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March 25, 2025

Ms. Donna J. Brown
Clerk of the County Council
For Prince George's County
Wayne K. Curry Administration Bldg.
1301 McCormick Drive, 2nd Fl.
Largo, Maryland 20774

Re: McDonald's/Ager Road/DSP-22001

Dear Ms. Brown:

I represent McDonald's USA LLC ("McDonald's"). My client is the applicant in the referenced Detailed Site Plan application. This Detailed Site Plan was approved by the Planning Board and has been called up for review by the District Council. Please accept this correspondence as my client's narrative summary of items in the record.

What started as a rather complicated effort to address a long-standing trespassing problem has now become a straightforward Detailed Site Plan application. The pertinent facts are as follows:

McDonald's has entered into a lease agreement to construct a McDonald's eating and drinking establishment with drive thru service within the Green Meadows Shopping Center. This shopping center was constructed in the late 1940's. It consists of a total of 4.16 acres situated in the northwest quadrant of the intersection of East-West Highway and Ager Road. The property has frontage on East-West Highway, Ager Road and Van Buren Street. It is located on a single parcel designated Parcel 23. A copy of an aerial photograph depicting the Green Meadows Shopping Center is marked Exhibit "A" and attached hereto. The center consists of a single large inline retail building which contains a number of commercial retail uses. North of the inline building is a freestanding building which includes a restaurant. A third retail building is located toward the southern end of Parcel 23. That building is also currently a

restaurant. There are presently three driveways providing access into the shopping center from East-West Highway. Access is also gained from a driveway off of Van Buren Street. (Applicant's Statement of Justification, page 1-2. See also Detailed Site Plan). The McDonald's lease includes only 1.16 acres. McDonald's proposes to raze the southernmost freestanding building and to construct its eating and drinking establishment on that site within the shopping center. (Applicant's Statement of Justification, p. 1-2).

The proposed McDonald's restaurant will consist of 3,683 square feet. Parking will generally be provided along the north and south sides of the restaurant. The drive-thru lane will commence on the east side of the building and will proceed in a northerly direction before turning left to allow cars to order and pick up along the north side of the building. Access is proposed primarily to be gained from the southernmost driveway along East-West Highway. However, both vehicles and pedestrians will be able to access the restaurant from within the shopping center parking compound. (See Detailed Site Plan).

When McDonald's began preparing this application, the new Zoning Ordinance was not yet in effect. The property was previously zoned C-S-C. In the C-S-C Zone, an eating and drinking establishment with drive through service was permitted as a matter of right subject to the approval of a Detailed Site Plan. Pursuant to Section 27-1700 et al. of the new Zoning Ordinance, McDonald's has elected to process this application using the prior Zoning Ordinance.

McDonald's conducted substantial citizen outreach which resulted in numerous virtual and in person meetings. At one point, McDonald's retained the services of Global Government and Industry Partners LLC and Mr. Steven Marcus to assist in citizen outreach. Mr. Marcus was directly involved in community meetings in addition to those which McDonald's had conducted on its own behalf. Mr. Marcus testified before the Planning Board regarding his outreach efforts. A recurring concern raised by residents over and over was the highly negative impact of trespassers at the shopping center. There is a vacant wooded area behind the shopping center building (but on the shopping center property). Trespassers have established encampments in this area. Tents are erected and tarps are tied off from trees to create shelters. The trespassers burn campfires and

Ms. Donna J. Brown

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sleep in this area. Alcohol consumption and drug abuse became constant problems. The trespassers would enter into the shopping center proper where they would ask patrons and workers for food and money. There have been incidents of physical violence and more recently a homicide involving one of the trespassers. Mr. Lucas Crocker, a representative of the shopping center owner testified before the Planning Board as to these facts. He also testified that ownership had spent more than \$1 million in security and clean up measures in an attempt to discourage trespassers. Ultimately, McDonald's and the shopping center owner determined to file a Departure from Design Standards (DDS-23001) to accompany its Detailed Site Plan application. Pursuant to the Departure, the trees at the rear of the shopping center would be removed and the area would become well lit through additional lighting installed by McDonald's. It was the hope that these efforts would make the area behind the center uncomfortable as an encampment. Affidavits were filed by Mr. Crocker and Officer Brandon Flax, a member of the Prince George's County Police Department, who for years has provided security to the shopping center. These affidavits are part of the record and shed significant light on the magnitude of the trespassing issue and its negative impact on both workers and patrons at Green Meadows Shopping Center. (Applicant's Statement of Justification in support of DDS-23001 and Affidavits of Lucas Crocker and Officer Brandon Flax, copies of which are attached as Exhibits "B" and "C").

DSP-22001 and DDS-23001 were both thoroughly reviewed by numerous referral agencies within M-NCPPC and Prince George's County.

Criteria for Approval of Detailed Site Plans

The criteria for approval of Detailed Site Plans is both focused and limited. Broad issues such as adequacy of transportation facilities are not relevant areas of inquiry in the Detailed Site Plan process. Issues such as transportation adequacy are addressed as part of the Preliminary Subdivision Plan process. Instead, Detailed Site Plans focus on the development of the site itself. This is due in large part to the fact that the use being examined is already permitted as a matter of right. Hence, Detailed Site Plans focus on how the site is laid out and how use of the site functions for patrons and workers. Consequently, there are General Purposes and Specific Purposes set forth in Section 27-281(b) and (c) of the Zoning Ordinance. There are also Site Design Guidelines as set forth in Section 27-283. There it is stated that Detailed Site Plans are

to be designed in accord with the same guidelines as required for Conceptual Site Plans in section 27-274. In relevant part, Section 27-274 requires analysis of on-site parking, loading and circulation. That section provides that vehicular and pedestrian on site circulation should be "safe, efficient, and convenient for both pedestrians and drivers." Analysis of this section includes a review of driveway entrances. Finally, the required findings for approval of a Detailed Site Plan are set forth in Section 27-285(b). Those findings are as follows:

Sec. 27-285. Planning Board procedures.

(b) Required findings.

(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

(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)(5).

The Applicant's Statement of Justification analyzed all of the above criteria in detail and provided factual justification as to how and why each criterion was met. Testimony was also presented on all of these criteria by the applicant's expert witnesses before the Planning Board. Further, staff of the Maryland-National Capital Park and Planning Commission solicited referrals from all relevant agencies, including Transportation, Community Planning, Subdivision, Historic Preservation, Environmental Planning, Permit Review, Parks and Recreation, the Department of Permitting, Inspections, and Enforcement (DPIE) and the Maryland State Highway Administration (SHA). Ultimately, staff issued its Technical Staff Report wherein it made positive findings that all required criteria were met and satisfied. The staff report recommended approval of both the Detailed Site Plan and the Departure from Design Standards which had been requested, subject to conditions.

Planning Board Hearings

The applications were opposed by a number of individuals as well as certain environmental organizations. Opposition parties introduced hundreds of pages of written documents in addition to oral testimony, focusing on issues such as opposition to removing trees at the rear of the shopping center, offsite traffic, concerns with stormwater management, the applicant's Natural Resources Inventory, the County's Climate Action Plan, healthy food choices, and the possibility that the Green Meadows shopping center could have gravesites or relics of enslaved persons.

The Planning Board met to consider the McDonald's applications on the following dates:

September 26, 2024 - Evidence received, and the case was continued

October 3, 2024 - Evidence was received and another request for continuance was granted

October 17, 2024 - Evidence was received and a further continuous request was granted

October 24, 2024 - Evidence was received and the Planning Board, this time on its own motion, continued the case requesting staff to provide additional information on certain issues.

November 21, 2024 - Evidence was received and additional testimony was presented on the issues requested by the Board, including transportation, accuracy of the natural resources inventory, adequate design of stormwater management, analysis of the Departure request and information from Historic Preservation. Once again, the Planning Board continued the case and requested yet more additional information.

December 18, 2024 - McDonald's withdrew its Departure from Design Standards application and subsequently submitted a revised Site Plan conforming to all Landscape Manual requirements. A copy of the withdrawal letter is attached as Exhibit "D".

January 16, 2025 - Evidence was received and additional testimony allowed on certain issues, including transportation, buffer yards, landscaping, and historic markers.

At the conclusion of the January 16, 2025 hearing, the Planning Board voted unanimously to approve DSP-22001.

First Addendum to Technical Staff Report

Prior to the Planning Board hearing of November 21, 2024, the Urban Design Section prepared an Addendum to the original Technical Staff Report. This Addendum specifically addressed the items on which the Planning Board had requested additional information. A copy of that Addendum is attached hereto as Exhibit "E". Also attached are individual referrals which formed the basis of the addendum. These are referrals from the Countywide Planning Division dated November 1, 2024 (copy attached as Exhibit "F"), a referral from the Environmental Planning Section dated October 29, 2024 (copy attached as Exhibit "G"), a referral from DPIE dated February 26, 2024 (copy attached as Exhibit "H"), a referral from DPIE dated October 31, 2024 (copy attached as Exhibit "I"), and a referral from the Historic Preservation Section dated October 30, 2024 (copy attached as Exhibit "J").

In anticipation of the November 21, 2024 hearing, the McDonald's transportation engineer, Lenhart Traffic Consulting, prepared an additional trip generation analysis. The original analysis prepared by Lenhart Traffic Consulting provided trip generation information

Ms. Donna J. Brown

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for the McDonald's based upon established criteria for integrated shopping centers. (See Lenhart Memorandum of March 8, 2024). While that is the appropriate analysis, Lenhart Traffic Consulting also subsequently analyzed trip generation of the McDonald's restaurant as a standalone eating and drinking establishment with drive-thru service. This was a more onerous test. Despite that fact, the results of the new analysis indicated trip generation from the McDonald's restaurant would have no adverse transportation impact. It should be noted that this analysis was not required as part of the Detailed Site Plan criteria set forth in the Zoning Ordinance. McDonald's requested that this additional analysis be undertaken in order to ensure that on-site traffic could be accommodated. (See Lenhart Memorandum of November 6, 2024).

In addition, McDonald's also retained the services of an archaeological expert, James Gibb of Gibb Archaeological Consulting. Mr. Gibb visited the site and conducted an investigation. He prepared a letter report along with exhibits dated October 27, 2024 concluding that given construction, which had occurred related to the Washington, Westminster and Gettysburg Railroad in addition to the construction excavation occurring on the property in order to construct the shopping center, there was little chance that any items of archaeological significance could be discovered, even if they existed at one time. A copy of this report is attached as Exhibit "K". The Historic Preservation Section, in their referral memorandum of October 30, 2024, concurred with the findings of James Gibb. The Historic Preservation Commission did also recommend that an archaeologist oversee any ground disturbing activities on the site during grading and construction.

As a result of this thorough analysis, the Urban Design Planning Division once again recommended approval of the Application.

Second Addendum to Technical Staff Report

The Second Addendum addressed the additional areas identified by the Planning Board on November 21, 2024. These included vehicular and pedestrian circulation within the shopping center, pedestrian crosswalks, queuing analysis, preservation of the buffer yard on the east side of the shopping center property and the potential for providing historic markers or elements identifying the historic nature of the site and the surrounding area. Once again, the Urban Design staff solicited comments from the Transportation Division,

DPIE, and SHA. Staff also requested a proffer from the Applicant concerning historic markers. The Transportation Division confirmed in its analysis that on-site circulation for both pedestrians and vehicles was safe. Transportation also confirmed that queuing for the drive-thru was satisfactory. SHA confirmed that none of its plans for East-West Highway would impact the proposed McDonald's development. SHA also confirmed that it proposed only one change to site access. That involved converting the two driveways in front of the McDonald's site to a single right-in/right-out driveway. McDonald's has implemented that change on its Site Plan. Staff also confirmed that the applicant had submitted a revised Landscape Plan which was prepared after withdrawal of the Departure from Design Standards request. That Landscape Plan reflected full compliance with required buffer yards pursuant to Section 4.7 of the Landscape Manual. Finally, the addendum also reflected that the applicant had proffered to include posters within the restaurant, highlighting the unique historic features and significance of the area. These posters are to be framed and to provide information regarding enslaved persons. Text on the posters will be in both English and Spanish.

Based on this final analysis, staff of M-NCPPC once again recommended approval of DSP-22001. A copy of the Second Addendum is attached as Exhibit "L".


Conclusion

On the basis of this thorough and exhaustive record, including all testimony of interested persons, documentary evidence, expert testimony provided by the Applicant and multiple analyses prepared by staff, the Planning Board unanimously voted to approve DSP-22001. The Planning Board was studious in its efforts to insure that the design and on-site circulation for both pedestrians and vehicles was safe and that the Detailed Site Plan was in conformance with

Ms. Donna J. Brown
March 25, 2025
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all required criteria. The Planning Board Resolution of Approval (PGCPB No. 2025-008) is included in the record. The decision of the Planning Board in approving this Detailed Site Plan is supported by overwhelming evidence and should not be disturbed.

GIBBS AND HALLER



Edward C. Gibbs, Jr.

Enclosures

cc: James Walker Bey
Stan Brown, Esq.
Raj Kumar



8.5X11_Landscape



“Exhibit “A”

IN RE: DETAILED SITE PLAN DSP-22001 AND
DEPARTURE FROM DESIGN STANDARDS DDS-23001
PROPOSED MCDONALD'S RESTAURANT
GREEN MEADOWS SHOPPING CENTER
6565 AGER ROAD, HYATTSVILLE, MARYLAND 20782

AFFIDAVIT

I, Lucas Crocker, hereby depose and say:

1. I am an adult, over the age of eighteen (18) years, with personal knowledge of the facts stated herein. I am competent to testify as a witness to the facts contained herein.

2. 6581 Ager L.L.L.P. is the owner of a commercially zoned property comprising approximately 4.16 acres of land which is presently zoned CGO and which bears a street address of 6565 Ager Road, Hyattsville, Maryland 20782. The property is generally rectangular in shape and has frontage on Ager Road, East-West Highway and Van Buren Street. The property is in general located in the northeast quadrant of the intersection of East-West Highway and Van Buren Street. It is improved with a retail commercial shopping center known as the Green Meadows Shopping Center (the "Center").

3. I am Associate Director of Asset Management with Willco Construction Co., Inc. ("Willco"), a property management company. Willco has been retained by the owner of the Center to provide property management services. Willco has served in this capacity since 2009.

4. There is an existing freestanding building located in the southwest corner of the Center. The owner has entered into a contract with McDonald's USA, LLC ("McDonald's") which allows McDonald's to secure all required land use entitlements to raze an existing freestanding building in the Center and to allow McDonald's to construct and operate one of its eating and drinking establishments with drive-thru service within the Center. The McDonald's use requires the approval of a Detailed Site Plan. McDonald's has filed that Detailed Site Plan, and it is under review by staff of the Maryland-National Capital Park and Planning Commission.

5. There is a partially wooded area located behind the Center, but on the property owned by 6581 Ager L.L.L.P. Since my company began providing property management services in 2009, there has been a homeless encampment located on the Center property and behind the

Center buildings. Homeless people gather in this area and pitch tents or erect tarps between trees with the tarps being tied off by rope and/or supported by poles. The homeless trespass on the Center property. In addition to sleeping on the property, they light fires for warmth, to cook and to provide illumination. They sit around the fires during all hours of the day. Since 2009, the owner of the Center has expended its time and resources in attempting to permanently remove the homeless from the Center property.

6. Since 2009 and up to the present, the owner of the Center has expended over \$1 million on security measures in an effort to permanently remove the homeless from the property. These expenses have included, but are not limited to, installation of security cameras and retaining off-duty Prince George's County Police officers to monitor the property, provide security and attempt to have the homeless persons removed by banning them from private property. There are approximately four Prince George's County Police officers who provide security services to the Center. They do not all appear on site at the same time but rather work in shifts. This results in a police presence at the Center during various portions of the day, seven days a week. The cost of this security alone is \$5,000.00 per month. New security cameras regularly need to be installed due to efforts by the homeless to dismantle or destroy the existing cameras. They do this by climbing poles or trees where cameras are located and removing them. Once they are on the ground, the cameras are destroyed.

7. Ownership has also in more recent times utilized the services of a bulk trash removal company to enter into the area where the homeless are encamped and actually remove their tents, tarps and furniture items such as sofas and chairs. Firepits are also removed. All of these items are taken to a County dump. In order to avoid hostile engagements during these processes, off-duty Prince George's County Police officers are required to be present.

8. The homeless cut down trees on the Center property at regular intervals. This occurs with greater frequency during the colder seasons of the year. Trees and brush are used to maintain fires and also to create visual barriers so that the homeless encampment is difficult to see from the main parking area at the front of the Center. To my knowledge no one associated with the owner of the Center has ever been involved in removing trees from the Center property.

9. A few times each year, we receive reports from tenants and from the police that Prince George's Police have been called to the

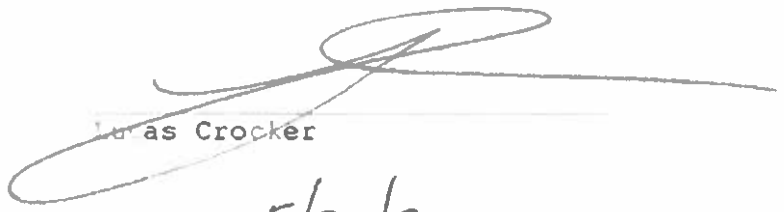
scene after homeless vagrants have entered individual businesses within the Center. Generally, during these times homeless people panhandle patrons within retail establishments and ask for food and/or money. In addition, employees at tenant businesses have been accosted when engaging in business activities at the rear of the Center. This may include loading or unloading delivery trucks, throwing out trash, etc. Employees of my management company have reported a few instances of physical violence which include fights and stabbings initiated by homeless people. These have included acts of violence upon tenant employees and acts of violence between the homeless. Gang violence, narcotics sales and prostitution have all been reported to have occurred in the area of the homeless encampment at the rear of the Center. The most recent incident was a homicide that involved a homeless person on the Center property on March 28, 2024.

10. We have also received reports of vehicles being broken into by homeless people residing at the rear of the Center. Patrons do not have a direct way of contacting the property management company. However, we do receive complaints from time to time from tenants at the Center who have been contacted by patrons registering complaints over being badgered by homeless people when panhandling for food and/or money.

11. Problems associated with the homeless at the Center have persisted on a continuous basis for many years. The situation has gotten worse since the onset of COVID. The owners of the Center have had to expend excessive amounts of capital in providing security and in purchasing cameras to record incidents on the property and paying for bulk trash cleanup on a periodic basis to literally rid the site of homeless only to have them reappear in 24 hours or less. These are expenses that other retail shopping centers do not have to expend.

12. Ownership and the property management company believe that having McDonald's locate in the Center will present an opportunity to assist in eradicating the homeless problem. As part of its development efforts, McDonald's has agreed to remove all of the trees presently located in the rear of the Center and to install tasteful lighting which is directed downward but which will be intended to make it uncomfortable for anyone to camp at the rear of the Center. It is our hope that these efforts by McDonald's along with increased security, which McDonald's will participate in providing, present the best opportunity to permanently remove homeless from the Center property. By making the area uncomfortable to camp, trespass and loiter in, we believe the possibility will exist to permanently stop these problems at the Center.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING PAPER ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.



Lucas Crocker

Date

5/29/2024

IN RE: DETAILED SITE PLAN DSP-22001
PROPOSED MCDONALD'S RESTAURANT
GREEN MEADOWS SHOPPING CENTER
6555 AGER ROAD, HYATTSVILLE, MARYLAND 20782

STATEMENT FROM OFFICER BRANDON FLAX

I am an active duty police officer with the Prince George's County Police Department. I am familiar with the Green Meadows Shopping Center located on Ager Road in Hyattsville, Maryland. Behind the shopping center there is a partially wooded area which is used as an encampment by homeless people. The actual encampment includes tents and makeshift shelters which involve tarps and plastic sheets strung between trees. This homeless encampment is located to the rear of the shopping center. The homeless people sleep in these handmade shelter areas and burn fires.

For approximately the last ten years I, along with approximately three other officers of the Prince George's County Police Department, have performed security services for the owner of the Green Meadows Shopping Center. The officers rotate through and each of us are there for two or three days each week. Between the four officers, there is police coverage to assist with security at the Green Meadows Shopping Center on a daily basis. Periodically, the owners have a cleaning crew come in to remove the homeless encampment. We, as off-duty police officers, provide security for the cleaning crew to go in and remove the shelters comprising the homeless encampment. If a member of a cleaning crew went back into the homeless encampment

Exhibit "C"

without security present, I believe based upon prior experiences here, they would encounter hostility from the homeless living behind the center.

The homeless do not restrict themselves to staying in the area behind the center. It is normal for them to come out into the shopping center area where they will approach patrons in the parking lot and in front of stores and ask patrons of the shopping center for money. I have also been involved in situations where the homeless have actually walked into a restaurant in the shopping center and asked customers for money while they were seated and eating their meal. The situation has gotten worse since the onset of COVID.

Last month, there was a homicide at the Green Meadows Shopping Center involving the homeless. A group of three homeless persons were in the parking lot of the shopping center when they were confronted by a man with a firearm. The armed man shot and killed one of the homeless persons. Based upon my longstanding experience, I believe the situation is only getting worse as a result of the homeless encampment at the rear of the shopping center.

CP. B (FLAX)*3169
BRANDON FLAX

Date 5/12/24

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EDWARD C. GIBBS, JR.
THOMAS H. HALLER

June 12, 2024

DRD Applications
Maryland-National Capital Park
and Planning Commission
1600 McCormick Drive
Largo, MD 20774

Re: McDonald's/Ager Road/DSP-22001

Dear Staff:

Please accept this correspondence as a supplement to the point-by-point response filed by Goler Engineering addressing SDRC comments.

A request was made to provide additional justification for the Departure from Design Standards application which we have filed in this case. I have done that and I am attaching a document titled "Statement of Justification/Amended Departure from Design Standards". That document has an Affidavit, from Lucas Crocker, and a Statement, from Officer Brandon Flax, attached as exhibits which provide further information regarding the issues associated with the homeless encampment at the Shopping Center.

I would also like to note that the Affidavit of Lucas Crocker confirms that at no time since 2009 has the Owner or any Owner's representative taken any trees down behind the Shopping Center. That Affidavit confirms trees have in fact been removed by the homeless population for use as firewood.

If you have any questions, please let me know.

Very truly yours,


Edward C. Gibbs, Jr.

"Exhibit "D"



The Maryland-National Capital Park and Planning Commission

PRINCE GEORGE'S COUNTY
Planning Department

1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

ADDENDUM TO THE TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board

VIA: Hyojung Garland, Supervisor, Urban Design Section *HG*
Sherri Conner, Acting Chief, Development Review Division *SC*

FROM: Natalia Gomez Rojas, Urban Design Section *NG*

SUBJECT: McDonald's Ager Road - DSP-22001, DDS-23001, AC-23017, TCP2-004-2024

The subject application was continued from the Planning Board hearing on October 24, 2024 to November 21, 2024 for the purpose of continuing discussion and analysis on limited scope topics as listed below:

- a. Transportation - Parking, loading, and drive-through circulation (i.e., conflicts with loading); auto, bike, and pedestrian circulation (i.e., crosswalk deficiencies and Maryland State Highway Administration's review of the detailed site plan); based on applicable Institute of Transportation Engineer rates.
- b. Accuracy of the Natural Resources Inventory.
- c. Adequate design of stormwater management.
- d. Reassess whether the proposed departure from design standards is met/will address the existing trespassing issue.
- e. Further discuss issues related to historic preservation.

Staff conducted additional analyses based on the written and oral testimony received after the publication of the technical staff report, and pursuant to the Prince George's County Planning Board's guidance. This addendum provides supplemental information and recommendations which are detailed below:

1. **Transportation**—In memorandum dated November 1, 2024 (Patrick to Gomez), incorporated herein, the Transportation Planning Section (TPS) provided further analysis of the testimony related to trip generation, parking, loading, and circulation in the site. In addition, TPS provided an exhibit to identify the areas of revisions to be reviewed by staff, prior to certification of the DSP, and determined that the subject property is in general conformance with Section 27 of the prior Prince George's County Zoning Ordinance. TPS recommends approval subject to the conditions listed at the end of this document. Additional analysis is presented below:



The Maryland-National Capital Park and Planning Commission

PRINCE GEORGE'S COUNTY
Planning Department

1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

November 1, 2024

MEMORANDUM

TO: Natalia Gomez-Rojas, Development Review Division

FROM: *BAP* Benjamin Patrick, Transportation Planning Section, Countywide Planning Division

VIA: *N&* Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division
Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: **DSP-22001: McDonald's Ager Road**
Planning Board Agenda October 24, 2024 – Staff Revisions to Technical Report

This supplemental memorandum provides staff revised findings and conditions as a result of the continuance of the October 24, 2024 Planning Board hearing for the subject application. Staff was directed by the Planning Board to provide further analysis to address specific concerns and deficiencies noted during the hearing.

The current application proposes to raze the 1,995 square foot building located at the south of the property and replace it with a 3,683 square foot eating or drinking establishment, with drive-through service in the Green Meadows Shopping Center. The subject site has frontage along MD 410 to the west and Van Buren Street to the north. The total site area is 4.17 acres and the site is currently improved with a 19,780 square foot integrated shopping center. The Transportation Planning Section's (TPS) review of the referenced DSP application was evaluated as an expansion to the existing integrated shopping center.

There are no prior approvals related to this application.

Analysis of Trip Generation
Zoning Ordinance Compliance

Section 27-285(b) states the following as a required finding for a detailed site plan:

(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.

A finding of transportation adequacy is not a requirement for a detailed site plan (DSP) application. The Transportation Review Guidelines (TRG) summarize the types of applications and the required

“Exhibit “F”

findings for each development proposal. The TRG notes the following as it relates to a DSP application:

In cases where an adequacy finding has never been made for a site, TPS staff shall review recent traffic data as a means of making the above finding or otherwise determine that the site plan as proposed would have a de minimus impact upon area traffic.

The Maryland Department of Transportation State Highway Administration (SHA) provides traffic volume information that is produced from traffic counts used to calculate annual average daily traffic (AADT) for roadways under SHA jurisdiction. AADT volumes are published annually by SHA. AADT is the average number of vehicles that travel on a specific section of road, calculated by taking the total traffic volume over a full year and dividing it by the number of days in a year. Using the AADT volumes from the past ten years along the segment of MD 410 adjacent to the subject site, staff is able to determine the regional growth or growth in through traffic for this segment as an average percentage increase. Based on staff analysis, there is a negative regional growth factor which represents a decrease in traffic volumes, on average, for the past ten years. Staff find that the expansion of the existing shopping center will have a de minimus impact on traffic volumes on the adjacent roadway.

As mentioned, the site is currently improved with 19,780 square feet of integrated shopping center. The Zoning Ordinance (Ordinance) defines an integrated shopping center as a group of (three (3) or more) retail stores planned and developed under a uniform development scheme and served by common and immediate off-street parking and loading facilities. The Green Meadows Shopping Center contains three buildings with a mix of commercial uses that include restaurants, a bakery, a market, a barber shop, general retail space, and a liquor store. As the shopping center exists today, there appears to be leasable space for roughly ten to eleven separate tenants. The subject site is designated as Parcel 23 and is owned by a single entity identified as 6581 Ager Limited Partnership. As described in the statement of justification, the applicant will be leasing a portion of the site consisting of 1.16 acres for the proposed development that is located at the southernmost portion of Parcel 23.

The Green Meadow Shopping Center contains more than three retail stores, has existing driveways that provide access to all parking areas, will remain under single ownership and thereby meets the definition of an integrated shopping center. Additionally, the design of the internal circulation allows users to access all buildings in the shopping center, by way of drive aisles, sidewalks or crosswalks without requiring vehicles or pedestrians to use the fronting roadways.

The Ordinance defines an eating and drinking establishment as an establishment that provides food or beverages for consumption on or off premise, which may be developed freestanding, on a pad site or attached to another building, or located within another building or located within a group of buildings, which may include a drive-through service, carryout, outdoor eating, music of any kind, patron dancing, or entertainment, excluding adult entertainment uses. The applicant proposes to raze the existing building that is operating as a sit-down/carryout restaurant, with a fast-food restaurant with drive-through. Both the existing and proposed use fit the definition of an eating or drinking establishment, which is a common commercial use found within integrated shopping centers. The current proposal will continue to operate as an integrated shopping center.

The proposal will result in a total of 21,468 square feet of integrated shopping center or an increase of 1,688 square feet.

Based on the increase in the proposed square footage, staff analyzed the trips associated with the expansion of the shopping center consistent with the recommendation for trip generation in the TRG. The TRG directs staff to use rates from the Institute of Transportation Engineers (ITE) for Retail Centers and Retail Buildings. A general note is provided for this use which states:

General retail buildings and centers may use the fitted curve for "shopping center" in the ITE Trip Generation Manual. In general, the shopping center rate covers commercial uses (including related pad sites) within a given site having the "integrated shopping center" use as defined in the Zoning Ordinance except non-accessory office space and gas stations; these uses and other non-retail uses shall include a separate trip generation calculation. Freestanding commercial and retail buildings not within an integrated shopping center should consider using specific rates from the ITE Trip Generation Manual, particularly when those uses are more trip intensive than general retail.

The current proposal is within the Green Meadows Shopping Center which is considered an integrated shopping center and for the purposes of trip generation the ITE rates for land use code 822 Strip Retail Plaza (<40k) were used. ITE defines a strip retail plaza as an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit that has less than 40,000 square feet of gross leasable area (GLA). The ITE definition for a strip retail plaza is consistent with the definition of an integrated shopping center, as defined by the Zoning Ordinance. The applicant proposes to construct a separate building on a pad site, within an integrated shopping center, as defined by ITE and the Ordinance.

As described by ITE and directed by the TRG, the shopping center rate covers commercial uses including pad sites, as is the case with the current application. There is no differentiation from tenants on a pad site except for non-accessory office or gas stations. The trip generation provided below is consistent with staff analysis for similar applications within integrated shopping centers. Staff find there is a de minimus impact based on the proposed developments consistent with the TRG.

TRIP GENERATION SUMMARY: DSP-22001								
Land Use	Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Strip Retail Plaza (existing)	19,780	SF	27	18	45	63	63	126
<i>Pass-by 50%</i>			<u>14</u>	<u>9</u>	<u>23</u>	<u>32</u>	<u>31</u>	<u>63</u>
Existing Trips			13	11	22	31	32	63
Strip Retail Plaza (proposed)	21,468	SF	29	19	48	67	67	134
<i>Pass-by 50%</i>			<u>14</u>	<u>10</u>	<u>24</u>	<u>34</u>	<u>33</u>	<u>67</u>
Proposed Trips			15	9	24	33	34	67
Increase in Peak Hour Trips					2			4

Trip Generation Fast-Food with Drive-Through

Although staff find that the proposal has a de minimus impact based on the TRG, the applicant elected to provide additional analysis to further evaluate the proposed use. The applicant submitted

a transportation memo that analyses the trips associated for an eating and drinking establishment, with drive-through and it's impact on the adjacent roadway at the site access. While not a requirement for a DSP, this is the same general approach used for an application requiring a Traffic Impact Study (TIS).

The subject property is located within TSA 1, as defined in the *Plan Prince George's 2035 Approved General Plan*. As such, the subject property is evaluated according to the following standards:

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections, a three-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if the delay exceeds 50 seconds; (c) if the delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed and the standard of CLV is 1,150 or less.

The table below summarizes trip generation for the 3,683 square feet eating and drinking establishment with drive-through that will be used in reviewing site traffic generated impacts.

TRIP GENERATION SUMMARY: ITE 934: Fast-food Restaurant with Drive-Through Window								
Land Use	Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
ITE 934: Fast-food Restaurant with Drive-Through Window (proposed)	3,683	SF	84	80	164	63	59	122
<i>Pass-by 50% AM/55% PM</i>			<u>42</u>	<u>40</u>	<u>82</u>	<u>35</u>	<u>32</u>	<u>67</u>
Proposed Trips			42	40	82	28	27	55

The applicant's memo calculated trips based on a larger building than what is proposed. A larger building represents more trips, therefore the analysis provided reflects impacts that are greater than the proposed building. Additionally, the applicant's analysis did not consider any reduction in trips that are currently on the road network. When assessing impacts for new development, an existing use has trips associated with its current operation and these trips would normally be deducted from the trips associated with the new use. Further, the applicant's analysis only distributed trips to the driveways that are immediately adjacent to the proposed building. Assuming all proposed trips will use only these driveways represents the greatest impact of the proposed development.

The traffic generated by the proposed application would impact the site access along MD 410.

TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
	MD 410 and site access	43.2 s	24.7 s	Pass
<i>Unsignalized tier step 2</i>			N/A	N/A
<i>CLV step 3</i>			N/A	N/A
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, a delay exceeding 50.0 seconds indicates inadequate traffic operations.				

Based on the additional analysis provided, the proposed development would meet the requirements for average vehicle delay at an unsignalized intersection if an adequacy test were to be required. The access meets the first step of the three-step process, and no further analysis would be required if this access point was included in a formal traffic impact study. Based on the results, and as described in the TRG, this demonstrates that no further operational analysis would be required as part of a formal traffic impact study.

The use of ITE trip generation rates for Shopping centers

ITE trip generation data are intended for uses associated with site trip generation; that is, trip generation associated with buildings and related uses of individual developments. The data were contributed on a voluntary basis by various industry professionals from study sites. These data sets are not intended for regional planning activities. Corridor scale transportation requirements and improvements are better determined with the aid of a regional travel demand model. Impacts of developments on facilities adjacent to or nearby a site are evaluated when a finding of adequacy is required.

Trip generation estimates are based on the ITE Trip Generation Manual (Manual). An additional resource provided by ITE is the Trip Generation Handbook (Handbook) which provides guidance in the proper techniques for estimating trip generation. In short, the Manual presents the data; the Handbook recommends how to use and interpret the data.

The Handbook represents preferred best practices under most conditions. These guidelines recognize professional judgment may be needed throughout the process of estimating trip generation. In order to exercise professional judgment properly, staff must understand the assumptions and simplifications in the data sets, the relationships between counted vehicle trips and tested independent variables, and the relative precision and variability of trip generation data.

Used properly, the Manual provides an objective basis for estimating trips generated by a proposed development. The basis for staff analysis of the current application is described as follows in the ITE Handbook:

If the development site includes more than one land use, each individual component should be identified and classified. It should be noted that there are several "individual" land use codes that include more than one land use. A shopping center may contain retail, restaurant, and office components but is classified as a single land use because the Manual data were collected for entire shopping centers, not for individual land uses;

Additionally,

The analyst should exercise caution before trying to quantify the trip generation effects of isolated and minor changes in characteristics of a particular land use. Manual data are compiled from a wide range of sources with a potentially high variability in site characteristics within the bounds of each individual land use code definition. Moreover, the Manual does not provide information on the secondary characteristics of the surveyed sites (for example, their setting) and therefore any analysis of the effects of changes in site characteristics is purely hypothetical and not verifiable with the current edition data.

Staff recognizes that the proposed eating and drinking establishment with drive-through is identified in the ITE Manual as land use code 934: Fast-food Restaurant with Drive-Through Window. While the trip generation rates for a Fast-food Restaurant with Drive-Through Window would suggest a higher trip generation rate for the subject site, this assumption ignores the best practices as outlined in the Handbook. The shopping center land use code is more representative of the site characteristics. While specific data is not provided for each individual component used in the survey sites to collect trip generation data for a shopping center, the Manual provides a “best fit” assumption based on the data collected. The specific mathematical relationship between trips and the related independent variable is defined as the fitted curve equation. The independent variable used for the subject site is gross leasable area.

There is no “best fit” equation for fast-food with drive-through so a weighted average rate is given. This is a simple linear relationship using the same independent variable for the subject site, which is gross leasable area. Attempting to apply the weighted average rates of the fast-food with drive-through land use code, without the ability to quantify its effect on the existing shopping center is highly variable. Additionally, the rates for fast-food with drive-through only represents a stand alone building, however, the shopping center land use code includes uses such as fast-food with drive-through. There is no information on these secondary uses in studies for shopping centers or specific site information for fast-food with drive-through. The data suggests that the shopping center land use, with the fitted curve equation provides the best mathematical relationship between gross leasable area and trips.

As described in the Handbook:

The chosen independent variable should be stable for a particular land use type and not a direct function of actual site tenants. The values and measurements attributable to an independent variable should not change dramatically with changes in building tenants. Physical site characteristics (such as square feet of floor area or number of dwelling units) are preferable to tenant characteristics (such as employees or residents).

In order to simplify the analysis for staff, the above information is provided in the TRG which briefly summarizes the best practices and selection of land use for trip generation for a shopping center provided in the ITE Handbook. Again, the general note provided in the TRG states:

General retail buildings and centers may use the fitted curve for “shopping center” in the ITE Trip Generation Manual. In general, the shopping center rate covers commercial uses (including related pad sites) within a given site having the “integrated shopping center” use as defined in the Zoning Ordinance except non-accessory office space and gas stations; these uses and other non-retail uses shall include a separate trip generation calculation. Freestanding commercial and retail buildings not within an integrated shopping center should consider

using specific rates from the ITE Trip Generation Manual, particularly when those uses are more trip intensive than general retail.

Staff position is that the correct trip generation rates have been used in the analysis for the subject site as directed by the TRG and ITE. This is a finding that is consistent with similar applications that operate as an integrated shopping center throughout the county. The correct interpretation of the general note has been applied for the subject site as detailed in this section. The ITE Manual, Handbook, and the TRG are documents that are meant to be read in their entirety in order to provide an objective analysis of site generated trips.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-274 of the Prince George's County Zoning Ordinance (Ordinance) provides guidance for detailed site plans. The section references the following design guidelines described in Section 27-274(2):

(2) Parking, loading, and circulation.

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:

(i) Parking lots should generally be provided to the rear or sides of structures;

Comment: The parking spaces shown on the plan are generally located on the sides of the proposed building. The parking spaces provided near MD 410 are consistent with the existing parking spaces of the integrated shopping center.

(ii) Parking spaces should be located as near as possible to the uses they serve;

Comment: A parking area is proposed to the south of the building accommodating 30 parking spaces. An additional 13 parking spaces are proposed adjacent to the drive-through lane. There are 11 parking spaces proposed east of the existing building that do not meet this requirement. Staff believe these spaces could be accessed by vehicles entering from one of the driveways along Van Buren Street, however, these spaces are located partially behind the existing building. It is more likely that these spaces will be used by employees or vehicles parked for longer periods of time on the site. Staff is recommending an additional pedestrian connection, to include sidewalks, striping, and ADA accessible ramps, be provided connecting to the proposed sidewalk adjacent to the drive-through. This will accommodate a marked pedestrian path from the parking spaces to the building.

(iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;

Comment: Staff is recommending that the circulation of the parking area to the south be revised to accommodate one-way vehicular traffic. Requiring one-way traffic will minimize the number of conflicts, particularly when entering the driveway near the proposed building and in the parking area. Restricting vehicular movement will move vehicles through the site to their intended destination, whether it is the parking lot, drive-through or another commercial use on site. This will also reduce decision making as vehicles enter the site from MD 410, which would reduce the potential queuing at the entrance driveways. Staff is also recommending that a separate pedestrian

connection be provided near the southern most driveway at a location near the existing crosswalk crossing MD 410. This connection will require a pedestrian to cross two drive aisles, however, staff is recommending a striped crosswalk in this location.

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:
 - (i) Loading docks should be oriented toward service roads and away from major streets or public view; and

Comment: The proposed loading area is located in the southeast corner of the subject site. Staff recommend relocating the loading area adjacent to the three parking spaces and parking island located in the parking area south of the building.

- (ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.

Comment: Staff is recommending the additional striping for the loading area in this location.

- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:
 - (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;

Comment: There are four existing driveways providing direct access to the existing integrated shopping center from MD 410 and two existing driveways along Van Buren Street. The eastern most driveway along Van Buren Street primarily provides access to the rear of the existing integrated shopping center. The second driveway along Van Buren Street, located further west, provides access to the parking lot and building entrances for the integrated shopping center. This driveway extends parallel to the building entrances the entire length of the integrated shopping center. Staff has recommended additional traffic calming measures to discourage higher speeds. Along MD 410, beginning at the intersection and continuing south, there are two driveways providing access to the parking areas for the existing buildings. At the southernmost end of the subject site are two additional driveways that provide access to the proposed building.

All existing access points are full movement, however, MD 410 is a median separated highway therefore there are no left hand turns exiting these driveways. A condition to modify the two driveways located near the proposed building was incorporated to address comments received by SHA. The modifications will channelize the driveways to restrict turning movements and will operate as a right-in right-out along MD 410. The channelization will also reduce the pedestrian crossing distance at these driveways which will reduce conflicts between vehicles and pedestrians. In order to further reduce conflicts for vehicles entering the site, staff has recommended additional signage and striping to facilitate one-way vehicular movement on site.

- (ii) Entrance drives should provide adequate space for queuing;

Comment: The driveways near the proposed building allow for direct access to the parking areas. Concerns around queuing from the drive-through onto MD 410 were raised during the Planning Board Hearing. Staff believe there is sufficient space for queuing on site, however, staff

recommends submitting a queuing plan for the drive-through operation prior to certification of the DSP. 330' roughly

- (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;

Comment: Staff is recommending that the circulation of the parking area to the south be revised to accommodate one-way vehicular traffic. Staff is recommending additional signage, striping and traffic calming to facilitate one-way vehicular movement on site.

- (iv) Parking areas should be designed to discourage their use as through-access drives;

Comment: The parking areas

- (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;

Comment: Staff is recommending additional signage, striping and traffic calming to facilitate one-way vehicular movement on site.

- (vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;

Comment: Staff is recommending that the circulation of the parking area to the south be revised to accommodate one-way vehicular traffic which will reduce conflicts between pedestrians and vehicles. Staff believe there is sufficient space for queuing on site, however, staff recommends submitting a queuing plan for the drive-through operation prior to certification of the DSP.

- (vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;

Comment: Pick-up areas are located adjacent to the drive-through lane. A crosswalk is shown crossing the exit of the drive-through creating a direct pedestrian path from the building entrance.

- (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;

Comment: Staff is recommending that a separate pedestrian connection be provided near the southern most driveway at a location near the existing crosswalk crossing MD 410. This pedestrian connection shall include a striped crosswalk leading to the entrance of the building and any associated ADA ramps.

- (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

Comment: Staff is recommending additional signage, striping and traffic calming to provide clearly marked pedestrian and vehicular circulation.

- (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and

Comment: Staff is recommending additional signage, striping and traffic calming to provide clearly marked pedestrian and vehicular circulation.

- (xi) Barrier-free pathways to accommodate the handicapped should be provided.

Comment: All pedestrian pathways shall be designed to be ADA accessible.

Conclusion

Staff is recommending modifying the traffic pattern on the site and providing additional signage, striping, and traffic calming to address deficiencies noted on the plan. Staff has prepared an exhibit to identify the areas of revisions to be reviewed by staff prior to certification of the DSP.

The transportation staff can make a finding that the subject property is in general conformance with Section 27 of the prior zoning ordinance and recommends approval if the following conditions of approval are met:

1. Prior to certification of the detailed site plan update the plan to include the following:
 - a. Provide pavement markings and signage to facilitate one-way vehicular traffic south of the proposed building.
 - b. Provide pavement markings and signage to require a right-turn only for vehicles exiting the drive-through.
 - c. Provide a queuing plan that demonstrates the circulation of passenger vehicles accessing the drive-through.
 - d. Reduce the width of the two existing driveway entrances closest to the proposed development to produce a modified channelized right-in and right-out entrance.
 - e. Provide an updated truck turning plan for the channelized entrances.
 - f. Provide a pedestrian connection to the building entrance from MD 410 at a location near the existing crosswalk located at the southern portion of the site.
 - g. Provide a pedestrian circulation plan for all pedestrian connections to the proposed building and the site's frontage of MD 410.
 - h. Provide the appropriate signage for one-way circulation throughout the area located near the channelized entrances to include stop signs, do not enter, and right-turn only.
 - i. Provide highly visible traffic calming elements near driveway entrances and along the drive aisle to the east of the proposed building as appropriate
 - j. Provide striped crosswalks and ADA ramps for pedestrian routes crossing a drive aisle.

2. Loading and deliveries shall occur outside of peak hours of operation. Use of loading area and deliveries are restricted to the hours of 11 p.m. to 7 a.m.



Countywide Planning Division
Prince George's County Planning Department

301-952-3650

October 29, 2024

MEMORANDUM

TO: Natalia Gomez Rojas, Planner IV, Zoning Section, DRD
VIA: Tom Burke, Planning Supervisor, Environmental Planning Section, CWPD *TB*
FROM: Christian Meoli, Planner II, Environmental Planning Section, CWPD *CM*
SUBJECT: **McDonald's Ager Road: DSP-22001 and TCP2-004-2024 [Addendum]**

The Environmental Planning Section (EPS) has reviewed the above referenced detailed site plan (DSP) application received on January 24, 2024. Comments were provided in a Subdivision and Development Review Committee (SDRC) meeting on February 16, 2024. Revised plans were received on June 20, 2024. The EPS referral memo (dated July 2, 2024) was included in the backup material for the staff report. This addendum to the EPS referral addresses questions raised by the Commissioners at the October 24, 2024, Planning Board hearing.

Natural Resources Inventory

During the Planning Board hearing on October 24, 2024, testimony was submitted regarding certain trees that were not shown on NRI-026-2022 (including Willow Oaks and Black Gums) and a potential misidentification of the Elms on the site (Slippery Elm instead of American Elm). The natural resources inventory (NRI) does not identify every species found on the property, but rather, it utilizes a sampling method to characterize the overall forest stand in accordance with the State of Maryland's Forest Conservation Act. Individual trees are only shown on NRIs to document specimen, historic, or champion trees in accordance with the 2010 Prince George's County Woodland Conservation Ordinance (WCO). Specimen trees are identified as trees having a diameter at breast height of 30 inches or more; however, no individual trees are depicted on the NRI since no trees on the site meet these minimum size requirements. The potential misidentification of the Elm trees is minor and does not have an impact on staff's findings. In response to the Commissioner's request, staff reaffirms that the NRI was approved in accordance with the requirements of the WCO and that the NRI remains valid until April 28, 2027.

Woodland Conservation

EPS staff evaluated the tree clearing based on the requirements of the WCO and found that the use of off-site credits to meet woodland conservation requirements was reasonable. Though the proposal accounts for the clearing of all woodlands on the site as required by the WCO, EPS staff is supportive of the retention of existing individual trees and vegetation to fulfill other requirements, such as tree canopy coverage. EPS defers to the Urban Design Section to evaluate the landscape plans for the use of any existing vegetation and Crime Prevention Through Environmental Design (CPTED) principles where appropriate.

Exhibit "G"

MEMORANDUM

February 26, 2024

TO: Joshua Mitchum, Urban Design Section
Development Review Division, M-NCPPC

FROM: Rey De Guzman, P.E., Associate Director *Rey de Guzman*
Site/Road Plan Review Division, DPIE

Re: McDonald's Ager Road
DSP-22001

CR: East-West Highway (MDSHA)
CR: Ager Road (MDSHA)

This memorandum is in response to the Detailed Site Plan DSP-22001 referral. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The proposed development is located at 6565 Ager Road, on the NW quadrant of the intersections of East-West Highway and Ager Road
- The applicant proposes the development of an eating and drinking establishment with drive-thru service.
- DSP-22001 is consistent with the Site Development Concept Plan 30395-2021, approved May 26, 2022.

DPIE Site Road Traffic Comments:

- This site fronts East-West Highway (MD 410) and Ager Road. Ager Road in this area is managed by the Maryland Department of Transportation State Highway Administration (MDOT SHA). As such we defer all comments on this to MDOT SHA.

DPIE Water and Sewer Comments:

- The 2018 Water and Sewer Plan designates Parcel 23 in Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Tier, and within Tier I under the Sustainable Growth Act – approved for sewer service. Parcel 23 is developed in the aerial view.

Exhibit "H"

- Water and sewer lines abut and traverse the properties.
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
 - a) The exact acreage of impervious areas has been provided in the concept plan.
 - b) Proposed grading is shown on plans.
 - c) Delineated drainage areas at all points of discharge from the site have been provided in the concept plan.
 - d) Stormwater volume computations have been provided with the concept plan.
 - e) Erosion/sediment control plans that contain the construction sequence, any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion, and sediment control practices are not included in this submittal.
 - f) Provide a stream restoration plan, if applicable, associated with ESD practices.
 - g) A narrative per the Code has been provided.
- DPIE has no objection to DSP-22001.

If you have any questions or require additional information, please contact Mr. Steve Snyder, P.E., the District Engineer for the area, at (301) 883-5710.

cc: Steve Snyder, P.E., District Engineer, S/RPRD, DPIE
McDonalds USA, LLC, 110 N. Carpenter St., Chicago, IL 60607
Edward Gibbs, 1300 Caraway Court 102, Largo, MD 20774

GomezRojas, Natalia

From: Snyder, Steven G. <SGSnyder@co.pg.md.us>
Sent: Thursday, October 31, 2024 3:58 PM
To: GomezRojas, Natalia
Cc: Adamu, Nfor; Garland, Hyojung; Abdullah, Mariwan; De Guzman, Reynaldo S.
Subject: RE: DSP-22001 MCDONALD'S AGER ROAD
Attachments: SWML-DSP-22001.pdf; SWMP-DSP-22001.pdf; McDonald's Ager Road DSP-22001.pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello Natalia

Below are my responses in red to your questions.

Steven G. Snyder, P.E. | District Engineer – Site Road Plan Review Division
Prince Georges County Department of Permitting Inspections and Enforcement

9400 Peppercorn Place | Suite 230 | Largo, Maryland 20774
Office phone 301 883 5740 | Cell phone 240 695 8706 | Email sgsnyder@co.pg.md.us

From: GomezRojas, Natalia <Natalia.GomezRojas@ppd.mncppc.org>
Sent: Tuesday, October 29, 2024 4:57 PM
To: De Guzman, Reynaldo S. <rsdeguzman@co.pg.md.us>; Snyder, Steven G. <SGSnyder@co.pg.md.us>
Cc: Adamu, Nfor <NGAdamu@co.pg.md.us>; Garland, Hyojung <hyojung.garland@ppd.mncppc.org>
Subject: DSP-22001 MCDONALD'S AGER ROAD
Importance: High

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Good afternoon Ray and Steve,

The application in subject has been of significant interest from the nearby residents and other civic groups. Their main concern is the adequacy of the approved Stormwater Management Concept Plan SCDP# 30395-2021, attached to this email from which I have the following questions:

- Could you please confirm that the information presented is sufficient and that it fully meets the stormwater management requirements for this DSP? In other words, what elements of the plan you looked during your review process to approve the plan? **The Applicant is required to comply with PGC Stormwater Design Manual for both water quality (ESD to the MEP) and water quantity rate control (attenuation of the 24 hour 100-yr storm event)**
- Another point of contention is the average rainfall, which is now stated to be 8.5 inches. Could you please confirm the accuracy of this statement and its relevance to the SCDP? **Techno-gram 007-2016 (link provided below) applies to this site. The techno-gram states for the 24 hour 100-yr storm, the rainfall is 8.5 inches. The Concept SWM report for the site indicates Type II 24-hr 100-yr rainfall=8.44**

“Exhibit “I”

https://www.princegeorgescountymd.gov/sites/default/files/media-document/Techno-gram_007-2016_Revised_24-Hour_Rainfall_Intensity_in_Computing_Discharge_for_100-year_Storm_Events.pdf

- Lastly, is it true that DPIE is requiring developers to use more intense 100 storm in their Stormwater Management Concept Plan? And if so, does SCDP# 30395-2021 meets this requirement? **24 hour 100-yr storm rainfall of 8.5 inches is the current standard for quantity control in Prince George's County**

I would appreciate any timely information you could provide so we can prepare our responses to the public's testimony accordingly prior to the upcoming hearing.

Natalia Gomez Rojas

Planner IV | Planning Director's Office

301-780-8116 | natalia.gomezrojas@ppd.mncppc.org



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THE PRINCE GEORGE'S COUNTY GOVERNMENT



Department of Permitting, Inspections and Enforcement

Site/Road Plan Review Division

9400 Peppercorn Place, Suite 420
Largo, Maryland 20774
(301) 883-5710



STORMWATER MANAGEMENT CONCEPT APPROVAL

CASE NAME: PEER REVIEW-HYATTSVILLE, PARCEL 23 - McDONALDS CASE #: 30395-2021-00
APPLICANT'S NAME: MCDONALDS USA, LLC
ENGINEER : BOHLER

REQUIREMENTS:

Technical Review is required for PUBLIC/PRIVATE Storm Drain/SWM Construction.

Type of Storm Drainage/SWM Construction is PRIVATE.

These additional approvals are required: STATE HIGHWAY ADMINISTRATION.

These fees apply: REVIEW.

These bonds apply: None.

Required water quality controls: SEE CONDITION 1.

Required water quantity controls: 100 YEAR ATTENUATION(S).

A maintenance agreement is required.

No special conditions apply.

Required easements: None.

Storm Water Management fee payment of none in lieu of providing on-site attenuation/quality control measures.
(Fee-In-Lieu subject to change during technical review.)

CONDITIONS OF APPROVAL:

1. WATER QUALITY CONTROL REQUIREMENTS: TWO MICRO-BIORETENTION, TWO U/G STORAGE.
 2. SHA APPROVAL REQUIRED.
 3. THIS PROJECT WILL REQUIRE A SITE DEVELOPMENT FINE GRADING PERMIT.
 4. 100-YR REQUIREMENT PROVIDED BY TWO UNDERGROUND STORAGE FACILITIES.
 5. 100-YR QUANTITY MANAGEMENT TO BE PROVIDED FOR LOD WITH ADEQUATE CONVEYANCE OF ANY BYPASS/OFFSITE AREAS DRAINING THROUGH THE SITE.
- REVIEWED BY CRC / SGS.

APPROVED BY:

Rey De Guzman

APPROVAL DATE: May 26, 2022
EXPIRATION DATE: May 26, 2025

FOR OFFICE USE ONLY

ADC MAP:	5409 D-5	200' SHEET:	208NE02
STREET NAME:	AGER RD		
WATERSHED:	15-Sligo Creek		
NUMBER OF DU'S:	0	COST PER DWELLING:	0

CC: APPLICANT, SCD, PERMITS
P.G.C FORM #3693 (REV 04/93)

- SUBJECT:** Application of 24-hour rainfall intensity of 8.5 inches versus 7.4 inches in computing discharge for 100-year storm events
- PURPOSE:** The purpose of this Techno-gram is to change the requirements pertaining to 24-hour rainfall intensity of 8.5 inches versus 7.4 inches in computing discharges for 100-year storm events
- SCOPE:** The scope of this Techno-gram is to establish the revised stormwater management requirements as required per the Prince George's County Code, Section, 32-180 and administered through the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)

The following is a revision to this previously issued Techno-gram 007-2016. This change in rainfall requirements shall apply for all calculations submitted to Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The 24-hour rainfall intensity of 7.4 inches and Type II rainfall distribution constitutes the historic precipitation standard used in Natural Resources Conservation Service (NRCS) Soil Conservation Service (SCS) Methodology to compute the 100-year discharge in Prince Georges County, Maryland. The original techno-gram issued in February of 2022 required the use of the higher 8.5-inch rainfall intensity for storm drain and stormwater management systems. With the issuance of this techno-gram, the 8.5-inch rainfall intensity shall be used for all systems, including floodplain studies and major culverts and bridges.

DPIE will no longer allow the use of the 24-hour rainfall intensity of 7.4 inches (100-year storm) and the Type II distribution. Similarly, the 24-hour rainfall intensity of 5.3 inches (10-year storm) and 3.3 inches (2-year storm) shall no longer be utilized.

The following 24-hour rainfall intensities shall be utilized based on the current National Oceanic and Atmospheric Administration (NOAA) Atlas 14 precipitation frequency estimates for Central Prince George's County, Maryland, as adopted by NRCS and the local Soil Conservation District. These rainfall intensities shall be utilized in calculations required for 100-year floodplain studies, bridges, major culverts, stormwater management ponds, dam safety analyses, and storm conveyance:

- **100-year storm -- 8.50 inches with the NOAA 'C' Distribution**
- **10-year storm — 4.93 inches with the NOAA 'C' Distribution**
- **2-year storm — 3.19 inches with the NOAA 'C' Distribution.**

For enclosed storm drain systems, culverts, bridges, and open channel storm drain systems, DPIE will require the use of the rainfall intensities identified in the *Prince George's County Stormwater Management Design Manual*, Appendix 8-8 or as described below. These are based on the NOAA Atlas 14 rainfall intensities. The *Prince George's County Stormwater Management Design Manual* requires sizing of culverts as follows:

- Drainage area less than 20 acres (minor culverts) — use Rational Equation and Rainfall Intensities in Appendix 8-8 of the *Prince George's County Stormwater Management Design Manual*.
- Drainage area 20 to 50 acres (between minor and major culverts) — use Rational Equation and Rainfall Intensities in Appendix 8-8 — OR — NRCS Technical Release 20 (TR-20)". If NRCS Technical Release 20 (TR-20)" is utilized, use rainfall intensities as noted above in bold lettering.
- Drainage area 50 acres and larger (major culverts) — use NRCS Technical Release 20 (TR-20)" with rainfall intensities as noted above in bold lettering.
- Engineers shall utilize WIN-TR20 software when modeling watersheds noted above.

Engineers shall implement the following guidance when utilizing previously approved 100-year Floodplain Studies and Delineations.

Starting Water Surface Elevations: For projects that are utilizing a previously approved downstream 100-year floodplain study to establish a starting water surface elevation for a new 100-year floodplain study upstream, the Engineer shall add one (1) vertical foot at the last cross section of the downstream floodplain study.

Delineations:

- **FEMA:** For projects that are utilizing a previously approved FEMA map approved in 2016, the Engineer shall delineate the 100-year floodplain by adding one (1) vertical foot to the base flood elevation (BFE), to adjust for the 7.4-inch versus 8.5-inch rainfall amount and adding another one (1) vertical foot of freeboard, as required by Techno-gram 004-2020. Engineers have the option to rerun the hydrology and hydraulics of a FEMA study, with the 8.50-inch rainfall intensity and Type C storm distribution. If this option is chosen, then the Engineer shall add one (1) vertical foot of freeboard to the adjusted BFE.

- **Existing County Watershed Studies:** For projects that are utilizing a County watershed study approved prior to the date of this techno-gram, the Engineer shall delineate the 100-year floodplain by adding one (1) vertical foot to the BFE, to adjust for the 7.4-inch versus 8.5-inch rainfall amount. The Engineer shall add another one (1) vertical foot of freeboard, as required by Techno-gram 004-2020, which is required for all watershed studies except for the Anacostia River, Bear Branch, Crow Branch and Beaverdam Creek. Engineers have the option to rerun the hydrology and hydraulics of a County Watershed study, with the 8.50-inch rainfall intensity and Type C storm distribution. If this option is chosen, then the Engineer shall add one (1) vertical foot of freeboard to the adjusted BFE.
- **New County Watershed Studies:** Prince George’s County Department of the Environment (DoE) is currently updating the County watershed studies. Once these watershed studies are published, the Engineer shall delineate the 100-year floodplain by adding one (1) vertical foot to the BFE.
- **Consultant Studies:** For projects that are utilizing a previously approved consultant study, the Engineer shall remodel with flow rates using the higher rainfall intensities.

Grandfathering (Floodplain):

- a) If a permit project received a 100-year floodplain delineation approval prior to 2017, this requirement will be implemented, due to the change in FEMA maps and other factors.
- b) If a permit project received a 100-year floodplain delineation approval between 2017 and the effective date of this techno-gram, DPIE will not require a revision to the delineation.
- c) If a permit project submitted a 100-year floodplain delineation between 2017 and the effective date of this techno-gram, DPIE will not require a revision to the delineation. However, after February 1, 2024, these delineations shall be revised to comply with this techno-gram.
- d) All floodplain studies or delineations submitted after the effective date of this techno-gram shall be prepared in accordance with this techno-gram.

Grandfathering (Culvert and Bridge Sizing):

- a) If a permit project received a technical approval or permit issuance of a culvert or bridge prior to 2017, this requirement will be implemented, due to the change in FEMA maps and other factors.
- b) If a permit project received culvert or bridge permit issuance between 2017 and the effective date of this techno-gram, DPIE will not require a revision to the culvert or bridge size.
- c) If a permit project submitted a culvert or bridge permit between 2017 and the effective date of this techno-gram, DPIE will not require a revision to the culvert or bridge size. However, after February 1, 2024, these culverts or bridges shall be revised to comply with this techno-gram.
- d) All culvert and bridge permits submitted after the effective date of this techno-gram shall be prepared in accordance.

APPROVED BY:

Dawit Abraham

Dawit Abraham, Acting Director
Prince George's County Department of
Permitting, Inspections and Enforcement

July 28, 2023
Date



"NEW" NOAA ATLAS 14
RAINFALL RATES

NOAA's National Weather Service
 Hydrometeorological Design Studies Center
 Precipitation Frequency Data Server (PFDS)

Home Site Map News Organization Search PFDS All NOAA Go

NOAA ATLAS 14 POINT PRECIPITATION FREQUENCY ESTIMATES: MD

DATA DESCRIPTION

Data type: precipitation depth Units: english Time series type: partial duration

SELECT LOCATION

1. Manually:

a) Enter location (decimal degrees, use "-" for S and W): latitude: longitude: submit

b) Select station (click here for a list of stations used in frequency analysis for MD): select station

2. Use map:

a) Select location (move crosshair or double click)
 b) Click on station icon
 show stations on map

LOCATION INFORMATION:
 Name: Brandywine, Maryland, US*
 Latitude: 38.7144°
 Longitude: -76.9000°
 Elevation: 152 ft

* source: Google Maps

POINT PRECIPITATION FREQUENCY (PF) ESTIMATES
 WITH 90% CONFIDENCE INTERVALS AND SUPPLEMENTARY INFORMATION
 NOAA Atlas 14, Volume 2, Version 3

PF tabular Graphical Supplementary information Print Page

PDS-based precipitation frequency estimates with 90% confidence intervals (in inches)¹

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.358 (0.323-0.392)	0.426 (0.387-0.470)	0.507 (0.480-0.550)	0.586 (0.512-0.624)	0.641 (0.578-0.707)	0.697 (0.622-0.769)	0.752 (0.689-0.812)	0.808 (0.710-0.895)	0.874 (0.782-0.977)	0.928 (0.802-1.04)
10-min	0.569 (0.516-0.628)	0.682 (0.619-0.751)	0.812 (0.738-0.895)	0.908 (0.816-0.998)	1.02 (0.917-1.13)	1.11 (0.991-1.23)	1.20 (1.06-1.32)	1.28 (1.13-1.42)	1.38 (1.21-1.55)	1.46 (1.26-1.64)
16-min	0.711 (0.645-0.782)	0.857 (0.778-0.944)	1.03 (0.931-1.13)	1.15 (1.04-1.28)	1.30 (1.16-1.43)	1.41 (1.26-1.55)	1.51 (1.34-1.67)	1.61 (1.42-1.78)	1.74 (1.52-1.95)	1.83 (1.59-2.08)
30-min	0.874 (0.804-1.07)	1.18 (1.07-1.30)	1.46 (1.32-1.61)	1.68 (1.50-1.83)	1.92 (1.72-2.12)	2.12 (1.89-2.34)	2.31 (2.05-2.58)	2.51 (2.21-2.79)	2.77 (2.41-3.10)	2.97 (2.57-3.34)
60-min	1.22 (1.10-1.34)	1.49 (1.35-1.64)	1.87 (1.70-2.06)	2.16 (1.95-2.38)	2.68 (2.29-2.82)	2.87 (2.56-3.17)	3.19 (2.83-3.53)	3.52 (3.10-3.81)	3.97 (3.46-4.44)	4.34 (3.75-4.87)
2-hr	1.42 (1.29-1.57)	1.73 (1.57-1.91)	2.19 (1.99-2.42)	2.65 (2.30-2.81)	3.08 (2.74-3.37)	3.47 (3.09-3.82)	3.90 (3.45-4.31)	4.38 (3.83-4.83)	5.06 (4.34-5.58)	6.93 (4.74-8.20)
3-hr	1.53 (1.39-1.70)	1.88 (1.69-2.08)	2.38 (2.13-2.61)	2.78 (2.48-3.05)	3.33 (2.90-3.87)	3.79 (3.36-4.19)	4.29 (3.77-4.75)	4.81 (4.19-5.35)	6.57 (4.79-8.22)	8.19 (5.25-8.95)
6-hr	1.87 (1.70-2.08)	2.27 (2.06-2.52)	2.87 (2.59-3.18)	3.38 (3.02-3.73)	4.09 (3.64-4.53)	4.71 (4.18-5.22)	5.38 (4.70-5.98)	6.11 (5.28-6.81)	7.18 (6.10-8.08)	8.08 (6.77-9.13)
12-hr	2.28 (2.03-2.54)	2.73 (2.45-3.08)	3.46 (3.10-3.89)	4.10 (3.65-4.60)	5.08 (4.40-5.87)	5.91 (5.15-6.82)	6.84 (5.90-7.89)	7.89 (6.70-8.99)	9.48 (7.89-10.8)	10.9 (8.88-12.4)
24 hr	3.93 (2.39-2.94)	3.19 (2.87-3.57)	4.12 (3.73-4.61)	4.93 (4.49-5.51)	6.17 (5.53-8.45)	7.27 (6.47-9.34)	8.91 (7.30-9.37)	9.91 (8.84-10.9)	12.1 (10.4-13.2)	13.9 (11.9-15.3)
2-day	3.04 (2.75-3.40)	3.89 (3.34-4.13)	4.78 (4.30-5.21)	5.89 (5.11-6.33)	7.06 (6.32-7.88)	8.27 (7.36-9.18)	9.82 (8.47-10.7)	11.1 (9.72-12.3)	13.4 (11.8-14.9)	15.4 (13.1-17.1)
3-day	3.22 (2.92-3.58)	3.90 (3.54-4.34)	5.01 (4.54-5.57)	5.96 (5.39-6.83)	7.40 (6.64-8.20)	8.65 (7.71-9.57)	10.0 (8.97-11.1)	11.6 (10.2-12.8)	13.9 (12.0-15.4)	16.9 (13.8-17.8)
4-day	3.39 (3.09-3.76)	4.10 (3.73-4.58)	5.26 (4.78-5.84)	6.26 (5.68-6.82)	7.74 (6.98-8.55)	9.03 (8.07-9.95)	10.5 (9.28-11.5)	12.0 (10.6-13.2)	14.4 (12.5-15.9)	18.6 (14.2-18.1)
7-day	3.93 (3.60-4.32)	4.73 (4.35-5.21)	6.09 (5.49-6.58)	7.08 (6.49-7.75)	8.68 (7.87-9.48)	10.0 (9.05-11.0)	11.6 (10.3-12.8)	13.2 (11.7-14.4)	16.7 (13.8-17.1)	19.5 (15.4-19.5)

10-day	4.48 (4.13-4.90)	5.38 (4.90-5.68)	6.71 (6.18-7.33)	7.82 (7.19-8.54)	9.44 (8.63-10.3)	10.6 (9.82-11.7)	12.2 (11.1-13.3)	13.8 (12.4-15.0)	16.1 (14.3-17.5)	18.0 (15.9-19.0)
20-day	6.04 (5.64-6.50)	7.18 (6.70-7.73)	8.69 (8.09-9.39)	9.91 (9.22-10.8)	11.6 (10.6-12.5)	13.0 (12.0-13.9)	14.4 (13.2-15.4)	15.9 (14.5-17.0)	17.8 (16.3-19.2)	19.6 (17.7-21.0)
30-day	7.45 (6.96-7.96)	8.83 (8.25-9.46)	10.6 (9.81-11.3)	11.9 (11.0-12.7)	13.7 (12.7-14.7)	15.2 (14.1-16.2)	16.7 (15.4-17.8)	18.2 (16.7-19.4)	20.3 (18.5-21.7)	21.9 (19.9-23.4)
45-day	8.37 (8.63-8.94)	11.1 (10.4-11.7)	12.9 (12.2-13.7)	14.4 (13.5-15.3)	16.3 (15.3-17.3)	17.7 (16.6-18.6)	19.1 (17.9-20.3)	20.5 (19.2-21.6)	22.3 (20.7-23.7)	23.7 (21.9-25.2)
60-day	11.1 (10.5-11.8)	13.1 (12.4-13.8)	15.2 (14.3-16.1)	16.7 (15.8-17.7)	18.7 (17.6-19.8)	20.2 (18.9-21.3)	21.5 (20.2-22.8)	22.9 (21.4-24.2)	24.6 (22.9-26.0)	25.8 (24.0-27.4)

Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parentheses are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

Estimates from the table in csv format:

Main Link Categories:
[Home](#) | [MNC\(OHD\)](#)

US Department of Commerce
 National Oceanic and Atmospheric Administration
 National Weather Service
 National Water Center (formerly OHD)
 1325 East West Highway
 Silver Spring, MD 20910
 Page Author: HDSC webmaster
 Page last modified: August 27, 2014

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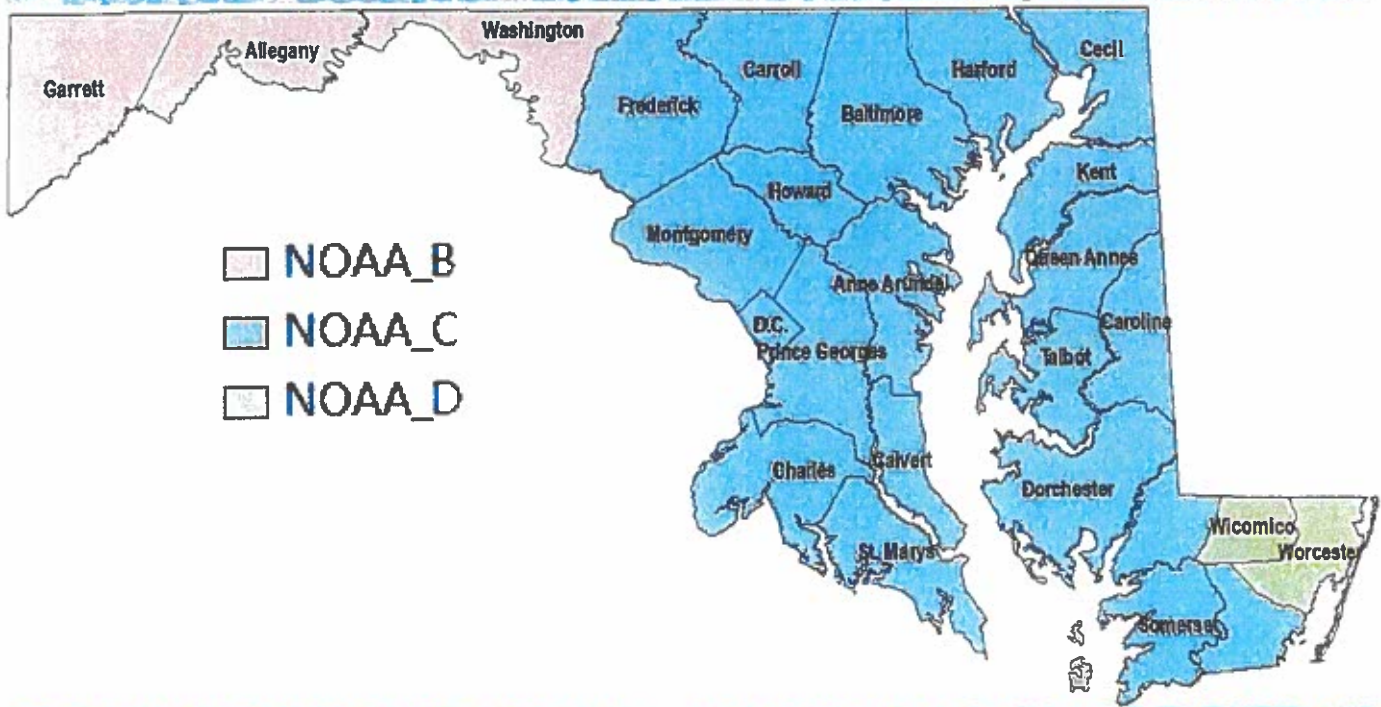
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RAINFALL INTENSITIES
RATIONAL EQUATION

(EXCERPT FROM PRINCE GEORGES COUNTY
STORMWATER DESIGN MANUAL)

New NRCS rainfall distributions based on NOAA 14 data for Maryland



June 2015

15

RATIONAL METHOD RAINFALL INTENSITY TABLE

NOAA 14-2004: Intermediate Values from Interpolation (Upper Marlboro 3 NNW: 18-9070)							
PRINCE GEORGE'S COUNTY MARYLAND RAINFALL INTENSITY (INCHES/HOUR)							
DURATION (MINUTES)	RETURN PERIOD (YEARS)						
	1	2	5	10	25	50	100
5.00	4.20	5.04	6.00	6.72	7.56	8.28	8.88
6.00	4.03	4.84	5.76	6.44	7.26	7.93	8.51
7.00	3.86	4.63	5.52	6.17	6.96	7.58	8.14
8.00	3.70	4.43	5.28	5.89	6.66	7.24	7.76
9.00	3.53	4.22	5.04	5.62	6.36	6.89	7.39
10.00	3.36	4.02	4.80	5.34	6.06	6.54	7.02
11.00	3.25	3.89	4.65	5.18	5.86	6.34	6.80
12.00	3.14	3.76	4.50	5.01	5.67	6.13	6.58
13.00	3.02	3.62	4.34	4.85	5.47	5.93	6.36
14.00	2.91	3.49	4.19	4.68	5.28	5.72	6.14
15.00	2.80	3.36	4.04	4.52	5.08	5.52	5.92
16.00	2.74	3.29	3.96	4.44	4.99	5.43	5.83
17.00	2.68	3.22	3.89	4.35	4.91	5.34	5.74
18.00	2.62	3.16	3.81	4.27	4.82	5.25	5.64
19.00	2.57	3.09	3.73	4.19	4.73	5.16	5.55
20.00	2.51	3.02	3.65	4.11	4.65	5.07	5.46
21.00	2.45	2.95	3.58	4.02	4.56	4.98	5.37
22.00	2.39	2.88	3.50	3.94	4.47	4.89	5.28
23.00	2.33	2.82	3.42	3.86	4.39	4.79	5.18
24.00	2.27	2.75	3.34	3.78	4.30	4.70	5.09
25.00	2.21	2.68	3.27	3.69	4.21	4.61	5.00
26.00	2.15	2.61	3.19	3.61	4.13	4.52	4.91
27.00	2.10	2.54	3.11	3.53	4.04	4.43	4.82
28.00	2.04	2.48	3.03	3.45	3.95	4.34	4.72
29.00	1.98	2.41	2.96	3.36	3.87	4.25	4.63
30.00	1.92	2.34	2.88	3.28	3.78	4.16	4.54
31.00	1.90	2.31	2.85	3.24	3.74	4.12	4.49
32.00	1.87	2.28	2.81	3.20	3.70	4.07	4.45
33.00	1.85	2.25	2.78	3.17	3.65	4.03	4.40
34.00	1.82	2.22	2.74	3.13	3.61	3.98	4.35
35.00	1.80	2.19	2.71	3.09	3.57	3.94	4.31
36.00	1.78	2.16	2.67	3.05	3.53	3.89	4.26
37.00	1.75	2.13	2.64	3.01	3.48	3.85	4.21
38.00	1.73	2.11	2.60	2.97	3.44	3.80	4.16
39.00	1.70	2.08	2.57	2.94	3.40	3.76	4.12
40.00	1.68	2.05	2.53	2.90	3.36	3.71	4.07
41.00	1.66	2.02	2.50	2.86	3.31	3.67	4.02
42.00	1.63	1.99	2.46	2.82	3.27	3.62	3.98
43.00	1.61	1.96	2.43	2.78	3.23	3.58	3.93
44.00	1.58	1.93	2.39	2.74	3.19	3.53	3.88
45.00	1.56	1.90	2.36	2.71	3.15	3.49	3.84
60.00	1.20	1.46	1.84	2.13	2.51	2.82	3.13

Rational Method Rainfall Intensity Table
Issue Date: July 26, 2014



Countywide Planning Division
Historic Preservation Section

301-952-3680

October 30, 2024

MEMORANDUM

TO: Natalia Gomez Rojas, Planner IV, Planning Director's Office

VIA: Thomas Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **AGC**

SUBJECT: DSP-22001 and DDS-23001 (adjacent to Green Hill, Historic Site 65-008)

Findings

The subject property comprises 4.16 acres and is located at 6565 Ager Road, in the northwest quadrant of the intersection of East West Highway and Ager Road, in Hyattsville. The site is in the Green Meadows Shopping Center. The applicant proposes demolishing the existing 1,995-square-foot building located in the southern portion of Parcel 23 and constructing an approximately 4,073-square-foot McDonald's eating and drinking establishment with drive-thru service.

At the October 24, 2024, Planning Board meeting, members of the public expressed concern about the possible presence of burials of enslaved individuals on the developing property.

The subject property is adjacent to Green Hill, Historic Site 65-008, located at 1009 Van Buren Street in Hyattsville. The earliest section of the main house may have been built for William Dudley Digges, a member of the Maryland House of Delegates, in 1817 and 1818. According to historical records, the Digges family enslaved between 15 and 40 individuals any given year between 1820 and 1850, including at the Green Hill property. The subject property was once part of the Green Hill property, which most likely extended south, as far as Sligo Creek. The estate of Jane A. Riggs sold Green Hill to Sydney Lust on August 2, 1941. Lust and his wife sold three lots totaling approximately 4.16 acres of what would become Parcel 23, on May 31, 1951, to the Alpha Corporation, which would construct the Green Meadows Shopping Center.

The applicant retained Dr. Jim Gibb, a consultant archeologist, to examine the subject property and determine the probability of significant cultural resources being present on the site. Dr. Gibb visited the property on October 27, 2024, and noted that "the level strip bordering the seminary fence appears to be a surviving remnant of the Washington, Westminster & Gettysburg Railroad (archeology site 18PR432)," which was previously identified by him in 1993, just north of the Ager Road crossing of the Northeast Branch of the Anacostia River. The early twentieth-century grade was never completed.

"Exhibit "J"

Dr. Gibb also noted that “construction of the commercial lot on the west, possibly dating to 1949 or subsequent improvements, cut into the hillside behind those establishments. While the parcel may contain inhumations (human burials), there is no evidence of any, and the chances of there being any are neither greater nor lesser than any other piece of level terrain in the region.”

Conclusions

Historic Preservation staff reviewed the subject application for potential impacts to historic and archeological resources, and the application was reviewed by the Historic Preservation Commission (HPC) at its public meeting on March 19, 2024. The HPC submitted comments to the Planning Board regarding the proposed development's impacts on the adjacent Green Hill Historic Site.

There is no statutory basis under the Zoning Ordinance (Subtitle 27) to require archeological investigation as part of the review of a detailed site plan application. Protection of significant archeological sites is required per Sec. 24-121(a)(18), which pertains to the review of preliminary plans of subdivision. As no preliminary plan of subdivision application is required for the subject development, no archeological investigation of the property could be required.

The applicant's consultant archeologist concluded that “the landforms on the subject property are artificial and of 20th-century vintage, destroying surface evidence of any earlier landforms and deposits. The cuts created by construction of the commercial buildings and of the railroad grade suggest that the original surface was a continuation of the slope descending from the seminary Prospects for inhumations [on the subject property] are poor. In my opinion, they are not a matter of concern, nor are any other types of archeological site.”

Historic Preservation staff concur with the findings and conclusions of the applicant's consultant archeologist that the proposed McDonald's restaurant will not affect any significant archeological resources. However, staff concludes that a consultant archeologist should be present to monitor ground-disturbing activities on the site to record any significant resources that may be identified.

Recommendation

Historic Preservation staff recommend that approval of DSP-22001 and DDS-23001, McDonald's Ager Road, be conditioned on the applicant retaining a consultant archeologist to monitor any ground-disturbing activities on the site for impacts on archeological resources. The consultant archeologist shall have the authority to stop work if any significant features are encountered and shall consult with Historic Preservation Section staff on appropriate mitigation measures, if any, before allowing work to resume.

James G. Gibb
Gibb Archaeological Consulting
2554 Carrollton Road
Annapolis, Maryland 21403
(410) 693-3847 JamesGGibb@verizon.net

October 27, 2024

Edward Gibbs, Esq.
Gibbs and Haller
1300 Caraway Court, Suite 102
Upper Marlboro, Maryland 20774
301-306-0033

Ed:

I visited 6565 Ager Road this afternoon and offer the following observations and recommendations:

1. The level strip bordering the seminary fence (Figure 1) appears to be a surviving remnant of the *Washington, Westminster & Gettysburg Railroad* (18PR432), portions of which I have identified just north of the Ager Road crossing of the Northeast Branch of Anacostia River and west of the river at 6203 Ager Road (Gibb and Creveling 1993, Gibb 2023). See historical note below. The early 20th-century grade was never completed.
2. Construction on the commercial lot on the west (Map 41, Parcel 23), possibly dating to 1949 or subsequent improvements, cut into the hillside behind those establishments (Figure 4).
3. There are several stacks of stone and concrete rubble (Figure 2) on the parcel. These lie directly on, but are not embedded within, the ground; i.e., they were stacked recently. They are improvisational seats and not grave markers (Figure 3).
4. While the parcel may contain inhumations, there is no evidence of any and the chances of there being any are neither greater nor lesser than on any other piece of level terrain in the region.

These landforms are artificial and of 20th-century vintage, destroying surface evidence of any earlier landforms and deposits. The cuts created by construction of the commercial buildings and of the railroad grade suggest that the original surface was a continuation of the slope descending from the seminary. Prospects for inhumations on Map 41, Parcel 24 are poor. In my opinion, they are not a matter of concern, nor are any other types of archaeological site.

Cordially,



James G. Gibb, Ph.D.
Principal & Sole Proprietor

“Exhibit “K”

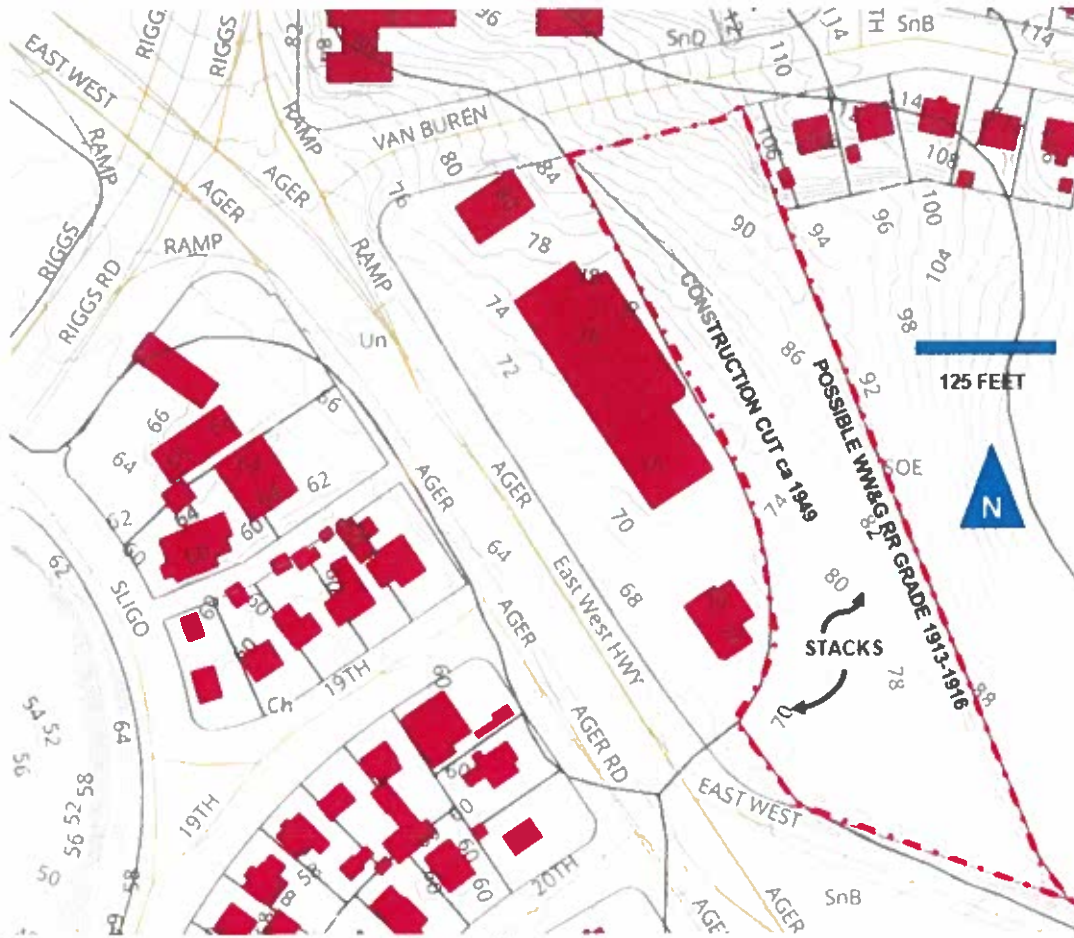


Figure 1. Map of subject parcel (dot-dash red line).



Figure 2. Possible Washington, Westminster & Gettysburg Railroad grade (ca 1913-1916).



Figure 3. Stacked stone/concrete rubble seats indicated by white arrows.

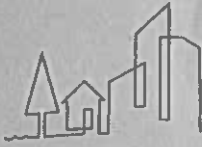


Figure 4. Machine-cut associated with construction of commercial buildings, ca 1949.

Railroad Prism

In 1913 five individuals—Allan Farquhar, Edward P. Thomas, Robert H. Miller, William H. Saunders and Isaac H. Saunders—formed a corporation for the purpose of constructing and operating a railroad. The southern terminus was at or near where the Washington Branch of the B & O Railroad crosses the boundary of Maryland and Washington DC. The railroad was to proceed through Prince George's and Montgomery counties, and then on to Gettysburg, Pennsylvania, via Westminster. The plan was endorsed by the State of Maryland, Secretary of the State's Office, June 2, 1913 (Secretary of State Railroad Records No. 4 May 1912 -- Dec. 31, 1921).

The *Washington, Westminster & Gettysburg Railroad Company* purchased land and right-of-ways in the Brentwood-Hyattsville area (Land Records of Prince George's County 54/458, 459; 60/412; 66/429; 67/298, 301; 91/568, 569; 105/272; 113/234). The last purchases appear to have been made in 1916. Several hundred feet of ROW passed through Lot 4 of Green Hill—then owned by Jane A. Riggs and lying east of Northwest Branch—and through the Ager Road Elementary School lot and through James Parreco's Parcel B. The administrative accounts of the estates of George W. and Thomas Lawrason Riggs (Administrative Accounts 1166 and 1347) suggest that much of Jane Riggs' lot was devoted to sheep or dairy pasture at the time the railroad was planned.



The Maryland-National Capital Park and Planning Commission

**PRINCE GEORGE'S COUNTY
Planning Department**

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SECOND ADDENDUM TO THE TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board

VIA: Hyojung Garland, Supervisor, Urban Design Section, Development Review Division *HG*
Sherri Conner, Acting Chief, Development Review Division *SC*

FROM: Natalia Gomez Rojas, Planning Director's Office *NG*

SUBJECT: McDonald's Ager Road — DSP-22001 and TCP2-004-2024

The subject application was continued from the Planning Board hearing on November 21, 2024 to January 16, 2025. The Development Review Division coordinated with the Planning Director's Office, the Countywide Planning Division (i.e. Transportation Unit), the Prince George's County Department of Permitting, Inspections, and Enforcement, and the Maryland State Highway Administration to review the additional analysis on the following limited scope items:

- a. Vehicular and pedestrian circulation in the shopping center (i.e., crosswalk deficiencies, improvements in internal circulation, drive-through queuing analysis, and Maryland State Highway Administration's associated plans in the right of way of the site).
- b. Preserving the bufferyard on the east side of the property due to incompatible use with the adjacent property.
- c. Markers or other historic elements signifying relevance to the site or area.

Pursuant to the Prince George's County Planning Board's guidance, the applicant submitted additional materials and revised plans considering the items above, which were identified at the November 21, 2024 hearing. This second addendum provides supplemental information and recommendations, which are detailed below:

1. Vehicular and pedestrian circulation

Exhibits 1 and 2, attached hereto, present a general circulation analysis of the Green Meadows Shopping Center, which is considered an integrated shopping center, consistent with the Transportation Planning staff exhibit submitted to the Planning Board at the hearing on November 21, 2024. A revised detailed site plan (DSP) was submitted by the applicant and the proposed improvements are discussed below:

- a. **Improvements to internal circulation:** Exhibit 2 shows an internal circulation design that facilitates accessibility to all buildings within the shopping center, as users may navigate through drive aisles, sidewalks, or crosswalks; thereby, reducing the need for vehicles or pedestrians to utilize the adjacent roadways.

To reduce the speed of entering vehicles and protect pedestrians from the existing on-site traffic, high-visibility traffic calming elements are proposed within the site. As shown in the figure below, additional pavement markings, crosswalks (highlighted in red), and speed bumps (highlighted in green) were added near the driveway entrances and along the drive aisle to the east of the proposed building.

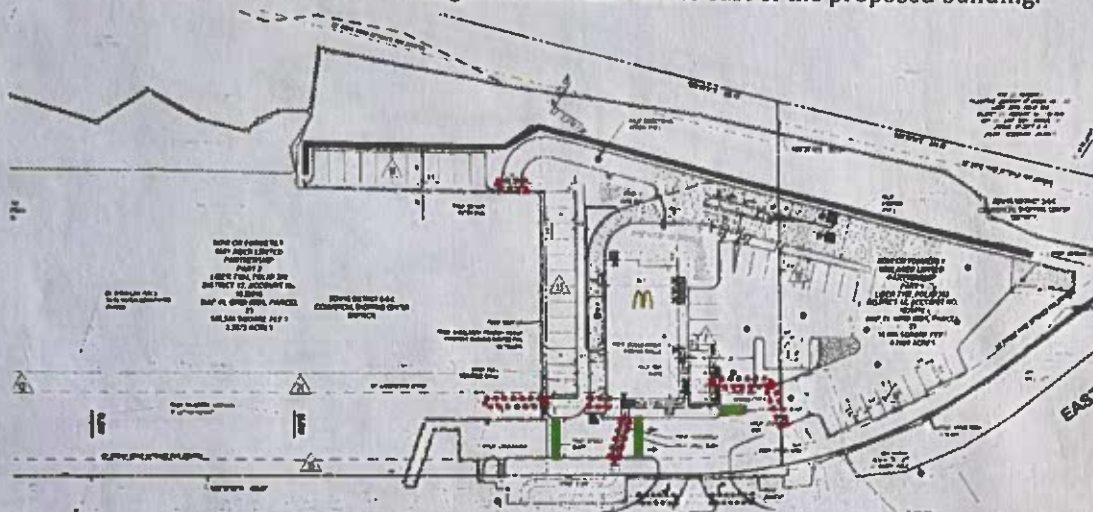


Figure 1. Internal Traffic Calming Elements

To enhance safety and navigation for drivers, additional traffic signage has been proposed to alert vehicles about circulation patterns and one-way traffic throughout the area. This includes signs for stop, do not enter, right-turn only, and no pedestrian access. Proposed crosswalk marking aims to create a safe crossing for pedestrians at the rear of the shopping center.

In addition to the previously outlined improvements, staff reiterate the recommendation to reduce the proposed parking spaces further to align with the minimum requirements. This adjustment intends to enhance traffic flow and mitigate possible conflicts that may arise with circulation patterns in the area. Furthermore, staff suggest exploring the implementation of angled parking, where appropriate, as this could optimize space utilization and improve overall accessibility.

b. **Pedestrian circulation:** To improve pedestrian access and connections to the shopping center, including the proposed standalone pad site building, additional striped crosswalks are planned at several key locations. These include (See illustration below):

- The northern edge of the property, north of the intersection of Van Buren Street and Ager Road
- East of the existing building
- At the drive-through exit

- Along the western edge of the property
- Near the southernmost driveway, close to the existing crosswalk across MD 410 (East West Highway)

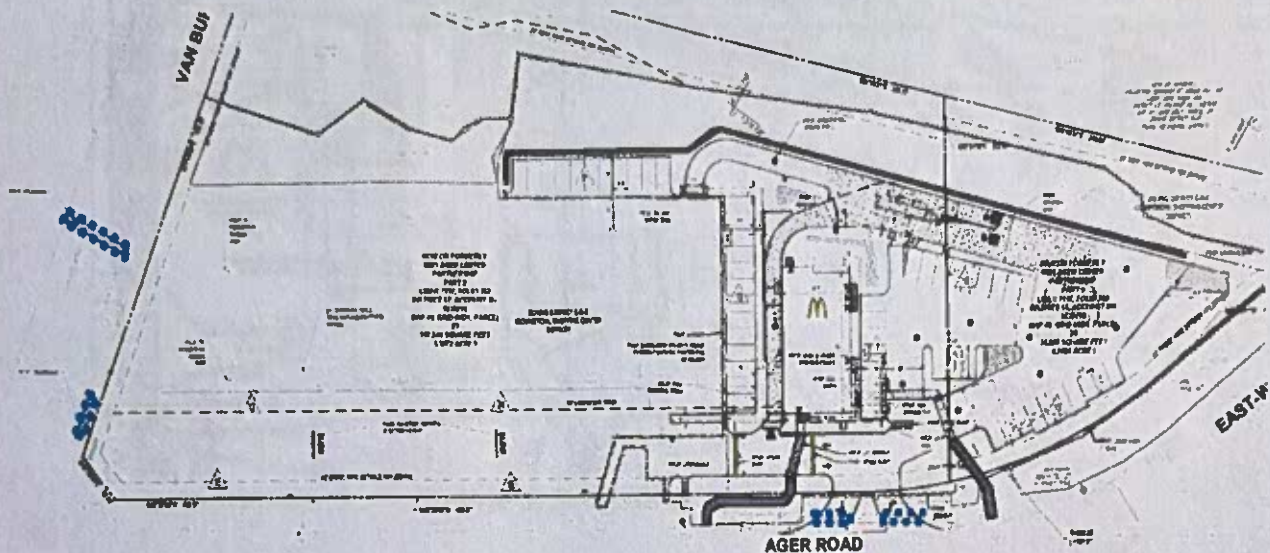


Figure 2. Proposed Crosswalks and Sidewalk

The applicant also proposed one additional mid-block crossing on Van Buren Street, directly into the parking lot. However, per an email from Lord-Attivor to Hancock, attached herein, the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) does not support the proposed mid-block crossing, due to safety concerns. This crossing is, therefore, deemed not feasible. On the other hand, in the same email, DPIE supports and recommends installing a high-visibility crosswalk at the intersection of Van Buren and Ager Road where the intersection is controlled by a stop sign as "[t]his crosswalk would connect to our proposed crosswalk at the intersection of Van Buren Street and Ager Road; thus, connecting the sidewalk that leads into the apartment complex/subdivision with the Shopping Center/ McDonalds." Furthermore, "[u]pgrading this intersection with ADA compliant sidewalks, pedestrian ramps and a high visibility crosswalk that meets the County's standards is recommended, beneficial and critical to the pedestrian experience."

- c. **Drive-through queuing analysis:** Exhibit 3 includes a queuing analysis submitted by the applicant for the drive-through lane portion of the proposed development. As shown below, the plan allows for approximately 12 to 14 vehicles in the double drive-through lanes, from the order lane to the drive-through entrance, and additional space is available to accommodate 6 more vehicles between the pickup window and the order board. More importantly, the illustration shows that, according to Section 27-274(C)(6) of the prior Zoning Ordinance, the design of the drive-through does not conflict with circulation traffic patterns or pedestrian access.

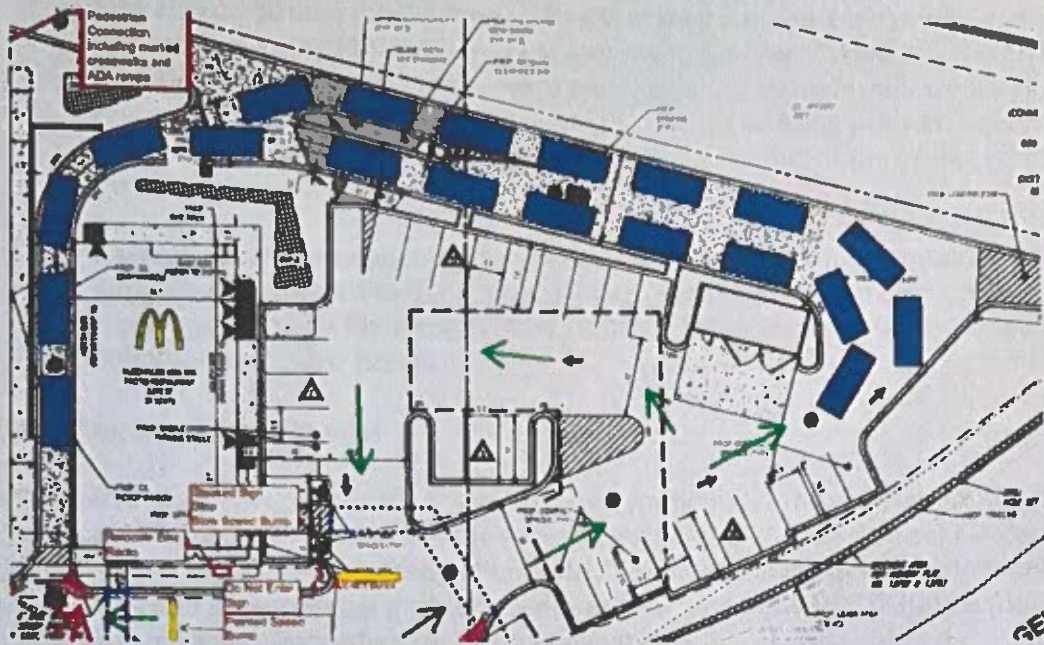


Figure 3. Drive-through Queuing

Furthermore, and as stated in previous submissions, Transportation Planning staff found that the proposed eating and drinking establishment with drive-through has a *de minimus* impact, based on the 2022 "Transportation Review Guidelines". Staff also determined that the proposed development would meet the requirements of the three-step process for average vehicle delay at an unsignalized intersection, if an adequacy test were to be required. The access meets the first step of the three-step process, and no further analysis would be required, if this access point was included in a formal traffic impact study.

- d. **Maryland State Highway Administration's (SHA) associated plans:** On December 20, 2024, Planning Department staff, the applicant, and SHA held a meeting to discuss the proposed/ongoing plans on the right-of-way of MD 410 (East West Highway) and any potential impact to the proposed DSP.

In email from Patrick to Gomez, attached herein, SHA confirmed that the proposed development is within the MD 410 Pedestrian Safety Action Plan project that starts from MD 212 (Riggs Road) and goes to MD 500/Adelphi Road, which is in a design stage and is not expected to begin construction until 2027.

In regard to improvements that could potentially affect the site of the shopping center, SHA stated that the plan includes widening along westbound MD 410 approaching MD 212 which impacts a portion of the frontage of the site. This widening will impact one access driveway and a portion of the sidewalk along the site's frontage. Both will be removed and replaced to accommodate the widening and will include Americans with Disabilities Act (ADA) ramps and a crosswalk at the intersection of Van Buren Street and MD 410. During the meeting, it was determined that the modifications proposed by SHA would not have any impact on the landscaping plans outlined in the current application.

SHA also confirmed during the meeting that they have no additional comments and are not requesting the elimination of any existing access driveways. However, modification to the access driveways and the additional sidewalk connection will require a permit for construction through SHA's permitting process. Lastly, SHA is in support of an additional pedestrian sidewalk connection at the eastern portion of the site, as shown on Exhibit 1.

Based on the improvements presented by the applicant, and as stated in the addendum presented to the Planning Board at the hearing on November 21, 2024, the Transportation Planning Section recommends approval, subject to the additional conditions included herein.

2. Buffering incompatible uses

After the Alternative Compliance Committee determined that the request for Alternative Compliance AC-23017 fails to meet the approval criteria, and after staff acknowledged that the proposed Departure from Design Standard DDS-23001 may not completely resolve the shopping center's trespassing problem, the applicant withdrew DDS-23001 and AC-23017 on December 18 and December 20, 2024, respectively.

Therefore, the subject DSP must conform to Section 4.7 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Section 4.7 requires a Type D bufferyard along the eastern property line adjacent to a historic site, which includes a 50-foot-wide building setback and a 40-foot-wide landscape yard to be planted with 160 plant units per 100 linear feet of property line. However, to comply with crime prevention through environmental design principles regarding surveillance and minimizing blind spots that could facilitate illegal activities, staff recommend the applicant consider trimming any low-hanging branches of existing trees to create a minimum clearance height of 8 feet. As previously stated, the feasibility of trimming the trees will depend on their health and species.

Exhibit 1 attached to this document includes a revised landscape plan, which reflects compliance with the required bufferyard using existing and proposed plantings, pursuant to Section 4.7 of the Landscape Manual. Therefore, staff determined that DSP-22001 is in conformance with the Landscape Manual requirements.

3. Preservation of historic features

In response to the Planning Board's request to highlight the historic features of the area, the applicant has committed to design and install posters regarding enslaved persons, in English and Spanish, within the dining and drinking establishment. These posters will highlight the unique historical features and significance of the area, providing patrons with a deeper appreciation of the locale's rich heritage. A condition is included herein for the poster to be reviewed and approved by the Historic Preservation Section.

RECOMMENDATION

After reviewing the revised plans and additional information submitted by the applicant, staff determined that the following conditions listed in the staff report are no longer applicable: 1c, 2a, 2c, 3a, and ~~3c~~. In addition, the following conditions from the First Addendum are no longer

relevant: 1(b), 1(c), 1(d), 1(e), 1(f), 1(g), 1(h), 1(i), 1(j), and 1(k). Furthermore, additional recommended conditions of approval have been outlined below, in addition to those from the staff report and the First Addendum that remain applicable.

A. Additional conditions of approval

1. Prior to certification of the detailed site plan, update the plan to include the following:
 - (a) Comply with Conditions: 1a, 1b, 1d, 1e, 1f, 1g, 2b and 2d listed in the staff report; and with Conditions 1(a), 1(l), 1(m), 2, and 3, listed in the First Addendum.
 - (b) Revise the Type 2 tree conservation plan as follows:
 - (i) All existing woodland as shown on NRI-026-2022 that is outside of the limits of disturbance shall be retained. The woodland shall be identified as woodland retained – not credited or shall meet the design criteria requirements in Section 25-122(b) of the County Code to be credited as woodland preservation. Update the woodland clearing amount in the woodland conservation worksheet as necessary.
 - (ii) Remove proposed natural regeneration from the plans and the woodland conservation worksheet.
 - (iii) The remaining balance of the woodland conservation requirement shall be revised to be met with off-site woodland conservation credits.
 - (c) Add a note on the landscape plan indicating that low-hanging branches will be trimmed to create a minimum clearance height of 8 feet. The ability to limb the existing trees will depend on the health and species of the tree, as determined by a licensed professional.
2. Prior to approval of the building permit, obtain approval from the Historic Preservation Section for the wording to be used in the historic informational posters.