

CONSENT ITEM  
MCPB 10/12/06**MEMORANDUM**

DATE: September 29, 2006  
TO: Montgomery County Planning Board  
VIA: Rose Krasnow, Chief  
Development Review Division  
Michael Ma, Supervisor *Ma*  
Site Plan Review  
FROM: Joshua C. Sloan, ASLA *JS*  
Planning Department Staff  
(301) 495-4597

REVIEW TYPE: Site Plan Amendment Review  
PROJECT NAME: WestTech Village Corner, Pad 4, TGI Friday's Restaurant  
CASE #: 82005022B (formerly 8-05022B)  
APPLYING FOR: Site plan amendment to install a 7,090 s.f. restaurant.  
REVIEW BASIS: Div. 59-D-3, Montgomery County Zoning Ordinance for Site Plan  
ZONE: I-1 (8.54 acres) and RE-2 (0.35 acres) with U.S. 29/Cherry Hill Overlay Zone

LOCATION: East side of the intersection of Tech Road and Prosperity Drive  
MASTER PLAN: Fairland  
APPLICANT: Atlanta Restaurant Partners, LLC  
FILING DATE: December 16, 2005  
HEARING DATE: October 12, 2006



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**STAFF RECOMMENDATION:** Approval of the proposed amendments to Site Plan 82005022C and approval of the attached draft Planning Board Resolution for Site Plan 82005022B (Attachment C).



## **BACKGROUND**

### Original Site Plan Approval

Site Plan 82005022 for WestTech Village Corner was approved with conditions by the Planning Board on June 2, 2005. The approved plan proposes a retail/commercial development on 8.54 acres of land. The total gross building area for the proposed development is 86,700 square feet. Of this total square footage approximately 24,000 square feet is dedicated to restaurant space, 15,000 square feet to casual retail space, 5,000 square feet to a bank with a drive-through, and the remainder is commercial space. All of these uses are contained within seven freestanding buildings. Small plazas with trees and sitting areas are interspersed throughout the site, which is tied together with a "main street" pedestrian sidewalk along all of the restaurant and retail buildings. Vehicular access is provided at four points: two entrances from Broadbirch Drive and one entrance each from Tech Road and Prosperity Drive. Pedestrian connections are provided from each public street and adjacent sidewalks. The development is currently under construction.

### Site Plan Amendments

As a condition of the original site plan approval (Condition 11b) the applicant is required to submit a site plan amendment for each of the individual pad site buildings on the approved site plan.

Site Plan 82005022A was approved on August 9, 2005, for minor revisions to a bank building footprint, canopy, and landscaping on Pad Site 1.

Site Plan 82005022C was approved on September 28, 2006, for a freestanding restaurant building (IHOP) on Pad Site 7. The Planning Board Resolution has not been issued as of the date of this staff report.

## **PROPOSED AMENDMENTS**

The current applicant, Atlanta Restaurant Partners, LLC, filed the subject site plan amendment 82005022B on December 16, 2005. The amendment proposes the construction of a TGI Friday's Restaurant located at pad site 4. The proposed amendment requests the following modifications:

1. Alteration of the building layout from the originally approved site plan.

This minor building modification addresses the removal of the building cut-out located at the southwest corner of the proposed structure. The cut-out is being removed in order to facilitate a better entry into the main door of the restaurant. The building face now extends straight across the front of the pad site. This modification results in the building footprint increasing by 230 square feet.

2. Alteration of the paved walkway surrounding the building.

Due to the building modifications the walkway at the southwest corner of the pad site was



extended up to the structure to facilitate entry into the building. Also, along the east side of the building two additional planting beds were added to soften the appearance of this side of the building. These modifications have resulted in the net increase of 228 square feet of pavement.

3. Addition and alteration of pad site landscaping.

Provide landscaping around the building not shown on the originally approved site plan. As a result of altering the loading dock area, 14 juniper shrubs and 1 Leyland Cypress are being removed.

4. Alteration of loading dock area.

The loading dock area has been realigned in order to make for a safer entry and exit into this area. The original site plan showed a short, curved approach to the loading dock creating an unsafe situation for deliveries or pickups. The amendment has straightened out the approach to the dock, rectifying any potential conflicts.

#### **PUBLIC NOTICE**

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on September 8, 2006 (Attachment B). The notice gave the interested parties 15 days to review and comment on the amended site plan as per Montgomery County Zoning Ordinance Section 59-D-3.7. Staff did not receive any inquiry or comment regarding this amendment.

#### **STAFF RECOMMENDATION**

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives or requirements expressed or imposed by the Planning Board for the originally approved site plan. Staff recommends **APPROVAL** of the Site Plan Amendment for the WestTech Village Corner (Site Plan No. 82005022B) for modifications to the approved site plan.

#### **ATTACHMENTS:**

- A. Vicinity Map
- B. Public Notice
- C. Draft Planning Board Resolution



A detailed map of the area surrounding the US National Guard site. The site is marked with a hatched rectangle and labeled "SITE". A north arrow points towards the top left. The map shows a network of roads including Ruxton Rd, East Randolph, Columbia Rd, Tech Rd, Prosperity Pkwy, Old Columbia Rd, Broadburch Dr, Bournefield Way, Plum Orchard Dr, Gracefield Rd, Calverton Blvd, Musgrove Rd, and Fairland Rd. A shield-shaped road marker with the number "29" is located near the intersection of Columbia Rd and Musgrove Rd. The US National Guard site is situated between Old Columbia Rd and Broadburch Dr.

Attachment B: Notice of Application for Site Plan 82005022B



Macris, Hendricks and Glascock, P.A.  
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NOTICE OF APPLICATION  
ADJACENT AND CONFRONTING PROPERTY OWNERS  
APPLICATION TO BE CONSIDERED BY  
THE MONTGOMERY COUNTY PLANNING BOARD

September 8, 2006

*(To be sent by the applicant, on his/her letterhead, copies of which are filed with M-NCPPC.)*

PRE-PRELIMINARY PLAN \_\_\_\_\_  
PRELIMINARY PLAN \_\_\_\_\_  
PROJECT PLAN \_\_\_\_\_  
SITE PLAN 8-2005022B

Name of Plan: WesTech Village Corner; Pad 4  
TGI Friday's Restaurant  
Plan Number: 8-2005022B  
Current Zoning I-1, US-29/Cherry Hill Road Overlay Zone  
Number of Proposed Lots/Area Included: 1 Lot / 8.54 Acres  
Geographical Location:  
North Quadrant of Tech Road and Broadburch Drive

The above referenced plan application has been filed with the Montgomery County Planning Board and is being reviewed under the provisions of the Montgomery County Code.

A copy of the proposed plan is enclosed. This plan may change because of specific reviews and changes suggested by M-NCPPC and other county and state agencies. If you have any comments, please send them to the Development Review Division, Maryland-National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring, Maryland 20910-3760.

The Montgomery County Planning Board will hold a public hearing on the above referenced plan application to obtain public comment. Written notification of the public hearing date will be sent to you no later than ten days before the hearing.

Once notified, you will have fifteen (15) days from the receipt of this letter to contact Park and Planning for more information.

If you have any questions, please contact the Park and Planning  
Commission's Development Review Division at (301) 495-4595.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul J. Newman", with a long horizontal flourish extending to the right.

Paul J. Newman  
Principal

Attachment C: Draft Resolution for Site Plan 82005022B



MCPB No. \_\_\_\_\_  
Site Plan No. 82005022B  
Project Name: Westech Village Corner, Pad 4, T.G.I. Friday's Restaurant  
Hearing Date: October 12, 2006

### RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on December 20, 2005, Atlanta Restaurant Partners, LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 82005022B ("Amendment") for approval of the following modifications:

1. Alteration of the building footprint from the originally approved site plan,
2. Alteration of the paved walkway surrounding the building,
3. Addition and alteration of pad site landscaping,
4. Alteration of loading dock/trash enclosure area; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated September 29, 2006 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on October 12, 2006, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82005022B; 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 the date of this written resolution is \_\_\_\_\_ (which is the date that this opinion 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 written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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