

Montgomery Planning

**CHICK-FIL-A CLARKSBURG  
SITE PLAN AMENDMENT NO. 82014016C AND  
FINAL FOREST CONSERVATION PLAN AMENDMENT F2024003A**



**Description**

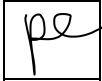
Request for a Drive-Thru facility for a new 6,350 SF restaurant.

Nos. 82014016C and  
F2024003A  
Completed: 9-13-2024

MCPB  
Item No. 12  
9-26-2024

Montgomery County  
Planning Board  
2425 Reddie Drive, Floor 14  
Wheaton, MD 20902

## Planning Staff



Phillip Estes, AICP, Planner III, Upcounty, [Phillip.Estes@montgomeryplanning.org](mailto:Phillip.Estes@montgomeryplanning.org), 301-495-2176



Sandra Pereira, RLA, Supervisor, Upcounty, [Sandra.Pereira@montgomeryplanning.org](mailto:Sandra.Pereira@montgomeryplanning.org), 301-495-2186



Patrick Butler, AICP, Chief, Upcounty Planning, [Patrick.Butler@montgomeryplanning.org](mailto:Patrick.Butler@montgomeryplanning.org), 301-495-4561

### LOCATION/ADDRESS

Clarksburg Road and Gosnell Farm Drive

### MASTER PLAN

1994 *Clarksburg Master Plan*

### ZONE

CRT-0.5, C-0.25, R-0.25, H-130 T (current zone)  
MXPDP (previous zone)

### PROPERTY SIZE

84.24 acres (Overall Property)  
3.11 acres (Subject Property)

### APPLICANT

Chick-fil-A, Inc.

### ACCEPTANCE DATE

May 15, 2024

### REVIEW BASIS

Chapters 19, 22A, and 59

## Summary

- Staff recommends approval of the Site Plan Amendment with conditions, the Final Forest Conservation Plan Amendment, and the Final Water Quality Plan.
- The majority of the Subject Property is located within the Clarksburg Special Protection Area, and therefore, a Water Quality Plan is required.
- Pursuant to Sec. 59.3.5.14.E (Accessory Commercial Uses), a Drive-Thru facility may be approved with a Site Plan if it meets certain use conditions. A Restaurant use is permitted by-right in the CRT zone.
- The Drive-Thru facility use is reviewed under the 2014 Zoning Ordinance.
- Pursuant to Sec. 59.7.7.B.3 (Exemptions), Applicant proposes to utilize the 2004 Zoning Ordinance for development standards.
- Along the Gosnell Farm Road frontage, the Amendment proposes to extend the eight (8)-foot-wide shared use path.
- As conditioned, beyond the frontage on Gosnell Farm Road to Wellspring Avenue, the Amendment will provide an eight (8)-foot-wide two-way separated bike lane with a 2.5-foot-wide concrete street buffer.
- To date, staff has received comments from one residential neighbor regarding impacts to traffic, whether other sites were considered, and two letters in support of the Amendment.

## TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	3
SECTION 1: RECOMMENDATIONS AND CONDITIONS .....	4
SITE PLAN AMENDMENT 82014016C .....	4
FOREST CONSERVATION PLAN AMENDMENT F2024003A .....	9
SECTION 2: SITE DESCRIPTION .....	10
VICINITY .....	10
PROPERTY DESCRIPTION .....	13
SECTION 3: PROJECT DESCRIPTION .....	15
PREVIOUS APPROVALS .....	15
PROPOSAL .....	16
SECTION 4: COMMUNITY OUTREACH .....	18
SECTION 7: SITE PLAN AMENDMENT 82014016C FINDINGS AND ANALYSIS .....	20
SECTION 8: FINAL FOREST CONSERVATION PLAN AMENDMENT F2024003A FINDINGS AND ANALYSIS .....	35
SECTION 9: CONCLUSION .....	36
ATTACHMENTS .....	36

## EXECUTIVE SUMMARY

This Amendment is part of the larger 535-acre Cabin Branch property that extends from the intersection of I-270 and Clarksburg Road on the north to West Old Baltimore Road on the southern boundary in Clarksburg. The area contains a mix of residential homes, senior housing, commercial uses, Clarkmont Local Park, and Cabin Branch Elementary School.

Within the Cabin Branch property is the Overall Property (Clarksburg Premium Outlets shopping center), which was approved by Site Plan No. 820140160. In addition to the shopping center, the 84.24-acre site plan included two pad sites intended for restaurant uses. The pad sites have been partially developed with driveway access, parking area, stormwater management facilities, and landscaping. To date, no buildings have been constructed on the pad sites.

The focus of this Amendment is the development of the Subject Property (the pad sites). The Applicant proposes to build a Restaurant with a Drive-thru facility, including associated alterations to parking area and landscaping, pedestrian and bicycle facility improvements, and other site modifications.

## SECTION 1: RECOMMENDATIONS AND CONDITIONS

### SITE PLAN AMENDMENT 82014016C

Staff recommends approval of Site Plan Amendment No. 82014016C, for a 6,360 square foot Restaurant with an accessory commercial use Drive-Thru. The development must comply with the conditions of approval for Development Plan No. 13-02 and Preliminary Plan No. 12003110C as listed in MCPB Resolution No. 14-11 dated December 23, 2014, as may be amended. The development must comply with the conditions of approval for Site Plan Amendment 82014016B as listed in MCPB Resolution No. 18-046 dated July 3, 2021, except as modified below. All other conditions remain in full force and effect.

All site development elements shown on the latest electronic version of the Site Plan Amendment, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.<sup>1</sup>

### REVISED CONDITIONS

#### 13. Transportation

- c. The Certified Site Plan must show the internal circulation as private drive aisles.
  - i. The Applicant must construct a private drive aisle (labeled as Premium Outlets Drive) from the main entrance at Clarksburg Road (MD 121) to the southern end of the site that terminates at the amphitheater shown on the Site Plan to applicable Montgomery County Department of Transportation (“MCDOT”) Road Code Standard MC-219.01: Commercial/Industrial Dual Road Modified. The typical curb to curb dimensions will consist of travel lanes that will be 12-feet wide varying between 1 and 2 lanes in each direction and the median width will vary from 4-30 feet as indicated on the Site Plan, unless travel lane and/or median widths are modified to accommodate bicycle and/or pedestrian infrastructure. A shared use path will be accommodated within the 80-foot typical section as indicated on the Site Plan from the private drive aisle connecting to Cabin Branch Avenue heading south towards the proposed amphitheater.
  - ii. The Applicant must construct a private drive aisle that traverses the back of the Subject Property and connects at Premium Outlets Drive to applicable MCDOT Road Code Standard 214.02: Commercial/Industrial Road Modified and the 30-foot-wide drive aisle shall not have travel lanes that exceed 12-feet in width, unless dimensions and/or lane widths are modified to provide bicycle and/or pedestrian infrastructure.

---

<sup>1</sup> For the purposes 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.

Additionally, the Applicant must construct all sidewalks, on the Subject Property within the Site Plan, to applicable ADA standards. The striping plan of the drive aisle will be reviewed prior to Certified Site Plan.

- iii. The Applicant must construct an east-west drive aisle extension from Cabin Branch Avenue to the Premium Outlets Drive (a private drive aisle) for secondary site access to applicable MCDOT Road Code Standard MC-219.0: Commercial/Industrial Dual Road Modified. The typical curb to curb dimensions will consist of two travel lanes that will be 12-feet wide in each direction and the median width will vary from 2-12 feet as indicated on the Site Plan, unless dimensions, lane widths, or median widths are modified to provide bicycle and/or pedestrian infrastructure. A shared use path will be accommodated within the 80-foot typical section as indicated on the Site Plan from Cabin Branch Avenue to the private drive aisle that connects with the amphitheater as shown on the Site Plan.

#### NEW CONDITIONS

##### 26. Pad Site (Site Plan Amendment No. 820140160C)

- a. The Site Plan Amendment is limited to a maximum of 6,350 square feet of total development with an accessory commercial use Drive-Thru facility<sup>2</sup> on the Subject Property that is subject of Site Plan Amendment No. 820140160C.
- b. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.
- c. The Applicant must provide a minimum total Green Area of at least 1.38 acres on the Subject Property that is subject to Site Plan Amendment No. 820140160C.
- d. Transportation. Before release of the final Use and Occupancy permit, the Applicant must provide the following master planned pedestrian and bicycle facilities on Gosnell Farm Drive, the exact location, design and construction of which must comply with requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations:
  - i. Along the Property frontage that is subject to Site Plan Amendment No. 820140160C, on Gosnell Farm Drive: eight (8) foot-wide sidepath with a 2.5-foot-wide street buffer from traffic on the north side of the street.
  - ii. Beyond the Property frontage that is subject to Site Plan Amendment No. 820140160C, on Gosnell Farm Drive to Wellspring Avenue: eight (8) foot-wide two-way separated bike lane on the north side of the street with a 2.5-foot-wide concrete street buffer,

---

<sup>2</sup> The square footage may be changed to other non-residential uses if there is no adverse impact to the Site Plan or APF findings, and the change in use is approved by Staff.

connecting to the proposed eight (8) foot-wide sidepath on the north side of the street.

- iii. The Applicant must provide eight (8) bicycle parking spaces in four (4) bicycle racks on the Property that is subject to Site Plan Amendment No. 820140160C.
- e. Impervious surfaces are limited to no more than 56 percent of the Property that is subject to Site Plan Amendment No. 820140160C, within the Clarksburg Special Protection Area as shown on the Impervious Surface Plan, dated July 12, 2024, and included as part of the approved Final Water Quality Plan.
- f. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its Final Water Quality Plan approval letter dated April 9, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.
- g. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated June 20, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- h. The Planning Board has reviewed and accepts the recommendations of MCDPS, Fire Department Access and Water Supply Section in its letter dated August 13, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
- i. Site Plan Surety and Maintenance Agreement  
Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by 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 [59-D-3.5(d) from old code] of the Montgomery County Zoning Ordinance, with the following provisions:
  - i. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
  - ii. The cost estimate must include applicable Site Plan elements only for facilities located on the Property (not in the public right-of-way), including, but not limited to

[specify for each project: plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights]. The surety must be posted before issuance of any building permit of development and will be tied to the development program.

- iii. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

j. Lighting

- i. Before certified Site Plan, 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).
- ii. All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- iii. Deflectors will be installed on [Pick one: all/existing/proposed] fixtures to prevent excess illumination and glare.
- iv. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street lights within the right-of-way.
- v. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- vi. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

k. Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- i. Include the stormwater management concept approval letter, approved Fire Department Access Plan, development program, and Site Plan resolution on the approval or cover sheet(s).
- ii. Address architectural comments from the Town Architect in a letter dated February 19, 2024 (Attachment G).



iii. Add the following notes:

1. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
2. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”

## FOREST CONSERVATION PLAN AMENDMENT F2024003A

All existing conditions of approval for the Forest Conservation Plan<sup>3</sup> remain valid, unchanged and in full force and effect, except as modified with this Amendment. Based on the review by the Planning Staff (“Staff”) of The Maryland-National Capital Park and Planning Commission (“M-NCPPC”), Staff recommends approval of the FFCP submitted to M-NCPPC to revise sheets 1, 2C, 2E, 3, 6, 9, 10, and 11. All development elements shown on the latest electronic version of the Final Forest Conservation Plan Amendment, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified with the following added conditions<sup>4</sup>:

1. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
2. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
3. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

---

<sup>3</sup> The Property has an overall Final Forest Conservation Plan No. 820050150, as amended, which was renumbered to F20240030 with the most recent amendment.

<sup>4</sup> 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.

## SECTION 2: SITE DESCRIPTION

### VICINITY

The proposed project is within the Cabin Branch property which includes a mixed-use community of approximately 535 acres bordered by I-270, Clarksburg Road (MD 121), and West Old Baltimore Road (“Cabin Branch property”).

Within the Cabin Branch property is the Clarksburg Premium Outlets, which consists of 84.24 acres and is located at the southern quadrant of the intersection of Clarksburg Road (MD 121) and I-270 in Clarksburg, and is zoned CRT-0.5, C-0.25, R-0.25, H-130 T (“Overall Property”). The Overall Property is developed with a shopping center and food court (437,000 SF) and two free-standing retail/restaurant pad sites on the eastern portion of the Overall Property. The shopping center and food court were completed in 2017.

Property to the north and northwest of the Overall Property are zoned Employment Office (EOF) zone and CRT zone. To the west of the Overall Property the land is zoned CRT, Residential Estate 1 (RE-1) and Rural Neighborhood Cluster (RNC). South of the Overall Property is the CRT zone. Adjacent to the north and east of the Overall Property is I-270.

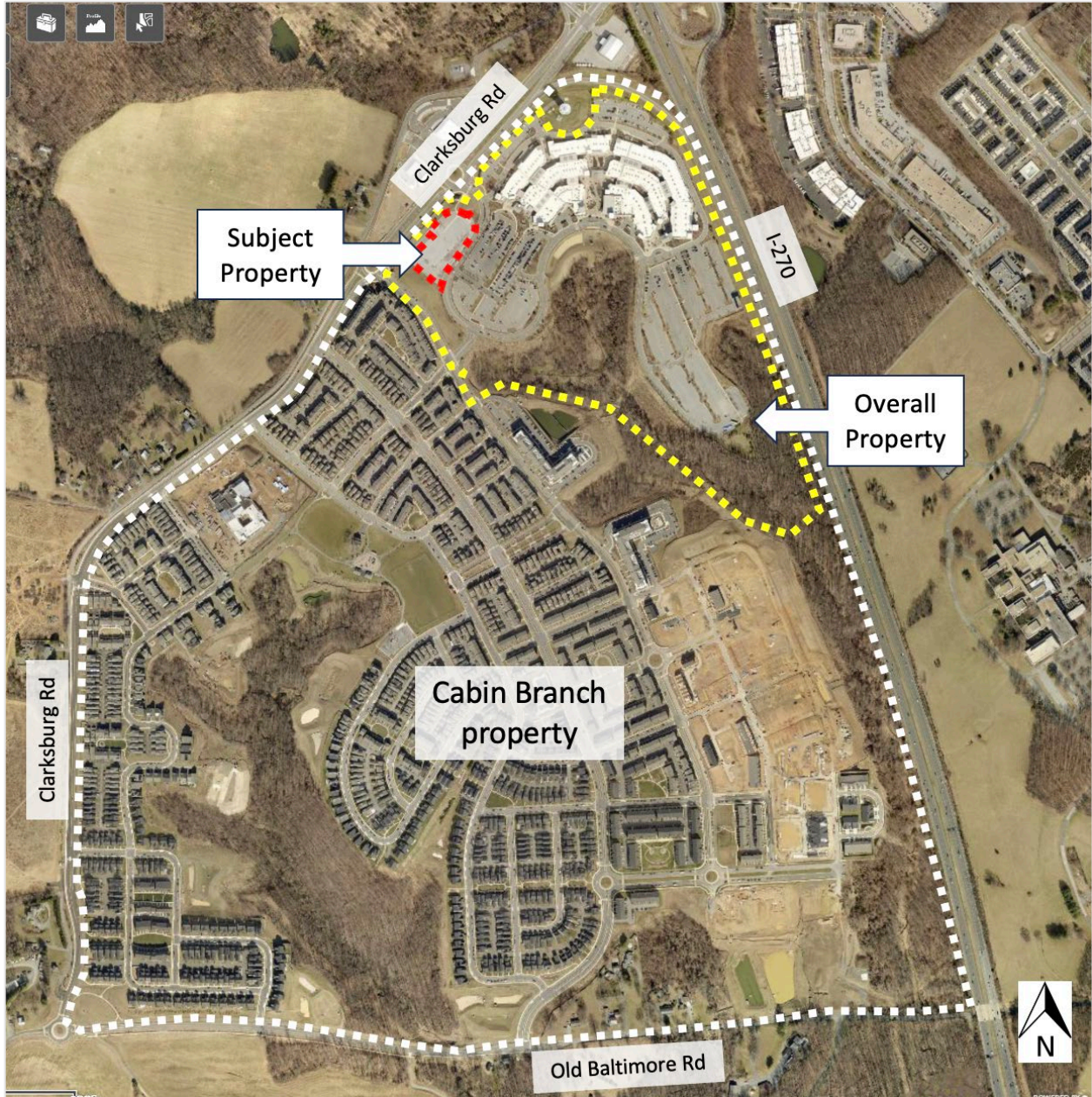


Figure 1 - Vicinity Map with Cabin Branch property (white line), Overall Property (yellow line), and Subject Property (red line)

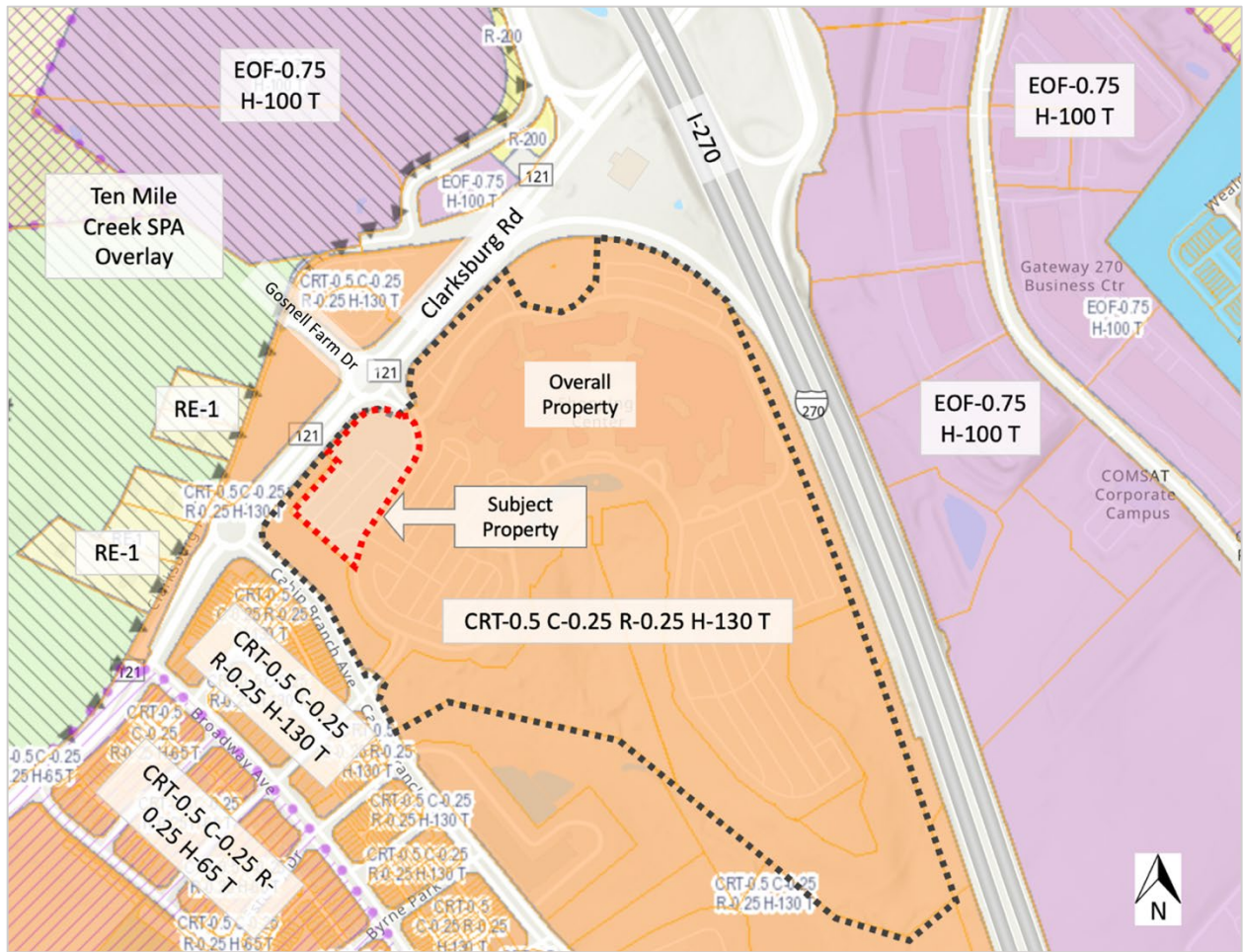


Figure 2 - Zoning Map

## PROPERTY DESCRIPTION

The Subject Property is within the Overall Property and located south of the intersection of Clarksburg Road and Gosnell Farm Drive, (“Subject Property”), is zoned CRT-0.5, C-0.25, R-0.25, H-130 T, and subject to the 1994 *Clarksburg Master Plan* (“Master Plan”).

The Subject Property is 3.11 acres and is presently developed as two pad sites with two access driveways, parking, stormwater management facilities, and landscaping (Figure 3). No building has been built on the pad sites. Presently, there is a landscaped berm along the northwestern and southwestern portion of the Property, and it slopes downward toward the Property. Vehicular access is from Gosnell Farm Drive, a private road. Pedestrian and bicycle access is from both Clarksburg Road (public road) and Gosnell Farm Drive.

To the south of Subject Property is an undeveloped lot and across Cabin Branch Avenue are townhouses. Across Clarksburg Road to the northwest is a drug store, gas station, and convenience store. Along Old Clarksburg Road, to the west, are single-family houses and agricultural uses. To the northeast and east is the Clarksburg Premium Outlets shopping center and surface parking lots.

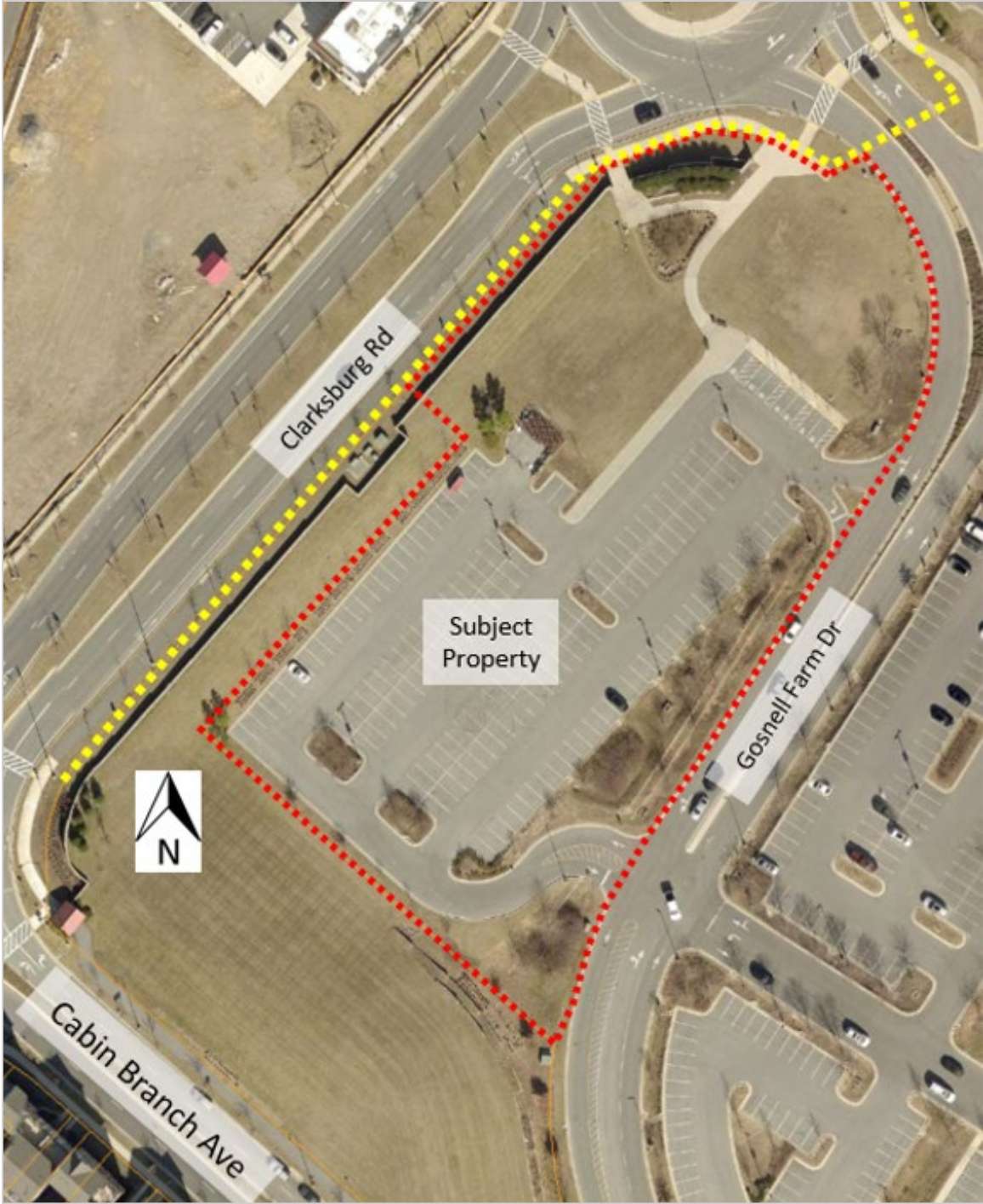


Figure 3 - Subject Property

## SECTION 3: PROJECT DESCRIPTION

### PREVIOUS APPROVALS

#### DEVELOPMENT PLAN AMENDMENT

The Cabin Branch property was first approved under Development Plan Amendment DPA No. 13-02 on February 4, 2014 (Council Resolution No. 17-1002). The Overall Property and Subject Property are within areas A and B on the approved Land Use Plan of the Development Plan. Area A is approved for a total of up to 1,150,000 SF of employment uses (retail and office), up to 100 dwelling units for seniors, and up to 7,500 SF of public use space. Area B is approved for 275 to 750 dwelling units and up to 450,000 SF of employment uses, 150 to 500 dwelling units for seniors, and up to 7,500 SF of public use space.

#### PRELIMINARY PLAN

Preliminary Plan Amendment No. 12003110B, approved October 6, 2008, approved the overall density of the Cabin Branch property. Preliminary Plan Amendment No. 12003110C, approved December 23, 2014, allowed up to 450,000 square feet of retail and restaurant uses, parking facilities, and public amenities for Clarksburg Premium Outlets/Overall Property.

#### SITE PLAN

Infrastructure and Road Only Site Plan No. 820050150, approved September 19, 2007, established the infrastructure, forest conservation, and water quality plans. This site plan requires subsequent site plans amendments to approve site specific elements for various development across the Cabin Branch property. This plan was most recently amended as Site Plan Amendment No. 82005015H on June 17, 2021.

Site Plan No. 820140160 was approved December 23, 2014 for the Overall Property: 450,000 square feet of retail and restaurant uses, two pad sites, parking facilities, and public amenities and amended the Infrastructure Site Plan. Site Plan Amendment No. 82014016A was approved on April 15, 2016 for minor changes to grading, stormwater management, crosswalk locations, parking lot layout, dumpster location, and landscaping.

Site Plan Amendment No. 82014016B was approved on June 14, 2018, which included removal of the median roadway strip in the main loop drive, improved promenade hardscape, updated the landscape plan, minor revisions to site details and retaining wall, and approval of as-built conditions for playground equipment.

A complete listing of the Cabin Branch property approvals can be found in Attachment B.



## PROPOSAL

The proposed Site Plan Amendment is located on a partially developed pad site that was approved as part of the Clarksburg Premium Outlets shopping center/the Overall Property. The Applicant proposes to construct a 6,350 SF Restaurant with approximately 3,500 SF of patron use space, an accessory commercial Drive-Thru, reconfigure the parking area, additional landscaping, pedestrian and bicycle facility improvements, and other site alterations (“Amendment”).

Under the CRT current zone, a Drive-thru restaurant is permitted as a limited use (Sec. 59.3.1.6, Use Table) and subject to the use standards of 59.3.5.14 (Accessory Commercial Uses/Drive-Thru). However, pursuant to 59-7.7.B.3.b (Exemptions), until October 30, 2039, the Applicant may seek to amend a previously approved plan and use the development standards and procedures of the property’s zoning on October 29, 2014. The property’s zoning on October 29, 2014 was MXPDP.

The proposed restaurant building is one-story in height and oriented toward the traffic circle intersection of Clarksburg Road and Gosnell Farm Drive (Figure 4). The architecture includes a 40-foot-tall tower feature with an extended roof parapet, that combined visually appears to be a two-story building (Figure 5). Ninety (90) surface parking spaces, outdoor seating and dining areas, updated landscaping, additional ornamental and shade trees are provided. The main pedestrian entrance to the building is located near the outdoor dining areas. The Amendment proposes 43 percent Green Area (Figure 6).

As shown in Figure 7 and Figure 8, the Amendment proposes to extend the eight (8) foot-wide shared use path from Clarksburg Road to the length of the frontage of the Property. From the southern portion of the Property frontage, the Amendment proposes an eight (8) foot-wide two-way separated bike lane on Gosnell Farm Road to Wellspring Avenue.

As shown in Figure 4, the Drive-Thru facility consists of two (2) service lanes with ingress and egress from Gosnell Farm Drive. There is approximately 840 feet of queuing space for 43 vehicles included in both service lanes. The Drive-Thru service windows are located on the rear façade of the building.

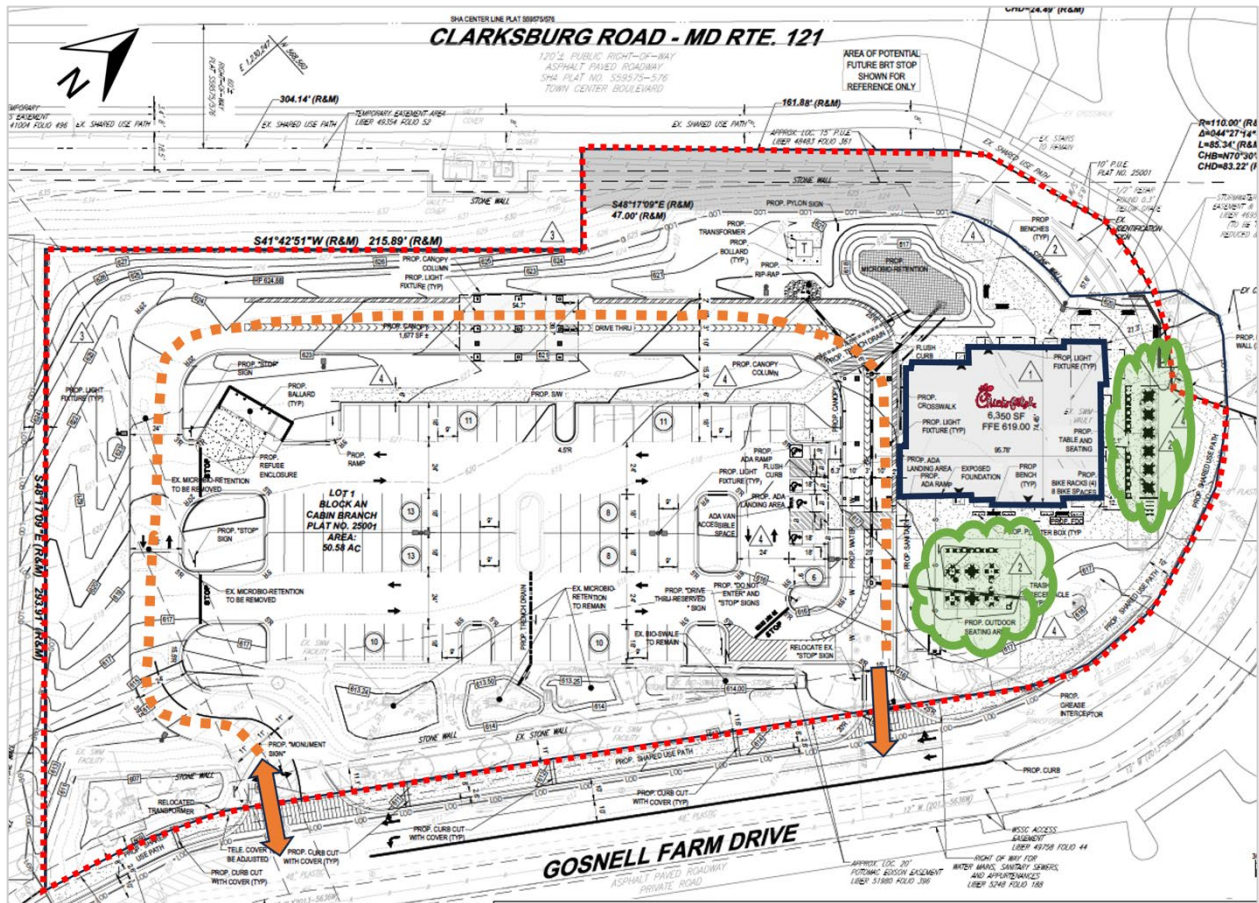


Figure 4 - Proposed site plan, Drive-thru circulation, outdoor dining areas (green)



Figure 5 - Rendered view from Clarksburg Road at traffic circle

## SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all noticing requirements including posting a notice on the Subject Property and notification to affected parties. The Applicant held a virtual community information meeting on December 22, 2023. A required pre-submittal public meeting was held virtually on January 11, 2024. At the pre-submittal meeting, attendees raised questions regarding the outdoor seating area design, traffic, rationale for the proposed location, and the quality of food. The Applicant provided the following responses summarized below:

- The Applicant described the outdoor seating area as being largely set behind protections at street level with railings and walls to account for pedestrian safety.
- A traffic statement will be submitted with the Amendment and reviewed by staff. Applicant analyzed potential traffic generation in the context of the County’s adequate public facilities regulations and concluded the Amendment is compliant. The Amendment was analyzed within the existing approvals for the Cabin Branch property and the Overall Property. The Applicant will comply with all requirements to ensure transportation adequacy.
- Other locations in Clarksburg were explored. The Subject Property was deemed most suitable to accommodate the Applicant’s drive-thru queuing, ordering system, and other operational standards.
- The Applicant indicated that Chick-fil-A serves high quality dining options with all food preparation completed within the restaurant.

Three letters were received: two in support and one in opposition of the Amendment. The letters in support welcomed the outdoor dining area, efficient drive-thru experience, the value of the food, and noted that chicken is a dietary priority with some religious practices.

The letter in opposition stated concerns over traffic, questions about touring other Chick-fil-A restaurants, market research, and community meetings. Staff concludes that the Applicant has reasonably and sufficiently addressed comments through plan revisions and approvals from other reviewing agencies. A summary of comments and staff’s response are in Table 1. The Applicant’s responses are in Attachment H.

*Table 1 - Community Comments*

Comment	Staff Response
Traffic concerns	The Cabin Branch property was approved in 2004, with additional trip generation studies in 2014 and 2017. The studies included 1,886 residential units, 500 senior units, 127 hotel rooms, 622,500 SF office, 1,226,900 SF research and development, 44,220 SF retail and 450,000 SF outlet mall

Comment	Staff Response
	(which includes the Subject Property). As shown in the Applicant’s Traffic Impact Statement (Attachment C), the proposed restaurant and drive-thru will not change the number of expected trips generated by the Overall Property or the larger Cabin Branch property. With the Amendment, the Overall Property will generate fewer trips than are allowed by the current approval. No additional traffic studies are required for the Amendment.
Will staff tour other Chick-fil-A restaurants to observe traffic operations?	Site characteristics, existing conditions, regulations, nearby land uses, and zoning classifications can vary significantly from site to site. The Amendment is reviewed under regulations applicable to the Subject Property, its characteristics, and surrounding context. A tour of other Chick-fil-A restaurants was not deemed necessary to analyze this Amendment.
Were other sites considered by the Applicant?	Applicant indicates that other locations in Clarksburg were explored. The Subject Property was deemed most suitable to accommodate the Applicant’s drive-thru queuing, ordering system, and other operational standards. This is not a criteria required for site plan approval.
What other community meetings are planned?	Pursuant to Sec. 59.7.3.4.B.2.h, the Applicant posted notice on the property, notified affected parties, and held a virtual pre-submittal meeting with the public on January 11, 2024. Although not required, the Applicant held a virtual informational meeting with the community on December 22, 2023. The Planning Board will conduct a public hearing on September 26, 2024. No other community meetings are proposed.

## SECTION 7: SITE PLAN AMENDMENT 82014016C FINDINGS AND ANALYSIS

Pursuant to Section 7.7.1.B.3 (Exemptions), the Applicant has elected to amend the approved site plan under the development standards and procedures of the property's zoning on October 29, 2014, which was MXPDP.

Pursuant to Section 59.3.1.6 (Use Table) a Restaurant use is permitted by right in the CRT zone. New uses are subject to current zoning and the 2014 Zoning Ordinance. The Subject Property is currently zoned CRT. However, pursuant to 59.3.5.14.E (Accessory Commercial Uses) and with site plan approval, a Drive-thru facility is allowed as a Limited Use in the CRT zone if it meets certain use standards.

As shown in Table 2 and discussed below, the Amendment complies with the CRT zone use standards for a Restaurant with a Drive-Thru facility and the MXPDP zone for development standards, as applicable.

- 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 Cabin Branch property was first approved under Development Plan Amendment DPA No. 13-02 on February 4, 2014 (Council Resolution No. 17-1002) (Attachment A). The Amendment does not affect any non-illustrative elements of the approved DPA. The Amendment and plan conform to the binding elements of Development Plan No. DPA 13-02. The Overall Property and Subject Property are within areas A and B on the approved Land Use Plan of the Development Plan. Area A is approved for a total of up to 1,150,000 SF of employment uses (retail and office), and Area B is approved for a total of up to 450,000 SF of employment uses. The Amendment modifies Site Plan No. 820140160, as amended, without changing the approved density, which is under the cap established by the DPA.

- 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;***

Pursuant to Sec. 59.7.7.1.B.3 (Exemptions), the Applicant has elected to amend the Site Plan using the MXPDP development standards, which were effective on October 29, 2014. The proposed development satisfies all applicable development standards for the MXPDP zone as shown in Table 2. Table 2 lists only development standards applicable to the Amendment. All other development standards remain in full force and effect as previously approved. The Property is not located within an urban renewal area.

The Application proposes a restaurant use with a Limited Use Drive-Thru facility. A restaurant is a permitted use in the CRT zone. Drive-Thru facilities may be permitted as a Limited Use in the CRT

zone. As discussed below, in this section, the proposed Drive Thru-facility meets all the limited use standards under Section 59-3.5.14.E.2.a (Use Standards).

The Application has been reviewed by other applicable county and state agencies, all of which have recommended approval.

*Table 2 –Site Plan Amendment Data Table for MXPB Zone, Section 59-C-7.1 of prior Zoning Code.*

Development Standard	Permitted/ Required	Approved by Site Plan No. 820140160 <sup>5</sup>	Proposed
Gross Tract Area	n/a	84.24	No change
Floor Area Ratio, maximum	0.30	0.012	No change
Gross Commercial/Retail, maximum	484,000 SF	450,000 SF	No change
Building Height	n/a	70 feet	No change
Setback from residential zones other than one-family detached units, minimum	100 feet	100 feet	No change
Front Setback, minimum	10 feet	10 feet	No change
Rear Setback, minimum	0 feet	0 feet	No change
Side Street Setback, minimum	10 feet	10 feet	No change
Interior Lot Setback, minimum	3 feet	3 feet	No change
Alley Setback, minimum	3 feet	3 feet	No change
Right-of-Way Truncation Setback, minimum	0 feet	0 feet	No change
Green Area Commercial Uses, Cabin Branch property, minimum <sup>6</sup>	40% (85.48 acres)	68% (144.70 acres)	68% (144.91 acres)
Green Area, Subject Property	n/a <sup>6</sup>	n/a	43% (1.38 acres)
Parking Lot Landscaping, Subject Property, minimum	5% (1,211 SF)	n/a	7.14% (1,736 SF)
Parking Lot Tree Canopy, Subject Property, minimum coverage	25% (6,058 SF)	n/a	28% (6,905)

<sup>5</sup> Site Plan No. 820140160 approved the development standards for the Overall Property and Subject Property. Administrative Site Plan Amendment Nos. 82014016A and 82014016B did not amend any development standard.

<sup>6</sup> Green Area requirement is applicable to the overall Cabin Branch property.

Development Standard	Permitted/ Required	Approved by Site Plan No. 820140160 <sup>5</sup>	Proposed
Parking Spaces, minimum <sup>7</sup> ; (25 spaces/1,000 SF of patron use area)	88 spaces for 3,500 SF patron space	170 spaces for 6,500 SF patron space	90 spaces for 3,500 SF patron space
Drive-Thru queuing spaces, minimum <sup>8</sup>	5 spaces per lane	n/a	43 spaces Left lane: 22 Right lane: 21
Bicycle Parking, minimum	111 spaces Overall property 8 spaces, Subject Property	218 spaces Overall Property	8 spaces, Subject Property

**LIMITED USE DRIVE-THRU FACILITY**

Pursuant to Sec. 59.3.5.14.E (Use and Use Standards Table) a Drive-Thru facility is allowed in the CRT zone, if it satisfies the use standards under Sec. 59.3.5.14.E.2 (Limited Use Drive-Thru) and a Site Plan application is approved.

**1. Limited Use Drive-Thru Use Standards. Where a Drive-Thru is allowed as a limited use, it must satisfy the following standards:**

**a. A Drive-Thru, including the queuing area, must be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached zones.**

The Subject Property is not located within 100 feet of property in Agricultural, Rural Residential, or Residential Detached zones.

**b. For a Restaurant with a Drive-Thru, access to the site from a street with a residential classification is prohibited.**

Access to the Subject Property is not provided from a street with a residential classification. Access is provided from Gosnell Farm Drive which is a private roadway. Private roadways do not have a county

<sup>7</sup> Subject Property (pad site) was approved for 6,500 SF of patron use space under Site Plan No. 820140160. The proposed patron use space is reduced to 3,500 SF.

<sup>8</sup> Pursuant to Sec. 6.2.7.A.1, a restaurant drive-thru facility must have a minimum of five (5) queuing spaces for each drive-thru lane.

roadway classification. However, for analysis purposes, the Town Center Roadway classification is used because this private road is used to service the shopping center.

- c. A drive-thru service window, drive aisle, or queuing area located between the street and the front main wall of the main building is prohibited.**

The drive-thru service window, drive aisle, and queuing area are located at the rear of the building and are not located between the street and the front main wall of the main building.

- d. A drive-thru service window, drive aisle, or stacking area may be located between the street and the side wall of the main building on a corner lot if permanently screened from any street by a minimum 3-foot-high wall or fence.**

This standard is not applicable because the drive-thru service window, drive aisle, and stacking area are located at the rear of the building.

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

## LOCATIONS OF BUILDINGS AND STRUCTURES

The location of buildings and structures are adequate, safe, and efficient. As shown in Table 2, the location of the building and structures adequately satisfy all applicable development standards of the MXP zone<sup>9</sup>. As shown in Figure 4 and Figure 5, the proposed restaurant is situated at the corner of Clarksburg Road and Gosnell Farm Road. Proposed are landscaping and outdoor patron seating areas between the building and Gosnell Farm Road. The pedestrian entrance is located off of Gosnell Farm Drive near both outdoor patron seating areas. The building orientation towards the road and minimal setback combined with site design helps to activate the street and reinforces the retail and pedestrian character that is sought for this area. The on-site parking and the Drive-Thru facility are located behind the building and is accessed from Gosnell Farm Drive. There are no proposed alterations to the stone retaining wall along Clarksburg Road. Both the parking area and Drive-Thru facility are adequately screened from off-site view by elevation, earth berms, landscaping, and trees.

## OPEN SPACE

The location of open space is adequate, safe, and efficient. The approved Green Area is applicable to the Cabin Branch property. The Amendment proposes a minor increase to the approved minimum Green Area, which includes 43 percent Green Area on the Subject Property as shown on Figure 6, below. The proposed overall (161.20 to 161.41 acres) and commercial (144.70 to 144.91 acres) Green Area remains in substantial conformance with the prior Site Plan approval. The approved residential Green Area for the Cabin Branch property remains unchanged. As shown on Table 2, the Amendment

---

<sup>9</sup> Pursuant to 59-7.7.B.3.b (Exemptions), the Amendment is reviewed under the zoning in effect October 14, 2004.



exceeds the minimum 40 percent Green Area requirement for the MXPD Zone on the Cabin Branch property.

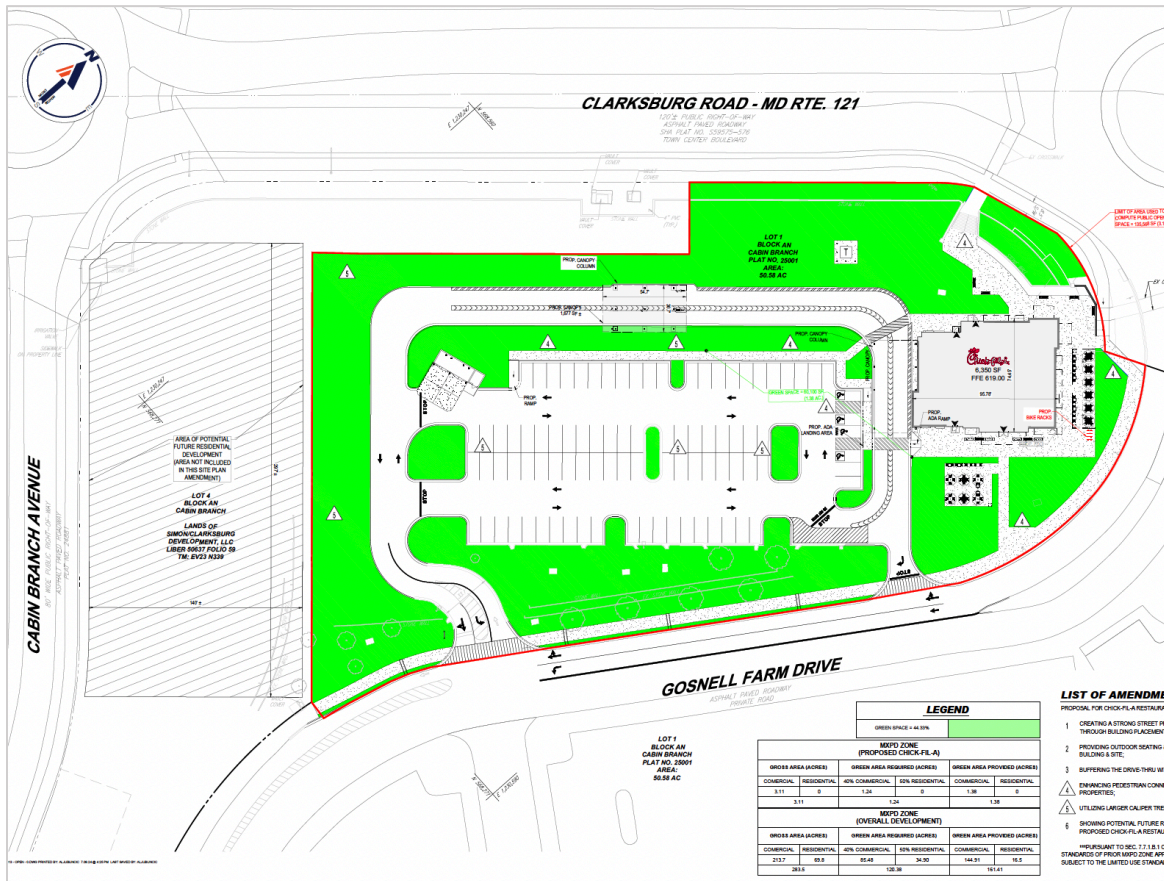


Figure 6 - Green Area exhibit

## LANDSCAPING AND LIGHTING

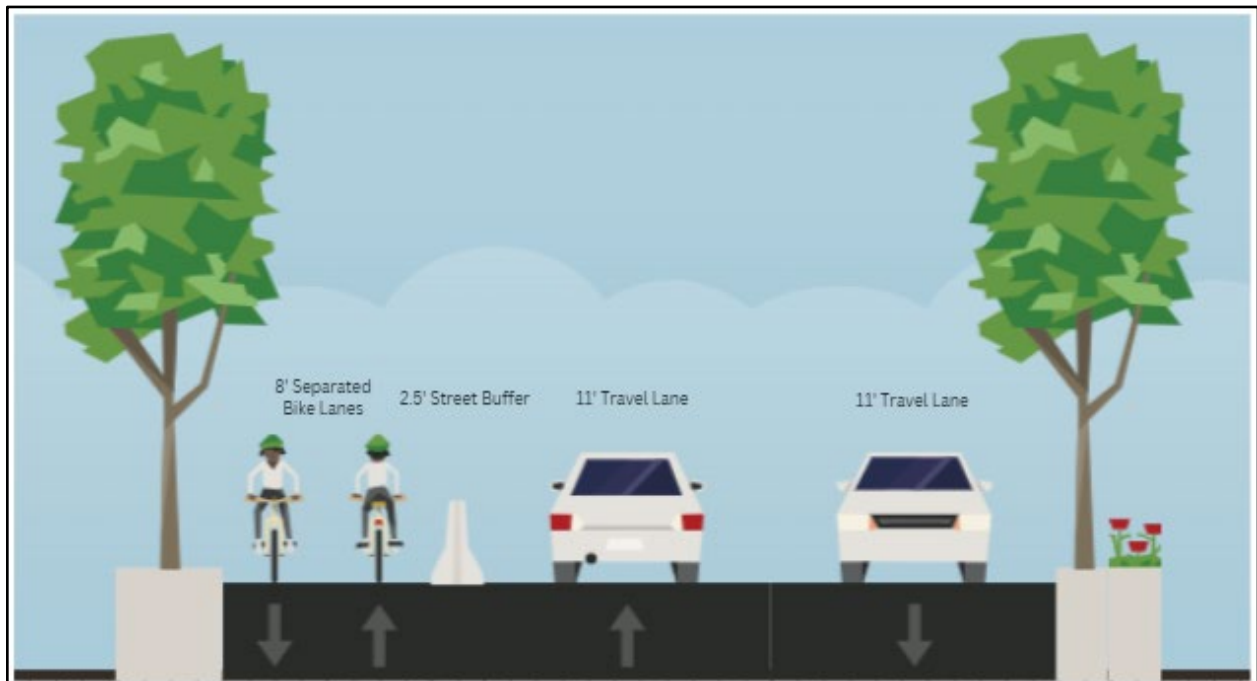
The landscape and lighting plan are adequate, safe, and efficient. As shown on the Landscape and Lighting Plan (Attachment D), the proposed landscaping and lighting satisfies all applicable development standards under Sec. 59.6.4 (General Landscaping and Outdoor Lighting). The Amendment proposes street trees, parking lot trees, parking lot screening, ornamental trees, shrubs, perennials, grasses, and groundcover. Existing mature trees and retaining walls located along Gosnell Farm Drive provide effective off-site screening of the parking area and Drive-thru lanes. Parking and vehicle maneuvering areas are also effectively screened due to the lower elevation of the Subject Property in relation to Clarksburg Road. To activate the street-facing facades, the Amendment proposes a seating plaza with outdoor dining areas. The plaza areas contain dining tables, benches, planter boxes, landscaping and lighting. Canopy trees are provided which will shade outdoor seating areas at maturity. The plaza and seating areas are adjacent to the public realm and easily accessible for patrons arriving by foot, bicycle, or car.

## RECREATION FACILITIES

Recreational facilities are not required for this Amendment. The Application does not propose modifications to any approved recreational facility on the Overall Property.

## PEDESTRIAN AND VEHICULAR CIRCULATION SYSTEMS

The Subject Property has frontage on Clarksburg Road (MD 121) and Gosnell Farm Drive (private road). Vehicular access to the Subject Property is provided through Gosnell Farm Drive. Pedestrians and bicyclists may access the Subject Property through both roadways, Clarksburg Road and Gosnell Farm Drive. The total width of Clarksburg Road is approximately 80-foot-wide, which corresponds to four travel lanes and a 30-foot-wide centerline street buffer with trees and grass. Gosnell Farm Drive is a private street approximately 50-foot-wide with four travel lanes, mostly separated by on-street pavement marking. Existing travel lanes on Clarksburg Road will remain unchanged. The four travel lanes on Gosnell Farm Drive along the Subject Property frontage will remain unchanged. As conditioned, Gosnell Farm Drive to the south beyond the Site frontage towards Wellspring Avenue will be reduced to two travel lanes and each travel lane will be narrowed to 11 feet to accommodate the proposed bicycle infrastructure (see Figure 7 below).

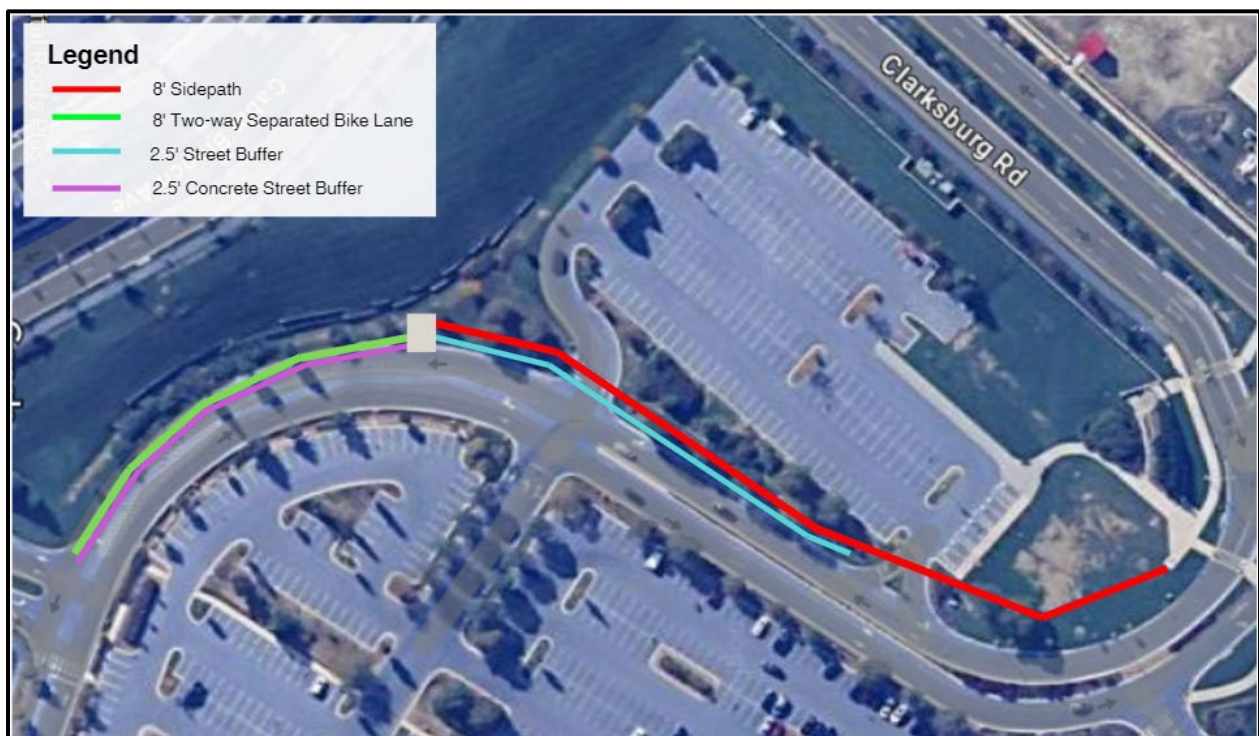


*Figure 7 – Gosnell Farm Road cross-section, between Subject Property and Wellspring Avenue, as conditioned*

To adequately serve the Subject Property, pedestrian and bicyclist connectivity will be improved along the Gosnell Farm Drive frontage. The existing eight (8) foot-wide sidepath along Clarksburg Road and Gosnell Farm Drive will be extended along the entirety of the Subject Property frontage on Gosnell Farm Drive with a 2.5-foot-wide street buffer to accommodate both pedestrians and bicyclists.

As conditioned, the proposed eight (8) foot-wide sidepath along Gosnell Farm Drive will transition into an eight (8) foot-wide two-way separated bike lane. This will satisfy the requirements under the 2018 *Bicycle Master Plan* (Figure 7, Figure 8). The proposed eight (8) foot-wide two-way separated bike lane will be buffered by a 2.5-foot-wide raised, concrete buffer. The proposed sidepath and bike lanes improvements will promote safety and connectivity and provide adequate circulation to serve the Subject Property, and the surrounding commercial uses and residential neighborhoods.

Clarksburg Road currently provides safe and adequate bicycle and pedestrian access, and no improvements are required on behalf of the Applicant. The existing eight (8) foot-wide sidepath with an approximately two (2) foot-wide street buffer satisfy the requirements of both the 2018 *Bicycle Master Plan* and the 2024 *Complete Streets Design Guide*.

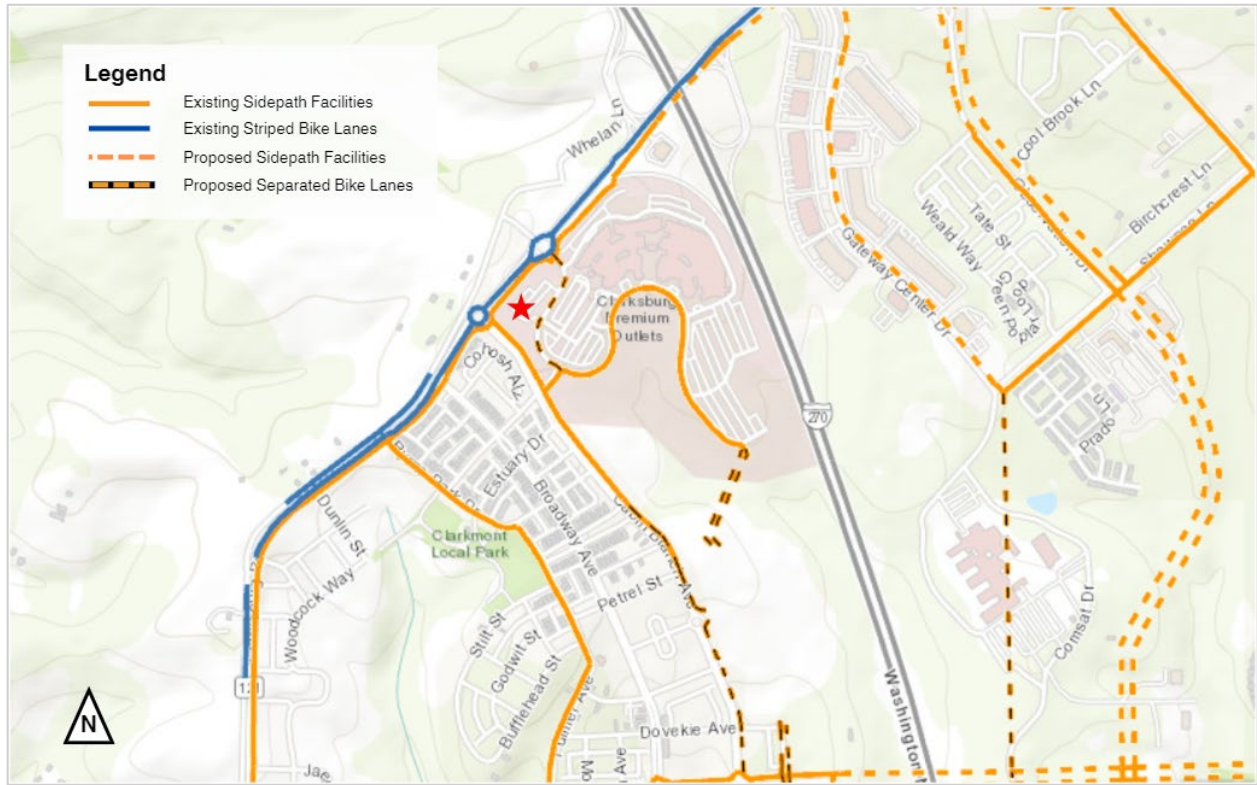


*Figure 8 – Proposed frontage improvement, as conditioned*

The proposed bicycle and pedestrian facilities will connect to existing sidepath facilities (Figure 9). To the north, the proposed eight (8) foot-wide sidepath along Gosnell Farm Drive will connect to the existing eight (8) foot-wide sidepath along Clarksburg Road, providing pedestrian and bicyclist access to existing and master planned sidepath facilities along major roadways (Gateway Center Drive, Observation Drive, and Frederick Road) that facilitates bicycle and pedestrian mobility to residential homes, and commercial areas. Additionally, it will provide pedestrian and bicyclist access to Cabin Branch Elementary School to the south, and Clarksburg Elementary School north of I-270 (Figure 9).

To the south of the Subject Property frontage, the proposed eight (8) foot-wide separated bike lane facility will provide bicycle connection to existing and master planned bicycle and pedestrian facilities

to residential areas along Cabin Branch Avenue and Byrne Park Drive (Figure 9). Additionally, the bicycle facility mentioned will provide access to recreational facilities such as the Clarkmount Local Park to the south of the Site (Figure 9). These facilities will provide this Site with the only missing bicycle connection in the area, providing the residents and visitors with safe, adequate, and protected bicycle access to the Subject Property, and commercial and residential buildings (Figure 8 and Figure 9).



*Figure 9 – Adjacent existing and proposed bicycle and pedestrian facilities, per the 2018 Bicycle Master Plan*

The County’s Bicycle Level of Traffic Stress Map identifies Gosnell Farm Drive as a moderate-high stress level street. This suggests that bicycling on Gosnell Farm Drive is currently not appropriate for children and most adults. However, as conditioned, the bicycle facilities to be provided will improve Gosnell Farm Drive for residents and visitors to bicycle on protected, safe, and adequate facilities. The proposed eight (8) foot-wide two (2) way separated bike lane with the two-and-one-half (2.5) foot-wide concrete buffer will enable users to access nearby commercial areas and neighborhoods safely and efficiently on foot, bicycle, or any mobility device (Figure 8).

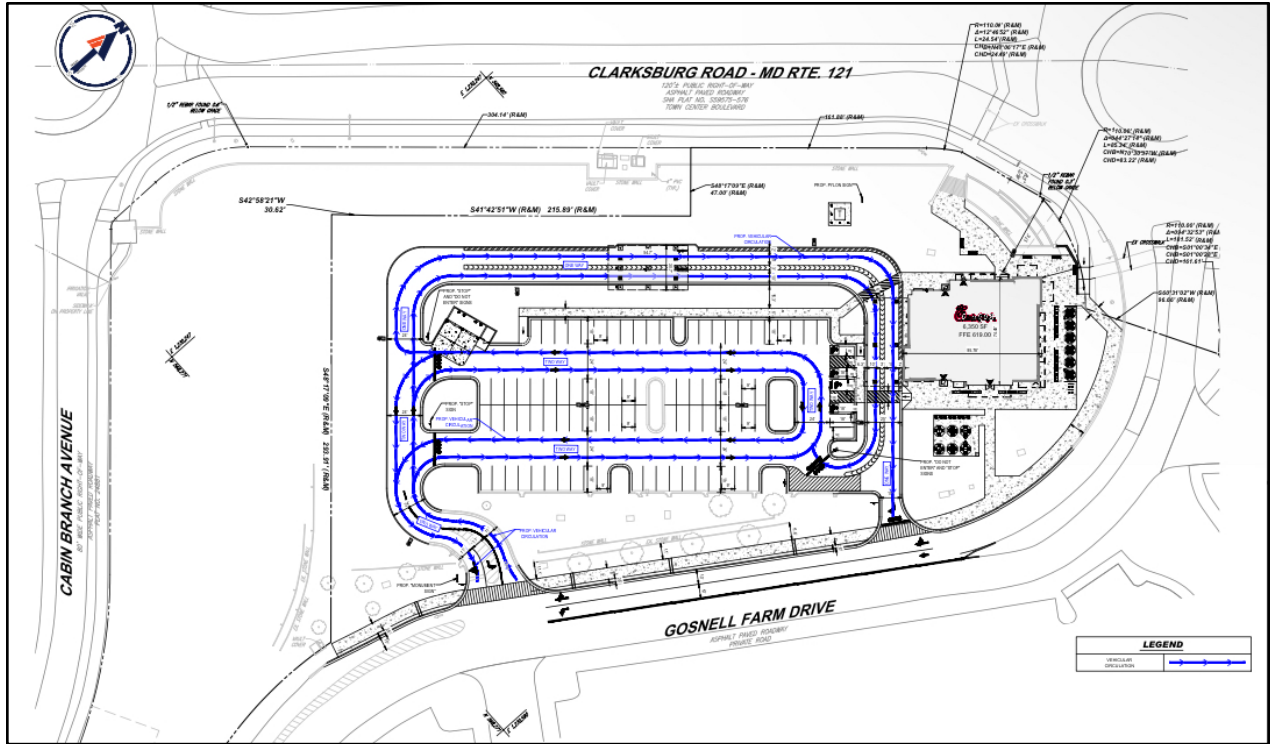


Figure 10 - Proposed vehicular circulation

Proposed vehicular circulation is safe, adequate and efficient. As described above, vehicular access to the Subject Property is through Gosnell Farm Drive, which is served by Clarksburg Road to the north, and Wellspring Avenue and Cabin Branch Avenue to the south. Vehicles accessing the Subject Property via Gosnell Farm Drive will enter the site through the entrance to the south (Figure 10). Vehicles accessing the drive-thru may either exit the site through the north or south exits. Vehicles parked for indoor dining will exit the site through the south exit only. Internal circulation is primarily in a two-way configuration with 24-foot-wide travel lanes, consisting of two (2) approximately 12-foot-wide lanes.

The Subject Property is located in the Clarksburg East Policy Area, which is categorized as an Orange Policy Area under the 2020-2024 Growth and Infrastructure Policy. In 2004, a Transportation Impact Study addressing Local Area Transportation Requirements (LATR) which anticipated the proposed use was conducted, and accounted for all trip generations counts related to this use. In 2014 and 2017, two other Transportation Statements were submitted including this use in their trip generation counts. The Proposed Development is consistent with the use previously analyzed and approved under the previous Preliminary Plan and Site Plan Applications. As this Application does not intend to change the use of this Site and no change to the number of trips will be generated, no further transportation adequacy analysis is required.

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

The Amendment and the Drive-Thru facility are compatible with other uses and other site plans, and with existing and proposed adjacent development. The Subject Property is surrounded by commercial uses and commercial structures. Across Gosnell Farm Road is the Clarksburg Premium Outlets shopping center and expansive surface parking facilities. Across Clarksburg Road is a drug store, gas station, and convenience store. Adjacent to the south is undeveloped land. The proposed commercial structure is compatible with adjacent development because the structure is designed in a similar massing, height, of surrounding development and it is architecturally compatible. Additionally, the Amendment is compatible with the expected development of the adjacent vacant land, which is similarly zoned for mixed-use density and height. The vacant property has the area, length and width suitable for a range of compatible mixed-uses. The Applicant has provided building articulation on all facades, with a focus on street-facing facades. As recommended by the Master Plan, the design creates a strong neighborhood focal point by incorporating a vertical tower-like feature to visually anchor the building at this prominent intersection. Although only a one-story building, it visually appears to be two stories. The building height further contributes to the architectural attentiveness of the design and reinforces this prominent entrance into the Overall Property and shopping center. Finish materials include stone and brick veneers, anodized metal, and siding which are similarly compatible with surrounding commercial development.



*Figure 11 - Birdseye view to south*



Figure 12 - Birdseye view to north



Figure 13 - Drive-thru pickup window on rear elevation



Figure 14 - Rendered view of southwest elevation with outdoor dining along the northeast elevation



Figure 15 - Rendered view of southeast elevation



The proposed restaurant use is a complimentary use with the adjacent shopping center and other adjacent commercial uses and is therefore compatible. There is no other known proposed adjacent development.

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

On April 9, 2024, DPS approved a Combined Preliminary/Final Water Quality Plan. The concept plan proposes to meet required stormwater management goals by using micro-bioretenion and bio-swale facilities.

## WATER QUALITY PLAN

### Clarksburg Special Protection Area Water Quality Plan

The majority of the Subject Property is located within the Clarksburg SPA and is therefore required to obtain approval of a Water Quality Plan for those areas of the Application within the Clarksburg SPA under Section 19-62 of the Montgomery County Code. This section of the code states:

“(b) Privately owned property. Except as otherwise expressly provided in the Chapter, the requirements for a water quality inventory and a preliminary and final water quality plan apply in any area designated as a special protection area to a person proposing a land disturbing activity on privately owned property:

(1) who is required by law to obtain approval of a development plan, diagrammatic plan, schematic development plan, project plan, special exception, preliminary plan of subdivision, or site plan; or

(2) who is seeking approval of an amendment to an approved development plan, diagrammatic plan, schematic development plan, project plan, special exception, preliminary plan of subdivision, or site plan.”

As part of the requirements of the SPA Law, a Water Quality Plan should be reviewed in conjunction with a Preliminary Plan and Site Plan. Under Section 19-65 of the Montgomery County Code, the Montgomery County Department of Permitting Services (“MCDPS”) and the Planning Board have different responsibilities in the review of a Water Quality Plan. MCDPS has reviewed and conditionally approved the elements of the Final Water Quality Plan under its purview. The Planning Board must determine if SPA forest conservation and planting requirements, environmental buffer protection, and limits on impervious surfaces have been satisfied. Sec. 19-65(a)(2)(A) of the Montgomery County Code states that:

“In acting on a preliminary or final water quality plan, the Planning Board has lead agency responsibility for:

- (i) Conformity with all policies in the Planning Board’s Environmental Guidelines which apply to special protection areas;
- (ii) Conformity with any policy or requirement for special protection areas, including limits on impervious area, in a land use plan, watershed plan, or the Comprehensive Water Supply and Sewer System Plan; and
- (iii) Any other element of the plan in which the Planning Board has lead agency design, review, and approval responsibility.”

In a letter dated April 9, 2024, MCDPS has found the Combined Preliminary/Final Water Quality Plan for this site plan amendment to be acceptable for their portion of the Final Water Quality Plan under its purview including 1) stormwater management facilities, 2) sediment and erosion control measures and 3) Best Management Practices (BMP) monitoring.

### Planning Board Special Protection Area Review Elements

Following is an analysis of the Planning Board’s responsibilities in the review of the Final Water Quality Plan. Staff recommends approval of the elements of the SPA Water Quality under its purview.

#### 1. Priority Forest Conservation Areas

The Application meets the requirements of Chapter 22A, Montgomery County Forest Conservation Law. The Final Forest Conservation Plan Amendment (“FFCP”) was submitted with this Application which will amend the overall FFCP 820050150 (“overall FFCP”) for the Cabin Branch property.

#### 2. SPA Environmental Buffer Protection

The Application proposes no additional disturbance within the stream valley buffer (SVB) for the streams within Cabin Branch that have not already been accounted for in the overall FFCP for the Cabin Branch property.

#### 3. Impervious Surfaces

There are no impervious limitations within this portion of the Clarksburg SPA; however, the Clarksburg SPA Regulations allow the M-NCPPC to review imperviousness and to work with the Applicant to reduce imperviousness. As part of the Preliminary/Final Water Quality Plan for the Cabin Branch Development under the Cabin Branch – Infrastructure Site Plan (Plan No. 820050150), an overall goal of less than 45 percent imperviousness was established by the Planning Board (MCPB No. 07-131).

This Site Plan indicates an impervious level of approximately 56 percent for the Subject Property (Table 3) and as shown on the approved Impervious Surface Plan (Attachment F). The impervious surfaces are comprised of roadways, sidewalks, stoops, driveways, walls

and buildings. Although, the impervious area for this application appears high, this was approved under Site Plan No. 820140160 for this pad site. That site plan approved an impervious surface area for this pad site of 84,446 SF (1.94 acres) which resulted in an impervious level of about 62 percent. This current application reduces this impervious surface amount to 75,468 SF (1.73 acres), a reduction of 9,148 SF (0.21 acres) which equates to the impervious level of 56 percent, a reduction of about 6 percent over what had previously been approved. The overall impervious level for the Cabin Branch property, including this Application, is approximately 44.63 percent and continues to meet the targeted goal of less than 45 percent.

*Table 3 Imperviousness Calculations for the Subject Property*

Area Measurements	Previously Approved Site Plan No. 820140160	Current Site Plan Amendment No. 82014016C
Subject Site Tract Area	135,685 SF	135,685 SF
Impervious Surfaces	84,446 SF	75,468 SF
Percent Imperviousness	62%	56%

## SECTION 8: FINAL FOREST CONSERVATION PLAN AMENDMENT F2024003A FINDINGS AND ANALYSIS

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code (“FCL”). The Cabin Branch property has an overall Final Forest Conservation Plan No. 820050150, as amended, which was renumbered to F20240030 with the most recent amendment. This application amends that overall Final Forest Conservation plan and is in compliance with Montgomery County Environmental Guidelines and Chapter 22A, Montgomery County Forest Conservation Law as conditioned in the Staff Report.

### FOREST CONSERVATION

#### Final Forest Conservation Plan Amendment

The Applicant has submitted a Final Forest Conservation Plan Amendment No. F2023003A (“FFCP”) (Attachment E) for concurrent review with the Site Plan Amendment No. 82014006C. The FFCP amends the overall FFCP for the Cabin Branch property by revising Sheet Nos. 1, 2C, 2E, 3, 6, 9, 10, and 11 of that overall FFCP. The FFCP is revised to show the proposed construction of the Chick-fil-A pad site as required under Sec. 22A.00.01.09 of the Forest Conservation Regulations. The FFCP submitted for this Application conforms to the requirements established by the original overall FFCP and does not alter the requirements established by the overall FFCP worksheets.

## SECTION 9: CONCLUSION

As conditioned, the Site Plan Amendment application satisfies the findings under Section 7.3.4 and applicable standards of the Zoning Ordinance. The Amendment was reviewed by other county agencies, all of which have recommended approval of the Site Plan Amendment. Therefore, Staff recommends approval of the Site Plan Amendment No. 82014016C, with conditions.

The Final Forest Conservation Plan Amendment satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with Montgomery County Planning Department's Environmental Guidelines. Therefore, Staff recommends approval of Final Forest Conversation Plan Amendment No. F2024003A, with conditions.

---

### ATTACHMENTS

*Attachment A: Previous Site Plan Approval Resolutions and DPA 13-02*

*Attachment B: Cabin Branch Approval History*

*Attachment C: Applicant's Statement of Justification and Traffic Impact Statement*

*Attachment D: Site Plan Amendment*

*Attachment E: Forest Conservation Plan Amendment F2024003A*

*Attachment F: Impervious Surface Plan as part of the Water Quality Plan*

*Attachment G: Agency Letters*

*Attachment H: Community Correspondence and Applicant Response*

*Attachment I: Affidavit of Community Meeting and Minutes*