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**Detailed Site Plan**  
**Departure from Parking & Loading Standards**  
**Departure from Design Standards**

**DSP-11007**  
**DPLS-362**  
**DDS-607**

Application	General Data	
<b>Project Name:</b> McDonald's (Seat Pleasant)  <b>Location:</b> Southeast side of Martin Luther King, Jr. Highway (MD 704), approximately 160 feet north of its intersection with Cabin Branch Drive.  <b>Applicant/Address:</b> McDonald's Corp. 6903 Rockbridge Drive, Suite #100 Bethesda, MD. 20817	Planning Board Hearing Date:	05/31/12
	Staff Report Date:	05/15/12
	Date Accepted:	11/29/11
	Planning Board Action Limit:	Waived
	Plan Acreage:	1.05
	Zone:	C-S-C
	Dwelling Units:	N/A
	Gross Floor Area:	4,217 sq. ft.
	Planning Area:	72
	Tier:	Developed
	Council District:	07
	Election District	18
	Municipality:	Seat Pleasant
200-Scale Base Map:	202NE06	

Purpose of Application	Notice Dates	
To redevelop an existing McDonald's restaurant site; to allow the location of the loading space within 50 feet of residentially-zoned land; and to reduce the number of parking spaces below the required minimum number of parking spaces.	Informational Mailing:	04/19/11
	Acceptance Mailing:	11/21/11
	Sign Posting Deadline:	04/10/12

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Henry Zhang <b>Phone Number:</b> 301-952-4151 <b>E-mail:</b> Henry.Zhang@ppd.mncppc.org	
<b>APPROVAL</b>	<b>APPROVAL WITH CONDITIONS</b>	<b>DISAPPROVAL</b>	<b>DISCUSSION</b>
	X		

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-11007, McDonald's at Seat Pleasant  
Departure from Parking and Loading Standards DPLS-362  
Departure from Design Standards DDS-607

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL of the detailed site plan with conditions as described in the Recommendation Section of this report.

EVALUATION

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

- a. The requirements of the Zoning Ordinance in the Commercial Shopping Center (C-S-C) Zone, Sections 27-239.01, 27-587, Departure from Design Standards from the requirements of Section 27-579 (b), and Section 27-588, Departure from Parking and Loading Standards required.
- 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 and Tree Canopy Coverage Ordinance.
- d. Referral comments.

FINDINGS

Based upon the analysis of the subject DSP, the Urban Design Section recommends the following findings:

1. **Request:** The subject application is for approval of a DSP for a 4,217-square-foot, one-story, freestanding McDonald's eating and 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 demolition of the existing McDonald's restaurant building and replacing it with a new prototype building.

The application also includes a departure from the number of parking and loading spaces required (DPLS-362) to reduce the required number of parking spaces from 54 to 40, and a departure from

design standards (DDS-607) to allow an exterior loading space to be located within 50 feet of the residentially zoned property

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
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	1.05	1.05
Square Footage/GFA	3,812	4,217
Parcels	2	2

**Parking Requirements\***

	<b>REQUIRED</b>	<b>PROPOSED</b>
Total Parking Spaces (1 space per every 3 seats for 65 seats plus 1 space per 50 square feet for 1,595 sq. ft.)	54	40*
Of which Handicap Spaces	3	3 (2 Van-Accessible)
Total Loading space	1	1

**Note:** \* A Departure from the number of parking and loading spaces required (DPLS-362) for the reduction of 14 parking spaces from the 54 spaces required by the Zoning Ordinance has been filed as a companion case with this DSP. See Finding 7(f) below for discussion.

3. **Location:** The 1.05-acre property is located at 6131 Martin Luther King Jr. Highway, on the southeast side of Martin Luther King Jr. Highway (MD 704), approximately 160 feet north of its intersection with Cabin Branch Drive in the City of Seat Pleasant. The site is also located in Planning Area 72, Council District 7, within the Developed Tier.
4. **Surrounding Uses:** The subject site is bounded on the north by the right-of-way (ROW) of Martin Luther King Jr. Highway. Further across the highway are developments in the R-18 (Multifamily Medium-Density Residential) and R-T (Townhouse) Zones. To the south and east of the subject property is open space zoned R-O-S (Reserved Open Space) owned by the City of Seat Pleasant that includes the Cabin Branch Tributary and a park owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC). To the south of the subject property in the C-S-C Zone is an unused/abandoned gas station.
5. **Previous Approvals:** The subject site consists of two parcels that were recorded among the Land Records in the 1960s. Subsequently, the site was developed and the primary structure was built in

1964. The site has a Special Exception SE-3536, which was approved by the District Council (via Zoning Ordinance No. 62-1984, enacted on January 2, 1985) for a fast-food restaurant. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* retained the subject property in the Commercial Zone and rezoned the adjoining residential property from the R-35 (One-family Semidetached, and Two-family Detached, Residential) Zone to the R-O-S Zone.

6. **Design Features:** The subject site has three existing vehicular access points off Martin Luther King Jr. Highway. The proposed DSP eliminates the middle access point and shifts the two remaining ones closer to the two ends of the elongated rectangular site.

The application proposes to construct a new 4,217-square-foot McDonald's restaurant on an existing McDonald's restaurant site to replace an existing 3,812-square-foot building. The existing building will be demolished before the new building will be constructed on the site. The new restaurant building is set back approximately 60 feet from the front property line. The rectangular building is oriented toward Martin Luther King Jr. Highway with a drive-through window at the rear of the property adjoining the existing residential open-space-zoned property. All on-site surface parking spaces are oriented parallel to the building and most of them are located between the restaurant building and the ROW of Martin Luther King Jr. Highway. The trash receptacle is located at the southern end of the site. The proposed exterior loading space is located behind the enclosed trash receptacle and will not be visible from Martin Luther King Jr. Highway, but will be within 50 feet of the property line.

The proposed McDonald's restaurant building is one of the franchise's latest architectural models and has a contemporary appearance with many architectural features. Two main entrances to the building are located on the north and west (Martin Luther King Jr. Highway frontage) sides. The one-story, flat-roof building with a building height of 20 feet is finished with a combination of red brick, stone veneer and aluminum trellis system on four sides. The aluminum trellis system has been used as an accent element to break up the dominance of brick and stone on all of the elevations. The roof section is clad with corrugated metal panels. The tower element has been used at the two entrances. 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 south 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 northern and western elevations are designed as the main elevations of the building. The southern and the eastern (where the drive-through windows are located) elevations 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 24 feet high, with fully cut-off luminaires. However, there are no specifications for the proposed wall sconce fixtures provided. A condition has been included in this report to require a cut sheet to be provided, reviewed, and approved by the Urban Design Section as the designee of the Planning Board prior to certification. The Photometric Lighting Plan shows an average 4.2-foot-candle reading along the property line, meaning that a strong lighting spill-over may be impacting the adjacent property, specifically the open-space property to the north and east of the site. Since the west and south of the site are either bounded by the ROW of Martin Luther King Jr. Highway or commercial property, the foot-candle reading specifically along the north and eastern property lines should be reduced to zero. A condition also has been proposed in the Recommendation Section of this report to require the applicant to

reduce the foot-candle reading along the above identified property lines to zero in order to avoid light spill-over onto the open-space property adjacent to the subject property.

A total of 141 square feet of building-mounted and 181.9 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 two identification signs along with the golden arch logos are located on the northern and eastern elevations. Two additional golden arches are located on the western elevation that fronts on Martin Luther King Jr. Highway. The site plan also includes a 104-foot by six-foot nine-inch menu board in front of the drive-through lane. One flag pole for an American flag and another flag pole for a McDonald's corporate flag are proposed on the northwest corner of the site near the Martin Luther King Jr. Highway frontage. United States, state and municipal flags and a menu board which is solely used to inform passengers of specific foods offered in a "Drive-in Restaurant" or a "Fast-Food Restaurant" with a drive-through window, are permitted and are not considered signage from the standpoint of the Zoning Ordinance. However, the McDonald's corporate flag is considered as a freestanding sign in accordance with Part 12 of the Zoning Ordinance.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance as follows:
  - a. The subject application is in conformance with the requirements of Section 27-461 (b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed eating or drinking establishment, with drive-through service, is permitted in the C-S-C Zone subject to DSP approval.
  - b. The DSP shows a site layout that is consistent with Section 27-462, regulations regarding building setbacks in commercial zones.
  - c. The DSP is in conformance with the applicable site design guidelines as referenced in Section 27-283 and contained in Section 27-274 as discussed below:
    - (1) The drive-through has been designed to provide adequate space for queuing lanes. In addition, since the longer side of the building is oriented toward Martin Luther King Jr. Highway, and the drive-through windows are located on the opposite side on the east elevation of the building, the drive-through is completely screened by the restaurant building from views from Martin Luther King Jr. Highway.
    - (2) Pedestrian access is proposed into the site directly from the sidewalk along Martin Luther King Jr. Highway and through one on-site circulation driveway to major entrances, utilizing a clearly marked and striped pedestrian route, as recommended in Section 27-274(2)(C). The two handicap accessible-parking spaces are located right at the building's southwest corner. The restaurant is easily accessible to pedestrians.
    - (3) One exterior loading space is proposed behind the trash receptacle area, which is properly screened from the views from Martin Luther King Jr. Highway. The loading space, as designed, will be clearly marked and will be separated from

parking areas to the extent feasible. However, the loading space is set back only approximately 10 feet from the property line, which is less than the 50 feet required setback from residentially zoned property per Section 27-579. A departure from design standards in accordance with Section 27-239.01 has been filed as a companion case with this DSP. See Finding 7(.e) below for discussion.

- d. The proposal includes building-mounted signs, directional signage (also known as regulatory signage) and other site signs such as a menu board. The signs have been reviewed for conformance with the C-S-C Zone regulations with regard to sign face area and found to meet the requirements.
- (1) Building-mounted signs are regulated by Section 27-613, signs attached to a building or canopy. None of the proposed signs are designed to be visible from any land in any Residential Zone or land proposed to be used for residential purposes. None of the proposed signage extends above the lowest point of any roof. Except for one identification sign and logo that are placed on the eastern elevation where the drive-through windows are located, all signs are designed to be visible from Martin Luther King Jr. Highway.

Within the C-S-C Zone, the permitted building-mounted sign area is regulated as follows pursuant to Section 27-613(B):

**Section 27-613(B) In all Commercial Zones (except the C-O Zone) and all Industrial Zones (except the I-3 and U-L-I Zones), if all of the permissible sign area is to be used on any building occupied by only one (1) use that is not located within an integrated shopping or industrial center or office building complex, the following applies:**

- (i) **Each building shall be allowed a sign having an area of at least sixty (60) square feet.**
- (ii) **Except as provided in (i), above, the area of all of the signs on a building shall be not more than two (2) square feet for each one (1) lineal foot of width along the front of the building (measured along the wall facing the front of the lot or the wall containing the principal entrance to the building, whichever is greater), to a maximum of four hundred (400) square feet.**

**Comment:** The new building has approximately 110 lineal feet of building width. Based upon the lineal feet of building width indicated on the site plan, the proposed total square footage of the building-mounted signage, which is approximately 141 square feet, appears to be well within the amount permitted by Section 27-613 of the Zoning Ordinance. However, no information is provided on the site plan regarding what is required in accordance with Part 12 of the Zoning Ordinance. A condition has been included in the Recommendation Section of this report to require the applicant to provide the required information in accordance with Section 27-613 of the Zoning Ordinance on the sign sheet prior to certification of this DSP.

- (2) Section 27-614, Freestanding Signs, provides specific regulations on the location, height, area and quantity of freestanding signs that are applicable to the review of this DSP.

Section 27-614(d) (2) (A) Option One allows a single business fronting only on one street to have one freestanding sign if the site has 0 to under 44 feet of street frontage, and an additional freestanding sign if it has street frontage from 44 to 1,000 feet. The site has a total of 432 feet of frontage on Martin Luther King Jr. Highway and therefore a total of two freestanding signs is allowable. The sign detail sheet shows one freestanding pole sign and one flag sign. However, there are three flag signs on the site plan. The site plan needs to clarify which flag location is the freestanding sign and which one is the flag of the United States, Maryland or municipality. A condition has been included in the Recommendation Section to require the applicant to revise the site plan prior to certification of this DSP.

Section 27-614(c)(3) regarding sign face area of the freestanding sign allows the following sign area calculation:

- (3) **In all Commercial Zones (except the C-O Zone) and all Industrial Zones (except the I-3 Zone), the area of the sign shall be not more than either:**
- (A) **One (1) square foot for each two (2) lineal feet of street frontage, to a maximum of two hundred (200) square feet for each sign, if the building is located in an integrated shopping center, other commercial center with three (3) or more businesses served by common and immediate off-street parking and loading facilities, industrial center, or office building complex. The street frontage shall be measured on the property occupied by the center or complex associated with the sign; or**
  - (B) **One (1) square foot for each four (4) lineal feet of street frontage, to a maximum of two hundred (200) square feet for each sign, if the business is not located in an integrated shopping center, other commercial center with three (3) or more businesses served by common and immediate off-street parking and loading facilities, industrial center, or office building complex. The street frontage shall be measured on the property occupied by the use associated with the sign.**

**Comment:** The site plan has a total of 432 feet of frontage on Martin Luther King Jr. Highway and can have up to 200 square feet of area for each sign. The sign detail sheet shows a total of 181 square feet of freestanding sign with the largest sign of 156.4 square feet for the McDonald's pole sign. The sign area table does not provide information for the McDonald's corporate flag sign. Judging by the image provided with the sign detail sheet, the flag sign would not be larger than 200 square feet. However, the flag sign information should be provided under the freestanding sign face area calculation. A condition has been proposed in the Recommendation Section of this report to require the applicant to

provide the flag sign information in the sign face area calculation. Under no circumstances should the sign face area of the flag sign be larger than 200 square feet.

- (3) Directional signage is regulated by Section 27-629, regulatory signage. In commercial zones, a maximum of 12 square feet of directional or regulatory signage is permitted on private property. The detailed site plan proposes several regulatory signs, including one drive-through sign, two “order here” signs, and four directional signs and none of them is larger than 12 square feet in sign face area.

- e. **Departure from Design Standards DDS-607:** This site plan includes an outdoor loading space behind the trash receptacle located in the southeast corner of the site. The property adjacent to site to the east is currently zoned R-O-S and is undeveloped. However, since the loading space is less than ten feet from the property line and is located within fifty feet of the R-O-S-zoned property, a departure from design standards is required in accordance with Section 27-579 as follows:

**Section 27-579 Location**

- (a) **Except as otherwise provided in this Subtitle, a surface loading area may be located in any yard.**
- (b) **No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan). (See Figure 63.)**

In accordance with Section 27-587, Departure from Design Standards, the procedures and requirements for a departure from design standards are under section 27-239.01 within Subdivision 4 in Part 3, Division 5 as follows:

**Section 27-587 Departure from Design Standards**

- (a) **Authorization**
  - (2) **The Planning Board is authorized to approve departures from Design Standards in this Part, under procedures and requirements in Part 3, Division 5.**

Specifically, the provisions of Section 27-239.01-Departure from Design Standards, requires that the Planning Board must make the following findings in order to approve the departure from design standards application:

**Section 27-239.01 Departure from Design Standards**

- (b) **Procedures**

**(7) Required findings.**

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

**(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

**Comment:** The purposes of this subtitle (Subtitle 27) as stated in Section 27-102 as follows:

- (1) To protect and promote the health, safety, morals comfort, convenience, and welfare of the present and future inhabitants of the County;**
- (2) To implement the General Plan, Area Master Plans, and Functional Master Plans;**
- (3) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;**
- (4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;**
- (5) To provide adequate light, air, and privacy;**
- (6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;**
- (7) To protect the County from fire, flood, panic, and other dangers;**
- (8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;**
- (9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;**
- (10) To prevent the overcrowding of land;**
- (11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;**

- (12) **To insure the social and economic stability of all parts of the County;**
- (13) **To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;**
- (14) **To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and**
- (15) **To protect and conserve the agricultural industry and natural resources.**

Of the above 15 purposes, items 8, 13, 14 and 15 are not relevant to the subject DSP. The proposed redevelopment of this existing site with a new McDonald's restaurant will better serve the rest of the purposes of this subtitle.

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

**Comment:** The subject site is a very shallow, linear property parallel to the ROW of Martin Luther King Jr. Highway. The site was developed with a McDonald's restaurant previously. The proposed detailed site plan is to demolish the existing restaurant and to replace it with McDonald's new more attractive prototype building. The confines of the site limit the location of the loading space to this location. The current site design tries to hide the loading space behind the trash receptacle from the views of Martin Luther King Jr. Highway. As such this departure is the minimum necessary in order to alleviate a very shallow site condition.

- (iii) **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

**Comment:** The subject site was developed in the 1960s and is located at the end of a commercial strip along Martin Luther King Jr. Highway. The adjacent properties are predominantly residentially zoned. The physical layout shows a very shallow site with an average lot depth of less than 125 feet. In order to have easy access to the roadway, to facilitate efficient on-site circulation, and to be screened from the views from Martin Luther King Jr. Highway, the loading space must be located as far away as possible from the site's street frontage. This necessitates its location within 50 feet of the property line. The

constraints presented by the shape of the property create circumstances that are unique to the site.

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

**Comment:** The proposed site design takes many site factors into consideration and will result in a very efficient fast-food restaurant site layout. In addition, the property immediately adjacent to the subject site (from which the loading space is located approximately 15 feet) is zoned R-O-S. Therefore, the departures will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

In summary, the requested relief from the strict implementation of the required 50-foot setback is indispensable to the development given the shallowness of the site and the residentially-zoned open space surrounding it. The departure is the minimum necessary in order to screen views from a major roadway- Martin Luther King Jr. Highway. The purpose of this Subtitle will be equally well or better served by this detailed site plan. The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. The Urban Design Section recommends approval of this departure from design standards.

- f. **Departure from the number of parking and loading spaces required DPLS-362:** Section 27-568 of the Zoning Ordinance stipulates the minimum number of required off-street parking spaces for each type of use. As stated in Finding 2 above, the required number of off-street surface parking spaces for this site is calculated based on one space per three seats and one space per 50 square feet of non-seating area (excluding any area used exclusively for storage or patron seating, and any exterior patron service area) of the proposed restaurant in accordance with the requirements of Section 27-568. For a 65-seat restaurant with 1,595 square feet eligible area for parking calculation, a total of 54 off-street surface parking spaces is required. The applicant provided a Parking Stall Utilization Analysis at a typical McDonald's restaurant located in Prince George's County Maryland during the review process. The Parking Analysis concludes that the peak number of parking stalls required for the proposed restaurant is 34 spaces. Based on that study, the applicant has provided 40 surface-parking spaces for this site and has requested a departure of 14 parking spaces from the required 54 parking spaces.

The provisions of Section 27-588 of the Zoning Ordinance (Departures from the number of parking and loading spaces required) requires the Planning Board to make the following findings in order to approve the application:

**(b) Purposes.**

**(7) Required Findings.**

- (A) In order for the Planning Department 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:**

**Comment:** The purposes of this Section 27-550 are as follows:

- (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;**
- (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;**
- (3) **To protect the residential character of residential areas; and**
- (4) **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The parking analysis provided by the applicant clearly indicates that only 34 peak-hour parking spaces are needed in order to operate a viable fast-food restaurant like the one proposed. The applicant provides an additional six spaces in excess of the peak-hour parking demand to accommodate any unexpected parking situations. In addition, the site will be oriented toward Martin Luther King Jr. Highway. The new site layout removes one existing vehicular access point. The two proposed access points to the site will be directly off the highway. The only developed site adjacent to the subject site is an abandoned gas station to the south. Therefore, the departure will not have any impact on the residential character of residential areas and will better serve the above purposes of Section 27-550.

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

**Comment:** The applicant's parking analysis concludes that a total of 34 parking spaces is needed to accommodate peak hour parking demand for this site. The proposed 40 spaces have already factored in any possible future parking contingencies for this site. Therefore, the staff agrees with the applicant's contention that the departure is the minimum necessary for this site.

- (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 site fronts directly on Martin Luther King Jr. Highway. Commuters make up a large percentage of its clientele. Compared with the previous layout of the existing facility, the new detailed site plan greatly increases the queuing capacity of the proposed restaurant. At the same time, it reduces the on-site parking based on an analysis of parking needs at similar McDonald's facilities. Meanwhile, the new building is oriented toward Martin Luther King Jr. Highway with a longer elevation. Given the shallowness of the site, this departure is necessary in order to alleviate circumstances that are special to the proposed fast-food restaurant use and to this narrow and highly constrained location.

**(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:** According to Section 27-568 (Division 2, Subdivision 3), Schedule (number) of minimum parking spaces required, the proposed McDonald's restaurant is required to have a minimum of 54 on-site parking spaces. For on-site loading spaces, Section 27-582 (Division 3, Subdivision 3), Schedule (number) of the minimum required loading parking spaces, requires one loading space. The DSP provides the required loading space, but only 40 parking spaces. The proposed new drive-through lane can accommodate 12 vehicles with a parallel overflow lane of the same length. Given the limited site space, it is not practical to add more parking spaces. The parking study's recommendation of only 34 peak hour parking spaces is convincing evidence that it is not necessary to have 54 parking spaces on this site. There is no other method of calculating the number of spaces required that would result in a different conclusion.

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

**Comment:** The site is surrounded on three sides by the public ROW and by open space. There is only one developed site to its south that is currently vacant. The departure will not lead to any parking difficulties in the area where the site is located. Since the applicant is basing the departure request on data obtained from similar McDonald's restaurants currently in operation in the County, the parking analysis can reliably conclude that the departure is the minimum necessary given the specific

circumstances of the request. Furthermore, there is no developed residential area immediately adjacent to the subject site. The residential development in the vicinity of the site is located either across Martin Luther King Jr. Highway or further south beyond the abandoned gas station. The parking and loading needs of the adjacent residential areas will not be infringed upon if the departure is granted.

**(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;**

**Comment:** As discussed previously, the subject site is located at the end of a highway commercial strip. Only a few properties in the immediate vicinity have been developed. The subject site is relatively isolated from other development. There is an outdoor facility with a surface parking lot that is approximately 70 feet away from this site. The site is bounded on the west side by the ROW of Martin Luther King Jr. Highway. The outdoor facility to the east of the site is the City of Seat Pleasant's recreational center. Citizens visiting the recreational center frequently use the existing pedestrian walkway to access the existing restaurant. Per the representative of the applicant, this pedestrian connection will be improved along with the redevelopment of this site for the new restaurant. There is no vehicular connection from the McDonald's site to the adjacent site. The other developed site is an abandoned gas station to the south. Once again there is no connection between the two sites. The parking study provided by the applicant concludes that only 34 peak hour parking stalls are needed. The site plan provides 40 spaces. In addition, the newly designed drive-through lane allows 12 cars to queue on the site. The site is self-sufficient in terms of parking spaces and will make no demands on other parking facilities in the general facility.

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

**Comments:** The County's Master Plan of Transportation and the *Approved Subregion 4 Master Plan* recommends that Martin Luther King Jr. Highway be improved with a side path or wide sidewalk and designated bike lanes to encourage transportation modes other than the automobile. In addition, both WAMTA and the County's bus systems serve the area. Additional bicycle parking has been added as a condition of this DSP approval. The new restaurant will be easily accessed by both pedestrian and

vehicular traffic. The application is consistent with master plan recommendations.

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

**Comment:** The site is located in the Town of Seat Pleasant. The Town of Seat Pleasant, in general, welcomes the redevelopment of the site and has no specific concerns about the departure. The Town expressed some concerns regarding sidewalks, safety of the drive-through lane, etc. during the review of this case at the Subdivision and Development Review Committee. However, at time of writing this report, the Town of Seat Pleasant had not yet provided any official written comments on the application.

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

**Comment:** There are no parking facilities either proposed in the County's Capital Improvement Program or built in the general vicinity of the property. There is, however, a large surface parking lot within the commercial strip further to the south of the site along Martin Luther King Jr. Highway. The parking spaces provided in this DSP are seven spaces more than are actually needed at peak service hour for this site. The applicant believes and staff agrees that parking spaces provided on this site are sufficient for a viable McDonald's facility.

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

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

**Comment:** The subject site is located within a largely established community that is served by both the County's The Bus system and WMATA's buses. There are sidewalks on both sides of Martin Luther King Jr. Highway. The site is also adjacent to the Seat Pleasant Recreational Center and the Cabin Branch Stream Valley Trail. The existing site can be accessed by both motorists and pedestrians. In addition, the *Approved Countywide Master Plan of Transportation* (MPOT) has designated bike lanes along Martin Luther King Jr. Highway (MD 704). Since the site fronts on this highway, the Transportation Planning Section recommends bicycle parking spaces be provided. A condition has been included in the Recommendation Section below to require the applicant to show a standard bicycle parking facility on the plan prior to certification, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.

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

**Comment:** Since the applicant contends that this proposed new restaurant needs only 34 parking spaces at its busiest time, and the site plan provides 40 parking spaces, the parking provided on site is sufficient. According to the applicant, no additional parking is needed.

**(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;**

**Comment:** As discussed previously, per the applicant most of the customers that patronize this restaurant are commuters on Martin Luther King Jr. Highway. The new site layout extends the drive-through lane to accommodate 12-car queuing. The site is located at the end of a highway commercial strip. The parking situation on this site will have a limited impact on adjacent development, and there are no other existing business uses within 500 feet of the site.

**(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.**

**Comment:** The subject site is in the C-S-C Zone, not in any of the residential zones identified in this section.

Based on the applicant's parking data analysis, a total of 40 parking spaces are provided, of which three are for the physically handicapped. The number of the parking spaces for the physically handicapped meets the applicable minimum requirement for this use. However, in response to concerns raised by the Town of Seat Pleasant, the applicant has proffered one additional parking space for the physically handicapped around the main entrance area in the north portion of the site. Given that parking spaces for the physically handicapped usually occupy more site area, this parking arrangement will increase the total number of DPLS spaces to 14. The Urban Design Section supports this additional parking space for the physically handicapped. The justification statement should be revised to reflect this increase in the number of spaces in the departure request.

In summary, the subject site is located in the Developed Tier of the County and can be accessed through multiple modes of transportation including the public transit system. The requested departure from parking and loading spaces is further supported by the parking analysis provided by the McDonald's corporation. According to the study, which used actual parking data from similar facilities within the County, the proposed new McDonald's only needs 34 peak hour parking stalls, while the DSP provides 40 parking spaces. Therefore a departure of 14 spaces from the required 54 spaces is required. The Urban Design Section has reviewed the supporting data and the required findings for the Planning Board to approve the departure, and has concluded that the request is the minimum necessary to alleviate the special circumstances of this site and will serve the purposes of Section 27-550 of the Zoning Ordinance. The departure will not infringe upon the parking and loading needs of any adjacent residential area. One additional parking space for the physically handicapped will help improve the parking situation in a manner requested by the City of Seat Pleasant. The Urban Design Section recommends that prior to certification of this DPLS, the applicant should revise the site plan to provide one standard parking space for the physically handicapped located as close as possible to the northern corner of the building where the entrance to the front of the building is located, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board. By adding one additional parking space for the physically handicapped, the total number of parking spaces included in the DPLS will be altered slightly to 14 spaces.

10. **Prince George's County Landscape Manual:** The detailed site plan for McDonald's restaurant is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Interior Planting Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual*.
  - a. The subject site is oriented toward Martin Luther King Jr. Highway with approximately 433 feet of frontage excluding driveway entrances. Section 4.2 provides two options to meet the landscape strip requirements. The Landscape Plan uses Option 1 under Option A to provide a ten-foot landscape strip to be planted with a minimum one shade tree and ten shrubs for every 35 linear feet of frontage, excluding driveway openings. The Landscape Plan shows 13 shade trees and 125 shrubs that meet the requirements of Section 4.2.
  - b. Section 4.3(c)(2) requires that for any parking lot with an area between 7,000 and 49,999 square feet, eight percent of the parking lot area be interior planting area. The DSP has approximately 32,408 square feet of parking lot area and has provided 11 percent of the parking lot area as interior planting area to be planted with one shade tree for each 160 square feet of interior planting area. The Landscape Plan shows 13 shade trees, which is one shade tree more than required. The site meets the requirements of Section 4.3(c)(2).
  - c. Section 4.4 Screening Requirements requires any loading spaces, loading docks and maintenance areas be screened from constructed public streets. The DSP shows one loading space behind a proposed on-site trash receptacle in the southern corner of the site. The trash receptacle is properly screened with brick walls on three sides that match the restaurant building. The loading space is also completely screened from the views from

Martin Luther King Jr. Highway. However, since the property to the east of the site is residentially zoned and the loading space is located less than ten feet from the property line, a departure from design standards in accordance with Section 27-579 of the Zoning Ordinance is required. See above Finding 7 for detailed discussion of the departure from design standards DDS-607.

- d. The site adjacent to the subject site to the south is an abandoned gas/automobile filling station, which is a high impact use according to Section 4.7 of the 2010 *Prince George's County Landscape Manual*. Even though the site is currently abandoned, according to Section 4.7, it is not a vacant site because the site still has a structure and vehicular surface area within 200 feet of the subject property line. Since the proposed fast-food restaurant with drive-through service is also a high impact use in accordance with Section 4.7, there is no bufferyard required between the two properties.
- e. Section 4.9 requires a minimum percentage of the plants of each plant type to be native species and/or cultivars. The percentage is specified as follows:

Shade trees	50%
Ornamental trees	50%
Evergreen trees	30%
Shrubs	30%

Native plan materials should also be identified as such in the planting schedule on the landscape plan. The Landscape Plan provides 100 percent native shade trees, ornamental trees and evergreen trees and native shrubs that exceed the above native plant percentage requirements.

- 11. **Prince George's County Woodland and Wildlife Habitat Conservation and Tree Canopy Coverage Ordinance:** The project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance because the subject site contains less than 10,000 square feet of woodland and has no previously approved tree conservation plans. The site also does not contain any regulated environmental features. The applicant has submitted an approved letter of exemption to the Woodland Conservation Ordinance that is valid until May 9, 2013 and an approved Natural Resources Inventory (NRI-037-2011) that is valid until May 9, 2016.

The Tree Canopy Coverage Ordinance came into effect on September 1, 2010. All activities that require a grading permit after September 1, 2010 must provide the tree canopy coverage percentages required by Section 25-128 of the Prince George's County Woodland and Wildlife Habitat Conservation and Tree Canopy Coverage Ordinance. A tree canopy coverage schedule has been provided on the Landscape Plan that demonstrates the site's conformance with the requirement. The required tree canopy for this site is ten percent of the site area or a total of 4,590 square feet. The site provides 4,750 square feet of tree canopy coverage that exceeds the requirements for the site.

- 12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Community Planning South Division**—In a memorandum dated March 16, 2012, the Community Planning North Division stated that the DSP is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and conforms to the commercial land use recommendation of the 2010 *Approved Subregion 4 Master Plan*

*and Sectional Map Amendment.* Under the planning issue section, the community planner noted that the proposed site plan will result in pedestrians crossing the internal circulation lanes and the two remaining points of vehicular ingress and egress.

**Comment:** The proposed site layout keeps two existing vehicular access points off Martin Luther King Jr. highway to the subject site. The two access points are approximately 285 feet apart. Two sidewalk connections have been provided at the two site access points that enable pedestrians from the sidewalk to enter the new building on a clearly marked pedestrian path. Since there is one row of parking spaces and a 22-foot-wide internal driveway between the ROW of Martin Luther King Jr. Highway and the new McDonald's building, pedestrians must cross the internal driveway in order to walk into the restaurant building. This kind of site arrangement is not uncommon for the type of restaurant with drive-through service, given the confined size and location of the site. The locations of the pedestrian connections are acceptable in providing safe on-site circulation.

b. **Subdivision Review Section**—In a memorandum dated December 20, 2011, the Subdivision Review Section indicated that pursuant to Section 24-111(c) (2) of the Subdivision Regulations, the site is exempt from the requirement of filing a preliminary plan of subdivision because the final plats were approved prior to October 27, 1970 and the total gross floor area of the development does not exceed 5,000 square feet. There are no other subdivision issues at this time.

c. **Transportation Planning Section**—In a memorandum dated December 20, 2011, the Transportation Planning Section provides a review of the site plan along with the companion departure from design standards and departure from the number of parking and loading spaces required. Even though the transportation planner agrees that most commercial parking in the immediate area appears to be underutilized, the planner believes that the requested DPLS may be excessive and recommended the applicant support the DPLS request with a parking analysis.

The Transportation Planning Section also provides additional information from the Master Plan of Transportation regarding the right-of-way width of Martin Luther King Jr. Highway (MD 704) as follows:

Plats indicate that the right-of-way along MD 704 is 110 feet dedicated. 60 feet was dedicated from the east side; 50 feet from the west side.

The master plan ROW width for MD 704 is 120 feet to serve vehicular traffic, plus five feet each side for bike lanes, plus three feet for a side path, for a total of 133 feet. The side path will be on the east side of the highway including a 5-foot standard sidewalk plus a 3-foot paving for a total of an 8-foot side path.

On the east side (the McDonald's side), ROW needs are 60 feet plus five feet (bike lane) plus three feet (side path), for a total of 68 feet. Existing dedication is 60 feet. The ultimate R/W line is 8 feet beyond the existing R/W, and must be reflected on the plan.

On the west side (no application at this time), ROW needs are 60 feet plus five feet (bike lane) plus zero feet (NO side path), for a total of 65 feet. Existing dedication is 50 feet. The ultimate ROW line is 15 feet beyond the existing ROW, and would be recommended if a plan were filed on that side of MD 704.

**Comment:** The applicant has provided a parking analysis in response to the Transportation Planning Section's comments. The submitted parking analysis uses real parking data from a typical McDonald's restaurant located within Prince George's County with similar targeted sales and concludes that a total of 34 parking spaces is required during the peak hours. Based on this study, the applicant proposes a total of 40 parking spaces for this site and as such a departure of 14 spaces from the required 54 is requested. Based on the above Finding 7, the requested DPLS is the minimum necessary and meets all required findings for approval. The Urban Design Section recommends approval of DPLS-362.

The subject site with a redevelopment proposal of approximately 4,217 square feet is not subject to a new preliminary plan of subdivision. As such, additional ROW dedication is not required at time of detailed site plan review.

In a separate memorandum dated February 10, 2012, on detailed site plan review for master plan trail compliance, the trails planner provides a review of applicable elements of the *Approved Countywide Master Plan of Transportation* and the *2010 Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment* and concludes that adequate bicycle and pedestrian transportation facilities will exist to serve the proposed use if bicycle parking is provided. A condition requiring the applicant to provide a u-shaped bicycle parking facility prior to certification has been included in the Recommendation Section of this report.

- d. **Permit Review Section**—In a memorandum dated December 13, 2011, the Permit Review Section provided eleven comments on this DSP. All comments have been addressed during the review process through a revised site plan.
- e. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated December 27, 2011, DPW&T stated that Martin Luther King Jr. Highway is a State-maintained roadway that requires concrete curbs and gutters. Prior to approval of the detailed site plan, the applicant needs to obtain a new stormwater management plan. In conclusion, DPW&T has no objection to the proposed DSP-11007, DDS-607 and DPLS-362

**Comment:** The applicant provided a new, approved stormwater management concept from DPW&T with case number 14329-2011-00, which is valid through January 4, 2015.

- f. **Prince George's County Police Department**—In an e-mail dated February 6, 2012, the Community Services Division reviewed the site plan for conformance with the design guidelines of CPTED (Crime Prevention Through Environmental Design) and concluded that there are no CPTED or traffic-related issues with this DSP. According to Lieutenant B.E Devaney, the new design of the drive-through appears to be much more user-friendly than the existing one.
- g. **The Maryland State Highway Administration (SHA)**—In a memorandum dated December 28, 2011, SHA stated no comment on DPLS-362, and DDS-607; SHA has conditionally approved DSP-11007. The applicant is obligated to fulfill SHA's conditions at the time of application for access permits from SHA.
- h. **The Prince George's County Fire/EMS Department**—In three standard memoranda dated December 23, 2011, the Fire Department listed applicable regulations regarding access and turning radius for fire apparatus, fire lane and location and performance of fire

hydrants. Nothing specific to this DSP was mentioned. The subject site plan is in conformance with the applicable regulations.

- i. **The municipalities within a one-mile radius of the subject site**—Those municipalities include Seat Pleasant, Fairmount Heights and Cheverly. At the time this report was written, none of the municipalities has responded to the referral request.
- j. **Health Department**—In a memorandum dated April 25, 2012, the Health Department provided comments regarding the number of carry-out and convenience store food facilities, and supermarket or grocery stores within a ½-mile radius of the site, and possible light pollution from the site. The Health Department also notes that because the site is located approximately 70 feet from an outdoor recreational facility and approximately 150 feet from residential property, additional attention should also be given to the possible noise and dust impact on the adjacent property.

**Comment:** The issues raised in the memorandum of the Health Department have been discussed with the applicant. Those concerns related to construction will be addressed in the process of construction administration. The possible light pollution has been discussed in Finding 6 above.

- 13. Based upon the foregoing analysis and as required by Section 27-285(b) (1) of the Zoning Ordinance, the subject 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. In addition, as required by Section 27-285(b) (4) of the Zoning Ordinance, the Planning Board must also find that the regulated environmental features on a site 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) (5). Since the subject site does not contain any regulated environmental features, such as streams, wetlands, or floodplain, no preservation or restoration of environmental features is required as part of this DSP approval.

### **RECOMMENDATION for Detailed Site Plan DSP-11007**

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-11007 for McDonald’s at Seat Pleasant subject to the following conditions:

- 1. Prior to certification of this DSP, the following revisions shall be made to the detailed site plan or the following information shall be provided:
  - a. Provide a cut sheet for the proposed wall sconce fixtures.
  - b. Revise the Photometric Lighting Plan to show zero foot-candle reading along the northern and eastern property lines.
  - c. Provide the required sign face area calculation on the site plan.
  - d. Revise the site plan to show only one McDonald’s flag sign.
  - e. Provide sign face area information for the McDonald’s corporate flag sign under the freestanding sign section on the sign face calculation table.

- f. Provide a standard u-shaped bicycle parking facility close to the main entrance to the building. All bicycle parking shall be on a concrete pad and details shall be provided on the detail site plan.
- g. Add one standard parking space for the physically handicapped close to the main entrance to the building in the northern area of the site.
- h. Revise the site plan to correctly show the centerline of Martin Luther King Jr. Highway.

**RECOMMENDATION for Departure from Design Standards DDS-607**

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings and APPROVE Departure from Design Standards DDS-607 to allow the loading space to be located within 50 feet of residentially zoned property (Section 27-579(b)) for the McDonald's at Seat Pleasant.

**RECOMMENDATION for Departure from Parking and Loading Standards DPLS-362**

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-362 for the McDonald's at Seat Pleasant to allow a reduction of 14 parking spaces from the required 54 spaces (Section 27-568(a)) subject to the following condition:

1. Prior to certification of this DSP, the applicant shall revise the site plan to provide one standard parking space for the physically handicapped located as close as possible to the northern corner of the building where the entrance to the front elevation is located to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.