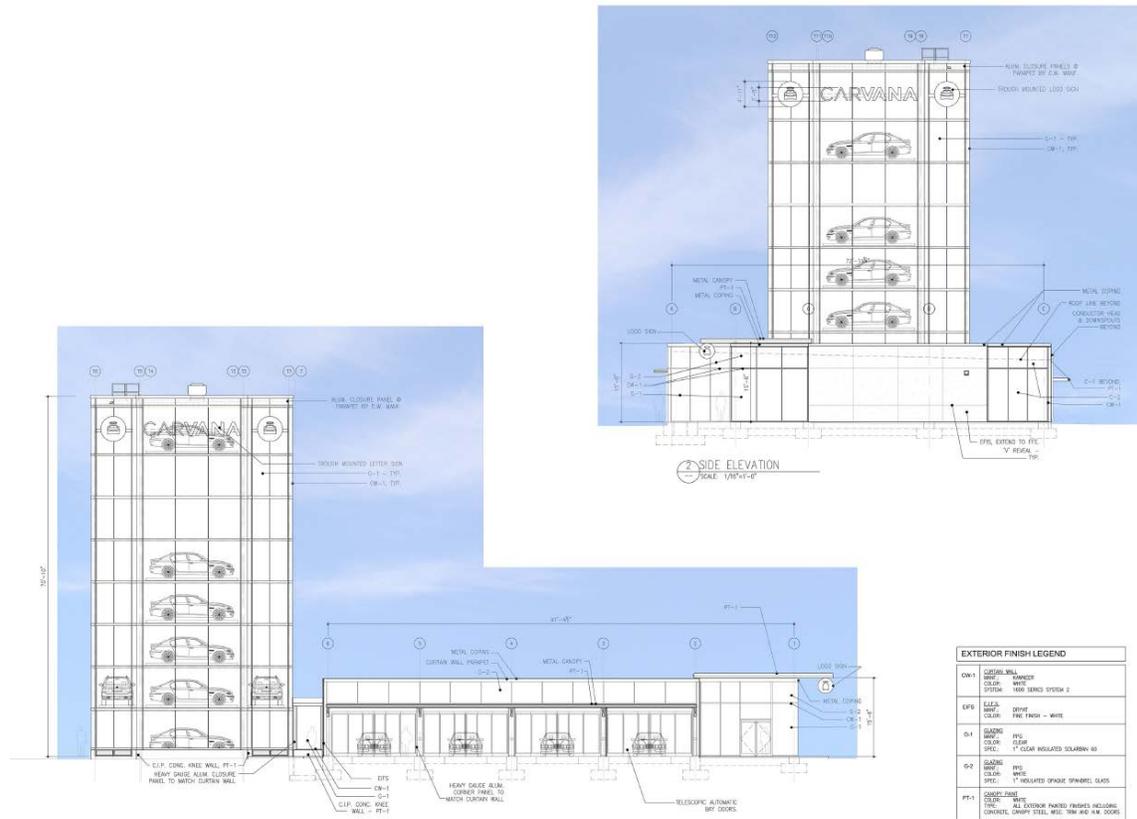
The Planning Commission also commented on the presence of signage on Shady Grove Road, since the property does not have direct frontage and the shared access is located in Montgomery County jurisdiction. As stated in the Applicant's response letter, Carvana will be working with Montgomery County and the adjacent property owners to include any necessary off-site signage along Shady Grove Road. The signage on Shady Grove Road will be reviewed and approved by Montgomery County.

The Planning Commission also commented on a possible shared access improvement between the adjacent properties. As stated in the Applicant's response letter, they agree with the Commissioner's comment and intend to reach out to the adjacent property owners for possible shared access improvements on Shady Grove Road. Any shared access improvements along Shady Grove Road would require Montgomery County Planning approval and as such not part of this SDP application.



Architecture Rendering

⁶ Exhibit 41



Architectural Drawings

Parking Waiver

The Subject Property currently contains 177 on-site parking spaces. Pursuant to §24-219, the proposed automobile use will require 17 on-site parking spaces. The Applicant is proposing to provide 62 parking spaces. Additionally, the car tower display can hold up to 30 vehicles for storage. Below is the Applicant's surface parking distribution for the property:

- Customer: 17
- Employee: 8
- Additional Car Storage Space: 37

The Applicant is proposing to provide two spaces for motorcycles and four bicycle racks. Overall, the proposed plan will provide 45 additional parking spaces than what is required. Pursuant to § 24-219(b), a commercial use is permitted to provide no more than ten percent of the required on-site parking. According to the Applicant's statement, the Subject Property is permitted to have a minimum of 42 spaces and a maximum of

44 spaces.⁷ As such, the Applicant is requesting a parking waiver to provide more than the maximum number of parking spaces permitted on-site.

Landscaping

Carvana requires fewer surface parking spaces than a regular automobile sale dealership, and as a result the Applicant is proposing to increase the onsite green space. The Applicant proposes to provide 38% of green space on the property. The proposed landscape plan delineates a total of 16,557 square feet of landscape area. The landscape plan includes a variety of shade trees and shrubs.⁸



ASDP-7404-2016 Landscape Plan

⁷ Exhibit 6- Page 12

⁸ Exhibit 28

STAFF FINDINGS ANALYSIS AND RECOMMENDATIONS

Approval of ASDP-7407-2016, by the City Council is dependent upon the findings required under §24-160D.10(b) of the City Code. The following outlines the required findings and justifications for a City Council approval of application ASDP-7407-2016.

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

The property was the subject of a comprehensive rezoning and as such a sketch plan was never established. Therefore the final site plan essentially acts as the regulating Sketch Plan. With that being said, the proposed amendment is substantially similar in terms of use, circulation, location of use and site access as previously approved by the final site plan.

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

- a) Application ASDP-7407-2016 encourages the efficient use of land by locating the development near established commercial and employment areas within the City and County. Further, the amendment promotes a unique automobile business that implements a smaller footprint than a traditional automobile dealership.
- b) Application ASDP-7407-2016 contributes to and supports the mix of land in the area by providing a unique type of commercial use.
- c) Application ASDP-7407-2016 will incorporate design elements that complement the architectural style of buildings and signage within the surrounding areas and will provide additional landscaping.
- d) Application ASDP-7407-2016 enhances the natural environment of the property by removing a large area of existing pervious pavement while substantially increasing the amount of green space on the property.

(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:

The subject property was included as part of the 1997 Land Use Plan, Neighborhood Two, Study Area Five, Map Designation Fourteen. The property was not included as a specific map designation in the 2003 or 2009 Master Plans. Consequently the property is regulated by the 1997 Master Plan. The 1997 Master Plan recommended that the property adopt the Commercial/Industrial-Research-Office land use designation and remain MXD Zone. Since the proposed development is a commercial use, the plan is accordance with the master plan and land use designation.

- (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:

The proposed development will be contiguous and compatible to the adjacent properties by providing a similar commercial-retail use. The plan will consist of a footprint that is slightly smaller than the restaurant building and is consistent with the existing built environment. The plan will also mitigate any negative impacts from the car display tower on Interstate 270 and adjacent properties by incorporating internal lighting and large setbacks. The traffic analysis demonstrates that the proposed use will not have any negative vehicular impacts to the adjacent properties and roadways.

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

The property is currently adequately served by utilities and public facilities. The application complies with the City of Gaithersburg Adequate Public Facilities Ordinance as follows:

1. Traffic Impacts:

Based on the amount of traffic that will be generated by the proposed use, the Applicant has obtained a determination from City Staff that the standards are not applicable to the application's proposed development. None of the proposed uses will generate an additional thirty (30) weekday peak hour trips that would require a traffic impact study.

2. Adequacy of School Capacity:

Since the application proposes commercial uses, it will have no impact on the school system. Therefore the proposed application is exempt from the school test of Adequate Public Facilities Ordinance.

3. Water and Sewer Services and Public Utilities:

The subject property is currently served by water and sewer categories W-1 and S-1 respectively. As such, water and sewer services are adequately provided to the subject property.

4. Fire and Emergency Services:

The subject property is located with a ten-minute response time of four fire stations: Station 3 (Rockville), Station 8 (Gaithersburg), Station 28 (Gaithersburg) and Station 32 (Travilah).

- (6) That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development:

The proposed development will be constructed in one phase. Therefore, no staging or phasing is required for implementation of the amendment.

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

The redevelopment of the property will remove an existing vacant building and replace it with a new viable economic use. Further, in contrast to a traditional automobile dealership, the proposed amendment will provide a unique automobile business that implements a smaller footprint to operate and requires significantly less on-site vehicle surface storage. The proposed development will enhance the property by providing 38 percent of green space which will reduce the amount of stormwater runoff on the property. The plan will also provide a new business, which will generate tax dollars and contribute to the overall economic health in the City of Gaithersburg.

STAFF RECOMMENDATION

Staff is supportive of the submitted Amendment to Schematic Development Plan, ASDP-7407-2016, as the proposed application complies with the purposes and requirements in the MXD zone and its applicable Master Plan. The proposed development will be compatible and harmonious with the surrounding commercial properties. Further, the proposed application will provide a unique automobile business to the City of Gaithersburg.

Staff recommends **THAT THE PLANNING COMMISSION, BASED ON THE EVIDENCE AND TESTIMONY SUBMITTED INTO THE RECORD AND THE FINDINGS IN THE FINAL STAFF ANALYSIS, APPROVE AMENDMENT TO SCHEMATIC DEVELOPMENT, ASDP-7407-2016, AND ADOPT RESOLUTION WITH THE FOLLOWING TWO (2) CONDITIONS.**

1. Applicant to provide a final subdivision plat prior to issuance of building permits;
and
2. Applicant to participate in the Gaithersburg Arts in Public Places program.

Staff recommends **THAT THE PLANNING COMMISSION BASED ON THE EVIDENCE AND TESTIMONY SUBMITTED INTO THE RECORD AND THE FINDINGS IN THE FINAL STAFF ANALYSIS, GRANT A 45 SPACE PARKING WAVIER TO THE MAXIMUM NUMBER PERMITTED FINDING IT IN CONFORMANCE WITH § 24-222A(b) OF THE CITY ZONING ORDINANCE.**