

Case No.: SE 4686/AC 11028  
McDonald's–University Blvd.

Applicant: McDonald's Corporation

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 1 - 2013

AN ORDINANCE to approve a Special Exception and Alternative Compliance.

WHEREAS, Application No. SE 4686 was filed to request permission to expand an Eating or Drinking Establishment (formerly called Fast Food Restaurant) on approximately 1.07 acres of land in the C–S–C (Commercial Shopping Center) Zone, and to approve alternative compliance to a provision of the Landscape Manual, the property is located on the north side of University Boulevard, approximately 375 feet west of 24<sup>th</sup> Avenue, and identified as 2306 University Boulevard, Hyattsville, Maryland; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, the application was reviewed by the Technical Staff and Planning Board, which filed recommendations with the District Council; and

WHEREAS, a public hearing on the application was held before the Zoning Hearing Examiner; and

WHEREAS, the Zoning Hearing Examiner's recommendations were filed with and considered by the District Council; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be approved; and

WHEREAS, as the basis for this action the District Council adopts the findings of fact, conclusions, and decision of the Zoning Hearing Examiner, as its findings and conclusions in this case.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

Section 1. The Special Exception 4686 and Alternative Compliance AC-11028 are approved, subject to the following modified conditions, which must be satisfied prior to the issuance of permits:

- (1) All development shall be in compliance with the Special Exception Site Plan, the Special Exception Landscape Plan and details, the Trash Corral Detail, the Sign Details and the Color Elevations. These items are Exhibit 34 (a) and (c)-(i) in this record.
- (2) Prior to the issuance of permits Applicant shall revise Note 3 on the Special Exception Site Plan (Exhibit 34 (c)) to reflect 4,372 square feet, as shown on the plan itself. Applicant shall also outline the boundaries of the Special Exception area in red, as required by the Zoning Ordinance. The revised Site Plan shall be submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record.

In order to protect adjacent properties and the surrounding neighborhood, affirmance is also subject to the following additional condition by the District Council.

The applicant shall explore the feasibility of increasing the width of the proposed sidewalk located along its University Boulevard frontage. If increasing the width of the proposed sidewalk is feasible, the applicant shall revise the site plan accordingly. The applicant shall not be required to increase the width of the proposed sidewalk if the increase requires additional approvals from Prince George's County or the Maryland-National Capital Park and Planning Commission, or if the proposed increase is not authorized by the State Highway Administration.

Section 2. This Ordinance shall take effect on the date of its enactment.

Enacted this 28th day of January 2013 by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, Toles and Turner.

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF THE  
MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

By: \_\_\_\_\_  
Andrea C. Harrison, Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council