
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: June 4, 2008

SITE PLAN: SP-06-0002

TITLE: CRISWELL AUTOMOTIVE

**REQUEST: CONSENT APPROVAL
OF FINAL PLAN EXTENSION**

ADDRESS: 499 Quince Orchard Road

ZONE: C-2 (General Commercial) Zone

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

Applicant/Owner- Harry Criswell III – Criswell Automotive
Engineer- Paul Newman – Macris, Hendricks & Glascock, PA

STAFF PERSON: Trudy Schwarz, Community Planning Director

Enclosures:

Staff Comments and

Exhibit 1: Location Map

Exhibit 2: Minutes of the May 17, 2006, Planning Commission Meeting

Exhibit 3: Minutes of the June 6, 2007, Planning Commission Meeting

Exhibit 4: Approved Site Plan

Exhibit 5: Letter requesting extension, dated May 14, 2008, from Harry E. Criswell III

STAFF COMMENTS

I. BACKGROUND

The applicant is requesting an Extension of the Final Site Plan Approval. The subject property is located east of Quince Orchard Road, north of the Quince Orchard Road Shell Station, which is north of Firstfield Road, west of the original Criswell Chevrolet dealership, and south of Motel 6. See Exhibit #1. The property is located in the C-2 (General Commercial) Zone as are the surrounding properties.

The Planning Commission granted Final Site Plan (SP) for a 18,363 square foot car dealership building located at 499 Quince Orchard Road (the former Denny's restaurant.) This 1.11-acre parcel is located near the intersection of Quince Orchard and Firstfield Roads. The property is located in the C-2 (General Commercial) Zone and is intended for use as a used car showroom, offices and service center operated by Criswell Automotive. On May 17, 2006 (see Exhibits #2 & 4), the Planning Commission approved SP-06-0002, with the following conditions:

1. Applicant is to submit a detail of the masonry (materials and colors to match main structure) dumpster enclosure in accordance with Section 24-220(h) for review and approval by staff;
2. Applicant is to revise the landscape plan to add a variety of plant types and mulch beds for the holly bushes and trees;
3. Final storm water management, lighting, and photometric plans are to be approved by the DPWPM&E prior to the issuance of site work permits;
4. Applicant is to submit afforestation fee-in-lieu payment prior to the issuance of a grading permit;
5. Applicant is to provide \$7,500 for a Gaithersburg bus shelter at the existing bus stop on Quince Orchard Road nearest to the dealership at the time of the issuance of site work permits;
6. Applicant is to submit a sign package for Planning Commission approval in accordance with § 24-212(b) of the City of Gaithersburg Code prior to the issuance of a final occupancy of the building;
7. Applicant is to work with staff to create a directional signage package to direct the public to the service road connecting to Firstfield Road and install such prior to the final occupancy of the building;

8. Applicant is to submit a record plat with a PUE/PIE and revised ingress/egress easement to be approved and recorded prior to the release of bonds on the project; and
9. Applicant is to obtain a Construction Easement or Letter of Permission from the owners of Lot 1, Bailey-Shell Tract, prior to the issuance of a grading permit.

The applicant was granted extension of the Final Site Plan Approval on June 6, 2007. Once again, the applicant submitted a letter requesting the extension of the subject site plan has been submitted within the 365-day period (May 14, 2008, Exhibit #5). The Planning Commission may grant an extension for a one-year period. This is the last extension the applicant may receive.

II. **SCOPE OF REVIEW:**

The approved site plan has not been constructed to date. Section 24-173(a) states the following:

Sec. 24-173. Development of property subject to plan.

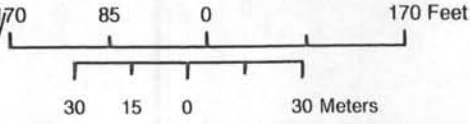
(a) One or more of the uses proposed for land which is the subject of the site development plan shall be established on such land within three hundred sixty-five (365) days after the date of approval of the plan or the plan shall become void; provided, that the planning Commission may extend such time upon request filed within such three hundred sixty-five (365) days and may grant further extensions upon request filed within the period of any extension; provided, that the total length of such extensions shall not exceed two (2) years.

Staff recommends **TO GRANT CONSENT APPROVAL OF THE EXTENSION OF FINAL SITE PLAN SP-06-0002, AS IT CONFORMS WITH § 24-173(a), WITH THE ORIGINAL CONDITIONS AS APPROVED ON MAY 17, 2006.**

SP-06-0002

1 inch equals 85 feet

Criswell Chevrolet/
Former Denny's



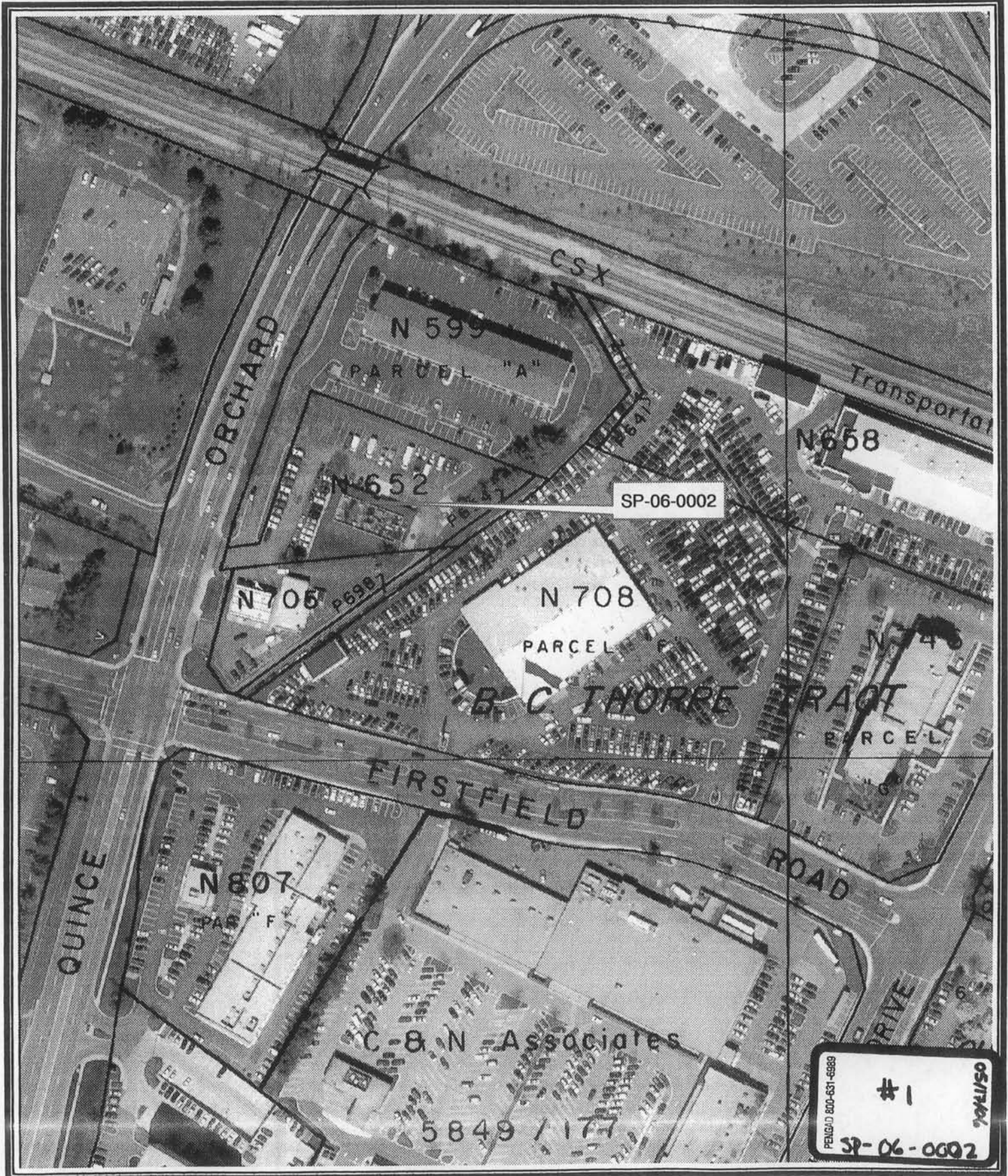
MD State Plane
HPGN NAD 83/91

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City of Gaithersburg
Planning and Code Admin
31 S Summit Ave
Gaithersburg, MD 20877
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31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
MAY 17, 2006**

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice Chair Lenny Levy, Commissioners Matthew Hopkins, Lloyd Kaufman, and Danny Winborne, City Attorney Cathy Borten, Planning and Code Administration Director Greg Ossont, Community Planning Director Trudy Schwarz, Planner Jacqueline Marsh, and Recording Secretary Myriam Gonzalez.

I. APPROVAL OF MINUTES

April 19, 2006, Planning Commission Meeting

Vice Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE the Minutes of the April 19, 2006, Planning Commission Meeting, as submitted this evening.

Vote: 5-0

II. SITE PLANS

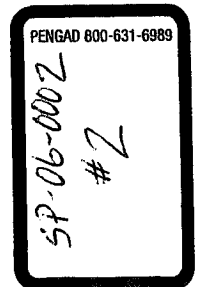
SP-05-0013 -- Watkins Mill Town Center - Part I MXD Zone
Metropolitan Grove Road
436 Mixed Residential Units
and Urban Core Streets Only
Final Plan
ADOPTION OF APPROVAL RESOLUTION

Planner Marsh addressed comments Commissioners Winborne and Bauer made for clarification purposes. Vice Chair Levy noted the need for a minor correction on Page 1 and the Commission moved as follows:

Vice Chair Levy moved, seconded by Commissioner Winborne, to ADOPT a Resolution granting SP-05-00-0013 - Watkins Mill Town Center - Part I, FINAL PLAN APPROVAL, as revised this evening.

Vote: 5-0

SP-06-0002 -- Criswell Used Cars C-2 Zone
499 Quince Orchard Road
Redevelopment of Former Denny's Restaurant Site
FINAL PLAN REVIEW



Community Planning Director Schwarz located the site on an aerial photograph and introduced the applicant.

Engineer for the applicant, Paul Newman, Macris, Hendricks & Glascock, discussed some of the concerns raised during concept review, adding that the applicant has addressed all the

Approved minutes are available at www.gaithersburgmd.gov.

conditions of concept approval (CSP-05-005). He presented the proposed plan, under preliminary/final review this evening, and discussed the modifications to the site circulation and to the building entrance and the resultant additional square footage. He noted the plan now proposes decorative bollards, rather than landscaping along the south property line next to the service drive lanes, to facilitate stacking for the service area.

Mr. Newman responded to questions of the Commission regarding parking modifications and the common property lines with the Red Roof Inn and the Shell Station as they relate to traffic flow and ingress/egress easements. He indicated that signage would be installed to preclude two-way traffic between the subject parcel and the Shell Station and that the west end of the easement between these two properties would be realigned to better support the plan design.

Architect for the applicant, Tom Flanagan, Flanagan Architects, AIA, presented the proposed elevations/renderings and material samples, and discussed colors, architectural details and materials. He indicated that signage is not part of this review.

There was no testimony from the public.

Community Planning Director Schwarz stated the plan is in conformance with Zoning Ordinance § 24-170, subject to the applicant's compliance with conditions that she briefly discussed. She answered questions relating to easement and bus shelter issues.

Chair Bauer voiced concerns over the condition of the egress road to Firstfield Road and about buffering along the boundary line next to the service lanes. Mrs. Schwarz responded by noting that the condition of the egress driveway and the one in front of the building would be addressed in accordance with the Department of Public Works, Park Maintenance and Engineering (DPWPM&E). Commissioners Bauer, Levy and Hopkins also commented on the masonry materials, bus shelter funds, and the need for some protection planting for the building wall of the service area on the boundary line. The Commission discussed language to address their comments and moved as follows:

Vice Chair Levy moved, seconded by Commissioner Winborne, to grant SP-06-0002 - Criswell Used Cars, PRELIMINARY/FINAL PLAN APPROVAL, with the following conditions:

1. Applicant is to submit a detail of the masonry (materials and colors to match main structure) dumpster enclosure in accordance with Section 24-220(h) for review and approval by staff;
2. Applicant is to revise the landscape plan to add a variety of plant types and mulch beds for the holly bushes and trees;
3. Final storm water management, lighting, and photometric plans are to be approved by the DPWPM&E prior to the issuance of site work permits;
4. Applicant is to submit afforestation fee-in-lieu payment prior to the issuance of a grading permit;
5. Applicant is to provide \$7,500 for a Gaithersburg bus shelter at the existing bus stop on Quince Orchard Road nearest to the dealership at the time of the issuance of site work permits;

6. Applicant is to submit a sign package for Planning Commission approval in accordance with § 24-212(b) of the City of Gaithersburg Code prior to the issuance of a final occupancy of the building;
7. Applicant is to work with staff to create a directional signage package to direct the public to the service road connecting to Firstfield Road and install such prior to the final occupancy of the building;
8. Applicant is to submit a record plat with a PUE/PIE and revised ingress/egress easement to be approved and recorded prior to the release of bonds on the project; and
9. Applicant is to obtain a Construction Easement or Letter of Permission from the owners of Lot 1, Bailey-Shell Tract, prior to the issuance of a grading permit.

Vote: 5-0

III. FROM THE COMMISSION

Commissioner Winborne

1. Welcomed a group of Boy Scouts present in the audience. Chair Bauer also welcomed them and identified them as Troop 1094.
2. Reported flooding at the Clopper/Firstfield Roads intersection.

Chair Bauer

1. Reported that trees are blocking the view of a pedestrian crossing sign at the Lakelands Drive/Great Seneca Highway intersection.
2. Reported a need for signalization at the Olde Towne/South Summit Avenues intersection.

IV. FROM STAFF

Planning and Code Administration Director Ossont

Referenced a Staff memorandum to the Commission requesting the closing of the Commission's public hearing records on Text Amendments T-375 and T-376, noting they would be scheduled for recommendation to the City Council at the next regular Commission meeting. The Commission moved as follows:

Commissioner Hopkins moved, seconded by Vice Chair Levy, to close the public hearing record on Text Amendment T-376 on May 30, 2006.

Vote: 5-0

Commissioner Winborne moved, seconded by Commissioner Hopkins, to close the public hearing record on Text Amendment T-375 on May 30, 2006.

Vote: 5-0



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**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
JUNE 6, 2007**

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lenny Levy, Commissioners Matthew Hopkins, Lloyd Kaufman, and Danny Winborne, Alternate Commissioner Geri Lanier, City Attorney Cathy Borten, Planning and Code Administration Director Greg Ossont, Planning Director Lauren Pruss, Community Planning Director Trudy Schwarz, Planner Rob Robinson, and Recording Secretary Myriam Gonzalez. Chair Bauer noted Alternate Commissioner Lanier would sit at the dais but would not actively participate this evening, since all Commissioners were present.

I. APPROVAL OF MINUTES

May 16, 2007, Planning Commission Meeting

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE the Minutes of the May 16, 2007, Planning Commission Meeting, as submitted this evening.

Vote: 5-0

II. CONSENT

AFP-07-017 -- Jackie O Salon C-2 Zone
18525 North Frederick Avenue
Reuse from Office to Retail
AMENDMENT TO FINAL PLAN REVIEW

SP-06-0002 -- Criswell Used Cars C-2 Zone
499 Quince Orchard Road
18,363-Square Foot Car Dealership Building
EXTENSION OF FINAL PLAN APPROVAL

Vice-Chair Levy moved, seconded by Commissioner Winborne, to APPROVE the Consent Agenda.

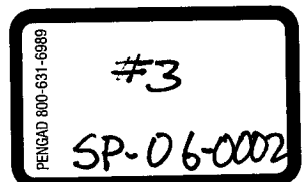
Vote: 5-0

III. RECOMMENDATION TO MAYOR AND COUNCIL

MP-1-07 -- Amendment to the General Plan for the Gaithersburg City Master Plan revising the Historic Preservation Element and recommending adoption of this plan by the Mayor and City Council

Planner Robinson briefly reviewed the latest revisions that had been recommended by the Commission at their May 16, 2007, meeting, and noted that staff had prepared a resolution recommending approval.

Approved minutes are available at www.gaithersburgmd.gov/minutes.



The Commission voiced no concerns and moved as follows:

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE Planning Commission Resolution PCR-1-07, approving an amendment to the General Plan of the City's Master Plan for the Historic Preservation Element, and to RECOMMEND to the City Council Adoption of MP-1-07.

Vote: 5-0

IV. FROM THE COMMISSION

Commissioner Winborne

Reported on the American Planning Association's Annual Conference held in Philadelphia in April 2007, which he attended. He cited revitalization, housing mix and affordability, and ethics as three main issues of interest discussed at the Conference, and noted that Gaithersburg is always held out as a model city at these events.

Commissioner Kaufman

Requested a follow up on a previous action item regarding the Courtyard Marriott Hotel at Washingtonian Center. Planning and Code Administration Director Ossont indicated that prefabricated storefronts are ready for installation by mid-June.

V. FROM STAFF

Z-304 -- Fairfield Broadstone LP
Md. Rte. 355/West Deer Park Road
14.157 acres of land (Broadstone Apartments)
Rezoning from R-20 Zone to CD Zone
Announcement of Closing of Record

SDP-06-004 -- Fairfield Broadstone LP
Md. Rte. 355/West Deer Park Road
Redevelopment for 334 Multi-Family Units,
53 Townhouses, 28 2-over-2 Units
Announcement of Closing of Record

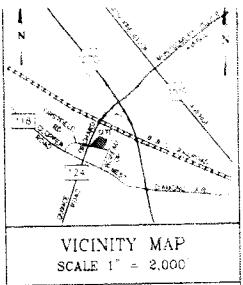
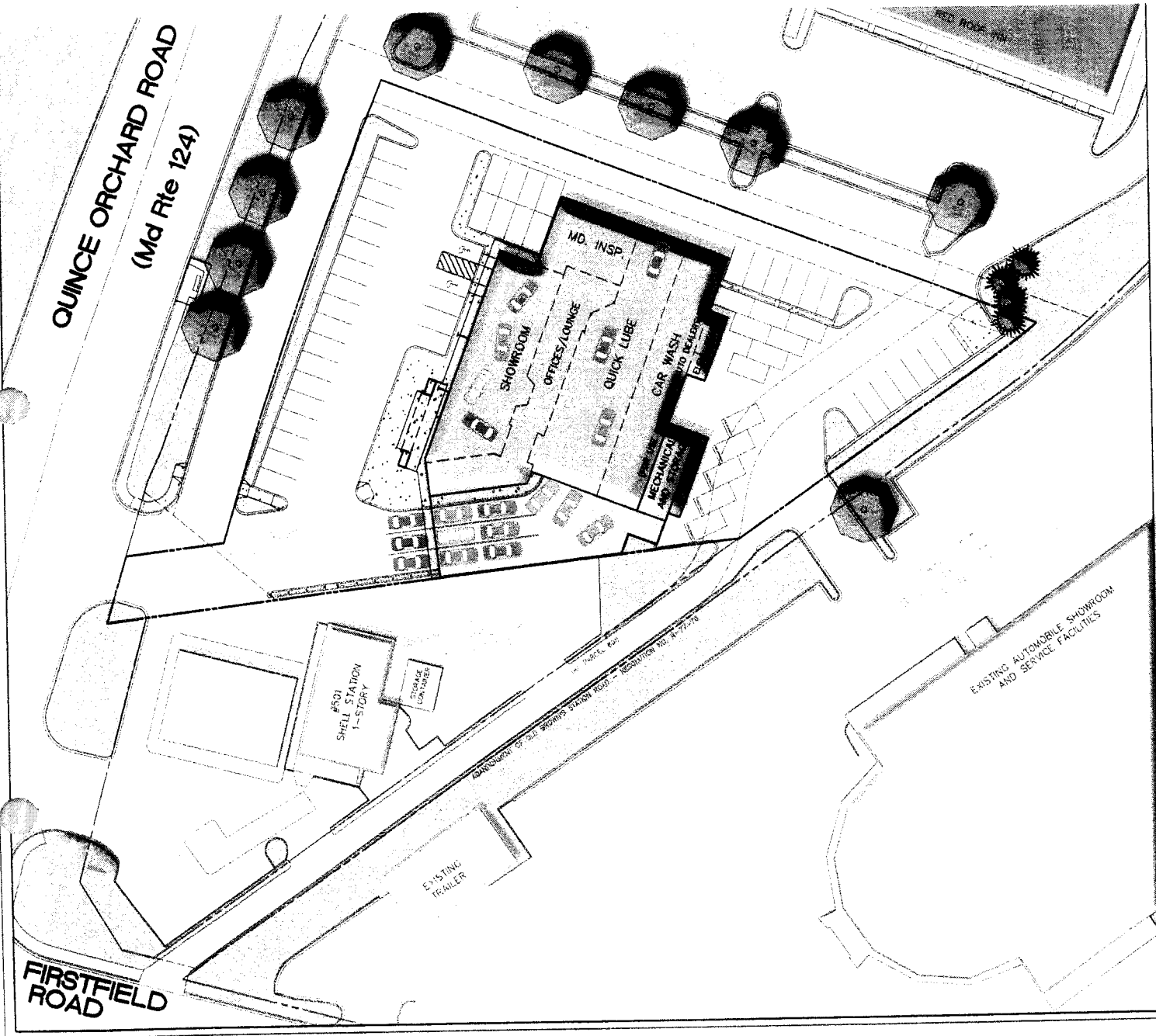
Planner Robinson referenced staff's memorandum of June 1, 2007, recommending the closing of the Planning Commission's records on the above applications.

Commissioner Kaufman moved, seconded by Commissioner Hopkins, to close the Commission's public hearing record on Z-304 - Fairfield Broadstone, on June 14, 2007.

Vote: 5-0

Commissioner Hopkins moved, seconded by Commissioner Winborne, to close the Commission's public hearing record on SDP-06-004 - Fairfield Broadstone, on June 14, 2007.

Vote: 5-0



OWNER/DEVELOPER
 CRISWELL CHEVROLET
 HARRY CRISWELL III
 503 QUINCE ORCHARD RD
 GAITHERSBURG, MD 20878
 (301) 948-0880

**EXHIBIT
 PARCEL "A"**

BAILEY PROPERTY
 CRISWELL USED CARS

NINTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

	Macris, Hendricks & Glascock, P.A. Engineers • Planners Landscape Architects • Surveyors <small>4720 Wiggam Road, Suite 120 Montgomery Village, Maryland 20886-2170</small>	Proj. No.	Designer
		Date	Scale
	Phone: 301.977.0940 Fax: 301.348.3923 www.mhga.net	Project No.	Sheet
		92-100-14	1 of 1

PRESENTED BY: SP-06-0002
 FINAL APPROVAL: 05/17/2006

SP-06-0002
#4

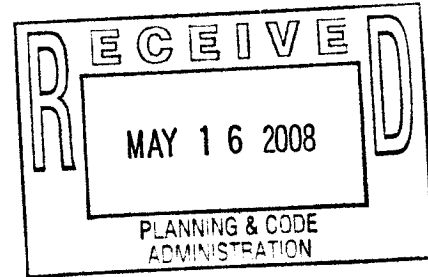
PENCAD 800-631-6989



CRISWELL



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May 14, 2008

Mr. John Bauer, Planning Commission Chair
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Md. 20877

Re: Extension for SP-06-0022, Criswell Used Cars

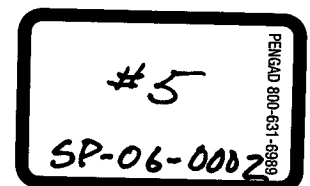
Dear Mr. Bauer,

I would like to request an extension for the above site plan SP-06-0022. The current economic climate prohibits construction at this time but I do intend to proceed with the project when it becomes financially viable.

If you have any questions please feel free to give me a call.

Sincerely,

Harry E. Criswell III
President



503 Quince Orchard Road Gaithersburg, MD 20878
Ph. 301.948.0880 Fax: 301.948.0921 www.criswellauto.com

