

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 12-67

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-4366
www.mncppc.org/pgco
 File No. DSP-11006

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 28, 2012, regarding Detailed Site Plan DSP-11006 for McDonald's (Chavez Lane), the Planning Board finds:

1. **Request:** The subject application is for approval of a 4,326-square-foot, one-story, freestanding eating or drinking establishment with drive-through service on an existing McDonald's site in the Commercial Shopping Center (C-S-C) Zone. The DSP will authorize the demolition of the existing McDonald's restaurant building and its replacement with a new prototype building.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-S-C	C-S-C
Use(s)	Eating or drinking establishment with drive-through service	Eating or drinking establishment with drive-through service
Acreage	1.19	1.19
Parcels	2	2
Square Footage/GFA	4,159	4,326

TREE CANOPY COVERAGE

	REQUIRED	APPROVED
Tree Canopy	4,698 sq. ft.	5,193 sq. ft.

Parking Requirements*

	REQUIRED	APPROVED
Total Parking Spaces (1 space per every 3 seats for 72 seats plus 1 space per 50 square feet for 4,326 square feet)	60	46*
Of which		3
Handicap Spaces	3	2 (van-accessible)
Total Loading Spaces	1	1

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* Note: A departure from the number of parking spaces required (DPLS-374) for the reduction of 14 spaces from the 60 spaces required by the Zoning Ordinance has been approved as a companion case to this DSP.

3. **Location:** The 1.19-acre property is located on the northern side of Chavez Lane, approximately 250 feet east of its intersection with Walters Lane. The site is also located in Planning Area 75A, Council District 6, within the Developed Tier.
4. **Surrounding Uses:** The subject property is bounded to the north by Pennsylvania Avenue (MD 4), with single-family detached units beyond; to the south by Chavez Lane, with the Penn Forest Shopping Center beyond; to the east by single-family attached residential dwelling units; and to the west by an existing gas station, Walters Lane, and multifamily dwellings beyond.
5. **Previous Approvals:** The project is subject to the requirements of Preliminary Plan of Subdivision 4-06104, approved by the Planning Board on February 22, 2007, PGCPB Resolution No. 07-52, Wallington Estates, which was adopted by the Planning Board on March 15, 2007. Parcels 4 and 5 were recorded as Record Plat 5-07345 in Plat Book PM 220-50 on June 25, 2007 in accordance with the requirements of Preliminary Plan of Subdivision 4-06104. The project is also subject to the requirements of the approval of Stormwater Management Concept Plan 12682-2011, approved by the Department of Public Works and Transportation (DPW&T) on August 4, 2011.
6. **Design Features:** The proposed DSP indicates three vehicular access points off Chavez Lane. The two access points on the eastern portion of the site's frontage are proposed as one-way, providing direct access to the drive-through service. The third access point on the westernmost portion of the site's frontage is proposed as two-way and directly accesses the main parking area on the site.

The application shall construct a new 4,326-square-foot McDonald's restaurant on an existing McDonald's restaurant site to replace an existing 4,159-square-foot building. The existing building will be demolished before the new building will be constructed on the site. The new restaurant building is proposed to be set back ten feet from the front property line. The rectangular building is oriented toward Chavez Lane with a drive-through window on the western façade proximate to the western property line, shared with the adjacent gas station. Angled on-site surface parking spaces are provided on both sides of the building, with perpendicular spaces provided in a parking lot on the western portion of the site and perpendicular to the central portion of the rear property line. Two enclosed dumpsters and a loading space are located on the western portion of the rear property line.

The proposed McDonald's restaurant building is specified as a "4587 plus R5 plus F5 2009 Series Building" and has a contemporary appearance with some architectural detailing. Two entrances to the building are located on southern (Chavez Lane) and eastern ("non-drive through") sides. The one-story, flat-roof building with a building height of 21 feet 8 inches is finished with a combination of red and grey face brick, cultured stone, and aluminum doors and coping. The aluminum coping and cultured stone have been used as accent elements to break up the dominance

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of brick on all of the elevations. A roof cap element is provided in the yellow often characteristic of McDonald's restaurants. A tower element has been used at the front entrance. The flat plane of the roof of the tower element is broken with the addition of a stone veneer parapet and a golden, metal, sloping curve as a roof-cap design element. Darker brick is proposed on the eastern side of the building in the area of the drive-through pick-up windows, and in the form of wide horizontal bands between the pick-up windows. Additional stone veneer is proposed mostly in the area where the dining area is located. Awnings with yellow and orange bands are proposed above the dining room windows. The southern and eastern elevations are designed as the main elevations of the building. The northern and the western elevations (where the drive-through windows are located) are designed as the secondary elevations.

The lighting fixtures proposed include pole lights for the site and building-mounted wall sconce fixtures for the building. The pole lights are to be 22 feet high, with fully cut-off luminaires. A condition of this approval ensures a two foot-candle reading along the eastern property line, and a reduced foot-candle reading along the project's Pennsylvania Avenue (MD 4) and Chavez Lane rights-of way, to ensure that lighting spill-over will not negatively impact the adjacent property.

A total of approximately 100 square feet of building-mounted and 284 square feet of site signage have been proposed with this DSP. The signage includes a typical McDonald's golden arch corporate sign and other site signs, including directional signs. The double-sided pole-mounted identification sign, with the golden arch logo, is located on the northern side of the building, proximate to Pennsylvania Avenue (MD 4). An additional golden arch logo is included as building signage on each of the restaurant's four façades. The site plan also includes a 103-inch by 6-foot nine-inch menu board in front of the drive-through lane.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The requirements of the Zoning Ordinance:** The project is subject to the requirements of the Zoning Ordinance, specifically, Section 27-285(b), Planning Board Procedures, Required Findings for Detailed Site Plans; Section 27-274, Design Guidelines; Section 27-281, Purpose of Detailed Site Plans; Section 27-461, Uses Permitted in the C-S-C Zone; Section 27-462, Regulations in the C-S-C Zone; Section 27-612, Departure from Sign Design Standards; Section 27-239.01, Departure from Design Standards; and Section 27-588(b)(8) Required Findings for Departure from Parking and Loading Standards. The project conforms to these requirements. See Findings 14, 15, and 16 of this approval for a detailed discussion of conformance to the required findings for each type of application included herein.
8. **The requirements of the plat recorded in Plat Book PM 220-50 and the requirements of Preliminary Plan of Subdivision 4-06104:** Parcels 4 and 5 were recorded as Record Plat 5-07345 in Plat Book PM 220-50 on June 25, 2007. The site plan correctly shows all of the bearings, distances, and lot sizes reflected on the record plat. The record plat contains three notes, all of which are relevant to the review of this application and included in **boldface type** below, followed by Planning Board comment:

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1. **Approval of this plat will have no impact on the existing public water and sewer systems. The approval of future building permits will be based on public water and sewer capabilities being available prior to construction.**

General Notes 7 and 8 on the detailed site plan indicate that the property is in water and sewer Category 3, which means that they will be served by public water and sewer as is required by the subject note.

2. **Parcel 4 and 5 shall have no direct access to Maryland Route 4 and Walters Lane.**

The detailed site plan indicates access only to Chavez Lane and not to MD 4 or Walters Lane, in accordance with the subject note.

3. **Total development on both parcels shall be limited in accordance with Condition 2 of PGCPB Resolution No. 07-52.**

Condition 2 of PGCPB Resolution No. 07-52 is further discussed below.

The project is also the subject of Preliminary Plan of Subdivision 4-06104. Preliminary Plan of Subdivision 4-06104 for Wallington Estates was approved and the resolution adopted by the Planning Board on March 15, 2007 (PGCPB Resolution No. 07-52). The resolution of approval for the approved preliminary plan of subdivision contains three conditions which are included in **boldface type** below, followed by Planning Board comment:

1. **Development shall be in conformance with the approved stormwater concept plan and any subsequent revisions.**

General Note 9 of the detailed site plan shows that the site has an approved Stormwater Management Concept Plan, 12682-2011-00. In a memorandum dated February 23, 2012, the Department of Public Works and Transportation (DPW&T) stated that the proposed site development is consistent with approved Stormwater Management Concept Plan 12682-2011, dated August 4, 2011. Therefore, it may be said that the subject project conforms to this requirement.

2. **The total development on both proposed parcels (Parcel 4 and 5) shall be limited to only the existing drive-through fast food restaurant. Provision of any additional development on these two proposed parcel shall be subject to the a new transportation adequacy finding as required under Section 24-124 of the Prince George's County Code pursuant to a new preliminary plan of subdivision.**

The detailed site plan is for the construction of a 4,326-square-foot McDonald's restaurant. There is currently an existing 4,159 square foot restaurant on the site. Therefore, the proposed project

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represents an increase of 167 square feet of gross floor area (GFA). Finding 8 of the resolution for the approved preliminary plan specific states the following, in part:

8. **The purpose of the subject [subdivision] is to create two lots but proposes no additional development on either. A drive-through fast food restaurant currently exists on the site, which the entire building will be located on the proposed Parcel 5. Because the applicant proposes no additional development, this subdivision plan would have no impact on adjacent roadways and no additional new AM and PM peak-hour vehicle trips would be generated...The guidelines state that the Planning Board may find that the traffic impact of a very small development, defined as any development that generates five or fewer peak hour trips, is de minimus.**

In a memorandum dated February 15, 2012, the Transportation Planning Section indicated that, although the proposed fast-food restaurant is slightly larger than the existing one (4,326 square feet versus 4,159 square feet), the additional square footage would generate only 4 AM and 2 PM new peak-hour vehicle trips, a de minimus increase well within the intent of the condition, given the findings contained in the preliminary plan resolution. On that basis, the Planning Board is not requiring that a new preliminary plan of subdivision be required for the subject application.

3. **The following note shall be placed on the preliminary plan and final plat: "Parcel 4 and Parcel 5 shall have no direct access to Pennsylvania Avenue (MD 4) or Walters Lane."**

The detailed site plan does not reflect direct access to Pennsylvania Avenue (MD 4) and Note 22 of the general notes on the cover sheet of the detailed site plan states that "Parcel 4 and 5 shall have no direct access to Pennsylvania Avenue (MD 4)" to ensure that the project remains in conformance with this requirement.

9. **Prince George's County Landscape Manual:** The project is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), specifically, Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. A review of the submitted landscape plan and required schedules from the Landscape Manual indicates that the plan conforms to the requirements of Sections 4.2, 4.3, 4.4, 4.7, and 4.9. The Planning Board requires, however, that the applicant be required to indicate that the minimum required width of the landscape yard is 40 feet, not 10 feet, but that it has been provided on the adjacent property.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** In an e-mail dated January 30, 2012, the Environmental Planning Section indicated that the site is exempt from the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.

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11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit, as is the case with the subject project. Properties zoned Commercial Shopping Center (C-S-C) are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject site has a gross tract area of 1.192 acres, hence a TCC requirement of 5,193 square feet. The submitted landscape plan includes the required TCC schedule that indicates that the requirement will be met with 400 square feet of existing trees and 5,370 square feet of trees to be planted on-site. Therefore, it may be said that the subject project meets the relevant requirements of the Tree Canopy Coverage Ordinance. The applicant, however, appears to have utilized an incorrect tree canopy schedule and made non-material errors in the calculations. A condition of this approval ensures that the correct form for the tree canopy schedule is used and that all necessary corrections are made.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The subject project will have no effect on identified historic sites, resources, or districts.
 - b. **Archeological Review**—A Phase I archeological survey would not be recommended for the subject property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites and the presence of an existing building and its associated parking on the site indicates that the probability of archeological sites within the subject property is low. The proposed project will not affect any historic sites, resources, or documented properties.
 - c. **Community Planning**—The subject application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. With respect to conformance with the applicable master plan, although this application does not conform to the residential land use recommendations of the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment* (Master Plan/SMA) for this site, it is consistent with uses allowed in the Commercial Shopping Center (C-S-C) Zone, in which it is located.

The subject property is located in Living Area F (Zone 3) in the SMA. The long-term vision for this area is to reassign commercial corridor areas that have outlived their useful lifespan to residential land uses (p. 118). For the short term, however, zoning on the subject property was retained in the C-S-C Zone because of its viability and ability to meet the neighborhood-serving needs of existing residents. As the long-term vision takes root, the plan recommends future commercial development be located on the Donnell Drive corridor alongside Penn Mar Shopping Center and Forestville Mall upgrading it to a village center serving the southeast corner of the subregion (p. 118).

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In the Developed Tier, the 2002 *Prince George's County Approved General Plan* recommends development that supports transit and improves pedestrian circulation. By providing adequate buffering from Pennsylvania Avenue (MD 4) to the north and the Forest Mill townhouse development to the east, a variety of street trees, sidewalks and by bringing the proposed structure closer to the street (Chavez Lane), the applicant is encouraging pedestrian movement in the appropriate areas. Moreover, the Maryland State Highway Administration (SHA) is conducting a study of this portion of the Pennsylvania Avenue (MD 4) corridor to address concerns regarding pedestrians accessing bus stops along the roadway and, in some cases, crossing at mid-block locations. Discussions are underway to provide a variety of improvements possibly including an eight-foot-wide asphalt side path to the north, a standard sidewalk on the south side, and crossing improvements as well as traffic calming enhancements. The applicant has considered, and the Planning Board does not support, providing pedestrian access from Chavez Lane to Pennsylvania Avenue (MD 4) through the site. The applicant was also encouraged, however, to consult with SHA on planned improvements along Pennsylvania Avenue (MD 4).

- d. **Transportation**—The application is required pursuant to the requirements for an eating or drinking establishment with drive-through service in the C-S-C Zone under Section 27-461 of the Zoning Ordinance. General site plan review focuses on design issues such as buffering, landscaping, grading, and architecture. Specific review for the use specifies no transportation-related requirements.

The site encompasses Parcels 4 and 5 of Wallington Estates, recorded pursuant to Preliminary Plan of Subdivision 4-06014. The plan's resolution limits development to "only the existing drive-through fast food restaurant." It further states that "additional development on these two proposed parcels shall be subject to a new transportation adequacy finding as required under Section 24-124 of the Prince George's County Code pursuant to a new preliminary plan of subdivision." The condition was imposed as a result of making a finding that the subdivision had a de minimus impact on surrounding streets (defined in the preliminary plan resolution as five or fewer trips in each peak hour). Although the proposed fast-food restaurant is slightly larger than the existing one (4,326 square feet versus 4,159 square feet), the Planning Board has determined that the additional square footage would generate 4 AM and 2 PM new peak-hour vehicle trips, a de minimus increase well within the intent of the condition given the findings contained in the preliminary plan resolution. Therefore, the Planning Board is not requiring a new preliminary plan of subdivision.

The site has frontage on Pennsylvania Avenue (MD 4) and Walters Lane; both are master plan facilities. Pennsylvania Avenue (MD 4) is a master plan expressway within a 200-foot right-of-way. The plan indicates a right-of-way of variable width, but the tax map shows it platted with a right-of-way of 205 feet. Walters Lane is a master plan collector facility within an 80-foot right-of-way; this matches the right-of-way shown on the plan and confirmed on tax maps. Chavez Lane is an undesignated commercial roadway with an

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acceptable right-of-way of 70 feet. Therefore, the rights-of-way of all surrounding roadways are acceptable.

The building site will be razed and replaced by a newer building of a slightly larger size. Aside from reconfiguring the drive-through, the changes in access and circulation are minor. It is noted that the preliminary plan resolution includes a condition that no driveway access be shown from either parcel onto Pennsylvania Avenue (MD 4); the plan is consistent with that condition. Because the changes are fairly minor, the access and circulation are deemed acceptable. The plan is consistent with the underlying preliminary plan from the standpoint of transportation.

- e. **Subdivision Review**—Comment on the requirements of the record plat recorded in Plat Book PM 220-50 and Preliminary Plan of Subdivision 4-06104, relevant to the subject project are contained in Finding 8 of this approval.
- f. **Trails**—
 - The Planning Board has reviewed the subject detailed site plan for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment*, in order to implement planned trails, bikeways, and pedestrian improvements.
 - The MPOT recommends that sidewalks be constructed along all roads in the Developed Tier, where the subject site is located. All of the roads abutting the subject property contain adequate sidewalks for pedestrian circulation, but there are gaps in these networks beyond the subject property. The MPOT and the area master plan recommend that Pennsylvania Avenue (MD 4) contain a sidepath on the north side of the road between the District of Columbia and the Capital Beltway (I-95/495). Bicycle lanes are recommended for the road. Sufficient rights-of-way exist on Pennsylvania Avenue for the approved bicycle lanes, sidepaths, and sidewalks, but effort will be left to the State Highway Administration to accomplish.
 - The transportation goals of the area master plan recommend “complete streets” and that sidewalks, neighborhood trail connections, and bicycle-friendly roadways be provided in the area to accommodate non-motorized transportation (bicycling and walking) as the preferred mode for some short trips, particularly to transit stops and stations, schools, and within neighborhoods and centers. Additionally, the subject property is located in an approved General Plan corridor. The General Plan promotes “compatibility of higher intensity development with existing communities” (page 50).
 - The existing sidepath is on the north side of Pennsylvania Avenue (MD 4) and west of the subject property. There are existing sidewalks on the south side of

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Pennsylvania Avenue. East of the subject property between Walters Lane and Donnell Drive to the east, there is a gap in this network. It is anticipated that the sidewalk and sidepath gaps on Pennsylvania Avenue will be addressed by SHA. The gaps in the sidewalk and sidepath network on Pennsylvania Avenue do not directly affect the subject application.

- There are no area or functional master-planned bikeway recommendations for Walters Lane or Chavez Lane. These roads already contain sidewalks. The sidewalks along Chavez and Walters Lanes will provide access to the sidewalks on Pennsylvania Avenue (MD 4) and the recently improved crosswalk and pedestrian safety island.
- g. **Permit Review**—The Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the Recommendation section of this technical staff report.
- h. **Environmental Planning**—As indicated in an e-mail dated January 30, 2012, from the Environmental Planning Section, the site is exempt from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. Further, they stated that the site does not contain any regulated environmental features nor raise any environmentally-related issues.
- i. **Prince George's County Fire/EMS Department**—The Prince George's County Fire/EMS Department offered information on private road design, required access for fire apparatuses, and the location and performance of fire hydrants.
- j. **Department of Public Works and Transportation (DPW&T)**—DPW&T offered the following:
 - Adequate right-of-way is already in place along the subject site's Walters Lane and Chavez Lane frontages.
 - Frontage improvements in accordance with DPW&T's urban and commercial roadway standards are required for Chavez Lane.
 - All improvements within the public rights-of-way, as dedicated for public use to the county, are to be designed in accordance with the County Road Ordinance, DPW&T's specifications and standards, and the Americans with Disabilities Act (ADA).
 - The westernmost commercial entrance into the site should be widened to a minimum of 30 feet, with a minimum radius of 12 feet, to conform to the requirements of DPW&T's commercial driveway standard.

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- Compliance with DPW&T's Utility Policy is required. Proper temporary and final patching and the related mill and overlay, in accordance with the established DPW&T policy and specification for Utility Installation and Maintenance permits are required.
- Conformance with DPW&T street tree, street lighting, and traffic standards is required.
- Full-width, two-inch mill and overlay for all county roadway frontages is required.
- Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- All storm drainage systems and facilities are to be designed in accordance with DPW&T's specifications and standards requirements.
- A soils investigation report which includes subsurface exploration and a geotechnical engineering evaluation for the proposed dwellings may be required.

A condition of this approval requires the westernmost commercial entrance into the site to be widened to a minimum of 30 feet, with a minimum radius of twelve feet. Otherwise, DPW&T's requirements above will be met through their separate permitting process. In closing, DPW&T noted that the proposed site development is consistent with approved Stormwater Management Concept Plan 12682-2011, dated August 4, 2011.

- k. **Health Department**—In a memorandum dated February 17, 2012, the Environmental Engineering Program of the Prince George's County Health Department stated that they had completed a health impact assessment review of the detailed site plan submission for McDonald's at Chavez Lane and offered the following comments:
- (1) There are seven existing carry-out food facilities within a one-half-mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores, compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.
 - (2) There is one market and one grocery store within a one-half-mile radius of this location. A 2009 report by the University of California at Los Angeles Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and overweight and/or obese characteristics in neighborhood residents.
- l. **Maryland State Highway Administration (SHA)**—SHA stated that they had no comment on the subject project as it accesses a county road.

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13. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
14. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a detailed site plan is as follows:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

As the site does not contain any regulated environmental features, this finding need not be made in the subject case.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-11006, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall revise the plans as follows:
 - a. The applicant shall replace the tree canopy coverage schedule with the most recent form of the schedule which may be found on the Maryland-National Capital Park and Planning Commission (M-NCPPC) website, and make the following changes:
 - (1) The required tree sizes and calculations of total tree credit shall be corrected as necessary.
 - (2) Shade trees shall be referred to as "minor" and "major" instead of "medium" and "large."
 - (3) The schedule shall demonstrate that the tree canopy provided is greater than that required, adding trees to the landscape plan if necessary.

The final form of the tree canopy coverage schedule and the landscape plan shall be approved by the Urban Design Section as designee of the Planning Board.
 - b. The applicant shall redesign the plans so as to provide 22 feet behind the loading space, which shall be approved by the Urban Design Section as designee of the Planning Board. Such redesign may involve the elimination of one of the two interspace connections to the gas station to the west of the subject property. The loading space shall be screened in accordance with the requirements of Section 4.4 of the 2010 *Prince George's County*

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Landscape Manual. Final design of the screening shall be approved by the Urban Design Section as designee of the Planning Board.

- c. The applicant shall amend the coversheet of the detailed site plan to include in the sheet title "Departure from Parking and Loading Standards DPLS-374" and "Departure from Sign Design Standards DSDS-675." Additionally, under "Zoning Requirements" on the same sheet, the applicant shall include both the application numbers for the Departure from Parking and Loading Standards DPLS-374 and the Departure from Sign Design Standards DSDS-675, noting that the first departure is to allow 46 instead of the required 60 parking spaces and that the second departure is to allow a freestanding sign on a property where the building is set back ten feet instead of 40 feet from the front property line.
- d. The applicant shall include wheel stops or other appropriate deterrent for those parking spaces located between the two drive aisles on the west side of the building.
- e. The applicant shall amend the parking information for the project provided on Sheet C-1 of the plan set to indicate both required and provided parking spaces and to indicate that a departure from parking and loading standards for the desired reduction is a companion case to the detailed site plan. Additionally, the parking information shall be corrected to indicate that 60 (not 61) parking spaces are required and amended to include loading, indicating that one loading space is required and one provided.
- f. The applicant shall provide photometric data to staff indicating an average of two foot-candle reading along the subject project's eastern property line so that site lighting will not have negative impacts on the townhouse development to the subject site's east, and that the foot-candle readings have been reduced along the subject site's northern (Pennsylvania Avenue (MD 4)) and southern (Chavez Lane) frontages. Twenty-two foot high luminaries of full cut-off design shall be utilized.
- g. The applicant shall correct Item 9 on Sheet C-2A Landscape Notes and Details to indicate that the "Minimum required width of landscape yard" is 40 feet, indicating that as is allowed, this landscape yard is provided pursuant to Condition 13(b) of PGCPB Resolution No. 95-120 on the adjacent property to the east.
- h. The applicant shall add the three plat notes to the General Notes section.
- i. The applicant shall add the sign elevation sheet, dated April 16, 2012, to the plan set.
- j. Reference to the proposed use shall be corrected throughout the plan set to reflect the proposed use as "an eating and drinking establishment with drive-through service."

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- k. The westernmost commercial entrance into the site shall be widened to a minimum of 30 feet, with a minimum radius of 12 feet, or as otherwise required by the Department of Public Works and Transportation's (DPW&T).
- l. Reference in the 2010 *Prince George's County Landscape Manual* (Landscape Manual) Section 4.7 schedule to the required landscape yard shall reflect a 40-foot instead of a ten-foot-yard, and shall indicate that per an allowance permitted per Table 4.7-2, the required buffer has been provided on the adjacent property as part of the Forest Mill townhouse development.
- m. The applicant shall revise the plans so that the detailed site plan is consistent with the landscape plan, except that the landscape plan shall indicate landscaping.
- n. The applicant shall amend the parking requirement under "Zoning Requirements" on Sheet C-1 to indicate that 24, not 25 parking spaces are required on the basis of the 72 seats to be provided in the restaurant. This is in addition to the 35 parking spaces required on the basis of the one parking space required for every 50 square feet the gross floor area exclusive of any areas used for storage, patron seating and exterior patron service (1,759 square feet).
- o. The applicant shall revise the plans to make the two-way driveway to the west of McDonald's along Chavez Lane a one-, instead of a two-way travelway.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

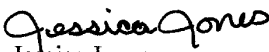
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Squire and Hewlett voting in favor of the motion, and with Commissioner Shoaff abstaining at its regular meeting held on Thursday, June 28, 2012, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of July 2012.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:RG:arj

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 7/10/12