

Case No. DSP-05066/03

Applicant: Chick-fil-A

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 11-53, to approve with conditions a detailed site plan for a 4,676-square-foot, one-story, freestanding eating and drinking establishment, a fast-food restaurant with drive-through service, on a commercial shopping center property described as 9.2481 acres of land in the C-S-C Zone, for a project referred to as the Shops at District Heights, Chick-fil-A, located in the northwestern quadrant of the intersection of Silver Hill Road (MD 458) and Pennsylvania Avenue (MD 4), District Heights, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case. In addition, the District Council finds that the landscape plan must be revised because of on-site changes to the existing tree canopy.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certification, the plans shall be revised or additional documentation submitted as follows:
 - a. Revise Stormwater Concept 22962-2004 to conform to the detailed site plan and submit to Urban Design staff a revised referral or a statement from the Department of Public Works and Transportation stating that the subject detailed site plan is in conformance with Stormwater Concept 22962-2004, as revised.

- b. Remove the 72-inch Willow Oak tree that has died, and replace it with four shade trees (2.5 – 3 inch caliper). The applicant shall apply to the Development Review Division for a variance from Subtitle 25, Division 3, as to the size and number of trees in the required canopy, and the application shall reflect, at a minimum, the substitution of the shade trees and the addition of ornamental trees on the site. The ornamental (flowering, with color) trees shall be placed in the islands and entranceways near the restaurant building. The application shall be administratively reviewed and approved by Development Review staff, whose order the applicant is authorized to appeal to the Planning Board. The substitution of shade trees shall also be reflected in the applicant's request for alternative compliance from the Landscape Manual.
- c. The applicant shall work with Urban Design staff to revise the signage plan, so that all proposed signage is included, with the proviso that staff review shall be limited to colors and materials to be used for the signage.
- d. The applicant shall add an elevation drawing to the plan set for the dumpster enclosure, to reflect the brick walls and composite gates indicated in a section drawing and the "dumpster perspectives" that were provided for the PowerPoint presentation.
- e. The applicant shall provide bike racks on the Chick-fil-A site, the number and location of which shall be determined in consultation with the Transportation Planning staff.
- f. The applicant, in consultation with Urban Design staff, shall revise the architectural elevations for the side of the building facing Pennsylvania Avenue (MD 4), to improve the appearance of that elevation through the use of elements that include but are not limited to additional windows, where structurally feasible, or false windows, where windows are not structurally feasible, and additional gables, pediments, or similar features. The applicant shall also include security cameras covering the outside of the building.

Ordered this 17th day of October, 2011, by the following vote:

In Favor: Council Members Campos, Franklin, Harrison, Olson, Patterson, Toles and Turner.

Opposed:

Abstained:

Absent: Council Member Lehman

Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Ingrid M. Turner, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council