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Detailed Site Plan

DSP-11006

Departure from Parking and Loading Standards

DPLS-374

Departure from Sign Design Standards

DSDS-675

Application	General Data	
Project Name: McDonald's (Chavez Lane) Location: On the northern side of Chavez Lane, approximately 250 feet east of its intersection with Walters Lane. Applicant/Address: McDonald's Corporation 6903 Rockledge Drive, Suite 100 Bethesda, MD 20817	Planning Board Hearing Date:	05/31/12
	Staff Report Date:	05/16/12
	Date Accepted:	01/24/12
	Planning Board Action Limit:	Waived
	Plan Acreage:	1.19
	Zone:	C-S-C
	Dwelling Units:	NA
	Gross Floor Area:	4,326 sq. ft.
	Planning Area:	75A
	Tier:	Developed
	Council District:	06
	Election District	06
	Municipality:	NA
	200-Scale Base Map:	205SE06

Purpose of Application	Notice Dates	
To redevelop an existing McDonald's restaurant; to allow a freestanding sign on a property where a building is set back less than 40 feet from the front property line; and to reduce the number of parking spaces below the required minimum number of parking spaces.	Informational Mailing:	04/06/11
	Acceptance Mailing:	01/21/12
	Sign Posting Deadline:	04/30/12

Staff Recommendation		Staff Reviewer: Ruth Grover Phone Number: 301-952-4317 E-mail: Ruth.Grover@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-11006
Departure from Parking and Loading Standards DPLS-374
Departure from Sign Design Standards DSDS-675
McDonald's Restaurant (Chavez Lane)

The Urban Design staff has completed its review of the subject applications and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

The detailed site plan (DSP), departure from parking and loading standards (DPLS), and departure from sign design standards (DSDS) were reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developed Tier and the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment*.
- b. The requirements of the Zoning Ordinance with respect to the following:
 - (1) Section 27-461(b), Uses Permitted in the C-S-C Zone;
 - (2) Section 27-462, Regulations in the C-S-C Zone;
 - (3) Section 27-612, Departure from Sign Design Standards;
 - (4) Section 27-239.01, Departure from Design Standards;
 - (5) Section 27-588(b)(7), Required findings for a Departure from Parking and Loading Standards; and
 - (6) Section 27-285(b), Required findings for the approval of a Detailed Site Plan.
- c. The requirements of the record plat for Parcels 4 and 5, recorded in Plat Book PM 220-50 and Preliminary Plan of Subdivision 4-06104.
- d. The requirements of the 2010 *Prince George's County Landscape Manual*.

- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
- f. The requirements of the Prince George's County Tree Canopy Coverage Ordinance.
- g. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

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	PROPOSED
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	PROPOSED
Tree Canopy	4,698 sq. ft.	5,193 sq. ft.

Parking Requirements*

	REQUIRED	PROPOSED
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	3
Handicap Spaces		2 (van-accessible)
Total Loading Spaces	1	1

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 filed as a companion case with this DSP. See Finding 14 below for discussion.

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 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 proposes to 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 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 25 feet high, with fully cut-off luminaires. A condition of this approval would require photometric data be provided indicating that the proposed lighting will not have a zero foot-candle reading along the eastern property line, adjacent to the townhouses, to ensure that lighting spill-over will not negatively impact the adjacent property. Also, since the property abuts the Pennsylvania Avenue (MD 4) and Chavez Lane rights-of way to the north and south, respectively, the foot-candle reading along both the southern and northern property lines should be decreased. The condition below with respect to lighting would also accomplish this goal.

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 technical staff report 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 staff comment:
 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.**

Comment: 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.

Comment: 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.

Comment: 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 staff comment:

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

Comment: 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.

Comment: 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 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.

Comment: 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 Transportation Planning Section did not recommend 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.”**

Comment: 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. Staff recommends, 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. A condition below would require this correction at the time of certification of the plans. In addition, staff would recommend that the applicant retain as many of the proposed trees as possible, when accommodating the recommended pedestrian connection in this location, instead of the originally proposed ten-foot buffer.

Landscaping of the site, however, would be improved by the addition of four minor shade trees (Sargent Cherry) and nine shrubs (Tam Juniper) to the landscape island most proximate to the western side of the McDonald’s restaurant building. Staff has included a recommended condition to this effect in the Recommendation section of this technical staff report, including the widening of the island to provide the minimum required planting volume for the trees.

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.
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 recommended condition below would ensure that the correct form for the tree canopy schedule is used and that all necessary corrections are made.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation Section**—In an e-mail dated January 31, 2012, the Historic Preservation Section stated that the subject project will have no effect on identified historic sites, resources, or districts.
- b. **Archeological Review**—In a memorandum dated February 1, 2012, the archeology planner coordinator stated that a Phase I archeological survey would not be recommended for the subject property. As a basis for this recommendation, she offered that 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 indicate that the probability of archeological sites within the subject property is low. In closing, she noted that the proposed project would not affect any historic sites, resources, or documented properties.
- c. **Community Planning South Division**—In a memorandum dated February 6, 2012, the Community Planning South Division stated that 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, they offered that, 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. With respect to some planning issues, the Community Planning South Division offered the following:

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).

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 should consider revising their current site plan to include the following:

- Provide pedestrian access from Chavez Lane to Pennsylvania Avenue (MD 4) through the site.

- The applicant is also encouraged to consult with SHA on planned improvements along Pennsylvania Avenue (MD 4).

Comment: A condition requiring a pedestrian access from Chavez Lane to Pennsylvania Avenue (MD 4) through the site is included in the Recommendation Section of this technical staff report.

- d. **Transportation Planning Section**—In a memorandum dated February 15, 2012, the Transportation Planning Section offered the following review comments:

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 Transportation Planning Section stated that 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 Transportation Planning Section 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 Transportation Planning Section did not recommend 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 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, there are no comments, and the access and circulation are deemed acceptable.

In conclusion, the Transportation Planning Section stated that, aside from noting the requirements and the major features of the plan, the Transportation Planning Section had no further comment on the plan and that it had determined that the plan is consistent with the underlying preliminary plan from the standpoint of transportation.

- e. **Subdivision Review Section**—In a memorandum dated March 1, 2012, the Subdivision Review Section offered 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. Please see Finding 8 of this technical staff report for a discussion of those comments.
- f. **Trails**—In a revised memorandum dated April 27, 2012, the senior trails planner offered the following review comments:
- The Transportation Planning Section 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.
 - 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 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 or by improvements by others related to private development. There is an opportunity for the subject property to make a sidewalk connection to the existing sidewalk on Pennsylvania Avenue. 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.
- Technical staff is supportive of the Community Planning South Division's recommendation for a dedicated sidewalk connection through the property to connect to the existing sidewalk on the south side of Pennsylvania Avenue (MD 4). A connection would lead to the existing sidewalk, which leads to the recently improved crosswalk and pedestrian safety island. This leads to the Pennsylvania Avenue sidepath trail. This will provide an access improvement to Pennsylvania Avenue for the residents of Wild Rose Court. It is anticipated that the sidewalk along Pennsylvania Avenue will be extended to Donnell Drive to the east.

Comment: A condition requiring the provision of a sidewalk connection between the subject property and the existing sidewalk along Pennsylvania Avenue (MD 4) has been included in the Recommendation section of this technical staff report.

- The subject property is in close proximity to the existing Pennsylvania Avenue (MD 4) sidepath. The MPOT recommends incorporating appropriate pedestrian-oriented and transit-oriented development (TOD) features, to the extent practical and feasible, in all new development within designated centers and corridors. Bicycle parking is a common feature of centers and corridors. Thus, it is recommended that the applicant provide bicycle parking on-site. Bicycle parking should be close to the main entrance of the building on a concrete pad that is visible from the intersection of Pennsylvania Avenue and Walters Lane.

Comment: A condition requiring bicycle parking as recommended above by the senior trails planner has been included in the Recommendation section of this technical staff report.

- g. **Permit Review Section**—In a memorandum dated February 13, 2012, 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 Section**—In an e-mail dated January 30, 2012, the Environmental Planning Section stated that 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**—In a memorandum dated February 15, 2012, 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)**—In a memorandum dated February 23, 2012, 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.
- 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 recommended condition below would require 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)**—In comments received January 25, 2012, SHA stated that they had no comment on the subject project as it accesses a county road.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this technical staff report, no comments have been received from WSSC regarding the subject project.
 - n. **Verizon**—At the time of the writing of this technical staff report, no comments have been received from Verizon regarding the subject project.
 - o. **Potomac Electric Power Company (PEPCO)**—At the time of the writing of this technical staff report, staff has not received comments from PEPCO regarding the subject project.
13. **Departure from Sign Design Standards DSDS-675:** The applicant is requesting a departure from sign design standards pursuant to Section 27-612 from Section 27-614(a)(1) of the Zoning Ordinance, which requires that freestanding signs only be located on properties where the building associated with the sign is located at least 40 feet behind the front street line. The applicant seeks to maintain the existing sign which is located along the property's Pennsylvania Avenue (MD 4) frontage. The building proposed to be located on the subject property is located over 40 feet from Pennsylvania Avenue, but only 10 feet from Chavez Lane. Therefore, a departure of 30 feet is requested. Staff has included each required finding in **boldface type** below, followed by staff comment:
- (i) **The purposes of this Part (Section 27-589) will be served by the applicant's request;**
- Comment:** The purposes of this Part in Section 27-589 are as follows:
- (1) **To promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**
- Comment:** The sign will help direct patrons safely from Pennsylvania Avenue (MD 4) and the surrounding network to the proposed McDonald's. Granting the DPLS will promote the welfare of present and future inhabitants of the Regional District by providing clear direction to the proposed facility.

- (2) **To encourage and protect the appropriate use of land, buildings, and structures;**

Comment: The sign will support an appropriate commercial use developed in accordance with the requirements of the Zoning Ordinance in the C-S-C Zone.

- (3) **To regulate unsightly and detrimental signs which could depreciate the value of property and discourage quality development in the Regional District;**

Comment: The sign is in good repair and therefore is in keeping with this purpose of the sign regulations of the Zoning Ordinance.

- (4) **To regulate signs that are a hazard to safe motor vehicle operation;**

Comment: The sign will not present any of the hazards to safe motor vehicle operation as detailed in Section 27-593 of the Zoning Ordinance, which include signs that distract drivers and/or obstruct clear sight. In fact, it will help to safely guide motor vehicles to the site.

- (5) **To eliminate structurally unsafe signs that endanger a building, structure, or the public;**

Comment: Replacing the existing aged sign on the property with a structurally sound updated sign will serve this stated purpose of the Zoning Ordinance sign regulations. The existing sign is in good repair and therefore is in keeping with this purpose of the sign regulations of the Zoning Ordinance.

- (6) **To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development; and**

Comment: The single sign along the site's Pennsylvania (MD 4) frontage will serve this purpose.

- (7) **To control the location and size of signs, so as to provide for adequate identification and advertisement in a manner that is compatible with land uses in the Regional District.**

Comment: The single sign will serve this purpose. Its location, rather than the size, is the issue in this departure and the sign's size is in conformance with Zoning Ordinance sign regulations.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the request;**

Comment: The 30-foot departure is the minimum necessary to allow the existing sign to stay in its current location, where it has been located for several decades. If the departure is not granted, the applicant will have to relocate the sign, reducing its visibility from Pennsylvania Avenue (MD 4) to the detriment of the site as a commercial enterprise.

- (iii) **The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

Comment: The departure is necessary on this site, hampered as a through-lot with frontages on two rights-of-ways. A modified layout that employs a more efficient two-lane drive-through arrangement forces the building less than 40 feet from Chavez Lane, thereby creating the necessity for the departure request. It is also necessary because the shared parking on the adjacent gas station is not available to the applicant for the subject project.

- (iv) **The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

Comment: The freestanding sign associated with the site is located on Pennsylvania Avenue (MD 4). Given the fact that this sign has been in this location since the 1960s, there is no reason to believe that granting this departure will impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. On the contrary, this use has operated from this site since the 1960s with no apparent adverse impact on the site or the surrounding neighborhood.

14. **Departure from Parking and Loading Standards DPLS-374:** The applicant is also requesting the approval of a Departure from Parking and Loading Standards pursuant to Section 27-588 of the Zoning Ordinance for 14 of the 60 parking spaces required by Section 27-568 of the Zoning Ordinance.

- a. Each required finding as containing in Section 27-588(b)(7)(A) of the Zoning Ordinance is listed in **boldface type** below, followed by staff comment:

- (i) **The purposes of this Part (Section 27-550) will be served by the applicant's request;**

Section 27-550:

- (1) **To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**

Comment: The applicant is providing a total of 46 spaces and one loading space, which should be sufficient to serve the parking and loading needs of the proposed restaurant as it will do much of its business operating as a drive-through, significantly reducing the need for parking, based on studies by the McDonald's Corporation of recent trends among restaurant patrons of similarly situated restaurants. Additionally, the subject restaurant has historically shared parking with the adjacent gas station and, if this practice continues, parking demand at the restaurant would be further reduced.

- (2) **To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**

Comment: Again, the parking provided for the subject project should be sufficient for the expected clientele as many patrons will simply drive-through and not park on-site. Also, a loading space is being provided on the site. Therefore, it may be said, that the parking provided will aid in relieving traffic congestion on streets by reducing use of the public streets for parking and loading. Further, as generally suggested by the Transportation Planning Section, access is limited and is from the less heavily traveled road bordering the subject site. A minimal three access points have been provided; two are one-way and service the drive-through and the third is two-way and provides access to the restaurant's main parking area.

(3) To protect the residential character of residential areas; and

Comment: As the nearest adjoining residential development is located more than 200 feet from the subject property, it would be inconvenient for restaurant customers to park proximate to those residences. Therefore, it is highly unlikely that the granting of the departure would infringe on the parking and loading needs of the adjacent residential area.

(4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.

Comment: The parking and loading areas for the subject project are conveniently located on-site and amenities in the Regional District will be increased by updating an outmoded eating and drinking establishment with drive-through facilities with one of the newest models currently utilized by the McDonald's Corporation.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

Comment: The departure is the minimum necessary, given the specific circumstances of the request. These include:

- The site is small, only 1.19 acres.
- The proposed restaurant will do much of its business operating as a drive-through, significantly reducing the need for parking based on studies by the McDonald's Corporation of recent trends among restaurant patrons of similarly situated restaurants.
- As per the applicant's estimation, the restaurant must be its proposed size to maximize its success at the given location.
- The amount of parking required by the Zoning Ordinance is arrived at generally, and does not take special site circumstances into account.
- Though the proposed restaurant is to be a new structure, it is a replacement of an existing McDonald's on the site that has operated since the 1960s with approximately the same amount of parking. Thus, the applicant has had ample

opportunity to observe the use of the parking lot and to conclude that the proposed number of parking spaces will be more than adequate for the new restaurant.

- The preceding restaurant shared parking with the adjacent gas station, a practice which may in fact continue, further reducing parking need on-site.

Taking the above specific circumstances into consideration, it may be said that the subject project fulfills this required finding for a departure from parking and loading standards.

- (iii) **The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

Comment: The departure is necessary on this site, hampered as a through-lot with frontages on two rights-of-way. Also, it is necessary to enable the applicant to redevelop and thereby refurbish an existing McDonald on the property. Lastly, it is necessary because the shared parking on the adjacent gas station is not technically available to the applicant for the subject project, as the process to modify its special exception approval, or pursue a non-conforming use approval on the subject site would be too cumbersome.

- (iv) **All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and**

Comment: All other methods of calculating the number of spaces have been explored and it has been determined that there is no other alternative to requesting the departure from parking and loading standards.

- (v) **Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

Comment: As the nearest adjoining residential development is located more than 200 feet from the subject property, it would be inconvenient for restaurant customers to park proximate to those residences. Therefore, it is highly unlikely that the granting of the departure would infringe on the parking and loading needs of the adjacent residential area.

- b. Each consideration required when the Planning Board makes the above findings, as contained in Zoning Ordinance Section 27-588(b)(7)(B) is listed in **boldface type** below, followed by staff comment:

- (i) **The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;**

Comment: A gas station (together with a post office and Western Union office) is located immediately to the west of the subject site and provides some on-site parking, which it historically shared with the subject project. There is a possibility of some de

facto sharing, however, with this property and possibly the Penn Forest Shopping Center to the south, both of which might decrease on-site parking demand. It is highly unlikely that the subject project would share any parking with the townhomes to the east of the subject property or the multifamily housing on the western side of Walters Lane, though per DPW&T, on-street parking is allowed along both Walters and Chavez Lane, including its sizable cul-de-sac, located immediately southeast of the subject project.

(ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;

Comment: The Area Master Plan (The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment*) located the subject project in “Living Area F (Zone 3.)” which has as the short term objective for this C-S-C zoned property to help meet the neighborhood-serving needs of existing residents. Further, it supports transit and improvement of pedestrian circulation. Toward this end, a recommended condition of this approval includes a pedestrian connection between Chavez Lane and Pennsylvania Avenue, assisting accessing the site by foot and bike, and potentially reducing vehicle trips to the property. There are currently no known County or local revitalization plans operating in the vicinity of the subject site.

(iii) The recommendations of a municipality (within which the property lies) regarding the departure; and

Comment: The subject project does not lie within a municipality. Therefore, this consideration is inapplicable to the subject project.

(iv) Public parking facilities which are proposed in the County’s Capital Improvement Program within the general vicinity of the property.

Comment: As per the Transportation Planning Section, the public parking facilities most proximate to the subject site are the Metro parking lots. Further, they stated that there are no public parking facilities proposed in the County’s Capital Improvement Program within the general vicinity of the subject property that would affect the demand for on-site parking for the subject project.

- c. In making its findings, Section 27-588(b)(7)(C) of the Zoning Ordinance suggests that the Planning Board may want to give consideration to certain other items. Each item is listed **boldface type** below, followed by staff comment:

(i) Public transportation available in the area;

Comment: Public transportation available in the vicinity of the subject site includes the K11, K12, and K13 bus lines, with a peak headway (time between buses) of 15 minutes. The most accessible Metro is the Suitland Metrorail Station, which is served by the K11, K12 and K13 bus lines. The availability of public transportation in the vicinity of the subject site may help to marginally decrease its need for on-site parking.

(ii) Any alternative design solutions to off-street facilities which might yield additional spaces; and

Comment: Staff has suggested use of the maximum number of compact parking spaces available to the applicant in a condition related to a needed 22-foot back-up area behind the provided loading space, which may yield additional spaces prior to signature approval, thereby potentially decreasing the magnitude of the departure prior to signature approval. The other alternative design solution which might yield additional spaces would be structured parking, which would not be financially viable or consistent with existing development in the vicinity of the subject site, so has not been suggested by staff.

- (iii) **The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property; and**

Comment: McDonald's is an eating and drinking establishment with drive-through service. It generally operates from 5:00 a.m. to 12:00 midnight, seven days a week, though the drive-through is open 24 hours a day, seven days a week. The gas station immediately west of the subject project is open 24 hours a day, seven days a week, with a post office/Western Union facility that operates from 6:00 a.m. to 7:30 p.m., seven days a week, and the Penn Forest Shopping Center immediately to its south is open 7:00 a.m. to 12:00 midnight, six days a week.

- (iv) **In the R-30, R-30C, R-18, R-18C, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

Comment: The subject project is an eating and drinking establishment with drive-through service in the C-S-C Zone. Therefore, this additional consideration is not applicable to the subject project.

15. 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.
16. 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.

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

RECOMMENDATION FOR DETAILED SITE PLAN DSP-11006

Based upon the preceding evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-11006, McDonald's (Chavez Lane), 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 provide a hard-surfaced pedestrian connection, a minimum of four feet wide between the existing or proposed sidewalks of Chavez Lane and Pennsylvania Avenue (MD 4), retaining as many of the proposed trees as possible.
 - b. Include a U-shaped-bicycle rack close to the main entrances to the building on a concrete pad on the detailed site plan and a detail of both the rack and pad on the detail sheet.
 - c. Final design of bike rack location and detail shall be approved by the senior trails planner and the Urban Design Section as designees of the Planning Board. A bicycle parking area sign (Manual of Uniform Traffic Control Devices (MUTCD) D4-3) shall be erected at the parking location as specified in MUTCD Part 9, Traffic Control for Bicycle Facilities, Section 9B.23.
 - d. 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.
 - e. 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.
 - f. 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.

- g. The applicant shall include wheel stops for all parking spaces.
- h. 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.
- i. The proposed dumpster enclosure shall be utilized to block views of the loading space as necessary, to provide screening as required by Section 4.4 of the 2010 *Prince George's County Landscape Manual*. Final design of the screening shall be approved by the Urban Design Section as designee of the Planning Board.
- j. The applicant shall provide photometric data to staff indicating a zero foot-candle reading along the subject project's western 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.
- k. The applicant shall revise the plans so as to widen the landscape island most proximate to the McDonald's restaurant building on its western side so as to be able to accommodate the planting of four additional shade trees (Sargent Cherry) with three shrubs (Tam Juniper) between each two of the shade trees for a total of nine shrubs on the landscape island.
- l. 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.
- m. The applicant shall add the three plat notes to the General Notes section.
- n. The applicant shall provide and unobstructed ten-foot-wide public utility easement (PUE) along Pennsylvania Avenue (MD 4) and Chavez Lane frontages, unless the utilities involved provide the Urban Design staff, as designee of the Planning Board, with a written agreement which permits specified obstructions to remain in the PUE.
- o. The applicant shall add the sign elevation sheet, dated April 16, 2012, to the plan set.
- p. 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."
- q. 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).

- r. 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.
- s. 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.
- t. 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).

RECOMMENDATION FOR DEPARTURE FROM PARKING AND LOADING STANDARDS DPLS-374

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Departure from Parking and Loading Standards DPLS-374, McDonald's (Chavez Lane), for 14 of the 60 parking spaces required by Section 27-568 of the Zoning Ordinance.

RECOMMENDATION FOR DEPARTURE FROM SIGN DESIGN STANDARDS DSDS-675

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Departure from Sign Design Standards DSDS-675, McDonald's (Chavez Lane), for a departure from the requirements of Section 27-612 of the Zoning Ordinance, to allow a freestanding sign on a property in the Commercial and Industrial Zones, where the main building associated with the sign is set back ten feet rather than the 40 feet behind the front street line required by Section 27-614(a)(1) of the Zoning Ordinance.