

**Limited Preliminary Plan Amendment 11989245A and Site Plan Amendment 81996002A:
Crossroads at Germantown (McDonald's at Henderson Corner Road)**

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Description

Staff Report Date: 7/12/2013

Crossroads at Germantown (McDonald's at Henderson Corner Road)

***A. Limited Preliminary Plan Amendment No.11989245A:
Crossroads at Germantown (McDonald's at Henderson Corner Road)**

Request to increase the existing McDonald's drive-through restaurant by 550 square feet of non-patron area, located at the intersection of Frederick Road (MD-355) and Ridge Road (MD-27) in the South East quadrant on the west side of Henderson Corner Road, 1.49 acres, C-3 Zone, Germantown Master Plan
Staff Recommendation: *Approval with Conditions*

***B. Limited Site Plan Amendment No.81996002A: Crossroads at Germantown (McDonald's at Henderson Corner Road)**

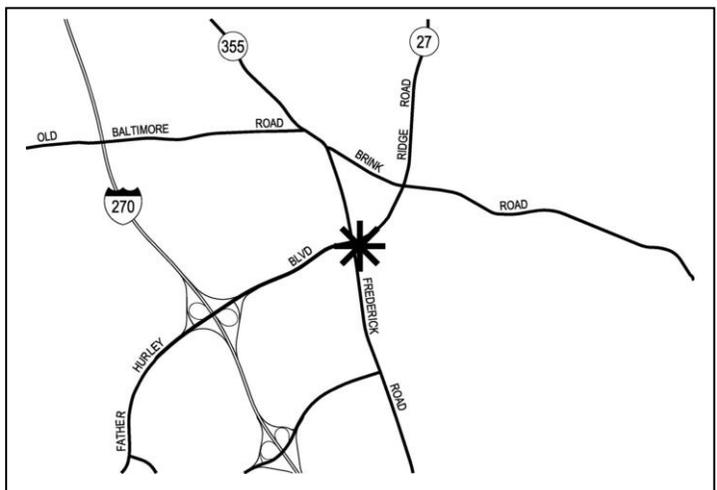
Request to increase the existing McDonald's drive-through restaurant by 550 square feet of non-patron area, update the façade, reconfigure the drive-through, and restripe the parking lot, located at the intersection of Frederick Road (MD-355) and Ridge Road (MD-27) in the South East quadrant on the west side of Henderson Corner Road, 1.49 acres, C-3 Zone, Germantown Master Plan

Staff Recommendation: *Approval with Conditions*

Submittal date: 11/7/2012

Applicant: McDonald's USA, LLC

Review Basis: Chapter 59 and Chapter 50



Summary

This Amendment is limited to Parcel "B" currently occupied by a McDonald's drive-through restaurant. The applicant is requesting an increase to the building footprint by 550 square feet, with no net increase in patron area.

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Staff Recommendation

Conditions of Approval

Analysis and Findings

- Conforms to all development plan
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- Compatibility
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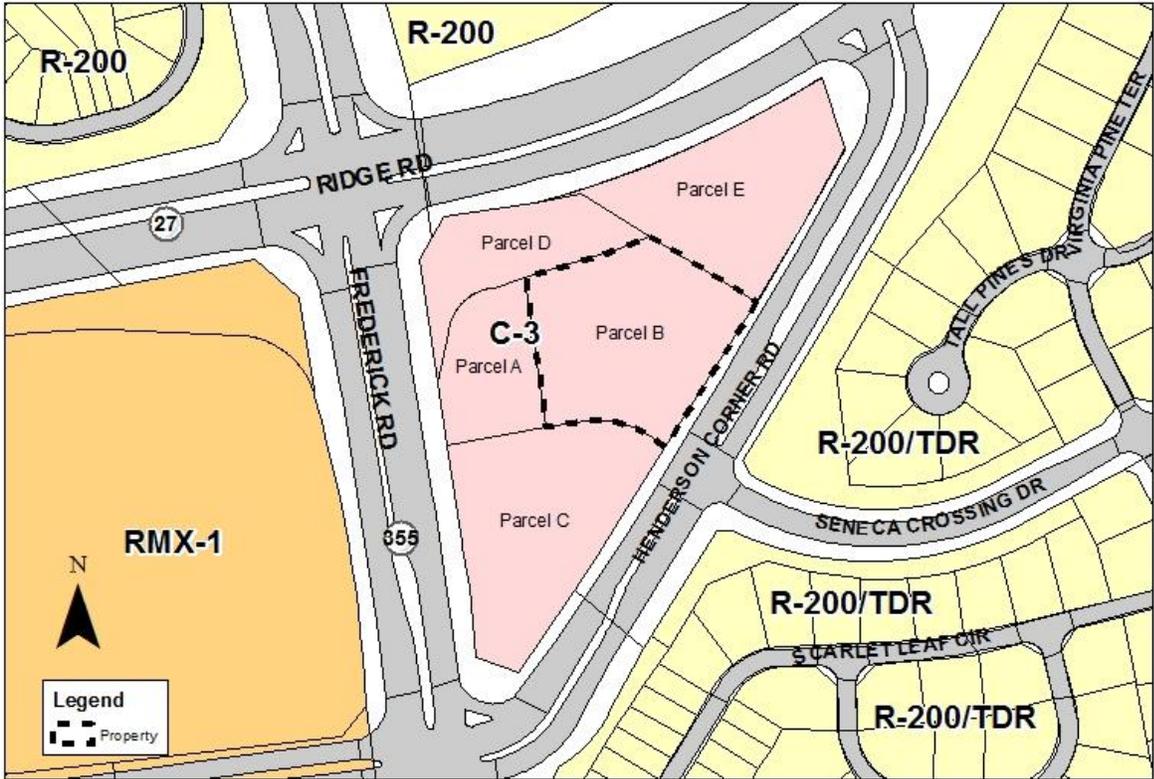
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SECTION 1: CONTEXT & PROPOSAL

SITE DESCRIPTION

Location/Vicinity

The 1.498-acre parcel (“Property” or “Subject Property”) is designated as Parcel B in a triangular cluster of five commercial properties zoned C-3 located in the southeast quadrant of the intersection of Frederick Road (MD 355) and Ridge Road (MD 27) in Germantown. The other four parcels within the cluster consist of PNC Bank (Parcel A), Exxon gas station (Parcel C), Capital One Bank (Parcel D), and 7-Eleven gas station and convenience store (Parcel E). The commercial triangle is bound by Ridge Road to the North, Frederick Road on the West and diagonally by Henderson Corner on the East. The Subject Property fronts on Henderson Corner Road, and is opposite from Seneca Crossing Drive. The commercial properties step down in elevation from East to West, terminating with a steep slope (landscaped berm) along MD 355 and MD 27.



North of the cluster, across Ridge Road is the M-NCPPC Ridge Road Recreational Park (56 acres), which is heavily wooded on the southern portion abutting Ridge Road. Northwest of the cluster is the single-family residential neighborhood Milestone (Zoned R-200). West of the Property, across Frederick Road is the Milestone Shopping Center (Zoned RMX-1). Adjacent to the Property, across Henderson Corner Road is the single family neighborhood of Cedar Valley (Zoned R-200). The triangular cluster is bisected from East to West by a private road, which connects Frederick Road and Henderson Corner Road. The Property is accessed by a shared access easement that stems from the private road.



(Preliminary Plan No.119892450 and 119892450-Revised)

Existing Conditions

The Property is currently occupied by a 3,647 square foot McDonald’s drive-through restaurant, of which 1,390 square feet is devoted to patron area. The building is located in the center of the property, primarily surrounded by parking. There are three rows of parking on the northwest side of the site, one strip of parking the southeast side parallel to Henderson Corner Road, and three parking spaces on the south side. The required ADA spaces are currently located in the interior of the site, on the southeast corner of the building. The landscaped green area on the perimeter of the parking lot, other than on the south side, has existing slopes of 15 -25%. The property is served by public water and sewer and does not contain any prime soils, forests, or historic features of wetlands.

PROJECT DESCRIPTION

Previous Approvals

On November 9th, 1995, the Planning Board approved Preliminary Plan No.119892450-Revised (Opinion mailed 11/16/1995) for the creation of a 3,720 square foot gasoline service station, in lieu of the previously approved 14,000 square feet of retail (convenience food store) use (Attachment 1).

On September 12th, 1996, the Planning Board approved Preliminary Plan No.119892450 (Opinion mailed 9/17/1996) that revised Condition Number 1, which approved 3,720 square foot gasoline service station, 5,630 square foot bank facilities and 3,647 square foot drive-through restaurant (Attachment 2).

On November 9th, 1995, the Planning Board approved Site Plan No.819960020 (Opinion dated 11/16/1995), which approved 3,647 square foot drive-through restaurant (Attachment 3).



(Preliminary Plan No.119892450 and 119892450-Revised)

Proposal

As shown on the table below, the Preliminary Plan approved a total of 12,997 square feet of retail and commercial uses on four separate parcels. The subject application only amends Parcel B by increasing the square footage of the approved drive-through restaurant by 550 SF, resulting in a total of 4,197 SF of drive-through restaurant on Parcel B. This change modifies the overall Preliminary Plan by increasing the total square footage to 13,547.

Parcel	Acres	Existing Land Use	Preliminary Plan	
			Approved (1996) No.119892450	Proposed No.11989245A
A	0.61	Bank 1: PNC ¹	2,830	2,830
B	1.498	Drive-Thru Restaurant: McDonald's	3,647	4,197 <i>(550 SF Increase)</i>
C	1.489	Gas Station/ Convenience Retail	3,720	3,720
D	0.76	Bank 2: Capital One ²	2,800	2,800
TOTAL	4.357		12,997	13,547

¹ Formerly Capital One Bank

² Formerly Chevy Chase Bank

The applicant proposes the following modifications:

1. Reconfigure the existing drive-through lanes to accommodate one additional ordering station
2. Construction of two separate additions totaling 550 square feet, to accommodate a walk-in freezer and update patron entry way
3. Relocate ADA parking spaces
4. Restripe parking lot
5. Relocate light poles
6. Update building facade
7. Alterations to dumpster area/trash corral
8. Additional landscaping

The Preliminary Plan Amendment is required because the applicant is proposing to increase the approved drive-through restaurant use from 12,997 to 13,547 square feet, an addition of 550 square feet. The Site Plan Amendment is also required because the applicant proposes to reconfigure the existing drive-through, add 550 square feet of non-patron area to the structure, relocate ADA parking, modify façade, relocate existing lighting, alter the existing dumpster area/trash corral, and add landscaping.

Community Outreach

The Applicant has satisfied all signage, noticing, and submission meeting requirements as identified in section 4.C and 4.D (a)(i) of the Development Manual. Staff has not received correspondence on either of these applications.

SECTION 2: PRELIMINARY PLAN REVIEW

STAFF RECOMMENDATION: Approval of the Preliminary Plan Amendment, with the following conditions:

1. Approval under the Preliminary Plan is limited to a total of 13,547 square feet of commercial, retail, and drive-through uses on 4.357 acres.
2. Development on the Property (Parcel B) is limited to 4,197 square feet of drive-through restaurant, including 1,390 Square feet of patron area.

ANALYSIS AND FINDINGS

Master Plan Conformance

The modifications proposed do not change the use on the original Preliminary Plan approval which was found to be in conformance with the Germantown Master Plan. The proposed amendment is in conformance with the Master Plan.

The Subject Property is within the Germantown Master Plan area; part of the master plan analysis area referred to as the "Neelville Village" (NE-8). Below is a brief analysis of how this Amendment meets the key Master Plan recommendations:

1994 Germantown Master Plan (pg.84)

"The triangular property between MD 355, existing MD 27 and proposed M-27 is recommended for limited retail use under the C-3 Zone. The uses appropriate at this location are limited to convenience food and beverage store, a gas station, a car wash, and a bank."

The proposed amendment does not change the type of uses previously approved. Per the approved preliminary plan, a drive-through is found to be a conforming use for the property.

"The development of this property should recognize its gateway location through the placement of the buildings, landscaping and berming, and building design."

The application has proposed limited changes that continue to recognize and improve its gateway location including aesthetically pleasing facade improvements, design changes that improve circulation, increased landscaping, and appropriate buffering.

"The building materials, roof line and landscaping should be consistent with those of the convenience retail center across MD 355."

The proposed façade improvements, design, and roof line are consistent with those of the adjacent convenience retail center across MD 355.

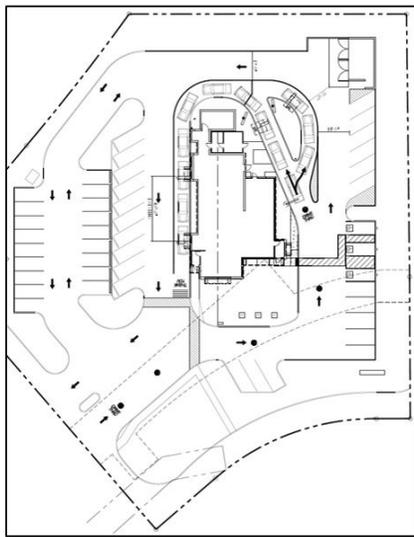
"Further, the development of this property should be compatible with the proposed residential development across MD 27 and particular care should be taken in the design, height, and locations of the exterior lighting fixtures."

The applicant has proposed limited modifications and light fixture relocation are compatible with the adjacent single family residences. Additional landscaping is proposed to increase screening of the parking lot and dumpster corral. The applicant proposes an increase in the existing building height (façade) from 16'4" to 17'11", an increase of 1'7."

Adequate Public Facilities Review (APF)

Because the proposed addition of 550 square feet is exclusively for non-patron space, the site would not generate any new vehicular trip and therefore, the subject Limited Preliminary Plan Amendment is not subject to the Adequate Public Facilities (APF) test.

Vehicular/Pedestrian Access and Circulation



Directional Arrows on Property



Access via private roads

Vehicular access and circulation is safe, adequate and efficient. The drive-through restaurant has a shared drive aisle (24' wide ingress/egress easement) which stems from the private road connecting Henderson Corner Road to Frederick Road via a private road (32' access easement). The existing access easements will remain, and continue to provide adequate access to the Property. From the private road, the Property is directly accessed via a clearly defined individual 21 foot wide ingress/egress point, separated by a 5-foot wide concrete island. Within the site, traffic circulates in a one-way, counterclockwise direction, which minimizes possible pedestrian vehicular conflicts; except, the western most parking aisles that have parking on both sides, which is a two-way traffic area. Restriping of the parking lot (including painted arrows on pavement), and directional entry and exit signs clearly define the intended internal circulation pattern. The proposed drive-through bifurcation creates increased area for patron vehicle stacking, which mitigates potential vehicle back-up. The proposed dumpster corral relocation modification accommodate the lane bifurcation, and provide for the necessary drive-through bypass aisle that improves site circulation and provide a more aesthetically pleasing refuse area.

Pedestrian access and circulation is safe, adequate and efficient. Although the Site is zoned C-3, an auto-dominated/oriented zone and the Property is located in a vehicle dominant commercial area, the

neighboring residential area and other pedestrians continue to have adequate access to the property. Pedestrians from the adjacent residential area are connected by sidewalks on both sides of Henderson Corner Road and the marked crosswalks at the intersection (signalized) of Henderson Corner Road and Seneca Crossing Drive provide safe access to the property.

The proposed drive-through lane modification and additional 550 square feet result in a decrease in parking spaces from 53 to 45 of which 3 are ADA. Currently, ADA parking spaces vehicle movement is impeded by drive-through users blocking access. Relocation of ADA parking spaces allows for a more functional, efficient and safe ADA parking area. Restriping the parking lot accommodates the necessary parking space reconfiguration, allows the relocation of ADA parking space and clearly identifies the intended pedestrian crosswalk areas on-site. Reducing the amount of parking spaces on-site by 8 will continue to adequately accommodate the parking needs of the restaurant, meet ADA requirements and requirements of the C-3 Zone.

Therefore, the proposed modification of the existing drive-through restaurant building will not have any adverse impacts on the surrounding roadway system and the existing access to the restaurant and internal vehicular/pedestrian circulation system is adequate.

Other Public Facilities

The property continues to have adequate public facilities. The application has been reviewed by the Montgomery County Fire and Rescue Service who determined that the property has adequate access for fire and rescue service. The property is currently served by public water and sewer.

Environment

Forest Conservation

The application is exempt from submitting a forest conservation plan, per the approved exemption No.42013205E (dated 6-21-2013) under Chapter 22A-5 (s)(1) of the Forest Conservation Law (Attachment 4). There are no environmental features on the Property such as wetlands, environmental buffers, steep slopes or highly erodible soils.

Stormwater Management Concept

This application does not require a new Stormwater Concept or Sediment Control Permit under Chapter 19 because the addition does not exceed 5,000 square feet of disturbance or 100 cubic yards and this site is not within a Special Protection Area.

Compliance with the Zoning Ordinance (Ch.59) and Subdivision Regulations (Ch.50)

The application complies with all applicable sections of both, Chapter 59, the Montgomery County Zoning Ordinance, and Chapter 50, the Subdivision Regulations. Access and Public Facilities are adequate to support the use as proposed.

SECTION 3: SITE PLAN REVIEW

STAFF RECOMMENDATIONS:

Staff recommends approval of Site Plan 81996002A, Crossroads at Germantown (McDonald's at Henderson Corner Road), for 4,197 square feet of drive-through restaurant, including 1,390 Square feet of patron area on 1.4989 gross acres. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on July 10th, 2013 are required except as modified by the following conditions.

CONDITIONS OF APPROVAL

Conformance with Previous Approvals

1. Preliminary Plan Conformance
The development must comply with conditions of approval for Preliminary Plan No.11989245A, unless amended.
2. Site Plan Conformance
The development must comply with conditions of approval for Site Plan No.819960020, as listed in MCPB Opinion dated November 16, 1995, except as modified by this application.

ANALYSIS AND FINDINGS:

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

The Site Plan Amendment does not require a development plan, diagrammatic plan, or a project plan.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan Amendment meets all requirements of the C-3 zone (Ch.59C-4.36) and is not located in an urban renewal plan area approved under Chapter 56. As shown in the data table below, the Site Plan Amendment meets all of the development standards of the C-3 Zone.

Project Data Table for the C-3 Zone, Standard Method of Development

Development Standards C-3 Zone	Zoning Ordinance	Site Plan	
	Permitted/Required	Approved 1995	Proposed
Max. Building Height (feet)	42	16'-4"	20
Min. Building Setbacks (feet): 59-C-4.362			
Right-of-way	10	10	10
Min. Lot Size (square feet)	NA	65,256	65,256
Buildings Area (square feet):			
Drive-through Restaurant*	NA	3,647	4,197
Patron Area	NA	1,390*	1,390
Min. Green Area (% of lot)	10%	NA*	32.2%
Max. Building Coverage	35%	NA*	6.43%
Parking Spaces	44	53	45

* Existing SF- Previous Approval does not differentiate

- The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The location of the buildings and structures, open space, landscaping, recreation facilities and pedestrian and vehicular circulation and access systems are safe, adequate, and efficient.

Buildings and Structures – the restaurant building is located in the center of the property with the main entrance oriented to the south. The building is surrounded on three sides by parking and wrapped by the drive-through structure on the fourth side. The proposed dumpster coral is located at the northern most right corner of the parking lot, with the opening oriented towards the west. The two proposed additions to the building totaling 550 square feet include a 293 square foot walk-in freezer at the rear of the building, a 247 square foot extension of the entryway to the southwest corner (current entry walkway) and 10 square feet of façade improvements. The walk-in freezer addition is necessary to accommodate the restaurant’s current frozen goods storage space. The entryway expansion is needed to accommodate internal reorganization of the patron area and food preparation areas which result in a loss of previously approved patron area. The building’s façade is outdated and is being renovated to provide visual appeal. The proposed modifications create a safe and adequate environment allowing the restaurant to operate more efficiently.



Existing Façade (SE Corner)



Façade Improvements (SW Corner)



Façade Improvements (SE Corner)

The Landscaping and Lighting on the Property will remain generally the same. The relocated light fixtures will provide adequate visibility and maintain a safe environment for restaurant patrons. The lighting will not create a glare into adjacent residential property, and additional landscape planting provides increased buffering. The additional landscape trees and plantings will also enhance and differentiate the pedestrian environment along Henderson Corner Road.

Green Area, Open Space, Public Use Space, and Recreation Facilities- The site plan amendment proposes 33.2% green area on the property, which exceeds the minimum 10% green area required in the C-3 Zone. The green area is primarily used for foundation plantings, and landscaped buffering on the perimeter of the property.

Pedestrian and Vehicular Circulation and Access

The drive-through restaurant has access from a shared drive aisle which stems from the private road connecting Henderson Corner Road to Frederick Road through the commercial cluster. The existing access easements will continue to provide adequate access to and from the Property. Within the site, traffic circulation is one-way, in a counterclockwise direction, which minimizes possible pedestrian/vehicular conflicts, except on the western most parking aisles that have parking on both sides, which is a two-way traffic area. Currently, drive-through users block access to ADA parking spots which impede vehicle movement. Relocation of ADA parking spaces allows for vehicular circulation around the ADA parking area to be more functional, efficient and safe. The parking lot will be restriped to accommodate the necessary parking space reconfiguration, allow the relocation of ADA parking spaces and clearly identify the intended pedestrian crosswalk areas on-site. Reducing the amount of parking spaces on-site by 8 will continue to adequately accommodate the parking needs of the restaurant, meet ADA requirements and requirements of the C-3 Zone.

The proposed drive-through bifurcation creates increased area for patron vehicle stacking, which mitigates potential vehicle back-up. Where the drive-through aisles converge vehicles are manually directed into the merge area by an employee(s), aided by audiovisual monitoring systems and alternating kiosks. The proposed dumpster corral relocation modification accommodate the lane bifurcation, and provide for the necessary drive-through bypass aisle that improves site circulation and provide a more aesthetically pleasing refuse area. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation.

Pedestrians from the adjacent residential area can safely access the site via sidewalks on both sides of Henderson Corner Road and the marked crosswalks at Henderson Corner Road and Seneca Crossing Drive. The proposed bifurcation of the existing drive-through eliminates existing vehicle stacking in the parking lot while meeting the aesthetic concerns of the area. The proposed modifications do not pose any safety concerns on the site, and will mitigate potential blockage at the primary access point to the Property.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

As part of Site Plan No.819960020 the Planning found the drive-through restaurant and structures compatible with the existing banks, convenience store, gas pumping station and surrounding development as approved by the Planning Board Opinion dated November 16, 1995. The amendment

does not propose a change in uses. It proposes only minor modifications that are consistent with the vision of the Master Plan, standards of the C-3 Zone, and design intent of the previous Planning Board approvals. The Amendment is compatible with existing and proposed adjacent development.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.*

The application is exempt from submitting a forest conservation plan, per the approved exemption No.42013205E (dated 6-21-2013) under Chapter 22A-5 (s)(1) of the Forest Conservation Law (Attachment 4). There are no environmental features on the Property such as wetlands, environmental buffers, steep slopes or highly erodible soils.

This application does not require a Stormwater Concept or Sediment Control Permit under Chapter 19. The addition does not exceed 5,000 square feet of disturbance or 100 cubic yards. This site is not within a Special Protection Area.

Therefore, the location of the buildings and structures, open space, landscaping, recreation facilities and pedestrian and vehicular circulation and access systems are safe, adequate, and efficient.

APPENDICES

- 1) Preliminary Plan No.119892450 Opinion dated 11/16/1995
- 2) Preliminary Plan No.119892450-Revised Opinion dated 9/12/1996
- 3) Site Plan No.819960020 Opinion dated 11/16/1995
- 4) FCP Exemption No.42013205E
- 5) Preliminary Plan No.11989245A
- 6) Site Plan No. 81996002A
- 7) Landscape and Lighting Plan

Date of mailing: November 16, 1995

ATTACHMENT 1



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring Maryland 20910-3760

Action: Approved Staff Recommendation

(Motion of Comm. Aron, seconded by Comm. Richardson, with a vote of 5-0; Comms. Aron, Richardson, Baptiste, Holmes, and Hussmann voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-89245

NAME OF PLAN: CROSSROADS AT GERMANTOWN

On 10-12-89, MARDIROSSIAN FAMILY ENT. , submitted an application for the approval of a preliminary plan of subdivision of property in the C3 zone. The application proposed to create 3 lots on 5.50 ACRES of land. The application was designated Preliminary Plan 1-89245. On 11-09-95, Preliminary Plan 1-89245 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing , the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-89245 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-89245, subject to the following conditions:

Approval to revise Condition #1 based on a finding that the Germantown Master Plan's Limitation on Drive-Through Restaurants on the subject property is no longer appropriate:

- (1) Amend adequate Public Facilities Agreement to reflect development limit of 3,647 square feet for a drive-through restaurant in lieu of the previously approved 14,000 square feet of retail (convenience food store) use
- (2) All other conditions of the Planning Board's prior Opinion, dated 2-7-91, will remain in full force and effect



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation
(Motion of Comm. Aron, seconded by Comm. Richardson, with a vote of 5-0; Comms. Aron, Richardson, Holmes, Baptiste, and Hussmann voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-89245
NAME OF PLAN: CROSSROADS AT GERMANTOWN

On 10-12-89, MARDIROSSIAN FAMILY ENT. , submitted an application for the approval of a preliminary plan of subdivision of property in the C3 zone. The application proposed to create 3 lots on 5.50 ACRES of land. The application was designated Preliminary Plan 1-89245. On 09-12-96, Preliminary Plan 1-89245 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing , the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-89245 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-89245, subject to the following conditions:

Grant Variation and Revise Condition Number 1 as follows:

- (1) Amend agreement with Planning Board to limit development to 3,720 square foot gasoline service station, 5,630 square foot bank facility(s) (2,830 square feet existing) and 3,647 square foot drive-thru restaurant
- (2) All other conditions of the Planning Board's prior opinions dated 2/7/91 and 11/9/95 remain in full force and effect
- (3) This preliminary plan will remain valid until October 17, 1999 (37 months from the date of mailing which is 9/17/96). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: November 16, 1995 *KZ*

SITE PLAN REVIEW #8-96002

PROJECT: CROSSROADS AT GERMANTOWN

Action: Approval subject to conditions. Motion was made by Commissioner Holmes, seconded by Commissioner Aron, with a vote of 5-0, Commissioners Holmes, Aron, Hussmann, Baptiste and Richardson voting for. All Commissioners were present.

The date of this written opinion is November 16, 1995 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before December 16, 1995 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid.

On November 9, 1995, Site Plan Review #8-96002 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with an approved development plan or a project plan for the optional method of development, if required;
2. the Site Plan meets all of the requirements of the zone in which it is located;
3. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;
4. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent

development;

5. the site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-96002 which consists of 3,647 square feet of drive-through restaurant, with conditions:

1. Standard Conditions dated 10-10-1995, Appendix #A
2. Signature set of site and landscape plans to include:
 - a. Site lighting to match that of lighting on Parcels A and C of original site plan 8-90073;
 - b. Free-standing signs to match signs of Parcels A and C of original site plan 8-90073 in materials, height limitations, and general design;
 - c. Species of shrubs and trees to be consistent with landscaping on Parcels A and C of site plan 8-90073.

APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:

1. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by MCDEP the development program inspection schedule.
3. No grading prior to Planning Department approval of signature set of plans.



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 21, 2013

Mr. Geoffrey L. Ciniero, PE
CMS Associates LLC
4925 Ellis Lane
Ellicott City, MD 21043

Re: Forest Conservation Exemption # 42013205E
Alterations to McDonald's at Henderson Corner

Dear Mr. Ciniero;

This letter is to inform you that your request for an exemption from submitting a forest conservation plan 42013205E, Alteration to McDonald's at Henderson Corner, is **confirmed**. This plan submitted on June 20, 2013 is in compliance with Chapter 22A-5 (s)(1) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

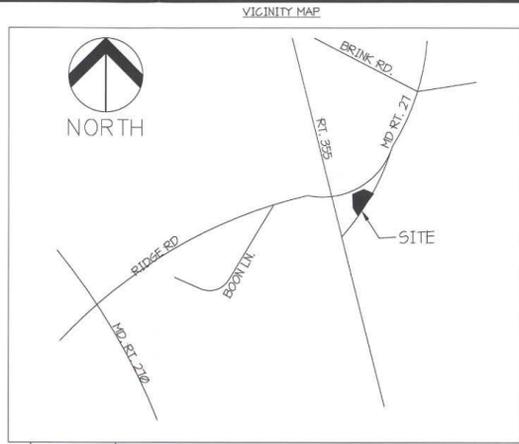
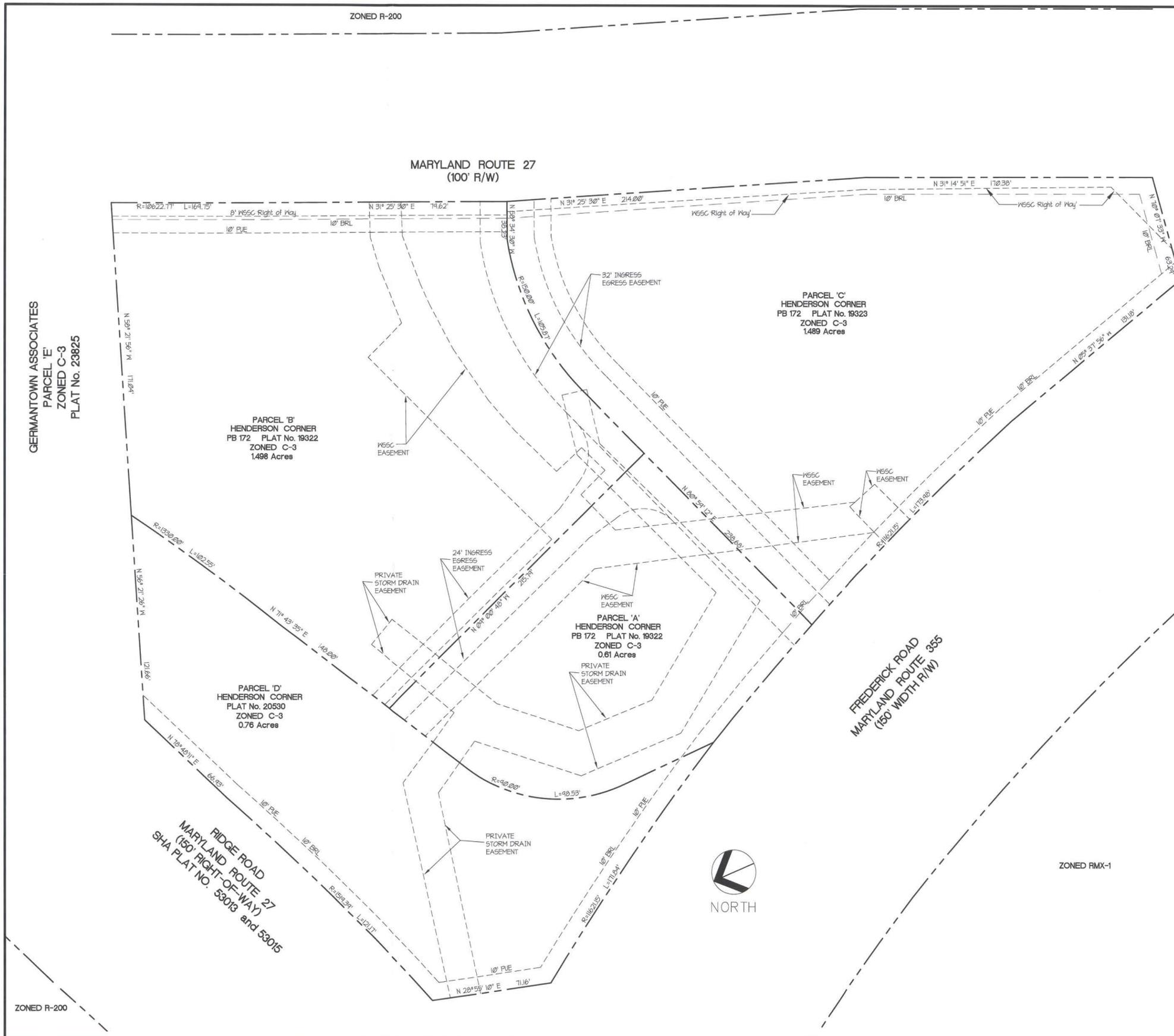
Any unauthorized changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If you have any questions regarding these actions, please feel free to contact by email at douglas.johnsen@montgomeryplanning.org or at (301) 495-4712.

Sincerely,

A handwritten signature in black ink that reads "Doug Johnsen".

Doug Johnsen
Development Applications & Regulatory Coordination Division

CC: 42013205E



Applicant Name:
 Drawn By: 414 N. Charles Street
 Baltimore, Maryland 21201
 Tel# (410)-501-6430

Site Information:
 Site area:
 Parcel A: 0.61 Acres
 Parcel B: 1.498 Acres
 Parcel C: 1.489 Acres
 Parcel D: 0.76 Acres
 TOTAL = 4.351 Acres
 Tax Map: EV61
 District: 2
 Tax Account #:
 Parcel A: Bank (PNC) - 0203056213
 Parcel B: Drive-thru Restaurant (McDonald's) - 0203056202
 Parcel C: Gas Station/Convenience Store - 0203056260
 Parcel D: Bank (Capital One) - 0203204534
 Zoning: Parcels A, B, C, & D: C-3

Setbacks:
 From Master Planned R/W Line: 10'
 Other: None

Green Area: 10% of lot area
 Properties are serviced by public Water & Sewer
 MS5C 200' Sheet #: 224 NW 12

Existing Building Size:
 Parcel A: Bank (PNC) - 2,830 SF
 Parcel B: Drive-thru Restaurant (McDonald's) - 3,641 SF
 Parcel C: Gas Station/Convenience Store - 3,120 SF
 Parcel D: Bank (Capital One) - 2,800 SF
 TOTAL = 12,991 SF

Proposed Building Size:
 Parcel A: Bank (PNC) - 2,830 SF
 Parcel B: Drive-thru Restaurant (McDonald's) - 4,141 SF (550 SF Addition)
 Parcel C: Gas Station/Convenience Store - 3,120 SF
 Parcel D: Bank (Capital One) - 2,800 SF
 TOTAL = 13,541 SF

RECEIVED
 M-NCPPC
 JUN - 4 2013
 MONTGOMERY COUNTY
 PLANNING DEPARTMENT

M-NCPPC APPROVAL STAMP
 Certified Preliminary Plan
 File No. _____
 Montgomery County Planning Board
 Chairman or Designee _____ Date _____
 Montgomery County Planning Department
 The Maryland National Capital Planning Commission

DEVELOPER'S CERTIFICATION
 The undersigned agrees to execute all the business and requirements of this signed plan in accordance with the agreement between the Montgomery County Planning Board and the undersigned.
 Dated: _____
 By: _____
 McDonald's USA LLC
 Printed Name: Jeffrey Bell

OWNER/DEVELOPER/APPLICANT
 McDONALDS USA LLC
 c/o JEFFREY BELL SR.
 6903 ROCKLEDGE DRIVE
 SUITE 1100
 BETHESDA, MARYLAND
 20811
 (240) 441-3708

ATTACHMENT 5

McDonald's
 McDONALD'S USA, LLC
 KROC DRIVE
 OAKBROOK, ILLINOIS 60521

CDG
 The Chesapeake Design Group
 Architects, Incorporated
 419 North Charles Street
 Baltimore, Maryland 21201
 t: 410.837.3622
 f: 410.837.3621

CIVIL ENGINEER:
 CMS Associates LLC
 4925 Ellis Lane
 Ellicott City, Md 21043
 (410) 988-2436
 gciniero@cms-engineering.net
 c/o Geoffrey Ciniero

SEAL

REVISIONS

NO.	DESCRIPTION	DATE

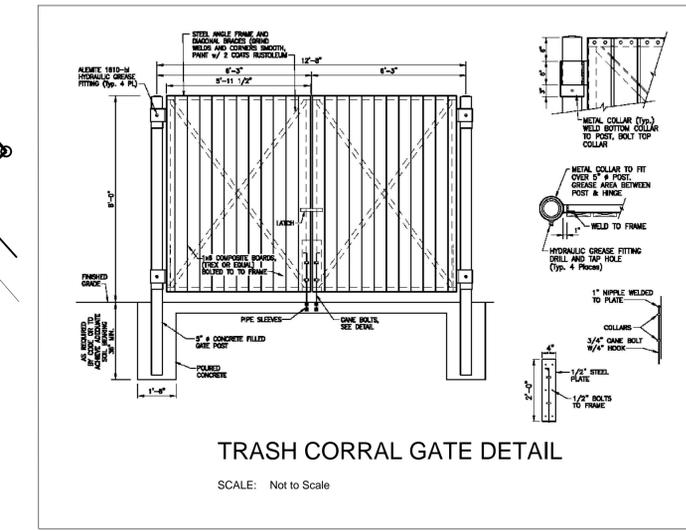
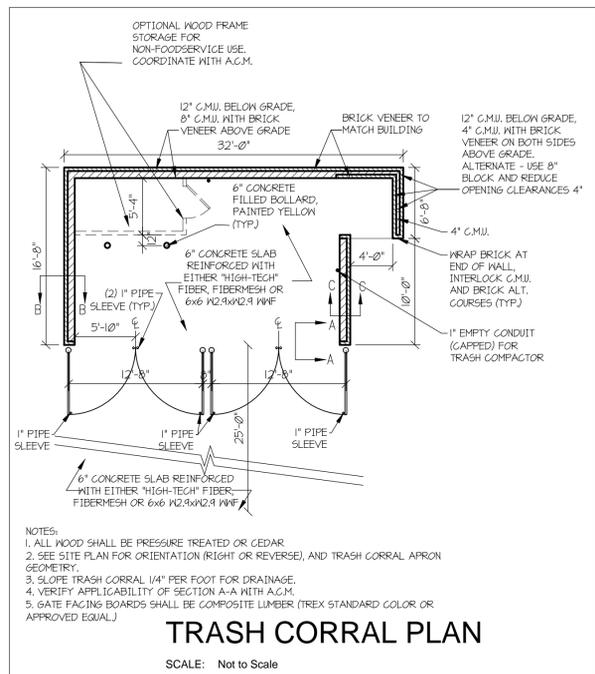
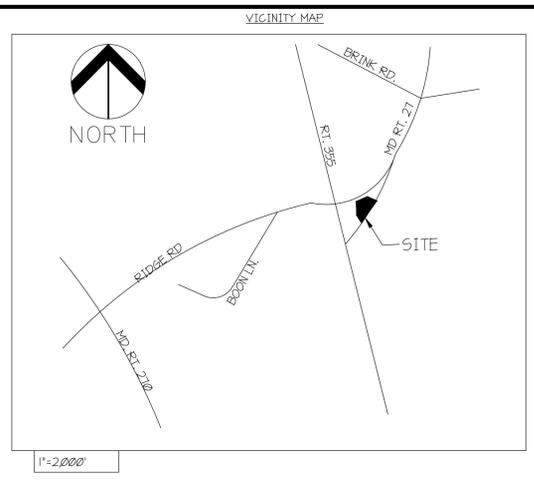
DATE: 06/02/13
 SCALE: AS NOTED
 PROJECT # :12ARCADE14
 DRAWN BY: GLC CHECKED BY: TB

PROJECT TITLE
 ALTERATIONS TO
 McDONALD'S
 CROSSROADS
 AT GERMANTOWN
 HENDERSON CORNER
 21121 FREDERICK ROAD
 GERMANTOWN, MD 20876
 REGION: BWR
 LC NO. 019-0497

SHEET TITLE
 LIMITED
 AMENDMENT TO
 PRELIMINARY
 PLAN
 #11989245A
 SHEET NO. SPL-1.00-00

1 SITE PLAN
 SCALE: 1"=30'-0"

GENERAL SITE NOTES:
 1. ALL BOUNDARY INFORMATION WAS OBTAINED FROM THE APPROVED PROPERTY PLATS.
 2. THIS PLAN AMENDMENT IS LIMITED TO PARCEL 'B' ONLY.



Applicant Name:
Drew Emmer
419 N. Charles Street
Baltimore, Maryland 21201
Tel# (410)-507-6430

Site Information:
Site area or lease area: 65,256 SF OR 1.49008 ACRES
Property shown Parcel "B"
Zoning: C-3
Set Backs:
From Master Planned Right-of-Way: 10'
Other: None
Minimum Green Area Required: 10% - 6,526 sf
Existing Green Area: 32.2% - 21,035 sf
Proposed Green Area: 32.2% - 21,017 sf
Maximum Building Coverage Allowed: 35% - 22,834 sf
Proposed Building Coverage: 6.43% - 4,141 sf
Maximum Building Height Allowed: 42'
Existing Building Height: 16'-4"
Proposed Building Height: 11'-11"
Proposed area of disturbance: 2,664 SF
Existing building area: 3,641 SF
Proposed building area: 4,141 SF (Addition of storage area and vestibule)
Existing patron area: 1,340 SF
Proposed patron area: 1,340 SF
Required parking spaces: (25 Spaces/1,000 SF Patron Area)
35 parking spaces required (patron area of 1,340 sf)
Existing parking spaces: 53 spaces
Proposed parking spaces: 45 spaces
Regular: 42
Handicapped: 3
PURPOSE:
THIS PLAN IS FOR THE RECONFIGURATION OF THE EXISTING DRIVE THRU, 500 SQ FT. OF BUILDING EXPANSION, ACCESSIBLE PARKING, AND NEW BUILDING FACADE

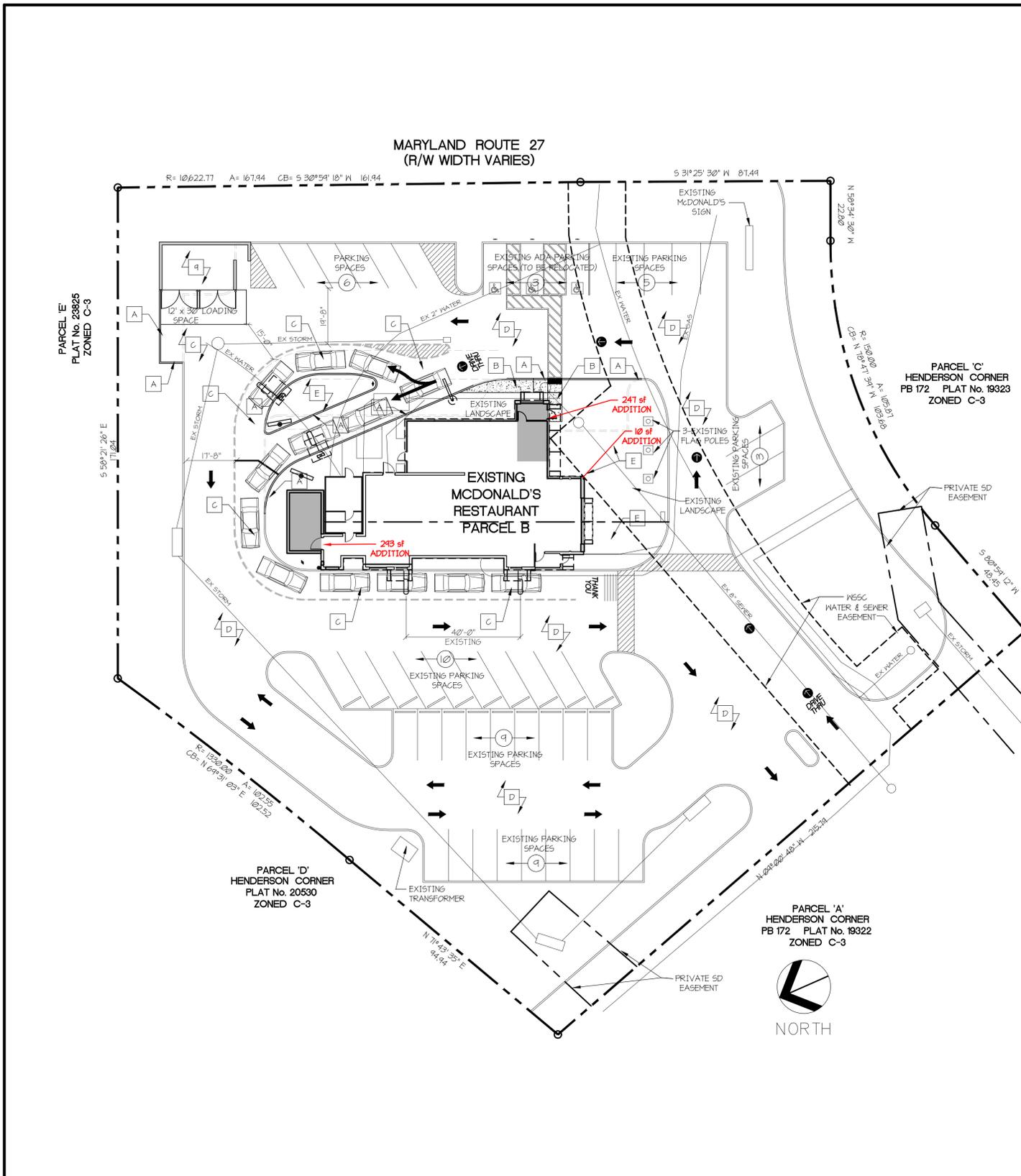
REVISIONS

NO.	DESCRIPTION	DATE

DATE: 07/08/13
SCALE: AS NOTED
PROJECT # :12ARCADE14
DRAWN BY: GLC CHECKED BY: TB

PROJECT TITLE
**ALTERATIONS TO
McDONALD'S**
HENDERSON CORNER
21121 FREDERICK ROAD
GERMANTOWN, MD 20876
REGION: BWR
LC NO. 019-0497

SHEET TITLE
LIMITED
AMENDMENT TO
DETAILED SITE
PLAN
#81996002A
SHEET NO. SPL-1.00-01



1 SITE PLAN
SCALE: 1"=20'-0"

- A PROPOSED CONCRETE CURB (TYP.)
- B PROPOSED CONCRETE SIDEWALK (TYP.)
- C PROPOSED REINFORCED CONCRETE PAD.
- D SEAL PARKING LOT AND RESTRIPE (TYP.)
- E NEW LANDSCAPE AREA

2 SITE PLAN KEYED NOTES
SCALE: N.T.S.

- GENERAL SITE NOTES:**
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT LOCAL, STATE AND FEDERAL REGULATIONS.
 - THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS SATISFACTION PRIOR TO CONSTRUCTION. NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS, AND ANY DAMAGE TO THEM SHALL BE REPAIRED IMMEDIATELY AT HIS OWN EXPENSE.
 - IT SHALL BE UNDERSTOOD THAT THE CONTRACTOR IS REQUIRED TO COMPLETE ALL WORK THAT IS DISCUSSED WITH THE ACM AND IS REQUIRED BY McDONALD'S STANDARD SPECIFICATIONS, REGARDLESS OF INCLUSION OF SAID WORK ON DOCUMENTS.
 - NO UTILITY, SEWER, WATER OR STORM DRAINAGE CONSTRUCTION IS ANTICIPATED AS PART OF SITE IMPROVEMENTS, UNLESS NOTED OTHERWISE.
 - AREAS INDICATED AS HANDICAPPED PARKING SPACES, LANDINGS AND CROSSWALKS WILL BE CONSTRUCTED AT GRADE, NOT TO EXCEED 1.0% SLOPE IN ANY DIRECTION, UNLESS INDICATED ON SITE PLAN.
 - CONTRACTOR SHALL REMOVE AND REPLACE ONLY THAT ASPHALT PAVEMENT NECESSARY TO CONSTRUCT IMPROVEMENT SHOWN ON THE SITE PLAN. THE CONTRACTOR SHALL MILL AND REPLACE EXISTING ASPHALT PAVEMENT, IF NECESSARY, TO PROVIDE POSITIVE DRAINAGE AND SMOOTH TRANSITION TO AND FROM IMPROVEMENTS. ONCE CONSTRUCTION HAS BEEN COMPLETED, CONTRACTOR SHALL SEAL COAT ASPHALT PARKING AREA AND STRIPE PARKING LOT AS SHOWN ON SITE PLAN.

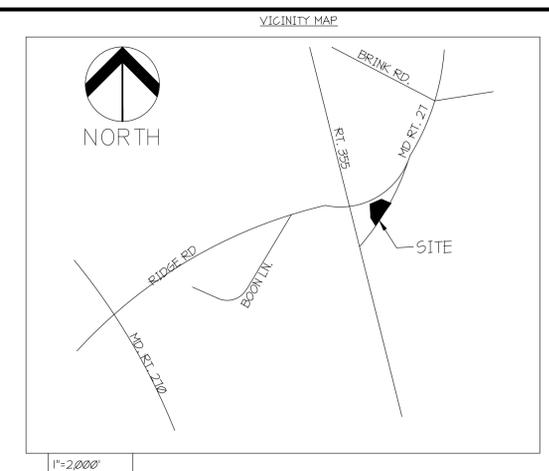
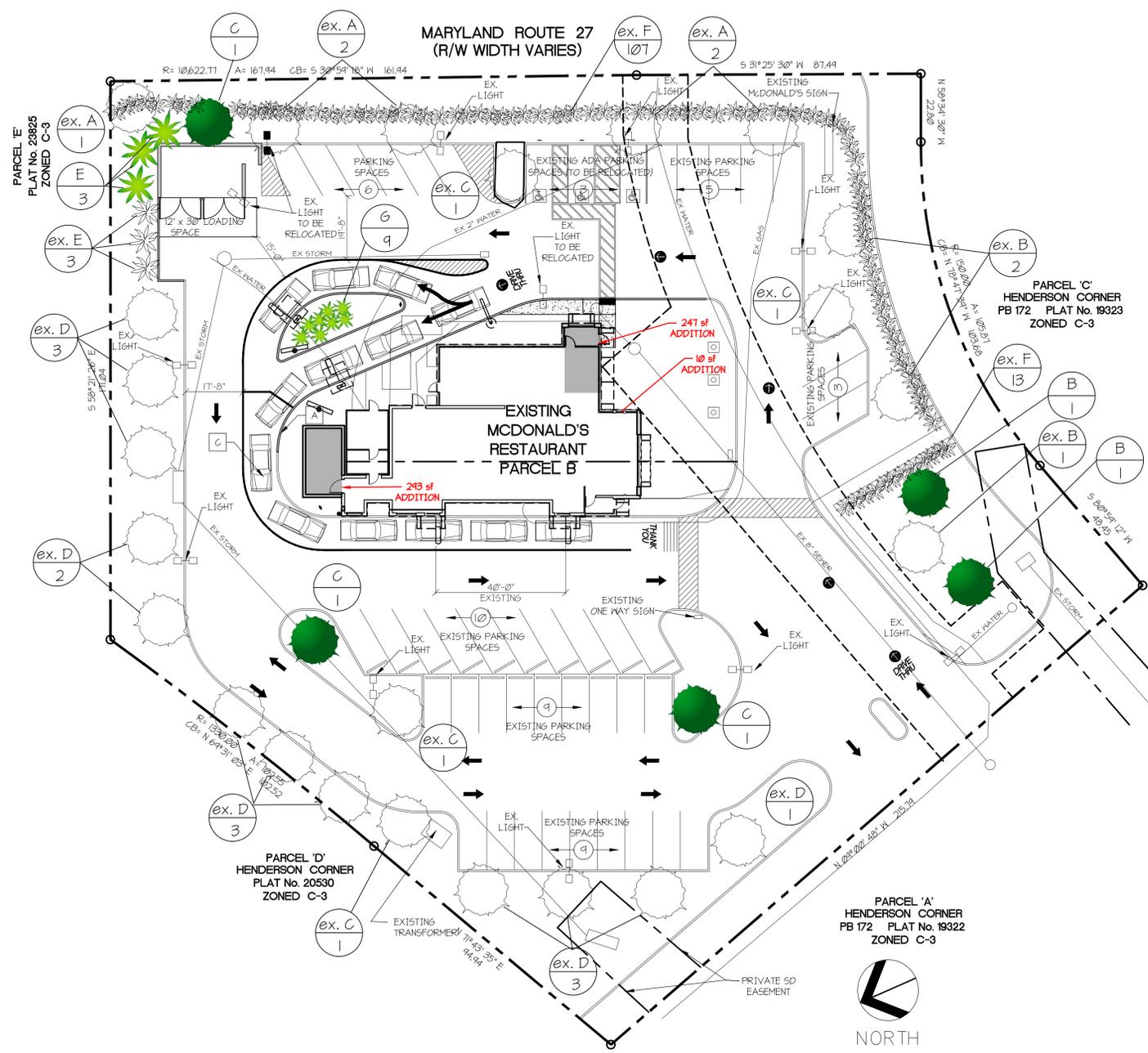
3 SITE PLAN GENERAL NOTES
SCALE: N.T.S.

OWNER/DEVELOPER/APPLICANT

McDONALD'S USA LLC
c/o JEFFREY BELL SR.
6903 ROCKLEDGE DRIVE
SUITE 1100
BETHESDA, MARYLAND
20817
(240) 447-3700

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Dated: _____
By: _____
McDonald's USA LLC
Printed Name: Jeffrey Bell

M-NCPPC APPROVAL STAMP
Certified Site Plan
File No. _____
Montgomery County Planning Board
Chairman or Designee _____ Date _____
Montgomery County Planning Department
The Maryland National Capital Planning Commission



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ATTACHMENT 7

McDonald's
 McDONALD'S USA, LLC
 KROC DRIVE
 OAKBROOK, ILLINOIS 60521

CDG
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 Architects, Incorporated

419 North Charles Street
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 t: 410.837.3622
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CIVIL ENGINEER:
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 4925 Ellis Lane
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 gciniero@cms-engineering.net
 c/o Geoffrey Ciniero

REVISIONS		
NO.	DESCRIPTION	DATE

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PROJECT TITLE
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REGION: BWR
 LC NO. 019-0497

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 By: _____
 McDonald's USA LLC
 Printed Name: Jeffrey Bell

MNCPPC APPROVAL STAMP
 Certified Site Plan
 File No. _____
 Montgomery County Planning Board
 Chairman or Designee _____ Date _____
 Montgomery County Planning Department
 The Maryland National Capital Planning Commission

1 LANDSCAPE PLAN
 SCALE: 1"=20'-0"

PLANT SCHEDULE FOR EXISTING PLANTINGS

KEY	QTY	LATIN NAME	COMMON NAME	CATEGORY	SIZE	NOTES
A	5	Acer Rubrum	Red Maple	TREE	Existing	
B	3	Saphora Jafonica 'Regent'	Japanese Pagoda Tree	TREE	Existing	
C	5	Tilia Cordata 'Greenspire'	Green spire Littleleaf Linden	TREE	Existing	
D	12	Quercus Rubra	Red Oak	TREE	Existing	
E	3	Ilex Opaca	American Holly	TREE	Existing	
F	120	Abella Grandiflora	Glossy Abella	SHRUB	Existing	
G	0	Juniperilus Chinesis Sargentii	Sargent Juniper	SHRUB	Existing	

PLANT SCHEDULE FOR NEW PLANTINGS

KEY	QTY	LATIN NAME	COMMON NAME	CATEGORY	SIZE	NOTES
A	0	Acer Rubrum	Red Maple	TREE	3" CAL	B&B
B	2	Saphora Jafonica 'Regent'	Japanese Pagoda Tree	TREE	3" CAL	B&B
C	3	Tilia Cordata 'Greenspire'	Green spire Littleleaf Linden	TREE	3" CAL	B&B
D	0	Quercus Rubra	Red Oak	TREE	3" CAL	B&B
E	3	Ilex Opaca	American Holly	TREE	8' HEIGHT	B&B
F	0	Abella Grandiflora	Glossy Abella	SHRUB	24" SPD	B&B
G	1	Juniperilus Chinesis Sargentii	Sargent Juniper	SHRUB	15" CAN	CONT

SHEET TITLE
 LANDSCAPE &
 LIGHTING PLAN

SHEET NO.SPL-1.00-02