

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

MCPB No. 15-128  
Preliminary Plan No. 120150180  
Chick-fil-A Olney  
Date of Hearing: October 1, 2015

JAN 21 2016

**CORRECTED RESOLUTION**

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on May 12, 2015, Chick-fil-A ~~John Martinez~~ ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create one lot on 0.90 acres of land in the CRT zone, located at 18115 Georgia Avenue, east side, north of the intersection of Georgia Avenue and Olney-Sandy Spring Road ("Subject Property"), in the Olney Policy Area, Olney master plan ("Master Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120150180, Chick-fil-A Olney ("Preliminary Plan" 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 September 18, 2015, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

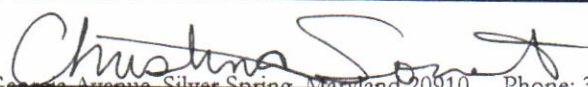
WHEREAS, on October 1, 2015, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

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

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 120150180 to create one lot on the Subject Property, subject to the following conditions:<sup>1</sup>

<sup>1</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.

Approved as to  
Legal Sufficiency

 1/4/16  
M-NCPPC Legal Department

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www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

1. This Preliminary Plan is limited to one lot for a 4,886 square foot restaurant and single drive thru.
  2. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated June 30, 2015, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
  3. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
  4. The Planning Board accepts the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated July 10, 2015, and hereby incorporates them as conditions of the Preliminary Plan approval, except that the access point along Hillcrest Avenue should retain full vehicular movement. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
  5. Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by MDSHA.
  6. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated May 28, 2015, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
  7. The Applicant must dedicate and show on the record plat(s) the dedication for Georgia Ave (MD 97) as shown on the Preliminary Plan.
  8. The Applicant must construct all road improvements within the rights-of-way shown on the approved Preliminary Plan and/or to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly
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