

THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF
THE MARYLAND-NATIONAL PARK AND PLANNING COMMISSION

CHECKERS LAUREL

DETAILED SITE PLAN - DSP-20006

ITEM #5

T R A N S C R I P T
O F
P R O C E E D I N G S

COUNTY ADMINISTRATION BUILDING

Upper Marlboro, Maryland

OCTOBER 29, 2020

COMMISSIONERS:

- Elizabeth M. Hewlett, Chair
- Dorothy F. Bailey, Vice-Chair
- A. Shuanise Washington, Commissioner
- Manuel R. Geraldo, Commissioner
- William M. Doerner, Commissioner

STAFF PERSON:

- Adam Bossi

OTHER SPEAKERS:

- Matt Tedesco, McNamee Hosea (attorney representing the applicant)
- Robert Noeth, Messick & Associates
- Wayne Newton, Messick & Associates
- Keith Martin, Mar-chek, Inc.

EXHIBITS:

- Applicant's Exhibit #1 – Proposed Revised Conditions (1-page)

PROCEEDINGS

CHAIR HEWLETT – Item 5 which is Detailed Site Plan 20006 it's the Checkers in Laurel. Mr. Bossi are you on?

ADAM BOSSI – Yes, good morning Madam Chairwoman.

CHAIR HEWLETT – Good morning. Mr. Tedesco are you on?

MATTHEW TEDESCO – Good morning Madame Chai and members of the Board, yes, I'm on.

CHAIR HEWLETT – Did you see yourself in pictures from yester years?

MATTHEW TEDESCO – Yes, I did and I'm very sad that we're not all there together and celebrating as we normally all ways do. As you know my son greatly enjoys this hearings in particularly so.

CHAIR HEWLETT - You've could have improvised; you could have improvised, but okay.

MATTHEW TEDESCO – I'm doing my best to dress up as Rob Antonetti today.

CHAIR HEWLETT – Okay. Alrighty, I'll leave that alone. Let's see who else we got. Robert Noeth are you present? Did I pronounce it correctly?

ROBERT NOETH – I'm present madam Chair and yes you did.

CHAIR HEWLETT – Thank you. Wayne Newton.

WAYNE NEWTON – I'm present.

CHAIR HEWLETT – Thank you. Okay, Keith Martin (no answer), I don't see him. Keith Martin.

MATTHEW TEDESCO – Madam Chair he's my client I don't know if he's on, he might be on by phone.

CHAIR HEWLETT - We have a number of callers; can you unmute those callers (to Kenny). Keith Martin are you on?

KEITH MARTIN – Yes ma'am.

CHAIR HEWLETT – Okay thank you. That’s good. That concludes the signup sheet for today. We also have one exhibit. Applicant’s Exhibit #1 which are Proposed Revised Conditions. Mr. Bossi let’s take off.

ADAM BOSSI – Alright, Good morning, Madam Chairwoman, and members of the Planning Board. For the record I am Adam Bossi with the Urban Design Section. This item before you are Item #5, a Detailed Site Plan a DSP 20006, which proposes the development of a Checkers brand eating and drinking establishment with drive-thru service. As I began the presentation, I like to reiterate a point that you already made, the applicant did enter a single exhibit into the record, prior to Tuesday’s deadline. This exhibit does propose a revision to one of the conditions of approval which are recommended in the staff report, pertaining to free standing signage. So, I’ll address that a little bit later in the presentation.

If we could move on to *Slide two* please. Subject property is in Planning Area 62, Council District 1, *next slide* please.

Outlined in red zero-point 0.48-acre property is irregularly shaped and located on the east side of Baltimore Avenue, approximately 400 feet north of its intersection with Mulberry Street.

Slide four please. The property includes land in two zones, most of the site including its frontage on Baltimore Avenue is within the commercial shopping center zone, shown here in red and the far eastern portion fronting on Magnolia Street is in one family detached residential zone shown in

yellow that's the R-55 zone. Land shown in white to the west of the subject site on opposite side of Baltimore Avenue is land within the City of Laurel. *Slide 5* please. As shown here in this aerial image, the subject site is currently vacant. The portion of the site that is closest to Baltimore Avenue is surfaced with asphalt and there is an area of small trees existing on the far eastern edge of the property. This site was previously home to an eating and drinking establishment known as Bay and Surf Restaurant, which was removed and structured demolished several years ago.

Slide 6 please. The topographic map here shows us that the site is generally flat.

Slide 7 please. We see Baltimore Avenue shown here in red which is classified as an arterial roadway and abutting the west side of the property.

Slide 8 please. Shown here on the Detailed Site Plan, again we see Baltimore Avenue on the far left the western side of the site, with the shared access driveway located between the proposed Checkers to the south and existing Medical Clinic to the north. Parking for the Checkers restaurant is provided in spaces along this shared access driveway. Circled in red on the west side of the site is the single free-standing sign that is proposed for this project. Again, the sign is the subject of Condition 1c which requires modifications of the sign prior to certification of the Detailed Site Plan. The applicant did propose language to address this condition in their exhibit and staff has reviewed this requested language change for Condition 1c and has no issue with the proposed revision.

Looking towards the central portion of the site, we do see that there are two outdoor dining areas provided to the northwest and directly east to the Checkers building. The building itself does have double drive-thrus one to the north and one to the south side of the building, respectively. Trash enclosure and other associated site features with this development are all proposed in the C-S-C zone portion of the site. A stormwater management facility and plantings are proposed in the eastern R-55 zone portion of the site.

It should also be noted that there are no regulated environmental features associated with the site and the site is not subject to the Woodland and Wildlife Habitat Conservation Ordinance because its less than 40,000 square feet in size and contains less than 10,000 square feet of woodland. *Slide 9* please. Landscaping has been provided for the project in conformance with the requirements of the landscape manual, subject to a minor correction as noted in finding 9 of the technical staff report.

Slide 10 please. These images show the design of the proposed building which will serve food for takeout only, this is to walk up diners as well as through drive-thrus. The single-story structure has a gross floor area of 1,170 square-feet and will include the two drive-thrus service areas, with covered canopies on the north and south side of the building, respectively. The building itself is mainly white in color and accented with red columns and black and white checkered board patterns.

Slide 11 please. Building mounted signage and a free-standing signage with digital reader board are proposed as mentioned before. Staff found that the building mounted signage conforms with the applicable requirements of the ordinance but again, the free-standing sign does require some modifications to conform. Specific updates to the freestanding sign design associated area calculations, were found necessary and these were discussed with the applicant which did prompt the submission of Applicant's Exhibit 1 requesting that the adjustment to the language of Condition 1c. Madam Chair and members of Planning Board for our review staff has found the development of the proposed Checkers eating and drinking establishment with drive-thru service as proposed by DSP 20006 conforms with the applicable requirements of zoning ordinance, subject to the condition contained in the Technical Staff Report with Condition 1c as amended by the Applicants Exhibit and staff does agree with the applicant requested change to Condition 1c and I am pleased to recommend that the Board does approve this DSP, this concludes staff's presentation. Thank you.

CHAIR HEWLETT – Nice landing Mr. Bossi thank you so much. Okay let's see if the Board has any questions of you. Madam Vice Chair?

MADAM VICE CHAIR – No questions, thank you.

CHAIR HEWLETT – Commissioner Washington?

COMMISSIONER WASHINGTON – No questions.

CHAIR HEWLETT – Commissioner Geraldo?

COMMISSIONER GERALDO – No questions.

CHAIR HEWLETT – Commissioner Doerner?

COMMISSIONER DOERNER – I just want to know if this is going to fit through the drive-thru?

CHAIR HEWLETT – Chuckles. That is too cute, stop stealing Enrique's toys. Thank you. Mr. Tedesco you're on.

MATTHEW TEDESCO – Thank you, Madam Chair, and members of the Commission for the record Matthew Tedesco with law firm of McNamee Hosea on behalf of the applicant Marchec Inc. Commissioner Doerner, I will be showing this video to Graham later today because they both he and Graham like PJ mask, well done on costume, last year done well as well. Thank you, Mr. Bossi for the great presentation for staff report, we really don't have a whole lot more to say, the staff report speaks for itself we would incorporate and adopt it as further testimony say that the staff report. We had one minor change to it, a couple of highlights we want

to mention. This property was rezoned through zoning map amendment in 1996, the conditions of which are outlined in finding 8 all have been met with this application . Also, a highlight of this, as Mr. Bossi indicated all landscape manual requirements have been met, there is no alternative compliance, no departures or variances being requested. Also, another high point is respect to the TCC, the Tree canopy coverage its more than double on this site, although it's a very small site. The development itself has accommodated a significant amount of landscaping buffer primarily for residential units to the east and south, to south and east. We don't anticipate any negative impacts, its represented by the fact that there is no opposition for this case as well. We did have one minor modification to Condition 1c that Mr. Bossi represented. We worked very closely with staff and I want to thank staff as we always do, particularly with this case, just working through some of the issues particularly with the signage. We are in agreement with those revisions, that are needed to comply with the code requirements and have modified the conditions to reflect that. With me is Mr. Keith Martin from Mar-chek, Inc. as well as Wayne Newton and Bob Noeth from the Messick Group, simply here to answer any questions ya'll may have, but we're happy to submit on the staff report as well as the Applicant Exhibit #1 and respectfully request your approval.

CHAIR HEWLETT – Thank you Mr. Tedesco. Let's see if the Board has any questions of you or of Mr. Noeth or Mr. Newton or Mr. Martin. Madam Vice Chair?

MADAM VICE CHAIR – No questions.

CHAIR HEWLETT – Commissioner Washington?

COMMISSIONER WASHINGTON – No questions.

CHAIR HEWLETT – Commissioner Doerner?

COMMISSIONER DOERNER – No questions.

CHAIR HEWLETT – Commissioner Geraldo?

COMMISSIONER GERALDO – I have none.

CHAIR HEWLETT – Okay. So, alright that's it, so if there are no questions, is there a motion?

COMMISSIONER WASHINGTON - Madam Chair, I move that we adopt the findings of staff and approve DSP-20006 along with the associated conditions as outlined in staff's report and as further amended by Applicant's Exhibit No. 1.

VICE-CHAIR BAILEY – Second.

CHAIR HEWLETT – We have a motion by Commissioner Washington and seconded by Vice Chair Bailey. Madam Vice Chair.

VICE-CHAIR BAILEY – I vote Aye.

CHAIR HEWLETT - Commissioner Washington.

COMMISSIONER WASHINGTON – Aye.

CHAIR HEWLETT – Commissioner Doerner.

COMMISSIONER DOERNER – I vote Aye.

CHAIR HEWLETT – Commissioner Geraldo.

COMMISSIONER GERALDO - Aye.

CHAIR HEWLETT – Okay. The Ayes have it. 5-0. Thank you.

(whereupon the proceedings were concluded)

CERTIFICATION

This is to certify that the foregoing twelve (12) page transcript was typed by me as heard from the recording made at the time of said hearing. Any omissions or errors may be due to the inability of the Reporter/Transcriber to clearly understand said recording in the matter of Agenda Item #5 – Detailed Site Plan (DSP-20006) Checkers Laurel heard on October 29, 2020.

Mario A. Proctor

Senior Technical Writer/Editor

Maryland-National Capital Park and Planning Commission

Prince George's County Planning Board

Office of the Chair

February 22, 2021 _____
Date