



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 Departure from Parking and Loading Spaces McDonald's Stuart Lane

DSP-19058
DPLS-476

| REQUEST | STAFF RECOMMENDATION |
|--|--------------------------|
| DSP: Construct a total of 679 square feet of building additions and a second drive-through lane to the existing eating and drinking establishment. | APPROVAL with conditions |
| DPLS: To allow a reduction of 32 parking spaces. | APPROVAL |

Location: On the west side of Stuart Lane, approximately 175 feet south of MD 223 (Woodyard Road).

| | |
|---------------------|---------------|
| Gross Acreage: | 0.97 |
| Zone: | C-S-C & M-I-O |
| Dwelling Units: | N/A |
| Gross Floor Area: | 4,157 sq. ft. |
| Planning Area: | 81A |
| Council District: | 09 |
| Election District: | 09 |
| Municipality: | N/A |
| 200-Scale Base Map: | 212SE06 |

Applicant/Address:
McDonald's USA
One McDonald's Plaza
Chicago, IL 60607

Staff Reviewer: Thomas Burke
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| | |
|------------------------------|------------|
| Planning Board Date: | 06/18/2020 |
| Planning Board Action Limit: | 06/24/2020 |
| Staff Report Date: | 06/02/2020 |
| Date Accepted: | 04/15/2020 |
| Informational Mailing: | 12/23/2019 |
| Acceptance Mailing: | 04/13/2020 |
| Sign Posting Deadline: | 05/19/2020 |

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-19058
 Departure from Parking and Loading Spaces DPLS-476
 McDonald's Stuart Lane

The Urban Design Staff has reviewed the subject application and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions as described in the Recommendation section of this staff report.

EVALUATION

This detailed site plan and departure from parking and loading spaces were reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance in the Commercial Shopping Center (C-S-C) Zone and site design guidelines;
- b. The requirements of Special Exception SE-3884;
- c. The requirements of the 2010 *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f. Referral comments.

FINDINGS

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

1. **Requests:** The subject application is for approval of Detailed Site Plan DSP-19058, for a total of 679 square feet of building additions and the installation of a second drive-through lane on the existing eating and drinking establishment, specifically a McDonald's restaurant. A Departure from Parking and Loading Spaces, DPLS-476, requests a reduction of 32 parking spaces.

2. Development Data Summary:

| | EXISTING | PROPOSED |
|----------------------------|-----------------------------------|-----------------------------------|
| Zone | C-S-C/M-I-O | C-S-C/M-I-O |
| Use | Eating and Drinking Establishment | Eating and Drinking Establishment |
| Total Acreage | 0.972 | 0.972 |
| Parcels | 2 | 2 |
| Gross Floor Area (sq. ft.) | 3,478 | 4,157 |
| Number of Seats | 105* | 80* |

Note: *The number of seats was not clearly provided on the DSP. A condition has been included in the Recommendation section to provide a note with the existing and proposed number of seats in the general notes.

Parking and Loading Requirements

| Eating and Drinking Establishment | Spaces Required |
|--|------------------------|
| 80 interior seats at 1 space/3 seats | 27 |
| 2,256 sq. ft. at 1 space/50 sq. ft., excluding storage and patron seating | 46 |
| Total | 73 |
| Of which are required handicap-accessible spaces | 3 |
| | |
| Loading | |
| 4,157 sq. ft. GFA at 1 space/2,000–10,000 sq. ft. of GFA | 1 |

| | Spaces Provided |
|----------------------------|------------------------|
| Standard Spaces | 23 |
| Compact Spaces | 15 |
| Handicap-accessible Spaces | 3 |
| Total | 41 |
| | |
| Loading | |
| 15 feet x 33 feet | 1 |

- Location:** The site is in Planning Area 81A, Council District 9. More specifically, it is located on the west side of Stuart Lane, between Stuart Lane and Woody Terrace, approximately 175 feet south of MD 223 (Woodyard Road), and within the Conical Surface (Left Runway) Area E, of the Military Installation Overlay (M-I-O) Zone.
- Surrounding Uses:** The site is bounded to the north and south by commercial uses in the Commercial Shopping Center (C-S-C) Zone, to the east by Stuart Lane with the Clinton Park and Ride beyond, and to the west by Woody Terrace with commercial uses beyond.

5. **Previous Approvals:** The site is currently improved with a McDonald's restaurant, which was originally constructed in 1977 when the site was located in the Local Commercial, Existing Zone. In 1978, the site was rezoned to the C-S-C Zone through a sectional map amendment for Planning Area 81. On July 1, 1978, Prince George's County Council Bill CB-27-1978 was enacted, which introduced the definition of fast food restaurants and required the approval of a special exception for this use in the C-S-C Zone, thereby rendering the restaurant legally nonconforming. In 1982, a certification of the nonconforming use was granted, pursuant to Permit 3224-82-CGU. In 1988, Special Exception SE-3884 was granted by the Zoning Hearing Examiner (ZHE) for an expansion and improvements to the restaurant. The expansion to the restaurant, which included increasing the number of seats to 105, resulted in a parking requirement of 75 spaces. With only 57 spaces proposed, DPLS-76 was approved with the special exception, and was implemented, pursuant to issuance of Permit 2341-1989-CGU.

In 2010, the County Council approved legislation, CB-19-2010, to create a use classification known as eating and drinking establishment and removed the term fast food restaurant. The approved legislation contained footnotes for the C-S-C Zone, stating that eating and drinking establishments with drive-through service, which were "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."

6. **Design Features:** The subject DSP proposes a 482-square-foot addition to the front of the existing building, facing Stuart Lane, to provide for additional dining area; however, the reconfiguration will result in a decrease from 105 to 80 seats. This work will also allow for upgrading handicap-accessible facilities. Two additions, totaling approximately 192 square feet, are proposed on the southeast corner and north side of the building to accommodate the additional drive-through service, with the addition of a second drive-through lane. This second drive-through lane is proposed only for the ordering area; a single access drive will split at the order boards then merge back into a single lane for payment and pick up. The addition of this second drive-through lane will result in the loss of parking spaces along the north side of the property, thereby necessitating the DPLS. The two existing entrance drives, from both Stuart Lane and Woody Terrace, and parking and a trash enclosure on the southern end of the site remain unchanged with this DSP.

Architecture

The proposed architectural elevations depict a more contemporary franchise look from the traditional natural brick and double mansard roof. The brick will remain; however, the building will feature a more modern grey color scheme and incorporate aluminum batten and exterior insulation finishing system (EIFS). Visual elements faced with aluminum, simulated wood-grain, and vertical batten panels are shown on the front façade and each side entrance. These elements will provide dimension and focal interest to the entrances, with each featuring the corporate logo sign. The double mansard roof will be replaced with a straight parapet wall extending from the top of the building to screen the mechanical equipment. This parapet is defined by dark grey EIFS above the patron area, and a slightly lighter grey corrugated metal around the remainder of the building. The building will feature flat metal canopies above the window line across the front façade and down each side façade to the entrances, as well as over each drive-through window.

Signage

A total of six building-mounted signs are proposed, with two located on the north side façade, three on the south side façade, and one on the front/east façade. The north and south side façade signs will be the McDonald's name across the parapet and the corporate logo M, over the entrance vestibules. The front façade will feature the corporate logo M, set to the right of center. The logo signs will measure approximately 14 square feet, and the McDonald's signs on each side are approximately 33 square feet each. A signage table was provided on the DSP, but it does not match the details provided on the plan, nor the elevations, and is not correct relative to the regulations provided in Section 27-613 of the Prince George's County Zoning Ordinance. This section allows for the area of all signs on the building to be not more than two square feet per one lineal foot along the front of the building only. Therefore, a condition has been included in the Recommendation section requiring the signs and sign areas to be consistent in the signage table, the architectural elevations, the details provided on the DSP, and all signage to be in conformance with Section 27-613. It should be noted that this may require the removal of some of the proposed signage.

The site has an existing freestanding sign, approved with a previous application, which is not proposed to be revised with this application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The application has been reviewed for compliance with the requirements of the Zoning Ordinance in the C-S-C Zone and the site plan design guidelines. The relevant requirements of the Zoning Ordinance are as follows:
 - a. The subject DSP is in general conformance with the requirements of Section 27-461 of the Zoning Ordinance, which governs uses in commercial zones. The eating and drinking establishment, with drive-through service, is a permitted use in the C-S-C Zone, in accordance with Section 27-461(b), subject to Footnote 24, which states:

“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. The requirement for Detailed Site Plan approval does not apply to eating or drinking establishments within, and sharing the same points of vehicular access as, an integrated shopping center having six individual businesses (including the fast-food restaurant) and a minimum 50,000 square foot gross floor area.”
 - b. The DSP is consistent with the regulations in the C-S-C Zone including Section 27-454(a) regarding purposes; Section 27-454(b) regarding landscaping, screening, and buffering; and Section 27-454(d) regarding regulations in the C-S-C Zone.

- c. **Departure from Parking and Loading Spaces, DPLS-476:** The applicant has requested a departure of 32 parking spaces from the required 73 spaces for the 80 proposed seats in the expanded eating and drinking establishment. Pursuant to Section 27-588(b)(7) of the Zoning Ordinance, the Prince George's County Planning Board must make the following findings:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

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

The applicant asserts that 41 parking spaces will be sufficient to serve the parking needs of the use. The applicant has seen a marked increase over time in the use of their drive-through service to the point that the applicant is installing a double drive-through system on the site. This double drive-through system requires that some of the existing parking be removed from the site, but the applicant believes that parking demand will be more than offset by improved drive-through services.

The applicant had a parking analysis conducted on the site. Parking counts were collected on two separate days, Tuesday, September 10, 2019 and Saturday, September 14, 2019, in 15-minute intervals between 8 AM and 8 PM. According to the analysis, parking peaked at 24 cars on September 10th at 6:15 PM and at 31 cars at 10:15 AM on September 14th. The applicant is proposing 41 parking spaces and Institute of Transportation Engineers calculations indicate that 36 weekday and 38 weekend parking spaces meet the demand at the restaurant.

The analysis states that the parking requirement for the use in Subtitle 27 "does not take into account any reduced parking demand as a result of having a drive-through window." The applicant continues by noting that sales figures show that 61 percent of business for this site occurs by means of drive-through service.

The applicant intends to expand the building by nearly 700 square feet, but seating will be reduced by 25 seats. Some of the added space will be needed to service the double drive-through system, while other improvements include an expanded and more comfortable dining room experience with added space.

Based on our current health crises and uncertainty in the future, staff is in agreement with the parking analysis. Given that the staff has found no evidence to the contrary, the applicant's analysis is found to be credible. The expansion of the dining room, modernization of the restaurant, and double drive-through will not change existing

conditions to a great degree, and the applicant's arguments are supportable.

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

This is a small site, and currently fully developed with the restaurant and parking. The applicant has shown that the site currently has adequate on-site parking, and it is anticipated that the reduced seating combined with the addition of the double drive-through service will offset the reduced parking. It is important to note that the site has been operating with reduced parking through DPLS-76, which was approved in 1988, which allowed 57 spaces for the 105 seats. This application seeks approval for the reduction of the spaces available on-site by 16 spaces, with the reduction of 25 seats. Staff believes that this finding is met, and the departure is the minimum necessary.

(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;

The applicant asserts that the offering of drive-through service warrants special consideration for the subject use, given its nature as proposed at this location and has demonstrated that the use of the drive-through lane has substantially decreased the demand for on-site parking, and the addition of the double drive-through system will further increase the efficiency of customer service at this restaurant and further reduce the demand for parking.

It is noted that the area near the restaurant includes a shopping center, as well as two bus stops, and the Clinton Park and Ride parking lot. The applicant has indicated that several patrons walk to the restaurant from nearby locations including a residential community nearby.

The case of specialness is a difficult standard to prove. Given the brand name, the demonstrated efficiency of the drive-through service and its impacts on parking, combined with the proposed expansion of the drive-through function on this site, it is believed that the applicant has made the case that circumstances are special. The location of the site in a dense mixed-use area of the County contributes to proving that the location is special.

(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

The applicant's statement of justification indicates that all methods for calculating the number of spaces required were utilized, including the provision of compact spaces. Given the site constraints on this property, expanding the drive-through lanes necessitates an overall reduction in the number of parking spaces.

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

This restaurant is located in a commercial area, but within walking distance from a residential community. Residential homes are not adjacent to the site and the departure will not infringe upon them. The site is primarily surrounded by roadways and the Clinton Park and Ride lot. This finding is met.

(B) In making its findings, the Planning Board shall give consideration to the following:

(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;

On-street parking is not available in the vicinity of this site and, although a number of adjacent sites have available parking, there would be practical difficulties to utilizing them for the purpose of patronizing this restaurant, other than the Clinton Park and Ride. Staff finds that the applicant has demonstrated sufficient parking on-site for this expansion.

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

The property is the subject of the provisions of the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. The sector plan recommends commercial shopping center uses for the property, and eating and drinking establishments are permitted uses in the C-S-C Zone. Therefore, the continued use of the property for a McDonald's restaurant is consistent with the recommendations of the master plan.

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

This site is not within a municipality. This consideration is therefore not applicable.

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

At this time, no public parking facilities are proposed in the general vicinity of this property.

- (C) **In making its findings, the Planning Board may give consideration to the following:**

- (i) **Public transportation available in the area;**

The Prince George's County TheBus system (Route 30) has a stop in front of this property on Woody Terrace. Directly across Stuart Lane, from this site, is the Clinton Park and Ride, which has a bus stop to serve Routes 32 and 36. These routes serve as connections to the Southern Avenue Metro Station and Branch Avenue Metro Station, respectively, and Route 30 connects south to Charles County.

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

Alternative design solutions to off-street facilities have been utilized by providing compact spaces and angled parking.

- (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;**

This restaurant will follow restaurant hours similar to the other restaurants nearby. Non-restaurant uses in the vicinity include office and retail uses.

- (iv) **In the R-30, R-30C, R-18, R-18C, R-10A, 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.**

The subject property is in the C-S-C Zone. Therefore, this finding is not applicable to the subject application.

Based on the analysis above, staff recommends that the Planning Board approve DPLS-476, to allow a reduction of 32 parking spaces.

- e. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning

Ordinance. For example, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers; pedestrian access is provided to the site from the public right-of-way; and the architecture proposed for the building is constructed of durable, low-maintenance materials, and employs a variety of architectural features and designs, such as window and door treatments, projections, colors, and materials.

8. **Special Exception SE-3884:** On December 9, 1988, SE-3884 was granted by the ZHE for specified renovations to the existing fast food restaurant, with no conditions.
9. **2010 Prince George's County Landscape Manual:** The application is exempt from the requirements of the 2010 *Prince George's County Landscape Manual* because the proposal involves a total cumulative increase of less than 10 percent, and less than 5,000 square feet, with no change in use.
10. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. This DSP proposes less than 5,000 square feet of disturbance and is therefore not subject to this requirement.
11. **Prince George's County Woodland and Wildlife Habitat Conservation:** The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property contains less than 10,000 square feet of woodland. The site has a Natural Resources Inventory Equivalency Letter (NRI-127-2019) and Woodland Conservation Exemption Letter (S-147-2019), which were issued on October 18 and 17, 2019, respectively.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Community Planning**—In a memorandum dated May 20, 2020 (Lester to Burke), incorporated herein by reference, the Community Planning Division provided the following summarized comments:

Pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.

This property is located within the M-I-O Zone for height, Surface E, left runway with an approximate height limit of 201 feet. A condition is included in the Recommendation section to provide a reference to the M-I-O Zone in the general notes.
 - b. **Environmental Planning**—In a memorandum dated May 18, 2020 (Schneider to Burke), incorporated herein by reference, the Environmental Planning Section concluded that there were no issues with this proposal.

- c. **Historic Preservation**—In a memorandum dated April 23, 2020 (Stabler to Burke), incorporated herein by reference, the Historic Preservation Section concluded that this proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not recommended.
 - d. **Transportation Planning**—In a memorandum dated May 19, 2020 (Saunders to Burke), incorporated herein by reference, the Transportation Planning Section provided an evaluation of the departure for parking and loading spaces, finding the request acceptable.
 - e. **Trails**—In a memorandum dated May 18, 2020 (Ryan to Burke), incorporated herein by reference, the Trails planner provided an evaluation for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. Based on staff's findings, a condition to replace the existing bicycle racks with two, inverted U-style bicycle racks is included in the Recommendation section of this report.
 - f. **Permit Review**—In a memorandum dated May 18, 2020 (Jacobs to Burke), incorporated herein by reference, the Permit Review Section offered comments that have been addressed by revisions to the plans.
 - g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated May 15, 2020 (Giles to Burke), incorporated herein by reference, DPIE provided comments to be addressed at time of permits.
 - h. **Prince George's County Health Department**—In a memorandum dated April 17, 2020 (Adepoju to Burke), incorporated herein by reference, the Health Department provided standard comments and recommendations, which will be addressed at time of permits.
 - i. **Prince George's County Police Department**—In a memorandum dated April 30, 2020 (Contic to Burke), incorporated herein by reference, the Police Department provided no comments on this proposal.
 - j. **Prince George's County Fire/EMS Department**—At the time of the writing of this report, a memorandum had not been provided by the Office of the Fire Marshal.
13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. Per Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

- (4) 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 in accordance with the requirements of Subtitle 24-130(b)(15).**

The site does not contain any regulated environmental features or primary management area.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. APPROVE Departure from Parking and Loading Spaces DPLS-476, to allow for a reduction of 32 parking spaces.
- B. APPROVE Detailed Site Plan DSP-19058 for McDonald's Stuart Lane, subject to following conditions:
 - 1. Prior to certification of the detailed site plan (DSP), the applicant shall make the following revisions to the plans:
 - a. Provide a note showing the existing and proposed number of seats in the general notes.
 - b. Provide a reference to the Military Installation Overlay Zone in the general notes, identifying that the site is within the Conical Surface (Left Runway) Area E, with an approximate height limit of 201 feet.
 - c. Provide the cardinal points on the building elevations.
 - d. Revise the proposed building-mounted signs and areas to be consistent in the signage table, the architectural elevations, and the details provided on the DSP, and in conformance with Section 27-613 of the Prince George's County Zoning Ordinance.
 - e. Replace the existing bicycle racks with two inverted U-bicycle racks near an entrance to the building.
 - f. Provide the building dimensions on the plan.