



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan Burger King #1151

DSP-19019

REQUEST	STAFF RECOMMENDATION
Removal of 55 square feet and an addition of 69 square feet, along with façade and signage improvements.	APPROVAL with conditions

Location: On the south side of US 1 (Baltimore Avenue), approximately 210 feet northeast of its intersection with Ewing Road.	
Gross Acreage:	0.52
Zone:	I-1
Dwelling Units:	N/A
Gross Floor Area:	N/A
Planning Area:	61
Council District:	01
Election District:	01
Municipality:	N/A
200-Scale Base Map:	213NE05
Applicant/Address: CARROLS, LLC 968 James Street Syracuse, NY 13203	
Staff Reviewer: Henry Zhang, AICP, LEED AP Phone Number: 301-952-4151 Email: Henry.Zhang@ppd.mncppc.org	



Planning Board Date:	05/14/2020
Planning Board Action Limit:	05/14/2020
Staff Report Date:	04/29/2020
Date Accepted:	03/05/2020
Informational Mailing:	03/01/2019
Acceptance Mailing:	02/11/2020
Sign Posting Deadline:	04/14/2020

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-19019
Burger King #1151

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Light Industrial (I-1) Zone and the site design guidelines of the Prince George's County Zoning Ordinance;
- b. The requirements of the 2010 *Prince George's County Landscape Manual*;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- e. Referral comments.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends that the Planning Board adopt the following findings:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for a net addition of approximately 14 square feet of gross floor area and renovations to the façade and signage of an existing eating and drinking establishment (Burger King), with drive-through service.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	I-1	I-1
Use	Eating and Drinking Establishment with Drive-through	Eating and Drinking Establishment with Drive-through
Acreage	0.52	0.52
Total Gross Floor Area (sq. ft.)	2,986	3,000

Parking*

	REQUIRED	PROVIDED
Regular Spaces	23	23
Handicapped Spaces	2	2
Total	25	25

Note: *The existing parking on the site that will not be impacted by this renovation.

3. **Location:** The site is located on the south side of US 1 (Baltimore Avenue), approximately 210 feet northeast of its intersection with Ewing Road, in Planning Area 61 and Council District 1.
4. **Surrounding Uses:** The subject property is bounded to the north by the public right-of-way of US 1, with commercial/retail uses in the Commercial Shopping Center Zone beyond. To the east, west, and south of the site are developed properties in the Light Industrial (I-1) and Heavy Industrial Zones, including warehouses.
5. **Previous Approvals:** The subject 0.52-acre site is known as Parcel T-T, which was originally improved as a Burger King fast-food restaurant with drive-through service circa 1970. The site also has an approved certified nonconforming use (3629-85-CGU). In 2010, Prince George's County Council Bill CB-19-2010 was adopted and redefined the eating and drinking establishment use, permitting it in the I-1 Zone, among others, subject to DSP review.
- The site also has a valid Stormwater Management Concept Plan, 16719-2019-00, that is valid through August 2, 2022.
6. **Design Features:** The application proposes to renovate the existing Burger King, to create a modern and attractive commercial business that satisfies the needs of modern consumers. The proposed renovation includes the removal of 55 square feet and the addition of 69 square feet of gross floor area, for a net addition of 14 square feet, along with façade and signage improvements, which will make this property an attractive modern-looking restaurant. The renovation will use sustainable building materials, utilize environmental site design techniques, where practical, and provide for the continued convenience needs of the surrounding community, while improving the appearance of the existing restaurant.

In addition, the renovation will introduce new Burger King signage, including building-mounted and menu signage, that are within the sign face area limits of the zone. For building-mounted signage, the allowed area is approximately 100 square feet based on the width of the building. The site plan shows that 40 square feet of sign area is provided, in accordance with Section 27-613(c) of the Prince George's County Zoning Ordinance. The freestanding sign, which was built previously and does not meet the required 10-foot setback, has a sign face area of 74.5 square feet that is within the maximum allowed square footage (75 square feet), per Section 27-614(c) of the Zoning Ordinance. A condition has been included in the Recommendation section of this report, requiring the applicant to relocate the freestanding sign 10 feet inside the subject site to meet the setback requirements, prior to certification.

The proposed architectural elevations represent the new generation of Burger King's prototype building, which features a flat roof with prominent tower elements at the main entrance and side windows, and clear anodized metal canopies. The towers are finished with cultured stone veneer, topped by metal coping, and Burger King's signature logo sign on the upper part. A clear anodized metal canopy is also used to shield all windows on three elevations. The elevations are designed in a three-part composition, with a dark-grey painted face brick at the lower part, windows and light-grey cementitious horizontal panels and face brick in the middle part, and a red light band at the top. For the rear elevation, the windows are replaced with two service doors and solid walls. Sconce light fixtures are shown on the side elevations. The renovated elevations are attractive and acceptable.

The DSP does not propose any alterations to the on-site circulation pattern and other existing improvements, other than described above.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.

- a. The existing and proposed use, which is an eating and drinking establishment, with drive-through service, is a permitted use in the I-1 Zone, subject to Footnote 54, in accordance with Section 27-473(b), Table of Uses, of the Zoning Ordinance, as follows:

Subject to Detailed Site Plan approval in accordance with Part 3, Division 9, of this Subtitle. Any fast-food restaurant operating pursuant to an approved Special Exception as of the effective date of CB-49-2005 shall remain valid, be considered a legal use, and shall not be deemed a nonconforming use. Such fast-food restaurants and their underlying special exceptions may be modified pursuant to the existing provisions relating to revisions or amendments to special exceptions generally and fast-food restaurants specifically as they exist in the Zoning Ordinance.

This site has never had any special exception approvals. This DSP has been filed, in accordance with this requirement, to allow for the site improvements.

- b. The subject application is in conformance with the requirements of Section 27-469(b), Landscaping, screening and buffering, of the Zoning Ordinance in the I-1 Zone. The site plan notes that 13 percent (approximately 2,911 square feet) of the net lot area is maintained as green area. The landscape strip adjacent to the public right-of-way of US 1, as required pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), is not considered part of the required green area. The site plan exceeds the 10 percent requirement of Section 27-473(b). However, the site plan does not illustrate clearly where the green areas are. A condition has been included in the Recommendation section of this report, requiring the applicant to illustrate the green area on the landscape plan, prior to certification.
 - c. **Site Design Guidelines**—Section 27-283 of the Zoning Ordinance provides that a DSP should be designed in accordance with the same design guidelines for a conceptual site plan (referenced in Section 27-274), regarding parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture. Since the subject DSP does not alter any of the site, except for a small addition to the building, the site design guidelines are not triggered.
8. **2010 Prince George's County Landscape Manual:** In accordance with Section 1.1 of the Landscape Manual, the subject project is exempt from the requirements of the Landscape Manual because the increase of gross floor area is less than 10 percent of the total gross floor area, there is no change of use from a lower to higher intensity, and there is no increase in impervious surface. A note to this effect is provided on the site plan.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is not subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the entire site contains less than 10,000 square feet of woodlands and does not have a previously approved tree conservation plan. The site has a Natural Resources Inventory Equivalency Letter (NRI-046-2019), which was issued on April 18, 2019. The site also has a Standard Letter of Exemption (S-058-2019) that was issued on April 18, 2019.
10. **Prince George's County Tree Canopy Coverage Ordinance:** Since this DSP does not propose more than 5,000 square feet or greater of gross floor area or disturbance, this DSP is exempt from the requirements of the Tree Canopy Coverage Ordinance. A note to this effect is provided on the site plan.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation and Archeological Review**—In a memorandum dated March 5, 2020 (Stabler to Bush), incorporated herein by reference, the Historic Preservation Section stated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject site does not contain or is not adjacent to any Prince George's

County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.

- b. **Community Planning**—In a memorandum dated April 10, 2020 (McCray to Zhang), incorporated herein by reference, the Community Planning Division stated that, pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation**—In a memorandum dated April 16, 2020 (Hancock to Zhang), incorporated herein by reference, the Transportation Planning Section noted that, given the limited scope of the work proposed in this DSP, the existing on-site circulation will not be impacted. From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.
 - d. **Trails**—In a memorandum dated April 13, 2020 (Smith to Zhang), the Transportation Planning Section reviewed this DSP for conformance with the applicable pedestrian and bicycle transportation recommendations. The Transportation Planning Section recommended approval of this DSP with one condition, consisting of three sub-conditions, that has been included in the Recommendation section of this report.
 - e. **Environmental Planning**—In a memorandum dated March 27, 2020 (Juba to Bush), incorporated herein by reference, the Environmental Planning Section concluded that this DSP is exempt from the requirements of the WCO and recommended approval of this application.
 - f. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this writing, staff did not receive any comment regarding the subject project from DPIE.
 - g. **Prince George's County Police Department**—In a memorandum dated March 17, 2020 (Contic to Planner Coordinator), incorporated herein by reference, the Police Department stated they had no comments on the subject application.
 - h. **Prince George's County Health Department**—At the time of this writing, staff did not receive any comment regarding the subject project from the Health Department.
 - i. **Maryland State Highway Administration (SHA)**—At the time of this writing, staff did not receive any comment regarding the subject project from SHA.
12. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, if approved with the recommended conditions, the DSP 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.

13. The required finding of Section 27-285(b)(4) of the Zoning Ordinance that regulated environmental features are preserved and/or restored to the fullest extent possible need not to be made for the subject application because there are no regulated features on the subject site.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-19019, Burger King #1151, subject to the following condition:

1. Prior to certification, the detailed site plan shall be revised, or information provided, as follows:
 - a. Relocate the freestanding sign 10 feet inside the subject site to meet the setback requirements.
 - b. Clearly illustrate the location and size of the green areas on the landscape plan.
 - c. Provide inverted U-shaped bicycle racks at a location convenient to the building entrance.
 - d. Provide continental-style crosswalks along the subject site's entrance and exit, unless modified by the Maryland State Highway Administration.
 - e. Provide a 5-foot-wide sidewalk connecting the building entrance and the sidewalk along US 1 (Baltimore Avenue).