

Docket Item #8
Development Special Use Permit with Site Plan
#2007-0006
McDonalds Restaurant – 5311 Duke Street

Application	General Data
Project Name: McDonald's Restaurant	Planning Comm. Hearing: November 6, 2008
	City Council Hearing: November 15, 2008
	If approved, DSUP Exp. May 5, 2010 (18 mths.)
	Plan Acreage: 0.66
Location: 5311 Duke Street	Zone: CG
	Dwelling Units: N/A
	Gross Floor Area: 3,908
Applicant/Address: McDonald's USA, LLC by M. Catherine Puskar 690 Rockledge Drive, Suite 1100 Bethesda, MD 20817	Small Area Plan: Landmark/Van Dorn
	Proposed Use: Restaurant with Drive-through
	Historic District: N/A
	Green Building: LEED Credits

Purpose of Application
<p>Proposal includes:</p> <ul style="list-style-type: none"> ▪ Demolishing the existing McDonald's fast food restaurant with drive-through window service; ▪ Re-constructing a 3,908 sq. ft. McDonald's; ▪ Requesting a special use permit for a restaurant use in the CG zone; ▪ Requesting a special use permit for a drive-through facility in the CG zone; and ▪ Requesting a parking reduction.

Staff Recommendation: APPROVAL WITH CONDITIONS
Staff Reviewers: Dirk Geratz, AICP and Colleen Rafferty

PLANNING COMMISSION ACTION, NOVEMBER 6, 2008: On a motion by Ms. Fossum, seconded by Mr. Jennings, the Planning Commission voted to recommend approval of DSUP #2007-0006 for construction of a fast-food restaurant, with drive through, and a parking reduction. The motion carried on a vote of 6 to 0. Mr. Wagner was absent.

Reason: The Commission generally expressed support for the project and revised the following condition to address concerns of the applicant:

24d. A monument sign a maximum of ~~six feet~~ eight feet in height shall be permitted in the location shown on the preliminary plan and the design shall be integrated with the building. (P&Z) (PC)



DSUP #2007-0006

11/06/08



I. EXECUTIVE SUMMARY

A. Staff Recommendation

Staff recommends approval with conditions of this special use permit. Staff finds that the new building design is a vast improvement over the dated 1970's design and the site is enhanced by a reduction in impervious surface area and a significant increase in landscape plantings.

B. Project Description

McDonald's is requesting approval of a development special use permit, with site plan, to construct a 3,908 sq. ft. fast food restaurant with drive-through window service. The project site is located at the northeast corner of North Paxton Street and Duke Street, where a McDonald's currently exists. The land is zoned Commercial General, which requires approval of special use permits for restaurants and drive-through facilities. As part of this proposal the applicant requests approval of such permits, as well as a parking reduction.

II. IMPACT/BENEFIT CHART

TOPICA AREA	COMMENTS
Consistency with Strategic Plan/Small Area Plan	<ul style="list-style-type: none"> ▪ Consistent with Strategic Plan to provide compatible infill development with quality design and architecture. ▪ Consistent with Small Area Plan to provide low-density, commercial development along Duke Street.
Use	<ul style="list-style-type: none"> ▪ 3,908 sq. ft. one-story fast food restaurant with drive-through service.
Lot Size/Open Space	<ul style="list-style-type: none"> ▪ Lot size of 28,847 sq. ft. or 0.66 acres. ▪ Approximately 4,525 sq. ft. or 16 % of site is open space.
Pedestrian Environment	<ul style="list-style-type: none"> ▪ 10 ft .wide sidewalk, 10 ft. wide landscape strip, and street trees provided along frontage road to Duke Street. ▪ 4 ft. wide sidewalk, 6 ft. wide landscape strip, and street trees provided along North Paxton Street. ▪ Pedestrian access from Duke Street and North Paxton Street.
Building Compatibility	<ul style="list-style-type: none"> ▪ 20 foot tall building with a 23 foot tall tower has main entrance on Duke Street. ▪ High quality building materials consist of brick, glass, and metal.
Traffic/Transit	<ul style="list-style-type: none"> ▪ Site is accessible by an existing frontage road and North Paxton Street via Duke Street. ▪ DASH and Metro bus stops along Duke Street. ▪ Existing trip generation will remain at a maximum of 485.
Parking	<ul style="list-style-type: none"> ▪ 21 total surface parking spaces (2 less than required). ▪ Bicycle parking is provided for employees and patrons.

Environmental	▪ LEED Credits
Affordable Housing	▪ Voluntary contribution of \$5,862 (\$1.50 for 3,908 gross sq. ft.).
Employment	▪ 40 total employees, with 4-12 employees per shift.

III. BACKGROUND

A. Site Context and History

The site is located at the northeast corner of North Paxton Street and Duke Street and is currently a McDonald's fast food restaurant. The property was annexed by the City in 1952 from Fairfax County, developed as residential apartments in 1988 (SIT88-0053), and later redeveloped as a Roy Rogers fast food restaurant. In 1997, the City approved a development special use permit, with site plan, to construct a McDonald's fast food restaurant with drive-through window service (SIT97-0021, SUP97-00106). One year later, in 1998, the SUP was amended to increase the number of seats in the restaurant, add a microphone to the drive-through window, and reduce the number of service windows (SUP98-00091).

East of the restaurant is the Landmark Medical Building; to the north is a Burke and Herbert Bank; to the west, across North Paxton Street, are the London Park Towers; and to the south, across Duke Street, are the Windsor at Arbor residential apartments.

IV. PROJECT DESCRIPTION

McDonald's is requesting a development special use permit, with site plan approval to demolish the existing building and construct a new freestanding 3,908 sq. ft. fast food restaurant with drive-through window service. The new building will be generally within the same footprint as the existing structure, which is centrally located on the site. Surface parking is available on the east and north sides of the site. The parking reduction request decreases the 23 required parking spaces to 21 spaces. The two spaces removed are located at the front of the building and will be replaced with landscaping.

The restaurant will employ approximately 40 people with 4-12 people working per shift. The proposed hours of operation are 24 hours, seven days a week which is an increase over the current hours.

V. ZONING

The property is currently zoned Commercial General (CG), which is intended to provide retail and service uses such as automobile-oriented businesses, professional offices, and shopping centers along major roads, like Duke Street. The CG zoning classification requires restaurant uses and drive-through operations to be permitted via approval of a special use permit (SUP).

Table 1. Zoning Tabulations

Property Address:	5311 Duke Street	
Total Site Area:	0.66 acres or 28,847 sq. ft.	
Zone:	Commercial General (CG)	
Current Use:	Restaurant (with Special Use Permit)	
Proposed Use:	Restaurant (with Special Use Permit)	
	Permitted / Existing	Proposed
FAR	0.5	0.135
Yards*		
Front Yard:	N/A	55 feet
Rear Yard:	N/A	52 feet
Side Yard:	N/A	27 feet (west) 54 feet (east)
Height	50 Feet	20 feet 3 inches (23' - 4" tower)
Open Space		
Ground Level:	N/A	4,525 sq. ft. (16%)
Above Grade:	N/A	N/A
Parking		
Compact:	4	2
Standard:	17	17
Handicapped:	2	2
Total:	23	21

**Yard requirements apply only to single family, two family, and townhouse dwellings.*

VI. STAFF ANALYSIS

A. *Restaurant Use*

The proposed use is consistent with the Landmark/Van Dorn plan, which designates the property for commercial use. However, Section 4-403 (Y) of the Zoning Ordinance requires approval of any restaurant in the Commercial General zone via a special use permit (SUP). Staff supports a restaurant use at this location for several reasons. First, the proposed McDonald's restaurant will offer similar service as the existing McDonald's it is replacing. Second, the ingress and egress to the site remain the same; therefore no changes in traffic patterns in the area are expected. Last, the neighboring properties are primarily commercial; accept for the residential developments across Duke Street and North Paxton Street. The residences will experience little to no additional impact from the new restaurant because the operation of the restaurant will remain

much the same as it functions today. Additionally, the residences are separated from the use by two streets, one of which is a major arterial in the City.

The only significant change proposed is in the operating hours of the rebuilt restaurant. Specifically, the applicant is requesting 24-hour service, seven days per week. Per the previous SUP approval, hours of operation were limited to 5 a.m. to midnight Sunday through Thursday, and 5 a.m. to 1 a.m. on Friday and Saturday (SUP97-00106).

Staff does not find that this change to 24-hour service will create an adverse impact as the site is not directly adjacent to any residential uses.

B. Drive-through

Section 4-403 (J) of the Zoning Ordinance requires that any drive-through facility in the Commercial General zone apply for a special use permit. The drive-through will remain a single drive lane with one menu board, a microphone, and two service windows. The drive lane allows adequate queuing space for approximately six vehicles. Typically, drive-through facilities impede vehicular traffic, but with the site's location, ingress, and egress, the vehicular circulation will remain as it stands today. With the building's central location on the site and the drive-through service windows, the pedestrian circulation to the building is somewhat disrupted. In order to mitigate potential conflicts, pedestrian crosswalks are provided from the sidewalks and parking lot to the building.

C. Site Improvements

Due to the vehicular nature of the restaurant operations, the programmatic needs of the use did impact the overall site design with much of the site dedicated to parking and a wide drive-through lane. Staff has worked with the applicant to improve the pedestrian environment by adding wider sidewalks (ten foot wide) on the Duke Street frontage road, maintaining the existing six foot wide sidewalk on North Paxton Street, and providing connections from the public sidewalks to the building entrances. Furthermore, the area of pavement will be reduced by narrowing the drive-through lane and eliminating three parking spaces that required backing into this lane. A significant increase in landscape planting is proposed that include street trees, planting beds, and a low garden wall that will buffer the parking areas from public view.

D. Building Design

McDonald's proposes to replace the dated building with a new prototype. The proposed building design has evolved during the staff review to be consistent with Alexandria's design principles and to create a solution that is unique to our City. The new prototype design was enhanced to include the following particular improvements:

- Raised the yellow, arched, eyebrow on Duke Street and integrated it with the building's roof form to visually increase the height of the building;
- Included clerestory windows as part of the revised roof design;

- Increased the number and size of the front façade windows for both aesthetic and safety issues (larger windows makes surveillance by police easier); and
- Enhanced color and quality building materials to include more brick.

Furthermore, as part of the City of Alexandria's Eco-City initiative, there is a goal to have new buildings incorporate LEED or other green design standards. Staff has discussed this goal with the applicant and, to this end, has included a condition requiring a goal of 20 credits but a minimum of 15 credits be incorporated into the redevelopment of the site.

Staff finds that the proposal is a significant improvement over the current ubiquitous mansard roof design that has been the hallmark of McDonald's for several decades.

E. Parking Reduction

Section 8-200 (A) (8) of the Zoning Ordinance requires that restaurants have one parking space for each 4 seats. The existing McDonald's currently has 92 seats and the required 23 parking spaces. The proposal includes a parking reduction because although the number of seats will remain 92, only 21 parking spaces will be provided; two below the required amount. The parking spaces being removed are located in front of the main entrance, fronting on the entrance drive. The spaces are substandard and staff recommended removing them to provide a large planting bed at the front entrance. These spaces are not convenient to the main entrances to the building and required customers to cross the drive-through lane to access the building. The applicant and staff believe that the proposed parking amounts adequately serve the restaurant and do not negatively impact the adjacent residents.

Additionally, Section 8-200 (B) (1) and Section 8-200 (B) (2) of the Zoning Ordinance require one loading space for the proposed use. There is a loading space at the existing McDonald's. However, this loading space is not used and the actual loading on the site currently occurs through the main restaurant doors during non-peak hours. The applicant requests a waiver of this requirement since the existing loading space is not used.

Staff supports the parking reduction based on the current operations of the restaurant and the site enhancements gained.

VII. COMMUNITY

The project site is located within the boundaries of the Landmark/Van Dorn plan area and near several residential developments. The Canterbury Square Condominium Association, Holmes Run Park Committee, Mayflower Square III Condominium Association, Windsor at Arbors, the Cameron Station Civic Association, and abutting property owners were contacted about the proposed redevelopment. Those contacted positively received the proposal and did not deem a formal community meeting necessary.

VIII. CONCLUSION

The new building will represent an improvement to this difficult corner property, through reduced impervious surface area, increased landscaping, streetscape improvements and an attractive building solution. Staff recommends **approval** of the DSUP for the construction of a fast food restaurant subject to compliance with all applicable codes and the following recommended conditions.

Staff: Faroll Hamer, Director, Planning and Zoning;
Gwen Wright, Chief, Development;
Dirk Geratz, AICP, Principal Planner;
Colleen Rafferty, Urban Planner.

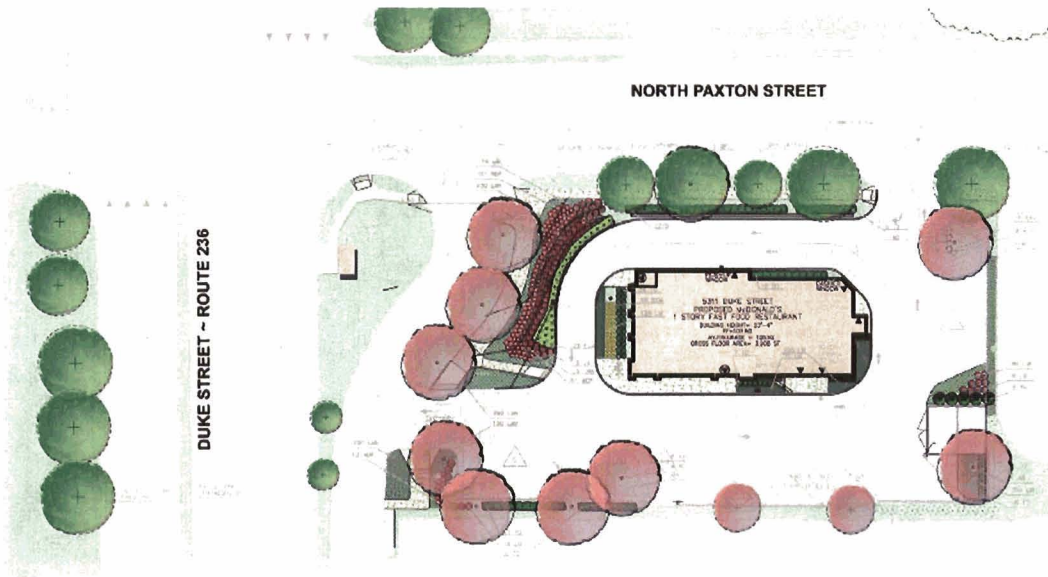


Figure 1. Proposed site plan



Figure 2. Proposed elevations

IX. STAFF RECOMMENDATIONS

Staff recommends **approval** subject to compliance with all applicable codes, ordinances, and the following conditions:

The following are conditions from the previous SUPs approved for this property:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (SUP2000-0044)
2. Seating shall be provided for no more than 92 patrons. (SUP2000-0044)
3. No outside dining facilities shall be located on the premises. (SUP2000-0044)
4. Alcoholic beverages shall not be sold or consumed on the premises. (SUP2000-0044)
5. No food, beverages, or other material shall be stored outside. (SUP2000-0044)
6. Trash and garbage shall be stored inside or in a dumpster. (SUP2000-0044)
7. Trash and garbage shall be collected every day that service is available. (SUP2000-0044)
8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (SUP2000-0044)
9. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (SUP2000-0044)
10. Screen all utility structures from view from all public property and public rights-of-way to the satisfaction of the Director of Planning and Zoning. (SUP2000-0044)

The following are conditions staff recommends amending:

11. The hours of operation shall be ~~limited to 5:00 a.m. to Midnight Sunday through Thursday, and to 5:00 a.m. to 1:00 a.m. on Friday and Saturday~~ **24 hours, 7 days a week.** (SUP2004-0044)
12. **Due to the increase in the hours of operation,** the Director of Planning and Zoning shall review the special use permit after it has been operational for one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review, or (c) the director has

determined that there are problems with the operation of the use and that new or revised conditions are needed. (SUP97-0106)

The following are conditions applicable specifically to this request:

Streetscape Improvements

13. The applicant shall provide pedestrian improvements that at a minimum shall provide the level of improvements depicted on the preliminary site plan and shall include the following to the satisfaction of the Directors of P&Z and T&ES:
 - a. The streetscape along the existing frontage road shall consist of a 10 ft. wide landscape strip from back of curb and a 10 ft. wide concrete sidewalk. Within the landscape strip there shall be street trees 30 ft. on-center.
 - b. The streetscape along North Paxton Street shall consist of a 6 ft. wide landscape strip from back of curb and a 4 ft wide concrete sidewalk. (P&Z)

Landscaping

14. Develop, provide, install and maintain an integrated Landscape Plan that is coordinated with other associated site conditions to the satisfaction of the Directors of Recreation, Parks & Cultural Activities, Planning & Zoning and Transportation & Environmental Services. At a minimum the Landscape Plan shall:
 - a. Be prepared and sealed by a Landscape Architect certified to practice in the Commonwealth of Virginia.
 - b. Provide plantings that include a simple mixture of seasonally variable, evergreen and deciduous shrubs, ornamental and shade trees, groundcovers and perennials that are horticulturally acclimatized to the Mid-Atlantic and Washington, DC National Capital Region.
 - c. Provide planting details for all proposed conditions including street trees, multi-trunk trees, shrubs, perennials, and groundcovers.
 - d. Details shall be at a scale of at least 1/2 inch equals one foot.
 - e. Details shall be depicted in accordance to the 2007 City of Alexandria Landscape Guidelines.
 - f. Coordinate above and below grade site utilities, site furnishings, fences, architecture, lights, signs and site grading to avoid conflicts.
 - g. Ensure positive drainage in all planted areas.
 - h. Provide crown area coverage calculations in compliance with City of Alexandria Landscape Guidelines. Street Trees may not be included in crown coverage calculations.
 - i. Provide protection of existing vegetation in compliance with City of Alexandria Landscape Guidelines. Location and method for protection and preservation of existing trees shall be approved in-field by the City Arborist.
 - j. All grass areas shall be sod. (RPCA)

15. Landscape plan shall be generally as depicted in the Preliminary plan with the exception of the conditioned modifications. The following modifications to the landscape plan and supporting drawings are required:
 - a. Show landscape plan at a scale of 1" = 10'.
 - b. Clearly depict property line boundary.
 - c. As drawn, it appears that some legend symbols are missing. Correctly display legend on landscape sheet.
 - d. Provide City Standard notes on landscape sheet as set forth in the City of Alexandria Landscape Guidelines.
 - e. Provide a screen hedge along the north property line. Modify existing liriopse to create a buffer between screen hedge and parking lot such that overhanging cars do not damage shrubs.
 - f. Remove maple trees on the east property line.
 - g. Replace retaining wall along east property line with a permanently constructed wall.
 - h. Remove flowering cherry tree along N. Paxton Street and replace with *Quercus phellos*. (RPCA)
16. Provide a site irrigation/water management plan developed installed and maintained to the satisfaction of the Directors of Recreation, Parks & Cultural Activities, Planning & Zoning and Transportation & Environmental Services.
 - a. Plan shall demonstrate that all parts of the site can be accessed by a combination of building mounted hose bibs and ground set hose connections.
 - b. Provide external water hose bibs continuous at perimeter of building. Provide at least one, accessible, external, water hose bib on all building sides at a maximum spacing of 90 feet apart.
 - c. Hose bibs and ground set water connections must be fully accessible and not blocked by plantings, site utilities or other obstructions. (RPCA)
17. Provide, implement and follow a tree conservation and protection program that is developed per the City of Alexandria Landscape Guidelines and to the satisfaction of the City Arborist.
 - a. Depict location and method for protection and preservation of existing trees on all plan sheets including demolition, sediment and erosion control, site plan and landscape plan. Provide tree protection details.
 - b. Location and method for protection and preservation of existing trees shall be approved in-field by the City Arborist.
 - c. Provide Class 2 Pruning for existing oak trees on N. Paxton. Pruning shall be completed by a certified arborist.
 - d. Provide tree protection for existing *Quercus phellos* in southwest corner of the site. Modify landscape plan and grading to accommodate tree save. (RPCA)
18. Reseed lawn and add shrubs around the bus stop in accordance with City's Landscape Guidelines. (RPCA)

19. Proposed dumpster pad shall be concrete. (RPCA)

Site Plan

20. Provide a lighting plan with the final site plan to verify that lighting meets City standards. The plan shall be to the satisfaction of the Directors of T&ES, P&Z, RP&CA in consultation with the Chief of Police and shall include the following (T&ES, P&Z, Police, and RP&CA):
- a. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information;
 - b. A lighting schedule that identifies each type and number of fixtures, mounting height, and strength of fixture in Lumens or Watts;
 - c. Manufacturer's specifications and details for all proposed fixtures including site, landscape, pedestrian, sign(s), and security lighting.
 - d. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing street lights located on the opposite side(s) of all adjacent streets. Photometric calculations must extend from proposed building face(s) to property line and from property line to the opposite side(s) of all the adjacent streets and/or 20 feet beyond the property line on all adjacent properties, and right-of-way. Show existing and proposed street lights and site lights.
 - e. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and street lights and minimize light spill into adjacent residential areas.
 - f. Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.
 - g. Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
 - h. The lighting for the areas not covered by the City of Alexandria' standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
 - i. Provide numeric summary for various areas (i.e., roadway, walkway/ sidewalk, alley, and parking lot, etc.) in the proposed development.
 - j. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties. (RPC&A) (T&ES)(P&Z) (Police)
21. The applicant shall provide a demolition plan. This plan shall include but not be limited to the existing improvements and utilities which are to be removed or relocated. (T&ES)
22. Show bike racks as per the following requirements:
- a. Retail Bicycle Parking Facilities: two visitor/customer space per 10,000 square feet, or portion thereof, of the first 50,000 square feet of retail floor area; one space for every 12,500 square feet, or portion thereof, of additional retail floor area and one employee space for every 25,000 square feet, or portion thereof, of retail floor area.

- b. The applicant shall provide one (1) employee / customer bicycle parking rack to provide two (2) bicycle parking space(s) on the surface to the satisfaction of the Director of T&ES. The bicycle rack location is preferably covered and located within 50 feet of the main entrance. The bicycle parking rack shall be located in a manner that will not obstruct the existing/proposed sidewalks. Bicycle parking standards and details for acceptable locations are available at: www.alexandriava.gov/bicycleparking (T&ES)

Building Design

23. The final architectural elevations shall be consistent with the level of quality and detail provided in the preliminary architectural elevations dated June 2008. In addition, the applicant shall provide refinements to the satisfaction of the Director of P&Z that at a minimum include:
 - a. Color architectural elevations (front, side and rear) shall be submitted with the first and subsequent final site plans.
 - b. All refinements to the design and materials shall be revised prior to the release of the final site plan.
 - c. Samples of building materials shall be submitted at the first final site plan submission.
 - d. Provide overhangs on yellow tower accent and side entrance as depicted on the colored renderings dated June 2008. (P&Z)
24. **CONDITON AMENDED BY PC:** The colors and materials of the signs shall be designed of high quality materials and shall be designed as an integral part of the building that shall relate in materials, color and scale to the remainder of the building.
 - a. Sign messages for building signage shall be limited to logos, names and street address information.
 - b. Signs applied to windows shall cover no more than twenty percent of the glass.
 - c. Box signs shall be prohibited.
 - d. A monument sign a maximum of ~~six feet~~ eight feet in height shall be permitted in the location shown on the preliminary plan and the design shall be integrated with the building. (P&Z) (PC)
25. The applicant shall provide a plan for diverting from landfill disposal the demolition, construction, and land clearing debris generated by the project. The plan shall outline recycling and/or reuse of waste generated during demolition and/or construction. The plan should outline specific waste streams and identify the means by which waste will be managed (reused, reprocessed on site, removed by licensed haulers for reuse/recycling, etc.). The plan shall be approved prior to the approval of the demolition permit. (P&Z)
26. The applicant shall hire a LEED accredited professional as a member of the design and construction team and shall achieve within a range of 15-20 LEED points, making every effort to achieve the maximum points for the project. In addition, the applicant shall establish their compliance with this condition by submitting a report listing all

components and verification that the points have been incorporated prior to issuance of the certificate of occupancy permit. This report will be reviewed by and must be to the satisfaction of the Directors of P&Z and T&ES or their designees.

Stormwater

27. The applicant shall provide detailed topographic information within the northeast corner of the project site in order to clearly demonstrate the flow path for the surface drainage. (T&ES)
28. All stormwater designs that require analysis of pressure hydraulic systems, including but not limited to the design of flow control structures and storm water flow conveyance systems shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. The design of storm sewer shall include the adequate outfall, inlet, and hydraulic grade line (HGL) analyses that shall be completed to the satisfaction of the Director of T&ES. Provide appropriate reference and/or source used to complete these analyses. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
29. The storm water collection system is located within the Holmes Run watershed. All on-site storm water curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES. (T&ES)
30. Project lies entirely within an area described on historical maps as containing marine clays. Construction methodology and erosion and sediment control measures must account for the presence of marine clay or highly erodible soils. (T&ES)

BMP Facilities

31. The City of Alexandria's storm water management regulations regarding water quality are two-fold: first, phosphorus removal requirement and second, water quality volume default. Compliance with the phosphorus requirement does not relieve the applicant from the water quality default requirement. The water quality volume determined by the site's proposed impervious area shall be treated in a Best Management Practice (BMP) facility. (T&ES)
32. Provide BMP narrative and complete pre and post development drainage maps that include areas outside that contribute surface runoff from beyond project boundaries to include adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMP's and a completed Worksheet A or B and Worksheet C, as applicable. (T&ES)

33. The existing on site BMP facility shall be cleaned and certified by a design professional or a designated representative to be functioning properly prior to approval of the final site plan. Documentation that the BMP facility is operating properly shall be submitted to the Office of Environmental Quality's Water Quality Compliance Specialist and to the satisfaction of the Director of T&ES.
34. Prior to release of the performance bond, the Applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that any existing storm water management facilities adjacent to the project and associated conveyance systems were not adversely affected by construction operations and that they are functioning as designed and are unaffected by construction activities. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance measures performed. (T&ES)

Wastewater/Sanitary Sewers

35. The applicant shall provide estimated sanitary sewer flow calculations to demonstrate that the proposed project does not exceed the 10,000 gallons per day threshold per Memorandum to Industry No. 02-07 regarding the requirement to provide an adequate sanitary sewer outfall analysis. (T&ES)

Solid Waste

36. The applicant shall provide \$1,150 per receptacle to the Director of T&ES for purchase and installation of two (2) Iron Site Bethesda Series, Model SD-42 decorative black metal trash cans by Victor Stanley. Receptacles shall be generally located along the property frontage and at strategic locations in the vicinity of the site as approved by the Director of T&ES. (T&ES)

Streets/Traffic

37. If the curb, gutter, and side walk adjacent to the proposed development are damaged during construction then the applicant shall repair the same to the satisfaction of Director, Transportation and Environmental Services. All improvements to the City's infrastructure, including but not limited to, curb, gutter, sidewalk, and driveway aprons, and patch work required for utility installation, etc., shall be designed and constructed as per the City of Alexandria standards and specifications. A pre-construction walk/survey of the site shall occur with Construction and Inspection Staff to document existing conditions prior to any land disturbing activity. (T&ES)
38. The applicant shall provide one (1) accessible curb ramp at the northeast corner of North Paxton Street and the service road parallel to Duke Street. The curb ramp shall be oriented to allow pedestrians to cross the service road. (T&ES)

39. The applicant shall provide \$2,520.00 to the City for the installation of countdown pedestrian signals and accessible pedestrian push-buttons to the satisfaction of the Director of T&ES. These improvements will be completed with the Capital Improvement Plan (C.I.P.) scheduled for this area. (T&ES)
40. The applicant shall relocate the existing stop sign at the intersection of the service road and North Paxton Street so that the sign does not conflict with the proposed ADA ramp. (T&ES)
41. The sidewalks shall remain open during construction or pedestrian access shall be maintained to the satisfaction of the Director of Transportation and Environmental Services throughout the construction of the project. (T&ES)
42. The Work Zone Traffic Control plan shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
43. Show trash truck and tractor trailer turning movements in the parking lots. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. (T&ES)

Utilities

44. All new private utilities shall be located outside of the public right-of-way and public utility easements. (T&ES)
45. All the existing and proposed public and private utilities and easements shall be shown on the plan and a descriptive narration of various utilities shall be provided. (T&ES)
46. Applicant shall underground all the secondary utility services, serving the site. (T&ES)

Noise

47. A menu-board with intercom shall be permitted yet no amplified sounds shall be audible at the property line. No other outside speakers shall be allowed. (T&ES)

Air Pollution

48. The applicant shall provide a note on the final site plan that contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)

Construction

49. The applicant shall prepare and submit a plan that delineates a detailed construction management plan for the entire project for review and approval by the Directors of P&Z,

- T&ES, and Code Enforcement prior to the release the final site plan. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. (T&ES)
50. No major construction staging shall be allowed along North Paxton Street. The Applicant shall meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities. (T&ES)
 51. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z and T&ES. (T&ES)
 52. Submit an approvable construction phasing plan to the satisfaction of the Director of T&ES, which will allow review, approval and partial release of the final site plan. In addition, building and construction permits required for site preconstruction shall be permitted prior to release of the final site plan to the satisfaction of the Direction of T&ES. (T&ES)
 53. A "Certified Land Disturber" (CLD) shall be named in a letter to the Division Chief of C&I prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the site plan. (T&ES)
 54. During the construction phase of this development, the site developer, their contractor, certified land disturber, or owner's other agent shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. (T&ES)

Affordable Housing

55. A voluntary contribution of \$1.50 for the proposed gross floor area would be consistent with the "Developer Housing Contribution Work Group Report" dated May 2005 and accepted by the Alexandria City Council. (Housing)

Note: In accordance with Section 11-418 (c) of the Zoning Ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of initial planning commission approval of the plan or the development site plan shall become void.

CITY DEPARTMENT CODE COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F – finding

Code Enforcement

- C-1. Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. **Condition met, Sheet 2, note #1.**
- C-2. Provisions shall be made to prevent the accumulation of water or damage to any foundation on the premises or adjoining property (USBC 3303.5). **Acknowledged by applicant.**
- C-3. Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property. **Acknowledged by applicant.**
- C-4. A soils report must be submitted with the building permit application. **Acknowledged by applicant.**
- C-5. New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). **Acknowledged by applicant.**
- C-6. Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems. **Acknowledged by applicant.**
- C-7. Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property. **Acknowledged by applicant.**
- C-8. Required exits, parking, and facilities shall be accessible for persons with disabilities. **Acknowledged by applicant.**
- C-9. Prior to submission of the Final Site Plan, the developer shall provide a fire flow analysis by a certified licensed fire protection engineer to assure adequate water supply for the structure being considered. **Acknowledged by applicant.**
- C-10. A separate tap is required for the building fire service connection. Show size of fire line on plans. Acknowledged by applicant, the applicant shall provide this information no later than Final #1 submission.

- C-11. A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 119.0. **Acknowledged by applicant.**
- C-12. **The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor ; e) fire protection plan.**
- C-13. The developer shall provide a separate Fire Service Plan which illustrates: a) emergency ingress/egress routes to the site; b) one fire department connection (FDC) to the building; c) fire hydrants located within one hundred (100) feet of each FDC; d) on site fire hydrants spaced with a maximum distance of three hundred (300) feet between hydrants and the most remote point of vehicular access on site; e) emergency vehicle easements (EVE) around the building with a twenty-two (22) foot minimum width; f) all Fire Service Plan elements are subject to the approval of the Director of Code Enforcement.
- C-14. **The final site plans shall show placement of fire easement signs. See attached guidelines for sign details and placement requirements.**
- C-15. **Toilet Rooms for Persons with Disabilities:**
(a) Water closet heights must comply with USBC 1109.2.2
(b) Door hardware must comply with USBC 1109.13
- C-16. **Toilet Facilities for Persons with Disabilities: Larger, detailed, dimensioned drawings are required to clarify space layout and mounting heights of affected accessories. Information on door hardware for the toilet stall is required (USBC 1109.2.2).**
- C-17. **Sufficient toilet rooms must be provided to accommodate the total occupancy load for restaurant staff and the combined indoor and outdoor patron seating capacity (USBC 2902.1).**
- C-18. **A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.**
- C-19. **The following code requirements apply where food preparation results in the development of grease laden vapors:**
(a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
(b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.

- C-20. **A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:**
- (a) **Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.**
 - (b) **How food stuffs will be stored on site.**
 - (c) **Rodent baiting plan.**

Transportation & Environmental Services

- F-1. The plan shall show sanitary and storm sewer, and water line in plan and profile in the first final submission and cross reference the sheets on which the plan and profile is shown, if plan and profile is not shown on the same sheet. Clearly label the sanitary and storm sewer, or water line plans and profiles. Provide existing and proposed grade elevations along with the rim and invert elevations of all the existing and proposed sanitary and storm sewer at manholes, and water line piping at gate wells on the respective profiles. Use distinctive stationing for various sanitary and storm sewers (if applicable or required by the plan), and water line in plan and use the corresponding stationing in respective profiles. (T&ES)
- F-2. The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F-3. Include all symbols, abbreviations, and line types in the legend. (T&ES)
- F-4. All storm sewers shall be constructed to the City of Alexandria standards and specifications. The minimum diameter for storm sewers shall be 18-inches in the public Right of Way (ROW) and the minimum size storm sewer catch basin lead shall be 15". The acceptable pipe material will be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 or Reinforced Concrete Pipe (RCP) ASTM C-76 Class IV. For roof drainage system, Polyvinyl Chloride (PVC) ASTM 3034-77 SDR 35 and ASTM 1785-76 Schedule 40 pipes will be acceptable. The acceptable minimum and maximum velocities will be 2.5 fps and 15 fps, respectively. The storm sewers immediately upstream of the first manhole in the public Right of Way shall be owned and maintained privately (i.e., all storm drains not shown within an easement or in a public Right of Way shall be owned and maintained privately). (T&ES)
- F-5. All sanitary sewers shall be constructed to the City of Alexandria standards and specifications. The minimum diameter of sanitary sewers shall be 10" in the public Right of Way and sanitary lateral 6". The acceptable pipe materials will be Polyvinyl Chloride (PVC) ASTM 3034-77 SDR 35, ASTM 1785-76 Schedule 40, Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52, or reinforced concrete pipe ASTM C-76 Class IV (For 12" or larger diameters); however, RCP C-76 Class III pipe may be acceptable on private properties. The acceptable minimum and maximum velocities will be 2.5 fps and 10 fps, respectively. Lateral shall be connected to the sanitary sewer through a manufactured "Y" or "T" or approved sewer saddle. Where the laterals are being

- connected to existing Terracotta pipes, replace the section of main and provide manufactured "Y" or "T", or else install a manhole. (T&ES)
- F-6. Lateral Separation of Sewers and Water Mains: A horizontal separation of 10' (edge to edge) shall be provided between a storm or sanitary sewer and a water line; however, if this horizontal separation cannot be achieved then the sewer and water main shall be installed in separate trenches and the bottom of the water main shall be at least 18" above of the top of the sewer. If both the horizontal and vertical separations cannot be achieved then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 and pressure tested in place without leakage prior to installation. (T&ES)
- F-7. Maintenance of Vertical Separation for Crossing Water Main Over and Under a Sewer: When a water main over crosses or under crosses a sewer then the vertical separation between the bottom of one (i.e., sewer or water main) to the top of the other (water main or sewer) shall be at least 18"; however, if this cannot be achieved then both the water main and the sewer shall be constructed of Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 with joints that are equivalent to water main standards for a distance of 10 feet on each side of the point of crossing. A section of water main pipe shall be centered at the point of crossing and the pipes shall be pressure tested in place without leakage prior to installation. Sewers crossing over the water main shall have adequate structural support (concrete pier support and/or concrete encasement) to prevent damage to the water main. Sanitary sewers under creeks and storm sewer pipe crossings with less than 6" clearance shall be encased in concrete. (T&ES)
- F-8. No pipe shall pass through or come in contact with any part of sewer manhole. Manholes shall be placed at least 10 feet horizontally from the water main whenever possible. When local conditions prohibit this horizontal separation, the manhole shall be of watertight construction and tested in place. (T&ES)
- F-9. Crossing Existing or Proposed Utilities: Underground telephone, cable T.V., gas, and electrical duct banks shall be crossed maintaining a minimum of 12" of separation or clearance with water main, sanitary, or storm sewers. If this separation cannot be achieved then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 and pressure tested in place without leakage prior to installation. Sewers and water main crossing over the utilities shall have adequate structural support (pier support and/or concrete encasement) to prevent damage to the utilities. (T&ES)
- F-10. Show the drainage divide areas on the grading plan or on a sheet showing reasonable information on topography along with the structures where each sub-area drains. (T&ES)
- F-11. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)

- C-1. Per the requirements of the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a drainage study and adequate outfall analysis for the total drainage area to the receiving sewer that serves the site. If the existing storm system is determined to be inadequate then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development storm water flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
- C-2. Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, the applicant shall comply with the peak flow requirements and prepare a Stormwater Management Plan so that from the site, the post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, shall not exceed their respective predevelopment rates. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. (T&ES)
- C-3. Flow from downspouts, foundation drains, and sump pumps shall be discharged to the storm sewer outfall as per the requirements of Memorandum to the industry on Downspouts, Foundation Drains, and Sump Pumps, Dated June 18, 2004 that is available on the City of Alexandria's web site. The downspouts and sump pump discharges shall be piped to the storm sewer outfall, where applicable after treating for water quality as per the requirements of Article XIII of Alexandria Zoning Ordinance (AZO). (T&ES)
- C-4. In compliance with the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a sanitary sewer adequate outfall analysis as per the requirements of Memorandum to Industry No. 02-07 New Sanitary Sewer Connection and Adequate Outfall Analysis dated June 1, 2007. (T&ES)
- C-5. Americans with Disability Act (ADA) ramps shall comply with the requirements of Memorandum to Industry No. 03-07 on Accessible Curb Ramps dated August 2, 2007 with truncated domes on the end of the ramp with contrasting color from the rest of the ramp. A copy of this Memorandum is available on the City of Alexandria website. (T&ES)
- C-6. Solid Waste and Recycling Condition: The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the Director of Transportation & Environmental Services. The plan shall show the turning movements of a trash truck and the trash truck shall not back up to collect trash. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)

- C-7. The applicant shall be responsible to deliver the solid waste, as defined by the City Charter and Code of the City of Alexandria, to the Covanta Energy Waste Facility located at 5301 Eisenhower Avenue. A note to that effect shall be included on the plan. The developer further agrees to stipulate in any future lease or property sales agreement that all tenants and/or property owners shall also comply with this requirement. (T&ES)
- C-8. The applicants will be required to submit a Recycling Implementation Plan form to the Solid Waste Division, as outlined in Article H to Title 5 (Ordinance Number 4438), which requires all commercial properties to recycle. (T&ES)
- C-9. Bond for the public improvements must be posted prior to release of the plan. (T&ES)
- C-10. The sewer tap fee must be paid prior to release of the plan. (T&ES)
- C-11. All easements and/or dedications must be recorded prior to release of the plan.
- C-12. Plans and profiles of utilities and roads in public easements and/or public Right of Way must be approved prior to release of the plan.
- C-13. All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval. (T&ES)
- C-14. Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C-15. Per the Memorandum To Industry, dated July 20, 2005, the applicant is advised regarding a requirement that applicants provide as-built sewer data as part of the final as-built process. Upon consultation with engineering firms, it has been determined that initial site survey work and plans will need to be prepared using Virginia State Plane (North Zone) coordinates based on NAD 83 and NAVD 88. Control points/Benchmarks which were used to establish these coordinates should be referenced on the plans. To insure that this requirement is achieved, the applicant is requested to prepare plans in this format including initial site survey work if necessary. (T&ES)
- C-16. A pavement section for Emergency Vehicle Easements (EVE) to support H-20 loading shall be designed using California Bearing Ratio (CBR) determined through geotechnical investigation using Virginia Department of Transportation (VDOT) method (Vaswani Method) and standard material specifications or to the satisfaction of the Director of Transportation and Environmental Services (T&ES). (T&ES)
- C-17. All pedestrian, traffic, and way finding signage shall be provided in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), latest edition to the satisfaction of the Director of T&ES. (T&ES)

- C-18. No overhangs (decks, bays, columns, post or other obstructions) shall protrude into public Right of Ways, public easements, and pedestrian or vehicular travelways unless otherwise permitted by the City Code. (T&ES)
- C-19. All driveway entrances, sidewalks, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards. (T&ES)
- C-20. All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)
- C-21. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-22. The applicant must comply with the Article XIII of the City of Alexandria Zoning Ordinance, which includes requirements for storm water pollutant load reduction, treatment of the water quality volume default, and storm water quantity management. (T&ES)
- C-23. The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law. (T&ES)
- C-24. All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the state requirement for a VSMP permit for land disturbing activities greater than 2500 SF. (T&ES).

**APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2007-0006**

PROJECT NAME: McDonald's - 5311 Duke Street

PROPERTY LOCATION: 5311 Duke Street

TAX MAP REFERENCE: 48.03-02-02 ZONE: CC

APPLICANT Name: McDonald's Corporation

Address: McDonald's Plaza, Oak Brook, Illinois, 60523

PROPERTY OWNER Name: DUPA Properties, LLC

Address: McDonald's Corporation, P.O. Box 182571, Columbus, OH 43218-2571

SUMMARY OF PROPOSAL: Request to replace existing McDonald's restaurant and drive-through with a new McDonald's restaurant and drive-through and parking reduction.

MODIFICATIONS REQUESTED: Stormwater detention requirement, and 120 linear feet of angled parking between landscaped islands.

SUP's REQUESTED: Fast food restaurant with drive-through window, parking reduction and free standing sign.

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the revisions of the Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

McDonald's Corporation by:
M. Catharine Puskar, Attorney
Print Name of Applicant or Agent

M Catharine Puskar
Signature

Malsh Colucci Lubeley Emrich & Walsh, PC
200 Clarendon Blvd., 13th Floor
Filing/Street Address

(703) 528-4700 (703) 525-3197
Telephone # Fax #

Arlington, VA 22201
City and State Zip Code

Revised - April 17, 2008
February 20, 2007
Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____ Received Plans for Completeness: _____
Fee Paid & Date: \$ _____ Received Plans for Preliminary: _____

PLANNING COMMISSION: _____

CITY COUNCIL: 27

Development Special Use Permit with Site Plan (DSUP) # 2007-0006

All applicants must complete this form.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is the (check one):

Owner Contract Purchaser

Lessee Other: _____

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Publicly traded on NYSE.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia? N/A

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

2. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 4-7.
(Attach additional sheets if necessary)

See attached.

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3. How many patrons, clients, pupils and other such users do you expect?
Specify time period (i.e., day, hour, or shift).

500 patrons expected at counter and 800 patrons expected at drive-through
per day.

4. How many employees, staff and other personnel do you expect?
Specify time period (i.e. day, hour, or shift).

40 employees total, with 4-12 employees per shift.

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
<u>7 days per week,</u>	<u>24 hours</u>		

6. Describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Noise shall not emanate from building with the exception of drive-
through ordering.

B. How will the noise from patrons be controlled?

N/A.

7. Describe any potential odors emanating from the proposed use and plans to control them:

Typical food/restaurant aromas.

Development Special Use Permit with Site Plan (DSUP) # 2007-0006

8. Provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Typical restaurant trash.

B. How much trash and garbage will be generated by the use?

208 loose yards solid trash and 69 yards cardboard trash per month.

C. How often will trash be collected?

Twice per week.

D. How will you prevent littering on the property, streets and nearby properties?

Restaurant staff to monitor adjacent street and property.

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

10. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Development Special Use Permit with Site Plan (DSUP) # 2007-0006

11. What methods are proposed to ensure the safety of residents, employees and patrons?
Safety measures include parking lot lights, security cameras and headsets.

ALCOHOL SALES

12. Will the proposed use include the sale of beer, wine, or mixed drinks?
 Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

13. Provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?
1 per 4 restaurant seats = 23 spaces. Please see parking reduction supplemental application attached.

B. How many parking spaces of each type are provided for the proposed use:

<u>17</u>	Standard spaces
<u>2</u>	Compact spaces
<u>2</u>	Handicapped accessible spaces.
<u>0</u>	Other.

Development Special Use Permit with Site Plan (DSUP) # 2007-0006

- C. Where is required parking located? (check one) on-site off-site

If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? 1 loading space
- B. How many loading spaces are available for the use? No loading space is proposed.
- C. Where are off-street loading facilities located? East side of building.
- _____
- _____
- D. During what hours of the day do you expect loading/unloading operations to occur? Loading occurs throughout the day but is at non-peak hours.
- _____
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? Six times per week.
- _____

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Adequate street access is provided.

2. Narrative Description – Revised April 17, 2008

McDonald's Corporation (the "Applicant") is requesting an amendment to approved SUP # 98-0091 and Site Plan # 97-021 in order to demolish and rebuild the existing McDonald's restaurant located at 5311 Duke Street (the "Property"). The Applicant proposes to locate the new building within in the same general footprint of the existing building and continue the current drive-through service provided by the restaurant. The proposal will significantly increase the quality of the building and enhance the architectural aesthetic.

By way of background, on October 25, 1997, City Council approved SUP # 97-106 to raze the former Roy Rogers for a McDonald's restaurant on the Property. This approval was amended via SUP # 98-0091 to increase the number of seats in the restaurant and add a microphone system at the drive-through facility.

Presently the McDonald's Corporation is in the process of renovating older modular building sites throughout Northern Virginia with better quality buildings, updated architecture and modern interior layouts. The Applicant is proposing to rebuild the restaurant in its current general location and to maintain the existing vehicular circulation pattern on the site. The applicant is proposing to maintain the existing ninety-two restaurant seats. The restaurant will be 3,908 square feet in size and will have forty employees total, with between four and twelve employees per shift. The Applicant is requesting twenty-four hour operation, seven days per week.

Twenty-one parking spaces are proposed on the site and the Applicant requests a parking reduction from the required 23 parking spaces to 21 parking spaces. Per the request of Staff, the Applicant has removed the existing three parking spaces located between the building and Duke Street, thereby necessitating the parking reduction. Given the site constraints, it was not possible to relocate these spaces. The spaces that are proposed to be removed exist today as substandard spaces. The Applicant believes that the proposed parking is adequate to serve the restaurant and will not negatively impact the surrounding neighborhood. The Applicant is also requesting a waiver of the one required loading space. At the present time loading on this site occurs through the main restaurant doors during non-peak hours. As the Applicant does not currently use the existing loading space, a waiver of the required designated loading space is requested.

Finally, the Applicant requests a waiver to allow 120 linear feet of parking between landscaped islands. The length of the bay in excess of the required 100

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feet is due to angled parking which is an existing condition on the site and can not be reconfigured.

In response to Staff comments, the building design has been modified to include a barrel roof design with a 2 foot higher parapet line in order to create a taller street presence along Duke Street. Also, the number of glazed windows have been increased from 3 to 4 in order to increase transparency. The Applicant has worked to improve on-site landscaping and add decorative paver walkways as part of the site redevelopment. McDonald's looks forward to continue working with the City on the upgrade of their restaurant at 5311 Duke Street.

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~~SUP~~ # _____



APPLICATION - SUPPLEMENTAL

PARKING REDUCTION

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

The Applicant requests a reduction in parking from 23 spaces to 21 spaces and requests 0 designated loading space.

2. Provide a statement of justification for the proposed parking reduction.

Please see justification provided in the attached narrative description.

3. Why is it not feasible to provide the required parking?

Please see justification provided in the attached narrative description.

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?

Yes. No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a **Parking Management Plan** which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

N/A

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.

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~~DEUP~~ # _____



APPLICATION

RESTAURANT

All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

1. How many seats are proposed?
Indoors: 92 Outdoors: 0 Total number proposed: 92

2. Will the restaurant offer any of the following?
Alcoholic beverages (**SUP only**) _____ Yes X No
Beer and wine — on-premises _____ Yes X No
Beer and wine — off-premises _____ Yes X No

3. Please describe the type of food that will be served:
Fast food.

4. The restaurant will offer the following service (check items that apply):
 table service bar X carry-out delivery

5. If delivery service is proposed, how many vehicles do you anticipate? N/A
Will delivery drivers use their own vehicles? N/A Yes No
Where will delivery vehicles be parked when not in use?
N/A

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
 Yes X No
If yes, please describe:

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SUP# _____

Parking impacts. Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
 100%
 75-99%
 50-74%
 1-49%
 No parking can be accommodated off-street
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
 All
 75-99%
 50-74%
 1-49%
 None
3. What is the estimated peak evening impact upon neighborhoods? (check one)
 No parking impact predicted
 Less than 20 additional cars in neighborhood
 20-40 additional cars
 More than 40 additional cars

Litter plan. The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

Restaurant staff to monitor adjacent street and property.

Alcohol Consumption and Late Night Hours. Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:
 92 Maximum number of patron dining seats
+ 0 Maximum number of patron bar seats
+ 0 Maximum number of standing patrons
= 92 Maximum number of patrons
2. 4-12 Maximum number of employees by hour at any one time per shift
3. Hours of operation. Closing time means when the restaurant is empty of patrons.(check one) N/A, 24 hrs proposed
 Closing by 8:00 PM
 Closing after 8:00 PM but by 10:00 PM
 Closing after 10:00 PM but by Midnight
 Closing after Midnight
4. Alcohol Consumption (check one) N/A, no alcohol served
 High ratio of alcohol to food
 Balance between alcohol and food
 Low ratio of alcohol to food

10
11-15-08

City of Alexandria, Virginia

MEMORANDUM

DATE: November 15, 2008
TO: MAYOR AND MEMBERS OF CITY COUNCIL
FROM: FAROLL HAMER, DIRECTOR
DEPARTMENT OF PLANNING AND ZONING
SUBJECT: MCDONALDS (5311 DUKE STREET)
DSUP# 2007-0006

This memo serves to revise the following condition of approval in the staff report:

55. A voluntary contribution of \$1.50 per gross square foot ~~for the proposed gross floor area~~ would be consistent with the "Developer Housing Contribution Work Group Report" dated May 2005 and accepted by the Alexandria City Council. (Housing)

SPEAKER'S FORM

DOCKET ITEM NO. 10

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM**

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Elizabeth McKeely for M. Catharine Ruskar

2. ADDRESS: Walsh, Colucci
2200 Clarendon Bv, Arlington VA 22201

TELEPHONE NO. 703 528-4700 E-MAIL ADDRESS: emlkeely@ard.hustandlawyers.com

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Agent for McDonald's Corp.

4. WHAT IS YOUR POSITION ON THE ITEM?

FOR: agent AGAINST: _____ OTHER: _____

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, BOBBYIST, CIVIC INTEREST, ETC.):

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?

YES _____ NO _____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

(a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.

(b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2007-0006

PROJECT NAME: McDonald's - 5311 Duke Street

PROPERTY LOCATION 5311 Duke Street

TAX MAP REFERENCE: 48.03-02-02 ZONE: CC

APPLICANT Name: McDonald's Corporation

Address: McDonald's Plaza, Oak Brook, Illinois, 60523

PROPERTY OWNER Name: DUPA Properties, LLC

Address McDonald's Corporation, P.O. Box 182571, Columbus, OH 43218-2571

SUMMARY OF PROPOSAL: Request to replace existing McDonald's restaurant and drive-through with a new McDonald's restaurant and drive-through and parking reduction.

MODIFICATIONS REQUESTED Stormwater detention requirement, and 120 linear feet of angled parking between landscaped islands.

SUP's REQUESTED: Fast food restaurant with drive-through window, parking reduction and free standing sign.

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief

McDonald's Corporation by:
M. Catharine Puskar, Attorney
Print Name of Applicant or Agent

M Catharine Puskar
Signature

Walsh Colucci Lubeley Emrich & Walsh, PC
2200 Clarendon Blvd., 13th Floor
Mailing/Street Address

(703) 528-4700 (703) 525-3197
Telephone # Fax #

Revised - April 17, 2008

February 20, 2007

Arlington, VA 22201
City and State Zip Code

Date

=====**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**=====

Application Received: _____
Fees Paid & Date: \$ _____

Received Plans for Completeness: _____
Received Plans for Preliminary: _____

PLANNING COMMISSION. Recommended approval w amendments 6-0 11-6-08

CITY COUNCIL 11/15/08 - CC approved PC recommendation w/amendments 6-0
C:\schlfilew\001\DeptFiles\Planz\Applications, Forms, Checklists\Planning Commission\APP-SP2 WPD (see attachment)

Applicant: SpringHill SMC, LLC represented by Duncan Blair, attorney

PLANNING COMMISSION ACTION: Recommend Approval w/ amendments 6-0

City Council approved the Planning Commission recommendation.

Council Action: _____

10. DEVELOPMENT SPECIAL USE PERMIT #2007-0006
5311 DUKE STREET
MCDONALDS RESTAURANT

Public Hearing and Consideration of a request for a development special use permit, with site plan and modifications, to redevelop a fast food restaurant with a drive through window, as well as a request for a parking reduction; zoned CG/Commercial General. Applicant: McDonald's Corporation by M. Catharine Puskar, attorney

PLANNING COMMISSION ACTION: Recommend Approval w/ amendments 6-0

City Council approved the Planning Commission recommendation, with an amendment to condition #24 to state that the monument sign will be no more than six feet in height.

Council Action: _____

Board of Architectural Review

11. Consideration of an Appeal of the Board of Architectural Review's Decision to Take No Action on a Tie Vote on a Request For Approval of After-the-fact Alterations at 900 Prince Street, Zoned CL Commercial, BAR2007-0240. Applicant: PMA Properties, 900 LLC. APPELLANT: Townsend Van Fleet on Behalf of Petitioners. **(Deferred from the June 24, 2008 meeting, Item #34)**

City Council moved that Council find that the unlawful painting of this building has resulted in the loss or diminution of historic fabric, and is incompatible with the historic district; and further moved that 1. City Council vacate the decision of the BAR; and 2. remand this matter to the Director of Planning and Zoning and City Attorney, with direction to secure the test removal of the paint under staff supervision as described in the staff report, and report thereon to the Council, with a recommendation for further action consistent with this decision, within six months.

Council Action: _____

ORDINANCES AND RESOLUTIONS

12. Public Hearing, Second Reading and Final Passage. An Ordinance Making Supplemental Appropriations For FY 2009. (#13, 10/28/08) **[ROLL-CALL VOTE]**