



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

MAR 16 2015

MCPB No. 15-25
Site Plan No. 81985107A
18273 Flower Hill Way McDonald's
Date of Hearing: March 12, 2015 (Consent)

RESOLUTION

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

WHEREAS, under Section 59-7.7.1.B.1 of the Zoning Ordinance, this site plan is being reviewed under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on March 6, 1986, the Planning Board approved Preliminary Plan No. 1-85218 to create 1 lot on 15.42 acres of Planned Neighborhood Zone (PNZ) property located in the southwest corner of the intersection of Woodfield Road and Muncaster Mill Road/Snouffer School Road in the Gaithersburg Vicinity Master Plan ("Master Plan") area; and

WHEREAS, on March 26, 1986, the Planning Board approved Site Plan No. 8-85107 to allow construction of 14,370 square feet of commercial development including one drive-thru restaurant; and

WHEREAS, on January 25, 1990, the Planning Board approved Preliminary Plan No. 1-89244 to create 8 lots on 14.90 acres including Parcel A-5 at the intersection of Woodfield Road and Flower Hill Way ("Subject Property"); and

WHEREAS, on February 5, 2015, McDonald's Corporation ("Applicant") filed a site plan amendment application for approval of the following modifications to the originally approved site plan:

1. Reconfigure the existing drive-thru lane, unused drive aisle, and surface parking area to create side-by-side drive-thru lanes with dual ordering station and new landscape elements;
2. Expand the existing pick-up window for drive-thru service by approximately

Approved as to
Legal Sufficiency


M-NCPPC Legal Department

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- thirty (30) square feet in size; and
3. Renovate the building's facades and trash enclosure.

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 81985107A, 18273 Flower Hill Way McDonalds ("Site Plan," "Amendment" or "Application"); and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated February 27, 2015, setting forth its analysis of and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on March 12, 2015, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board, by the vote as certified below voted to approve the Amendment subject to the following condition:

1. The Certified Site Plan must include the entire 2.23-acre Parcel A-5, as reflected on the record plat.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), the Planning Board FINDS, that this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan and all findings not specifically addressed remain in effect; and

BE IT FURTHER RESOLVED, unless specifically amended, all other conditions of approval for Site Plan No. 8-85107 remain valid and in full force and effect; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 16 2015 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Fani-González voting in favor, and Commissioner Presley absent, at its regular meeting held on Thursday, March 12, 2015, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board