

R E S O L U T I O N

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 March 23, 2017, regarding Detailed Site Plan DSP-14006 for Berwyn Heights McDonald's, the Planning Board finds:

1. **Request:** The subject approval is for a 4,388-square-foot eating and drinking establishment with drive-through service.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zones	C-S-C/D-D-O	C-S-C/D-D-O
Use	Eating and Drinking Establishment with Drive-through Service	Eating and Drinking Establishment with Drive-through Service
Acreage	0.915	0.915
Parcels	4	4
Total Building Square Footage/GFA	3,155 square feet	4,388 square feet

OTHER DEVELOPMENT DATA

Parking Spaces Required

Eating and Drinking Establishment with drive-through (@1 space per 3 seats) + 1 space per 50 square feet	Minimum Required: 29 spaces
	Maximum Permitted: 57 spaces

Parking Spaces Provided

Of which:	29 spaces
Standard Spaces	20 spaces
Compact Spaces	9 spaces
ADA Spaces (Van-Accessible)	2 spaces

Loading Spaces Required

Loading Spaces Provided	1 space
	0 spaces*

Note: *An amendment to the development district standards of the 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* requiring a loading space has been granted by the Planning Board herein.

3. **Location:** The site is located in Planning Area 67 and Council District 3. More specifically, it is located at 6219 Greenbelt Road (MD 193) in the southwestern quadrant of the intersection of MD 193 and 63rd Avenue.
4. **Surrounding Uses:** The subject property is bounded to the east by 63rd Avenue, with a church use in the C-S-C Zone beyond; to the south by single family detached residential dwellings in the One-Family Detached Residential (R-55) Zone; to the north by Greenbelt Road (MD 193) with property owned by the Board of Education used for school bus storage beyond; and to the west by commercial offices in the Commercial Office (C-O) Zone.
5. **Previous Approvals:** The 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* (Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA) retained the property in the Commercial Shopping Center (C-S-C) Zone and superimposes a Development District Overlay (D-D-O) Zone on the property. The property is also the subject of Stormwater Management Concept Plan 36929-2014-00, approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on May 29, 2015 and valid until May 29, 2018.
6. **Design Features:** The approval is to raze the existing 3,155-square-foot eating and drinking establishment with drive-through service and construct a modern 4,388-square-foot eating and drinking establishment with drive-through service. The pad site for the McDonald's approved herein is located in the middle of the subject property in the southwest quadrant of the intersection of Greenbelt Road and 63rd Avenue. The parking area associated with this use shall be reconfigured on the eastern and western sides of the building to accommodate the reoriented building, as a result of this approval. The single drive-through for the McDonald's, which exists, will be replaced by a dual drive-through service for the new building, as a result of this approval. Landscaping shall be provided in islands in the parking lot and along the perimeters of Greenbelt Road (MD 193), 63rd Avenue, and along the remainder of the property lines.

Architecture

The McDonald's restaurant building approved herein is a standard example of one of the franchise's newer architectural models and has a contemporary appearance. The design is of a one-story, red brick and stone veneer building with a flat roof. The building is finished predominantly with red brick and horizontal bands of a brick reveal. Stone veneer is proposed mostly in the area of the dining room and main entrance areas oriented towards the intersection of Greenbelt Road (MD 193) and 63rd Avenue. Metal canopies are proposed above the dining room windows.

Signage

A total of approximately 94 square feet of building-mounted signage for the McDonald's and 168 square feet of site signage have been approved with this detailed site plan (DSP). The signage includes a freestanding pylon sign; three flag poles with the United States, State of Maryland, and McDonald's flags; one existing pylon sign for the existing non-drive through restaurant; and directional signs for the McDonald's approved herein, including menu boards with ordering systems for the drive-through.

The building-mounted signage approved herein as part of this DSP complies with the development district standards of the Greenbelt Metro Area and MD 193 Corridor Sector Plan. The signage will be comprised of internally illuminated lettering and logos and will be constructed of a durable plastic materials. In addition, the signage for each façade will be less than 10 percent of its area. The Planning Board is also approving herein the replacement of the existing freestanding sign located in the northeast corner of the property with a 42-square-foot pylon sign with the standard McDonald's logo on it and an electric message board.

Lighting and Dumpster Enclosure

The lighting fixtures include pole lights for the site and building-mounted wall sconce fixtures for the building. The pole lights include cut-off luminaires. The height of the lamp posts, however, was not indicated on the DSP and shall, by condition of this approval, be provided.

A dumpster enclosure is approved in the southeast corner on the perimeter of the property. A detail of the dumpster enclosure is provided on Sheet 5 of the plan set, which indicates that the dumpster enclosure will be constructed of brick veneer to match the building's architecture. The gates of the dumpster enclosure will be constructed of wood.

Green Building Techniques

The applicant is providing the following green building and sustainable site techniques that will be used in the project that promotes energy efficiency, water conservation and waste reduction practices.

- Use of LED lighting for the dining room areas, building signage, lighting in the freezer/coolers, and exterior lighting;
- Use of high-efficiency appliances such as water heaters and exhaust fans;
- Use of high-efficiency plumbing fixtures to reduce water usage;
- Use of environmentally packaged cleaning products;
- Use of cardboard recycling;
- Use of cooking oil recycling;

- Using building materials with recycled content;
- Bringing the development in conformance with the current stormwater management regulations;
- Complying with the site's tree canopy coverage requirement.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2014 Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment and the standards of the Development District Overlay (D-D-O) Zone:**

The 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* contains regulations that impact the design and character of the Greenbelt Metro Metropolitan Center and portions of the MD 193 Corridor, and superimposes a Development District Overlay Zone over these areas. The purpose of these standards is to shape high-quality public spaces with buildings and other physical features to create a strong sense of place for Greenbelt and Berwyn Heights, consistent with the land use and urban design recommendations of the sector plan. The subject site is located in subarea MD 193 Corridor (page 222).

Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board find that the site plan meets the applicable development district standards in order to approve it. The development district standards are organized into several categories: Building Form, Architectural Elements, Sustainability and the Environment, and Streets and Open Spaces. However, in accordance with the D-D-O Zone review process as stated in Section 27-548.25(c), modification of the development district standards is permitted. In order to allow the plan to deviate from the development district standards, the Planning Board herein finds that the alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the sector plan.

As approved with conditions, the subject DSP is in conformance with all of the recommendations and requirements, except for those from which the Planning Board has herein granted an amendment. The Board herein finds that granting the amendments will not substantially impair implementation of the sector plan.

- a. The Planning Board herein grants amendments from the following development district standards:

(1) **Building Form, Lot Occupation, Frontage build out**

Requirement—Building height shall range from one to three stories (page 222).

Amendment Herein Approved—A one-story building with a height of 21.92 feet.

The building approved herein meets the development district standard that requires building height to range from one to three stories. However, it is below 25 feet. An amendment is herein approved to allow for a one-story building at 21.90 feet tall.

The difference between the requirement and the height of the building (3.08 feet) is negligible and the Planning Board hereby grants this requested amendment.

(2) **Building Form, Lot Occupation, Frontage build out**

Requirement—The front buildout shall be a minimum of 40 percent and a maximum of 80 percent at the build-to line (page 222).

Amendment Herein Approved—A 46.30-foot or 26.3 percent building frontage build-out.

The streetscape, which includes sidewalk and landscaping, will help to define the edge. The design of the site, which must by its nature include parking and drive aisles does not allow site design to include a 40-80 percent frontage buildout.

The site design does not lend itself to between a 40 and 80 frontage buildout. Customer parking and drive aisles are necessary for this commercial use which will help revitalize the MD 193 Corridor in accordance with a goal of the sector plan. The Planning Board hereby grants this request.

(3) **Building Form, Build-to Lines**

Requirement—The front principal build-to line for all buildings shall be between 0 and 15 feet from the right-of-way (page 222).

Amendment Herein Approved—A 30-foot build-to line.

The building herein approved will be located 30 feet from the right-of-way. An alternative district development standard, a 30-foot build-to line, shall be herein applied. Compliance with the 15-foot build-to line is impractical because of the existing grade change on the property. The property is located on the very western edge of the D-D-O Zone. By allowing an amendment to the build-to line, the Planning Board is creating a transition into more suburban layouts to properties outside the D-D-O Zone. Additionally, the function of a drive-through fast food restaurant requires a set back from the project frontage to allow for queuing lanes and parking.

(4) **Building Form, Side Yards**

Requirement—The side yard setback shall be between 0 and 24 feet from the side lot-line (page 222).

Amendment Herein Approved—An 80-foot side yard setback.

The building is setback 62.17 feet from the eastern property line and 79.57 feet from the western property line. The Planning Board herein approves a drive-through for the project, making it impossible to comply with the setback requirement and provide the drive aisles necessary for that component of the operation. In addition, the site is compact and the sideyard areas must be used for on-site parking. The function of a drive-through fast-food restaurant requires a set back from the side yard property lines to allow for queuing lanes and parking.

(5) **Building Form, Step-back Transitions and Landscape Buffers**

Requirement—Landscape buffers in combination with step back transitions are appropriate when development areas share a property line with existing residential neighborhoods. The buffer area shall be consistent with the standards of the 2010 *Prince George's County Landscape Manual*. The Landscape Manual requires a Type 'D' buffer (50-foot minimum building set back and 40-foot landscaped yard) between a single-family detached residential unit and a drive-in or fast-food restaurant (page 224).

Amendment Herein Approved—A reduction in the buffer requirement along southern property line to approximately seven feet wide with the replacement of the sight-tight fence and the addition of landscaping equaling three ornamental trees and forty-three shrubs.

The approval of this amendment is not relocating any improvements closer to the southern property. The applicant shall replace the existing sight tight fence and landscaping along the southern property which shall provide an adequate separation between the drive-through restaurant and the adjacent single-family detached residences. Additionally, the conditions along the southern property line herein approved will be an improvement over the existing conditions.

A sight-tight fence and landscaping shall provide a good separation between the two uses and that the new development will be in line with the sector plan's desire to retain and revitalize commercial development along MD 193 in Berwyn Heights.

(6) **Building Form, Parking Requirements, Parking and Access**

Requirement—Off-street parking shall be accessed by an alley or by secondary roadway and the vehicular access drive of a parking lot or garage shall be no wider than 22 feet (page 227).

Amendments Herein Approved—Access on a primary frontage street (MD 193) and 30 feet wide for a vehicle access drive (63rd Avenue).

The applicant shall, by this approval, improve the access driveways from MD193 by consolidating the two existing access driveways to one and moving the access further west from the intersection of MD 193 and 63rd Avenue. Residential street, 63rd Avenue, is to the south of the property and closing the access point on MD 193 would place more traffic on 63rd Avenue and impact that residential community. The 30-foot width is required in order for the delivery trucks to access the site from the secondary road. Reducing the number of access points to the development and that placing the access on the lesser traveled street would cause greater impacts on the adjacent single-family detached neighborhood.

(7) **Building Form, Parking Lots**

Requirement—Off-street surface parking areas shall be set back a minimum of 20 feet from all property lines along streets, except along alleys (page 228).

Amendment Herein Approved—A 10-foot setback for off-street parking lots from property lines along streets.

The applicant should be able to utilize the set back that was employed by the existing restaurant on the site. The parking has been located in this manner for many years and enabled a layout that was partially the basis of the success of the previous restaurant on the site. As revitalization is desired by the sector plan, allowing a layout that shall assist the development to be successful should be allowed.

(8) **Building Form, Parking Lots**

Requirement—Parking lots shall be concealed from the primary frontage street, secondary frontage or a side street by a liner building whenever possible (page 228).

Amendment Herein Approved—Surface parking to not be concealed by a liner building.

The surface parking area was not previously concealed by a liner building and the applicant is providing landscape strips along the MD 193 frontage and the 63rd Avenue frontage, which shall partially conceal the parking. The landscaping approved herein shall provide some of the concealment sought by this development district standards while permitting a layout known to be successful, which will contribute to the desired revitalization of the commercial uses in Berwyn Heights in accordance with the stated goal in the sector plan.

(9) **Building Form, Parking Lots, Loading**

Requirement—A screened loading space shall be provided (page 228).

Amendment Herein Approved—To not provide a loading space.

Section 27-582(a) of the Zoning Ordinance requires the provision of one loading space for the subject use. The provision of a loading space would interfere with meeting the drive-aisle requirements. A hardship would be created by requiring the applicant to provide a 30-foot setback requirement and meet the screening requirement of the Landscape Manual. Instead, the Planning Board herein approves using those spaces to the west of the building during off-peak hours or evening hours for loading purposes. This shall fulfill the loading function for the project and it is within the purview of the sector plan to be flexible to layout issues.

(10) **Building Form, Drive-throughs**

Requirement—Drive-throughs shall be built to the build-to line (page 230).

Amendment Herein Approved—To allow this drive-through, in particular, not to be built to the build-to line.

The site is currently developed with an existing McDonald's drive-through restaurant and the applicant should be able to continue to operate it as such. The approval complies with the other requirements for drive-throughs in the sector plan as follows:

- Drive-through windows will be located on the side of the building;
- Stacking area will be located behind the building; and
- The pedestrian connection to MD193 is not located within proximity to the elements of the drive-through.

The topography of the site causes a practical problem in conforming with this standard. Additionally, the function of a drive-through fast-food restaurant requires a setback from the project frontage to allow for queuing lanes and parking.

(11) **Architectural Elements, Signage**

Requirement – Internally illuminated freestanding signs are prohibited (page 239)

Amendment Herein Approved—A 20-foot-high, internally-illuminated freestanding sign.

The freestanding sign is necessary at the requested location (the intersection of Greenbelt Road and 63rd Avenue) to compensate for a seven-foot change in grade and to allow the subject project to be identified.

The alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the master or sector plan. A policy of the sector plan (page 105) is to retain and revitalize the mixed-use commercial development along MD 193 in Berwyn Heights and the approval of the above discussed district development standards will accomplish that goal and therefore not impair the implementation of the sector plan.

8. **Prince George's County Zoning Ordinance:** The subject approval has been reviewed for compliance with the requirements of the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance, as follows:
- a. The eating or drinking establishment herein approved, with drive-through service, per Section 27-461(b) of the Zoning Ordinance, is permitted in the C-S-C Zone.
 - b. The DSP shows a site layout that is consistent with the requirements of Section 27-462 (b) of the Zoning Ordinance.
 - c. The DSP is in conformance with the applicable site design guidelines contained in Sections 27-283 and 27-274 such as provisions of on-site safe and efficient pedestrian and vehicular circulation and the provision of adequate illumination.
 - d. **Development District Overlay Zone Required Findings**

Section 27-548.25 Site Plan Approval

- (a) **Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with**

Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.

The DSP has been submitted in fulfillment of the above requirement.

- (b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.**
- (c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.**

With regard to Section 27-548.25(b) and (c) of the Zoning Ordinance, the Planning Board herein grants 11 amendments to the development district standards. The 11 alternate development district standards will benefit the development and will not substantially impair implementation of the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA, given the property's location and site constraints.

- (e) If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.**

The Planning Board herein grants a departure from the requirement that a loading space be provided. See Finding 7 on alternative Standard 9.

- 9. **2010 Prince George's County Landscape Manual:** The new construction subjects the site to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The requirements apply as follows:
 - a. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. More particularly, the applicant has provided 4.2 landscape strips along MD 193 and along 63rd Street in accordance with the requirements of the Landscape Manual as to width and number of land units required. The DSP is in conformance with the requirements of Section 4.2.

- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide shade and visual relief within parking lots. More particularly, the applicant has provided eight percent or 2,190 square feet of interior parking lot planting area in the parking lot in accordance with the Landscape Manual requirements. The DSP is in conformance with the requirements of Section 4.3.
 - c. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The Planning Board herein grants an exemption from the requirement that a loading space be provided. There are no outdoor mechanical areas on this site which need to be screened and an enclosure is provided for the dumpster. The DSP is in conformance with the requirements of Section 4.4.
 - d. **Section 4.9, Sustainable Landscaping Requirements**—This DSP approval conforms to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The applicant has provided fifty percent of the shade and ornamental trees and 30 percent of the evergreen trees and shrubs in native varieties in accordance with the Landscape Manual requirements. The DSP meets the requirements of Section 4.9.
10. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because it contains less than 10,000 square feet of existing woodland and has no previously approved tree conservation plans. A standard letter of exemption, valid until February 9, 2019, has been provided for this approval.
11. **Prince George’s County Tree Canopy Coverage Ordinance:** This approval is subject to the requirements of Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance which requires C-S-C-zoned properties to provide 10 percent tree canopy. As the overall site measures 0.82 acre, 0.08 acre, or 3,563 square feet, is required in tree canopy coverage. The required schedule indicates that the requirement will be met through the provision of 9 deciduous major shade trees, 9 deciduous ornamental trees, and 23 evergreen trees, or 4,070 square feet.
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 approval will not impact any historic sites or resources.
 - b. **Archeological Review**—The subject approval will not impact any known archeological sites.

- c. **Community Planning**—The approval does not conflict with *Plan Prince George's 2035* Growth Policy or the recommendations for Employment Areas or Established Communities.

The approval is in conformance with the 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* land-use recommendations for commercial uses. It includes several amendments to the development district standards of the Greenbelt Metro Area and MD 193 Corridor D-D-O Zone.

In accordance with Section 27-548.25(c), the Planning Board hereby finds that granting the amendments will not substantially impair implementation of the sector plan.

General Plan, Master Plan and Sectional Map Amendment (SMA): The approval is in conformance with the applicable general or master plan.

General Plan: The subject property is located within the General Plan Growth Boundary and the Berwyn Heights Priority Funding Area. 6219 Greenbelt Road is also located within a designated Employment Area. Plan Prince George's 2035 describes Employment areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters; healthcare and life sciences; business services; information, communication and electronics; and the Federal Government (page 106). The following is a planning issue regarding *Plan Prince George's 2035*:

The general plan states that "*Plan 2035* classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Centers and Local and Suburban Centers as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development" (page 20). "The Plan Prince George's 2035 general plan policies, strategies, and recommendations for Employment Areas are primarily focused on economic and employment growth" (page 106). (See also page 19)

Master/Sector Plan: The applicable master/sector plan is the 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment*. The Greenbelt Metro Area and MD 193 Corridor development district is divided into seven subareas. The McDonald's site is located within the MD 193 Corridor Subarea (page 222); the Development District Overlay (D-D-O) Zone is superimposed on the property. "the development district standards are specifically intended to address new development and redevelopment proposals in the development district. The standards establish a consistent design framework to ensure quality in future development," (page 201). "The purpose of these standards is to shape high-quality public spaces with buildings and other physical features to create a strong sense of place for Greenbelt and Berwyn Heights, consistent with the land use and urban design recommendation for the sector plan," (page 209).

Eating or drinking establishments with drive-through service are permitted in the Commercial Shopping Center Zone (C-S-C) Zone in the D-D-O Zone. However, the plan also notes that “Drive-throughs are discouraged throughout the development district,” (page 230). The Planning Board herein grants certain amendments to the development district standards to accommodate a typical McDonald’s drive-through restaurant. See Finding 8 for a detailed discussion of the requested amendments.

The entrance/exit from MD 193 to the parking lot and drive-through appeared to extend over the sidewalk and shall, by condition of this approval, be reconfigured so that the sidewalk is continued over the driveways to meet the development district standards. The MD 193 street frontage is approximately 202 feet, and street trees shall be provided in accordance with the requirements of the Landscape Manual and DPIE.

The sector plan states that, “All new development and redevelopment of existing structures within the D-D-O Zone should comply with the general intent and goals of the development district standards and the Greenbelt Metro Area and MD 193 Corridor sector plan. Development must show compliance with the development district standards during the detailed site plan process...Redevelopment, rehabilitation, and renovation of existing structures are all forms of development. Wherever a conflict between the Greenbelt Metro Area and MD 193 Corridor D-D-O Zone, and the Prince George’s County Zoning Ordinance or Landscape Manual occurs, the D-D-O Zone shall prevail,” (page 202). The goals for the Economic Development Vision include the goal, “Facilitate the revitalization and redevelopment of existing commercial properties to improve pedestrian accessibility, foster a sense of place, and enhance the competitiveness of area businesses,” (page 147). As designed, the restaurant herein approved is in concert with the goals of the sector plan. Though the approval grants various amendments to the development district standards, it will not diminish the community’s vision for a pedestrian-accessible environment.

See Finding 8 for a full discussion of the requests for amendments to development district overlay standards. The drive-through service included in this DSP approval meets the D-D-O Zone standards for location and vehicle stacking area.

- d. **Transportation**—The site consists of 0.92 acres in the C-S-C Zone and within the Development District Overlay (D-D-O) Zone. The site is located in the southwest quadrant of the intersection of Greenbelt Road (MD 193) and 63rd Avenue. The Planning Board is approving the razing of the existing eating and drinking establishment with drive-through service, and the replacement of it with the same use.

Background

The Planning Board is herein approving the razing of an existing 3,155-square-foot building and the replacement of it with a 4,388-square-foot building. The use is permitted within the Commercial Shopping Center (C-S-C) Zone with a DSP requirement. The site is furthermore within the Development District Overlay (D-D-O) Zone, making it subject

to the standards in the 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment*. The site encompasses four lots of the Charlton Heights subdivision. There has never been a preliminary plan of subdivision for this site, and consequently there are no underlying transportation conditions.

The use herein approved includes a footprint that is approximately one-third larger than the existing building. Nevertheless, given that the seating is remaining approximately the same (64 seats proposed versus approximately 64 existing ones based on online interior photographs), the replacement will not generate additional traffic.

Access to the site will be provided by an existing right-in, right-out driveway along MD 193 and a full access driveway along 63rd Avenue. The MD 193 access shall, by virtue of this approval, be reconfigured. The previously existing site access was via a pair of driveways (one inbound and one outbound). Any changes to the access point shall have concurrence by the Maryland State Highway Administration, and the site plan shall be fully consistent with the state's requirements. The Planning Board supports the reconfiguration as shown, and states that removing the egress driveway will improve circulation within the site and will improve safety by moving the egress further from the MD 193/63rd Avenue intersection.

The transportation-related D-D-O standards have been reviewed, generating the following Planning Board comments:

- Building Form/Parking: On-site parking has been reduced from 45 to 26 spaces. The minimum parking is computed as one-half of the minimum per Subtitle 27 (29 spaces) less one space for each 20 feet of frontage along 63rd Avenue (less 8 spaces), for a minimum of 21 parking spaces. The reduction of eight spaces is not appropriate; on page 226, the D-D-O standards allow the following: "Where on-street parking is provided, each 20 feet of linear street frontage may be substituted for one off-street space to be counted toward the off-street parking requirement." The site plan shows no on-street parking provided. Furthermore, the site's frontage is signed for "No Parking Any Time."

The site is adjacent to Greenbelt Road (MD 193), which is a master plan arterial roadway with a right-of-way width of 120 to 200 feet. A sufficient right-of-way of 145 feet exists along the frontage.

Review Comments for Active Transportation Compliance

The site plan was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* in terms of master plan trails and bikeways. Since the site does not require a preliminary plan it is not subject to Section 24-124.01 of the Subdivision Regulations or the "Transportation Review

Guidelines, Part 2, 2013,” which are used for evaluating the adequacy of bicycle and pedestrian facilities. The following are proposed by the master plans:

- MD 193: A shared-use sidepath is proposed along the north side of MD 193. Given the location of this site on the south side of MD 193, the recommendation is not relevant to this approval.
- MD 193: Bike lanes are proposed along MD 193. The recommendation is not relevant to this approval. These would be implemented as part of any future road improvements along MD 193. There are currently no capital projects planned by either the County or the State.
- MD 193: The 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* recommends continuous wide sidewalks along MD 193. Five-foot-wide sidewalks exist along the MD 193 frontage. The sidewalks shall be rebuilt as six-foot sidewalks, and the site plan shall reflect a pedestrian crossing on the access/egress driveway in accordance with the sector plan by condition of this approval.
- MD 193 at 63rd Avenue: The 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* recommends pedestrian improvements to enhance the protection of school students and others crossing MD 193. It is noted that sidewalks exist along 63rd Avenue only on the east side; the subject site is on the west side of the street. The east side sidewalk connects to pedestrian markings crossing MD 193. While additional markings could be desirable, there is no sidewalk on the west side of 63rd Avenue. Further, the Planning Board supports enhancements at this intersection when there is a capital project at this location.
- 63rd Avenue: The 2014 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* recommends sharrows (shared bicycle/automobile markings) to enhance the status of this street as a shared use roadway. The applicant should work with the Town of Berwyn Heights to add sharrows along or near the 63rd Avenue street frontage.
- The standards for Streets and Open Spaces has a requirement that “the developer/property owner is required to install sidewalks for the entire frontage of the site” (page 247). Therefore, the plan, by condition of this approval, shall be revised to show a sidewalk along 63rd Avenue.
- The standards for building form indicate that drive-throughs are discouraged throughout the development district. Provided the approval meets other related standards, the Planning Board hereby allows drive-through service for this use at this location.

Conclusion

From the standpoint of transportation, this plan is acceptable and meets the finding required for a DSP as described in the Zoning Ordinance. From the standpoint of non-motorized transportation, this plan is acceptable as well, given the transportation-related conditions of this approval.

See Finding 8 for a full discussion of the applicability of the development district standards of the 2014 *Approved Greenbelt Metro Area and Maryland 193 Corridor Sector Plan and Sectional Map Amendment*.

e. **Subdivision—**

- The subject site is located on Tax Map 34 in Grid B-1, within the C-S-C Zone and D-D-O Zone for the Greenbelt Metro Area and MD 193 Corridor Sectional Map Amendment, and is 35,648 square feet. The site is known as Lots 16–19, Block 39 of Charlton Heights recorded in Plat Book A-52. The subject approval includes the demolition of an existing 3,155-square-foot building and construction of a new 4,388-square-foot building. There is no underlying preliminary plan for the subject approval. Pursuant to Section 24-111(c)(2) of the Subdivision Regulations, the site is exempt from the requirement of resubdivision because the total gross floor area of the development proposed does not exceed 5,000 square feet. Cumulative development which results in more than 5,000 square feet of gross floor area on the subject site would result in the requirement for resubdivision of the property pursuant to 24-111(c)(2) as indicated above.

The Planning Board hereby finds that the two following subdivision-related requirements shall be made conditions of this approval:

- (1) The submitted site plan and general notes reflect the subdivision is Berwyn Heights. While much of the Charlton Heights subdivision was resubdivided by subsequent plats and is currently recorded as Berwyn Heights, the subject site was never resubdivided and recorded in land records as Berwyn Heights. The plans should be corrected to indicate the subdivision name as Charlton Heights as shown on the current record plat (Plat Book A-52).
- (2) The site plan does not provide bearings and distance or reflect the underlying lots lines for Lots 16–19. All bearing and distances shall be shown on the site plan along with the existing lot information.

f. **Permits—**Numerous permit review comments have been addressed by revisions to the plans or by conditions of this approval.

- g. **Environmental Planning**—The Planning Board has not previously reviewed any other development review applications for the subject site. An approved and signed Natural Resource Inventory, NRI-184-13, was issued on November 21, 2013. A Standard Letter of Exemption, S-026-17, was issued on February 9, 2017.

Approved Activity

To raze one existing building and associated parking and to construct a new 4,388 gross square-foot building with parking and an associated drive-through. The primary use of the building herein approved shall be a McDonald's fast-food restaurant and eating and drinking establishment.

Grandfathering

The approval is subject to Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance) that came into effect on September 1, 2010 because the approval is for a new DSP and the site has no previous preliminary plans approved prior to September 2010.

Site Description

The subject property is located in the southwest quadrant of the intersection of Greenbelt Road (MD 193) with 63rd Avenue. The site was previously developed with a parking lot and building. No areas of woodlands exist on the property. The site is located within the Indian Creek sub-watershed that drains into the Anacostia River watershed that is part of the Potomac River Basin. The predominant soils found to occur according to the USDA NRCS Web Soil Survey are Christiana-Downer-Urban land complex (5-15 percent slopes), and Russett-Christiana Urban land complex (0-5 percent slopes). According to available information, Marlboro clay is not identified on the property; however, Christiana complexes are known to occur onsite. According to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species found to occur on or in the vicinity of this property. There are no streams, Waters of the US, wetlands, or areas of 100-year floodplain associated with the site. The site is not identified as containing forest interior dwelling species (FIDS) or FIDS buffer. The site has frontage on 63rd Avenue which does not have a master planned road designation and is not considered a traffic noise generator. The site also has frontage on Greenbelt Road (MD 193). This site does not share frontage with any historic or scenic roadways. The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. The site is also located within the Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment (SMA). According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains no Regulated, Evaluation and Network Gap Areas within the designated network of the plan.

Environmental Review

Natural Resources Inventory/Existing Conditions

The application has an approved Natural Resources Inventory, NRI-184-13, which expires on November 21, 2018. According to available information, the site does not contain regulated environmental features such as wetlands, streams, associated buffers, steep slopes, or 100-year floodplain. The DSP herein approved is in conformance with the approved NRI.

Woodland Conservation

The site is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property has less than 10,000 square feet of woodlands on-site and has no previously-approved tree conservation plan. This site has an approved Standard Woodland Conservation Exemption (S-026-17) that expires on February 9, 2019. The subject approval is in conformance with the WCO.

Stormwater Management

The site has an approved Storm Water Management Concept Letter (36929-2014-00) and plan that is in conformance with the current code. DPIE has stated that the DSP is in conformance with the approved stormwater management concept for the site.

Scenic and Historic Roads

In accordance with Section 24-152 of County Code, there are no scenic or historic roads located on or adjacent to the subject property.

Noise

The site has frontage on Greenbelt Road (MD 193), a master planned arterial roadway that is a traffic noise generator. Because the proposed use is not residential, traffic generated noise is not regulated in relation to the subject approval.

Soils

The predominant soils found to occur according to the USDA NRCS Web Soil Survey are Christiana-Downer-Urban land complex (5-15 percent slopes), and Russett-Christiana Urban land complex (0-5 percent slopes). According to available information, Marlboro clay is not identified on the property; however, Christiana complexes are known to occur on-site. This information is provided for the applicant's benefit. The county may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit process review.

- h. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comment on the subject project.
- i. **Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer comment on the subject project.

- j. **Prince George's County Police Department**—The Police Department did not offer comment on the subject project.
- k. **Prince George's County Health Department**—In a memorandum dated February 24, 2017, the Prince George's County Health Department offered the following comments:
- The property is located in the recharge area for the Patapsco aquifer, a groundwater supply that serves the northeast to southwest-central portions of the County. The applicant should implement strategies to facilitate the return of precipitation to the aquifer to protect the sustainability of the groundwater resource through the use of pervious pavers, appropriate landscaping and apropos stormwater management structures.

The applicant has been provided with this information and, as the site is being brought into conformance with the current stormwater management regulations with this project, there should be an overall improvement in returning the precipitation to the aquifer in accordance with this comment.

- The Statement of Justification indicates that on-site irrigation systems shall solely utilize captured rainwater and/or building graywater. Water re-use systems (including rainwater harvesting) require review and approval by the County Department of the Environment and the Prince George's County Health Department to assure incorporation of acceptable water treatment components, sampling protocols, public notification and, in conjunction with WSSC, appropriate isolation of the potable from the non-potable water supply. Applications for water re-use plan reviews are available from this reviewer.

This comment will be addressed through the Prince George's County Department of the Environment and the Prince George's County Health Department and WSSC's separate permitting processes.

- Idling vehicles release fumes that are hazardous to health. Air pollutants released from an idling vehicle include carbon monoxide, fine particulate matter, nitrogen oxides, ozone and benzene among others. These air pollutants can lead to health problems such as asthma, bronchitis, irregular heartbeat, nonfatal heart attacks, and a weakened immune system among other long-term and short-term adverse health effects. Maryland State Transportation Code Section 22-402 prohibits a vehicle engine from operating for more than five consecutive minutes when the vehicle is not in motion.

The approval includes a side-by-side drive-through window which will reduce time spent in a drive-through window by about two minutes. The reduction in wait time and a reduction in idling time will be a positive health benefit due to the reduction of air pollutants released into the air by vehicles using the drive-through. The applicant should demonstrate that there is not a bottleneck once the vehicles move from the two-lane ordering system to a single-lane order payment and pick-up window, especially during the peak hours. In addition, the approval anticipates an increase in drive-through use due to the convenience of the tandem ordering system. The Health Department notes that an increase in drive-through use and a bottleneck at the payment and pick-up window will increase the cumulative amount of air pollutants released into the air. They suggested that the applicant design the entire drive-through system to minimize idle time and total wait time.

This information has been provided to the applicant to address. Note that the project has been designed with two drive-through lanes, which reduce the amount of time that vehicles have to idle on-site, in accordance with this comment.

- There are at least seven existing carry-out and convenience store 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.

The applicant has been provided with this information.

- During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

A condition of this approval requires that, prior to certificate approval, a note be added to the plans to this effect.

- During the demolition/construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

A condition of this approval requires that, prior to certificate approval, a note be added to the plans to this effect.

- l. **Maryland State Highway Administration (SHA)**—In an e-mail dated January 17, 2017, SHA stated that an access permit from SHA would be required for the proposed modifications to existing access points on Greenbelt Road (MD 193) and the applicant would be required to submit detailed design plan to SHA for review. SHA requirements will be met through their separate permitting process.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comment on the subject project.
 - n. **Verizon**—Verizon did not offer comment on the subject project.
 - o. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comment on the subject project.
 - p. **Town of Berwyn Heights**—In an e-mail received February 8, 2017, a representative of the town of Berwyn Heights stated that the Berwyn Heights Town Council reviewed DSP-14006 with McDonald's representatives. Additionally, the representative stated that the Town Council had reviewed previous site plans with the McDonald's representatives, and that the Town's comments have already been incorporated into DSP-14006 as submitted.
 - q. **City of College Park**—In an e-mail dated February 21, 2017, a representative of the City of College Park stated that the city had no comment on the subject project.
 - r. **City of Greenbelt**—The City of Greenbelt did not offer comment on the subject project.
13. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if approved, with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:

The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

As the site does not contain any regulated environmental features, this finding is not applicable.

15. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA. The amendments to the development district standards required for this development would benefit the development and the development district as required by Section 27-548.25(c) of the Zoning Ordinance, and would not substantially impair implementation of the sector plan.

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 further:

A. APPROVED the following alternative development district standards:

1. **Building Form, Lot Occupation, Frontage build-out**—To allow for a one-story building with a height of 21.92 feet.
2. **Building Form, Lot Occupation, Frontage build-out**—To allow a 46.30-foot or 26.3 percent building frontage build-out.
3. **Building Form, Build-to Lines**—To allow a 30-foot build-to line.
4. **Building Form, Side Yards**—To allow an 80-foot side yard setback.
5. **Building Form, Step-back Transitions and Landscape Buffers**—To allow for a reduction in the buffer requirement along southern property line to approximately 7 feet wide with the replacement of the site-tight fence and the addition of landscaping equaling 3 ornamental trees and 43 shrubs.
6. **Building Form, Parking Requirements, Parking and Access**—To allow for access on a primary frontage street (MD 193) and 30 feet wide for a vehicle access drive (63rd Avenue).
7. **Building Form, Parking Lots**—To allow a 10-foot setback for off-street parking lots from property lines along streets.
8. **Building Form, Parking Lots**—To allow surface parking to not be concealed by a liner building.
9. **Building Form, Parking Lots, Loading**—To allow for provision of no loading space.
10. **Building Form, Drive-throughs**—To allow this drive-through, in particular, to be built to the build-to line.
11. **Architectural Elements, Signage**—To allow an internally-illuminated freestanding sign.

- B. APPROVED Detailed Site Plan DSP-14006, Berwyn Heights McDonald's, subject to the following conditions:
1. Prior to certification of the detailed site plan (DSP), the applicant shall:
 - a. Revise the plan to show a six-foot minimum sidewalk along MD 193, and reflect a pedestrian crossing on the access/egress driveway.
 - b. Revise the plan to show a sidewalk along 63rd Avenue, and reflect a pedestrian crossing on the access/egress driveway.
 - c. Install sharrows (shared bicycle/automobile markings) on 63rd Avenue. Placement shall be determined in consultation with the Town of Berwyn Heights and be reviewed and approved subject to the Town's approval by the Urban Design Section as designee of the Planning Board.
 - d. The applicant shall provide a site plan note indicating that the applicant intends to conform to dust control requirements as specified in 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control and conform to construction noise control requirements as specified in Subtitle 19 of the Prince George's County Code, which is adopted by reference to the Code of Maryland Regulations (COMAR).

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.

* * * * *

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 Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, and Hewlett voting in favor of the motion, and with Commissioners Bailey and Washington absent at its regular meeting held on Thursday, March 23, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of April 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:RG:rpg