



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

MCPB No. 15-129
 Site Plan No. 820150100
 Chick-fil-A Olney
 Date of Hearing: October 1, 2015

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CORRECTED RESOLUTION

WHEREAS, under Montgomery County Code Division 59-7.1.2 of the Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on May 12, 2015, Chick-fil-A ~~John Martinez~~ ("Applicant"), filed an application for approval of a site plan for a 4,886 square-foot restaurant and drive-thru on 0.90 acres of CRT zoned-land, located at 18115 Georgia Avenue, east side, north of the intersection of Georgia Avenue and Olney-Sandy Spring Road ("Subject Property"), in the Town Center section of the Olney Master Plan ("Master Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820150100, Chick-fil-A Olney; and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 18, 2015, setting forth its analysis of and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 1, 2015, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the Hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

Approved as to
 Legal Sufficiency:

Christina Sount 1/4/16
 M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Site Plan No. 820150100 for a 4,886 square-foot restaurant and drive- thru located at 18115 Georgia Avenue, subject to the following conditions:¹

1. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No.120150180 and any amendments.

2. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the architectural drawings included in the Certified Site Plan, as determined by M-NCPPC Staff.

3. Lighting

a) Prior to issuance of any above-grade building permit, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

b) All onsite down-lights must have full cut-off fixtures.

c) Deflectors will be installed on all proposed fixtures causing potential glare or excess illumination.

d) Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.

e) The light pole height must not exceed the height illustrated on the Certified Site Plan.

4. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, trash enclosures, retaining

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.