



Consent Item - Chick-fil-A Germantown, Site Plan Amendment No. 81999001G

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Staff Report Date: 04/08/2016

Description

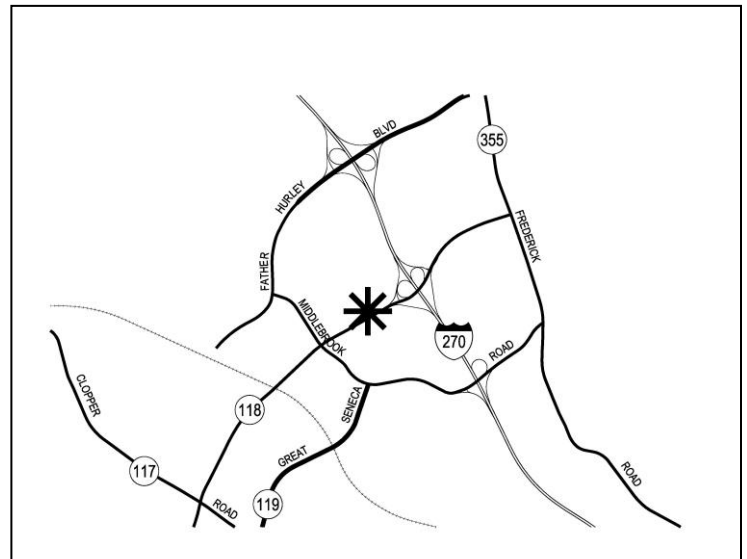
A request to construct a building addition to an existing restaurant located at 19945 Century Boulevard, located north of the intersection of Aircraft Drive and Germantown Road, CR-2.0 Zone, 0.256 acres, Germantown Sector Plan.

Staff Recommendation: Approval with Conditions

Applicant: Chick-fil-A

Submission Date: February 10, 2016

Review Basis: Chapter 59 (prior to October 30, 2014)



Summary

- The application must be reviewed by Consent Agenda because it increases square footage of an existing site planned building.
- The Applicant is requesting to construct approximately 344 square feet of additional storage space to the restaurant's kitchen.
- There are no circulation or parking changes on the site.
- The exterior of the addition will use the same building materials as the existing building.
- Staff has not received any community correspondence with regard to this Site Plan Amendment.
- Staff recommends approval of the consent Site Plan Amendment.

STAFF RECOMMENDATION

Staff recommends approval of Site Plan Amendment No. 81999001G, Chick-fil-A Germantown, to add approximately 344 square feet to the existing restaurant and to provide additional landscaping.

SITE DESCRIPTION

The Chick-fil-A site is located in Germantown Center East, at 19945 Century Boulevard, north of the intersection of Aircraft Drive and Germantown Road. The Phase D area is zoned CR-2.0 (previously zoned Town Sector), and is within the Germantown Transit Mixed Use Overlay. Other pad sites within Parcel D include: BB&T Bank, Carrabba's Italian Grill, Rite Aid, Taco Bell, TD Bank, Panera Bread and the Greene Turtle Restaurant.

Vicinity Map



Site Analysis

The site is developed with a one-story (two-story appearance) restaurant with a drive-thru feature. The site is relatively flat, with no streams, wetlands or other environmentally-sensitive features present.

PROJECT DESCRIPTION

Previous Approvals

The Preliminary Plan of Subdivision included plan numbers 119783190, 119791210 and 119791220 and record plat (Plat book 613, page 61) for this development.

Site Plan 819990010 was approved by the Planning Board on November 12, 1998 for 181,900 gross square feet of commercial/ retail use, 98,559 gross square feet of hotel use on 24.74 acres of land zoned TS. The development program consisted of three phases (B/C, D and E/F); which included the dedication of 175 spaces for a Park & Ride facility.

Site Plan 81999001A was approved by Staff on April 10, 2003 for the Fairfield Inn (10,763 square feet) on an existing pad site within Phases E/F. The commercial/retail square footage was increased to 194,906 gross square feet, and the hotel square footage was decreased to 60,000 square feet.

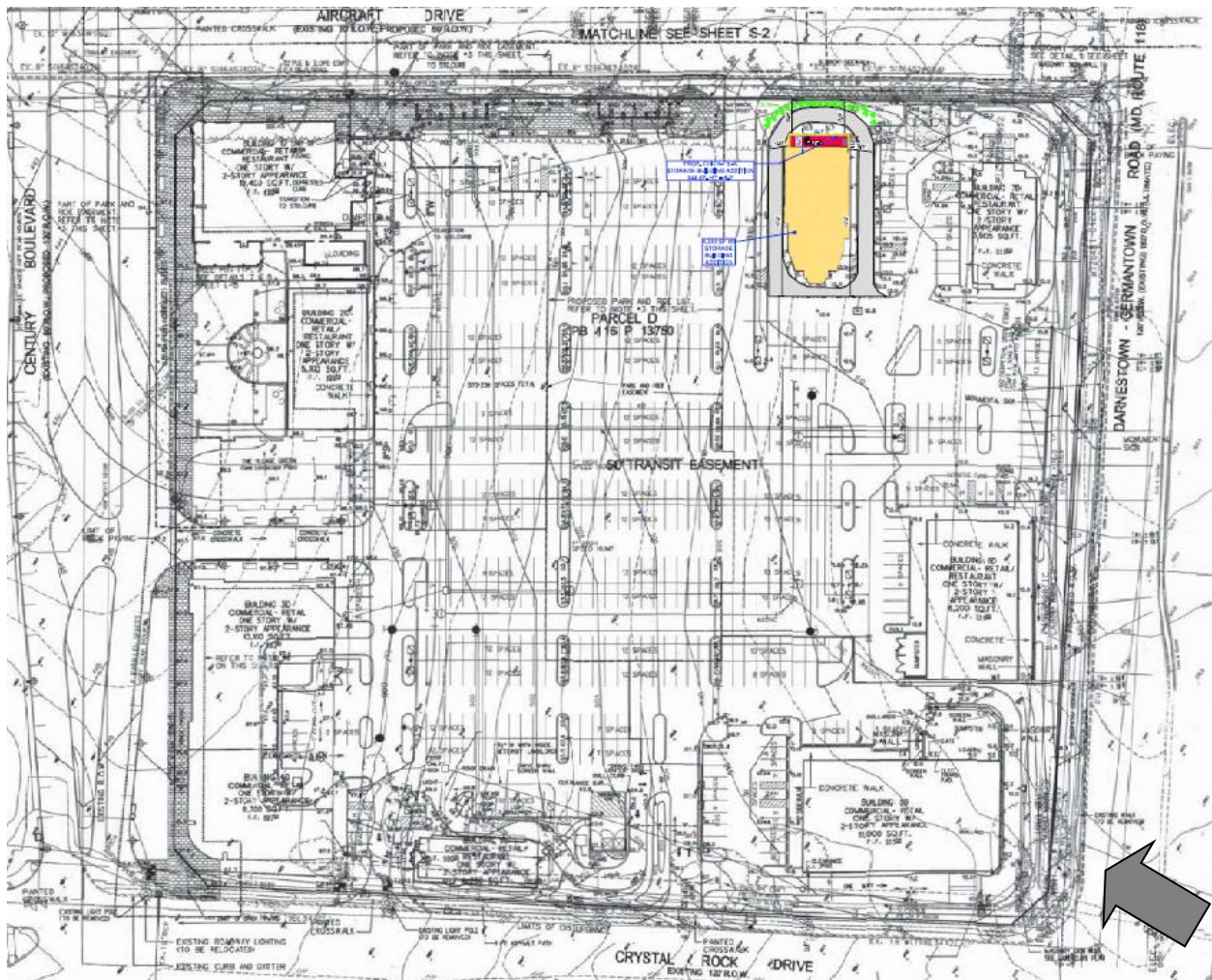
Site Plan 81999001B was approved by Staff on December 12, 2004 for the Bailey's Pub and Grill (currently the same operated by Green Turtle) on an existing pad site within Phase D, Parcel D.

Site Plan 81999001C was approved by Staff on December 1, 2005 for the IHOP restaurant on an existing pad site within Phase E/F.

Site Plan 81999001D & 81999001E was approved by the Planning Board on September 21, 2006 for a Commerce Bank (1-story, 5,100 sf.) on an existing pad site within Phase D, Parcel D. The proposed building footprint reduced the original square footage 4,600 square feet; which was thereby added to the overall green space provided.

Site Plan 81999001F was approved by the Planning Board on June 2, 2011 for a 5,097 square foot, Panera Bread restaurant within Phase D, Parcel D.

There is no record of approvals for the other pad sites (i.e. the Chick-fil-A, Carrabbas, Taco Bell, Rite Aid, and BB&T Bank); however, M-NCPPC Staff has confirmed the approved building square footages with MCDPS Staff per the release of their respective building permits. All of which currently meet the maximum building square footages as shown on the original certified site plan (sheet S-4).



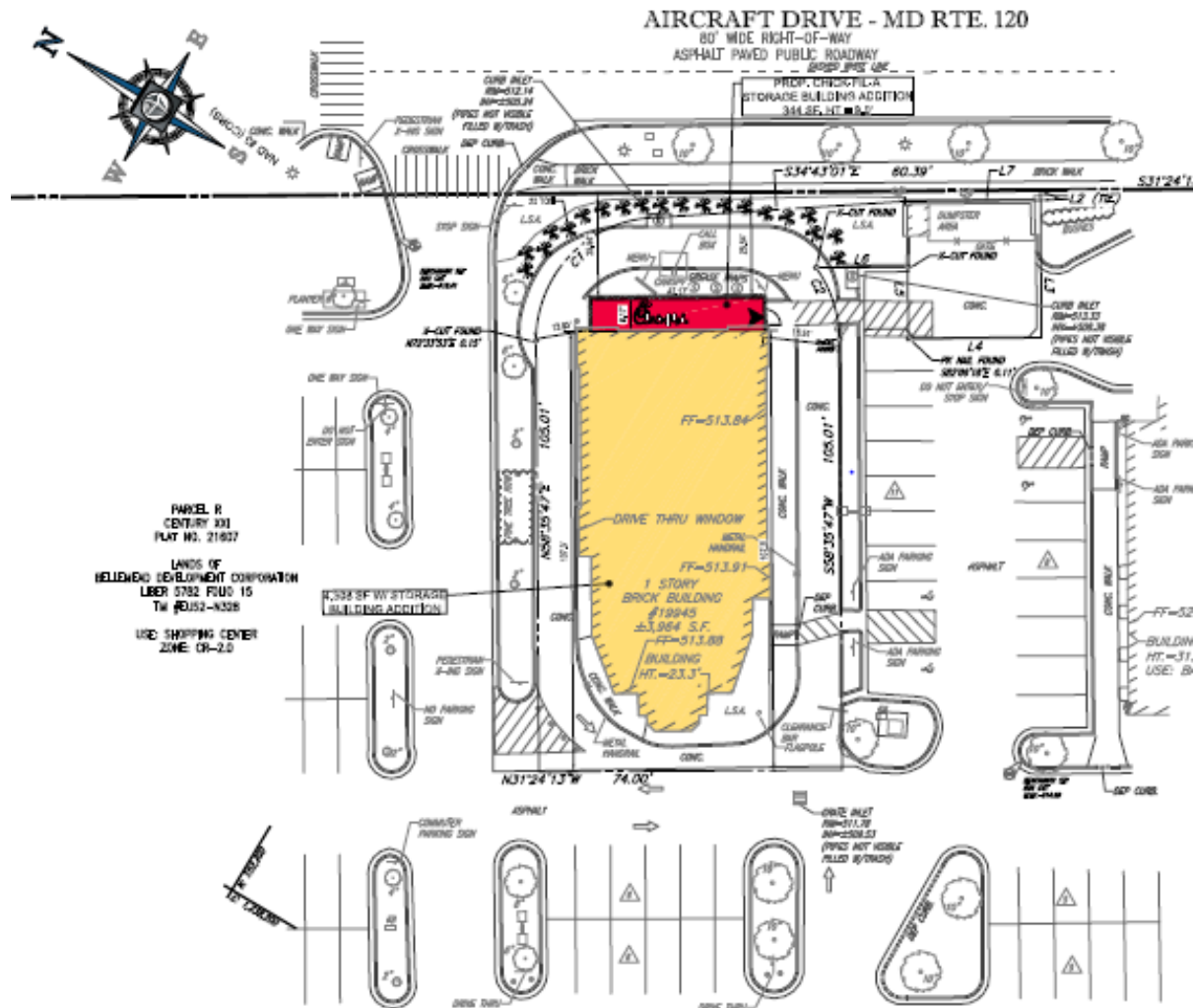
Overall Site Plan for Parcel D

Proposal

The amendment proposes to replace an existing fenced area at the rear of the building, with a 344 square-foot addition to provide added storage area for the existing restaurant. There are no modifications to vehicular and pedestrian circulation, and the patron area of the restaurant will not be changed. Specifically, the Applicant is proposing the following modifications;

- Add 344 square feet to the kitchen area at the rear of the existing restaurant, and
- Add 20 evergreen shrubs along the rear portion of the drive-thru aisle.

Site and Landscape Plan



ANALYSIS AND FINDINGS

Section 7.7.1.B.3.a. of the Zoning Ordinance allows for an Applicant to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment: (i) does not increase the approved density or building height unless allowed under Section 7.7.1.C., Expansion of Floor Area Existing on October 30, 2014.

The Subject Property is within the Germantown Transit Mixed Use Overlay with CR-2.0 Zoning. Section 7.7.1.C..2. states that existing development in a Commercial/Residential Zone may expand by up to the lesser of 10 percent of the gross floor area approved for the site on October 30, 2014 or 30,000 square feet.

The Application complies with this section in that just 344 square feet is being added to the existing 3,964 square foot building, for a total of 4,308 square feet, and the shopping center built total to 28,005 square feet (28,915 square feet approved). In regards to building heights, setbacks, and density this Application is under all the maximum standards allowed.

COMMUNITY OUTREACH

The Applicant has met all signage and noticing requirements. The Applicant posted a sign regarding the subject Site Plan Amendment on February 5, 2016. A notice regarding the subject amendment was sent to all parties of record on February 12, 2016. Staff received no inquiries regarding the proposed amendment.

CONCLUSION

The proposed modifications to the site plan will not alter the overall character or impact of the development. Staff finds that this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, as revised by previous amendments, and that all findings would remain in effect. The existing uses, total number of parking spaces, vehicular and pedestrian circulation and building heights will remain consistent with the previous approvals. The terms and conditions of all applicable prior regulatory approvals and agreements remain in full force and effect, as modified by this Amendment. Staff recommends approval of Site Plan Amendment 81999001G.

Attachment

- A. Planning Board Resolution

MCPB No. _____
Site Plan No. 81999001G
Chick-fil-A Germantown
Hearing Date: April 21, 2016

RESOLUTION

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

WHEREAS, under Section 59-7.7.1.B.3., the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on November 12, 1998, the Planning Board approved Site Plan No. 819990010 for 181,900 gross square feet of commercial/retail use, and 98,559 gross square feet of hotel use on 24.74 acres of land zoned TS;

WHEREAS, on April 10, 2003, the Planning Director administratively approved Site Plan Amendment No. 81999001A, for the Fairfield Inn within Phases E/F. The hotel is 10,763 square feet and has 87-rooms.

WHEREAS, on December 12, 2004, the Planning Director administratively approved Site Plan Amendment No. 81999001B, for the Bailey's Pub and Grill (currently owned and operated by Green Turtle) within Phase D, Parcel D;

WHEREAS, on December 1, 2005, the Planning Director administratively approved Site Plan Amendment No. 81999001C, for an IHOP restaurant within Phase E/F;

WHEREAS, on September 21, 2006, the Planning Board approved Site Plan Amendments No. 81999001D and 81999001E, for a Commerce Bank consisting of a 1-story building approximately 5,100 square feet (currently TD Bank) within Phase D, Parcel D;

WHEREAS, on January 21, 2011, the Planning Board approved Site Plan Amendment No. 81999001F, for Panera Bread consisting of 5,097 square feet within Phase D, Parcel D;

WHEREAS, on February 10, 2016, Chick-fil-A (“Applicant”), filed an application for approval of an amendment to the previously approved site plan(s) for approval of the following modifications:

1. Add 344 square feet to the kitchen area at the rear of the existing restaurant; and
2. Add 20 evergreen shrubs along the rear portion of the drive-thru aisle.

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan No. 81999001G, Chick-fil-A (“Site Plan,” “Amendment,” or “Application”); 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 April 8, 2016, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on April 21, 2016, Staff presented the Amendment to the Planning Board as a consent item for its review and action, at which time the Planning Board voted to approve the Amendment subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board adopts the Staff’s recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81991001G, subject to the following condition:

1. All site development elements shown on the latest electronic version of the Chick-fil-A Germantown, Site Plan Amendment No. 81999001G, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect, and

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 Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, with the condition of approval, that this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, as revised by previous amendments and that all findings remain in 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 Amendment 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 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 written opinion, 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 Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, and _____ voting in favor of the motion, at its regular meeting held on Thursday, April 21, 2016, in Silver Spring, Maryland.

Casey Anderson, Chairman
Montgomery County Planning Board