

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
N/S Eastern Avenue; 37' NE c/l	*	OFFICE OF
of North Point Boulevard		
(7801 Eastern Avenue)	*	ADMINISTRATIVE HEARINGS
15 th Election District		
7 th Council District	*	FOR
Thor East Point Mall, LLC,	*	BALTIMORE COUNTY
Legal Owner		
McDonald's USA, LLC,	*	
Contract Purchaser		
Petitioners	*	CASE NO. 2012-0078-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Variance filed by the lessee of the subject property, McDonald's USA, LLC ("McDonald's" or "Petitioner"), through its attorneys, Stanley S. Fine, Esquire, and Caroline L. Hecker, Esquire, for the property located at 7801 Eastern Avenue. The Petitioner requests a Special Hearing to determine whether a separate, free-standing enterprise sign on the McDonald's pad site is permitted. If it is determined that McDonald's is permitted to have a separate, free-standing enterprise sign on its pad site, McDonald's seeks variance relief from the following sections of the Baltimore County Zoning Regulations ("B.C.Z.R."):

- Section 405.4 Attachment 1, 5(a)(VI) to permit 6 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs; and
- Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft.; and
- Section 450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 9.71 ft. in height in lieu of the permitted 6 ft.; and
- Section 450.4 Attachment 1, 3(II) to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign; and

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Date 12-1-11

By PS

- Section 450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy.

In the alternative, if McDonald's is not permitted to have a separate, free-standing enterprise sign on its pad site, then McDonald's requests an additional variance from Section 450.4, Attachment 1, to permit two free-standing enterprise signs on the North Point Boulevard frontage of Eastpoint Mall. The subject property and requested relief are more particularly described on the Plat to Accompany Zoning Petition, color sign elevation drawings, and the Plat to Accompany Special Hearing, which were accepted into evidence as Petitioner's Exhibits 2A, 2B, 4A, 4B, and 5, respectively.

Appearing at the requisite public hearing in support of the request were Caroline L. Hecker, Esquire, attorney for McDonald's; Lee May, Area Construction Manager for McDonald's Corporation; and Iwona Rostek-Zarska of Baltimore Land Design Group, Inc., the engineer who prepared the site plan for this property. No protestants or other interested persons appeared at the hearing.

Testimony and evidence presented at the hearing discloses that McDonald's is the current lessee of a pad site in the Eastpoint Mall Shopping Center, which is owned by Thor Eastpoint Mall, LLC. There is an existing McDonald's restaurant located on North Point Boulevard across from Eastpoint Mall, which has been in operation since October 1987. McDonald's lease at that location is now expiring, and McDonald's has elected to relocate the restaurant to a new pad site at Eastpoint Mall for improved visibility, access, and operational efficiency. The new restaurant will be approximately 4,164 sq. ft. and will have approximately 69 seats.

Ms. Rostek-Zarska was accepted as an expert in site engineering and testified that the unique size and shape of the site impose certain constraints on the new restaurant that make the requested special hearing and variances necessary. The McDonald's site, shown on the site plan

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2

Date 12-1-11

By pm

and photographs submitted by Petitioner (Petitioner's Exhibits 1 and 3, respectively), is located on a pad site at the intersection of North Point Boulevard and the I-695 exit ramp. Although the site fronts on two busy streets, it does not have direct access to either one. Rather, patrons must enter the Eastpoint Mall Shopping Center in order to reach the McDonald's site. Ms. Zarska testified that the small size and irregular shape of the McDonald's pad site, and the fact that it is located at an intersection with frontage on two busy streets, make this property unique. Due to these unique features of the site, the requested signage variances are necessary in order to identify the McDonald's restaurant to passing motorists and to safely direct traffic in and around the site.

Petitioner seeks special hearing relief to permit the installation of a free-standing enterprise sign on the McDonald's pad site. Ms. Zarska testified that this sign would be similar in size and character to an existing Chick-Fil-A sign located on another pad site at Eastpoint Mall, which was approved by letter dated July 28, 2008 from the Baltimore County Department of Permits and Development Management. Ms. Zarska testified that although the new McDonald's will be located at a pad site at Eastpoint Mall, it will not be identified on the Eastpoint Mall identification signs and therefore will not benefit from the existing free-standing signs at the mall. Like the Chick-Fil-A restaurant at Eastpoint Mall, the new McDonald's restaurant will be surrounded by curb islands and separated from Eastpoint Mall by the ring road. As a result, the McDonald's, like the Chick-Fil-A, will function as its own independent site.

After due consideration of the testimony presented on the Petition for Special Hearing, I find that McDonald's is permitted to have its own free-standing enterprise sign at its pad site. The McDonald's site functions independently from the rest of Eastpoint Mall and is physically separated from the mall by curb islands and the ring road. The fact that McDonald's will not be advertised on the Eastpoint Mall identification signs further demonstrates the need for independent

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Date 12-1-11

By pm

signage on the McDonald's pad site. For these reasons, I will grant the Petition for Special Hearing and approve the free-standing enterprise sign on the McDonald's pad site as shown on Petitioner's Exhibit 5.

Petitioner also seeks variance relief from B.C.Z.R. Section 405.4 Attachment 1, 5(a)(VI) to permit six (6) wall-mounted enterprise signs on building facades in lieu of the permitted three (3) signs; from B.C.Z.R. Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft.; B.C.Z.R. Section 450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 9.71 ft. in height in lieu of the permitted 6 ft.; B.C.Z.R. Section 450.4 Attachment 1, 3(II) to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign; and B.C.Z.R. Section 450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy. Although the site is located at the busy intersection of North Point Boulevard and the I-695 exit ramp, patrons must enter the Eastpoint Mall Shopping Center parking lot in order to access the site as there is no direct access from the McDonald's pad site to either street that it abuts. As a result, these variances are necessary in order for the restaurant to be visible to passersby and in order to safely direct traffic in and around the McDonald's pad site. In addition, these signs are McDonald's standard signage plan, and the restaurant at this location would deviate from the standard style of other McDonald's restaurants if the proposed signs were not permitted.

After due consideration of the testimony and evidence presented, it is clear that the requested variances meet the standards set forth in B.C.Z.R. § 307. The Property is unique by virtue of its small size and irregular shape. In light of these unique features of the Property, I find that the Petitioner has satisfied its burden at law. The constraints imposed by these features would create a practical difficulty for the Petitioner if strict compliance with the provisions of the B.C.Z.R. were required. I further find that the relief requested meets the spirit and intent of the B.C.Z.R., and I will therefore grant the requested variances. As I have granted Petitioner's special

hearing request, Petitioner's alternative variance request from B.C.Z.R. Section 450.4, Attachment 1, to permit two free-standing enterprise signs on the North Point Boulevard frontage of Eastpoint Mall is now moot and will be dismissed.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE IT IS ORDERED this 15th day of December, 2011 that the Petition for Special Hearing relief from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to have a free-standing enterprise sign within the McDonald's lease area, as shown on Petitioner's Exhibit 5, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance relief from the following sections of the Baltimore County Zoning Regulations ("B.C.Z.R."):

- Section 405.4 Attachment 1, 5(a)(VI) to permit 6 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs; and
- Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft.; and
- Section 450.4 Attachment 1, 3(b)(VII) to permit two (2) directional signs of 9.71 ft. in height in lieu of the permitted 6 ft; and
- Section 450.4 Attachment 1, 3(II) to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign; and
- Section 450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy, all as shown on Petitioner's Exhibits 2A and 4A,

be and are hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance from B.C.Z.R. Section 450.4, Attachment 1, to permit 2 free-standing enterprise signs on the North Point Boulevard frontage of Eastpoint Mall is moot and is hereby DISMISSED.

The relief is subject to the following:

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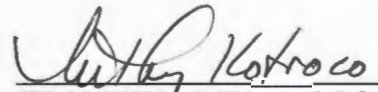
Date 12-1-11

5

By DM

1. Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 12-1-11

By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 7801 Eastern Avenue
which is presently zoned BM-CT

Deed Reference: 23281 / 198 Tax Account # 1505000500

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

PLEASE SEE ATTACHED.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

PLEASE SEE ATTACHED.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

McDonald's USA, LLC
Name - Type or Print
Lee May
Signature
6903 Rockledge Dr., Suite 1100 (240) 497-3626
Address Telephone No.
Bethesda MD 20817
City State Zip Code

Attorney For Petitioner:

Stanley S. Fine, Esq.
Name - Type or Print
Stanley S. Fine, Esq.
Signature
Rosenberg Martin Greenberg, LLP
Company
Suite 2115
25 S. Charles Street (410) 727-6600
Address Telephone No.
Baltimore MD 21201
City State Zip Code

Legal Owner(s):

Thor East Point Mall LLC
Name - Type or Print
Melissa Gliatta
Signature
MELISSA GLIATTA
Name - Type or Print
Melissa Gliatta
Signature

25 West 39th St., 11th Floor (212) 432-3048
Address Telephone No.
New York NY 10018
City State Zip Code

Representative to be Contacted:

Lee May
Name
6903 Rockledge Dr., Suite 1100 (301) 651-9998
Address Telephone No.
Bethesda MD 20817
City State Zip Code

Case No. 2012-0078-SPHA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by BR Date 9/15/11

REV 8/2007

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By pm

McDonald's Corporation
7801 Eastern Avenue
Zoned B.M. - C.T.
Deed Reference: 23281/198
Tax Acct. # 1505000500

Variances are requested from the following Sections:

- 405.4 Attachment 1, 5(a)(VI) to permit 6 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Sign #4 and #5 on Plat to Accompany Zoning Petition);
- 450.4 Attachment 1, 3^(b)(VII) to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft. (Sign #1 on Plat to Accompany Zoning Petition);
- 450.4 Attachment 1, 3^(b)(VII) to permit a directional sign of 9.71 ft. in height in lieu of the permitted 6 ft. (Sign #2 on Plat to Accompany Zoning Petition);
- 450.4 Attachment 1, 3(II) to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Sign #3 on Plat to Accompany Zoning Petition); and
- 450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy (Sign #3 on Plat to Accompany Zoning Petition).

In addition, in the event that the Special Hearing request to approve a free-standing enterprise sign on the McDonald's pad site is denied, an additional variance is requested from Section:

- 450.4 Attachment 1, to permit 2 free-standing enterprise signs on the Northpoint Boulevard frontage of the Shopping Center *where none are permitted.*

These variances to the zoning law of Baltimore County are requested for the following reasons:

The irregular shape and location of this lot are unique and create practical difficulties in the layout of the site. Specifically, the site is separated from the rest of East Point Mall by curb islands and the ring road, and it can only be accessed from inside the Mall property. As a result, the requested signage variances are necessary in order to make the restaurant visible to passing motorists and to direct circulation safely within the site. In addition, this McDonald's would differ from McDonald's standard signage plan that has been implemented on other restaurants in Baltimore County if the requested variances were not permitted.



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7801 Eastern Avenue

which is presently zoned BM-CT

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(This box to be completed by planner)

A free-standing enterprise sign to be located within the McDonald's lease area as shown on the attached Plan to Accompany Zoning Petition (Sign #6).

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

McDonald's USA, LLC

Name - Type or Print

Signature

6903 Rockledge Dr., Suite 1100 (240) 497-3626

Address

Telephone No.

Bethesda

MD

20817

City

State

Zip Code

Attorney For Petitioner:

Stanley S. Fine, Esq.

Name - Type or Print

Signature

Rosenberg Martin Greenberg, LLP

Company Suite 2115

25 S. Charles Street (410) 727-6600

Address

Telephone No.

Baltimore

MD

21201

City

State

Zip Code

Legal Owner(s):

Thor East Point Mall, LLC

Name - Type or Print

Signature

MELISSA GLIATTA

Name - Type or Print

Signature

25 West 39th St., 11th Fl. (212) 432-3048

Address

Telephone No.

New York

NY

10018

City

State

Zip Code

Representative to be Contacted:

Lee May

Name

6903 Rockledge Dr., Suite 1100 (301) 651-9998

Address

Telephone No.

Bethesda

MD

20817

City

State

Zip Code

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Date

12-1-11

By

[Signature]

Case No. 2012-0028-SPA

REV 9/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

BR

Date

9/15/11

**DESCRIPTION TO ACCOMPANY PETITION
FOR ZONING VARIANCES
7801 EASTERN AVENUE
BALTIMORE COUNTY, MARYLAND
15TH ELECTION DISTRICT; 7TH COUNCILMANIC DISTRICT**

September 14, 2011

Beginning at the point located on the north side of North Point Boulevard having a 150 feet width right-of-way, said point being located northeasterly 36 feet, more or less, from the intersection of centerline of Eastpoint Mall Main Entrance with North Point Boulevard right of way, thence running the following courses and distances:

1. North 10° 32' 19" West, 150.67 feet; thence,
2. North 32° 01' 29" East, 29.87 feet; thence,
3. North 80° 06' 34" East, 220.90 feet; thence,
4. South 09° 53' 26" East, 172.84 feet; thence,
5. South 80° 06' 34" West, 239.11 feet, to the point of beginning.

Containing 41,287 square feet or 0.95 acres, more or less.

This description is intended for zoning purposes only and shall not be used for conveyance of land.



Case No.:

2012-0078-SPHA

12/11/11 

Exhibit Sheet

1-4-12
192

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2A 2B	Alternate Site Plan Alternate Site Plan	
No. 3	Photos of the new Bldg	
No. 4A 4B	Sign Package + location Sign Package + location	
No. 5	Freestanding sign plan	
No. 6	Check Fil-A-Sign Photos	
No. 7	Check Fil-A-Sign Letter of Approval	
No. 8	Testimony of Witnesses	
No. 9		
No. 10		
No. 11		
No. 12		

VENABLE[®] LLP

(410) 494-6285

dhkarceski@venable.com

July 28, 2008

HAND-DELIVERED

Timothy M. Kotroco, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Jeffrey W. Long, Deputy Director
Office of Planning
Jefferson Building
Suite 101
105 W. Chesapeake Ave.
Towson, Maryland 21204

Re: REQUEST FOR VERIFICATION FOR CHICK-FIL-A
7907 Eastern Avenue
Tax Map No. 96, Parcel 21
12th Election District, 7th Councilmanic District

Dear Mr. Kotroco and Mr. Long:

This firm represents Chick-fil-A with regard to one of its future locations in the Dundalk area of Baltimore County. The subject site has frontage on Eastern Avenue, situated between Eastern and the ring road that serves the Eastpoint Mall. Chick-fil-A is undergoing construction on a 4,227 sq. ft. restaurant within an independent lease area, as shown on the enclosed site plan entitled "Site Plan for Chick-fil-A on Eastern Avenue" and dated July 17, 2008 (the "Site Plan"). I am writing to request confirmation that Chick-fil-A may install its own ground-mounted enterprise sign, as shown on the enclosed sign details, within its independent lease area.

Although Eastpoint Mall and certain of its tenants benefit from joint identification signage on the Mall property, Chick-fil-A will *not* be a tenant displayed on those Mall signs. Instead, Chick-fil-A intends to install a one tenant, ground-mounted brick

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Timothy M. Kotroco, Director
Jeffrey W. Long, Deputy Director
July 28, 2008
Page 2

enterprise sign that will be located within its independent lease area. Freestanding enterprise signs such as this one that display the identity of single building occupants are permitted under Section 450.4.5(b) of the Baltimore County Zoning Regulations.

The location of Chick-fil-A's independent lease area on the perimeter of the Eastpoint Mall property, together with several other attributes of the site, justify the need for a freestanding enterprise sign for the use. As explained below, although this Chick-fil-a will technically be within that overall Eastpoint Mall property, its location is distinguishable from other tenants of the Mall for signage purposes. Chick-fil-A is situated on what will operate as a stand-alone site for a number of reasons. A review of the Site Plan indicates: (a) the restaurant will be surrounded on all sides by curb islands (including islands separating the site from the ring road and the Mall tenants); (b) two ingress/egress lanes will be installed to serve this restaurant user which will be its only means of access to the ring road and the overall Mall property; and (c) and there will be parking spaces surrounding the restaurant that, pursuant to the terms of Chick-fil-A's lease, will be dedicated solely for use by its restaurant patrons. These features differentiate this restaurant from other tenants in and around the Mall. For example, as shown on the enclosed "4th Refined CRG Plan Eastpoint Mall," tenants throughout the Mall site are not set apart from each other by substantial curbing and they do share common parking fields with other tenants. In other words, when comparing the Chick-fil-A site with the existing tenants that are located on sites that are, more or less, fully integrated with the Mall, it is apparent that the Chick-fil-A will be located on its own independent site, separate and distinct from the Mall, with its own supporting parking. For these reasons, it is our position that Chick-fil-A is entitled to its own enterprise sign to identify the stand-alone use.

Mr. Long, as you may remember, I met with you on two prior occasions to discuss signage for this particular Chick-fil-A site. During our initial meeting, we discussed the height of the sign, that it would be ground-mounted, and that the sign would be clad primarily in brick. During our second meeting, I showed you the enclosed sign detail, which indicates the sign will be limited to 9 feet in height and constructed primarily of brick that, as I explained, will match the brick used for the Chick-fil-A building. At the conclusion of our meeting, you indicated that the proposed sign, as shown on the enclosed detail, is to your Office's satisfaction and appropriate to represent Chick-fil-A given its location on the Mall property.

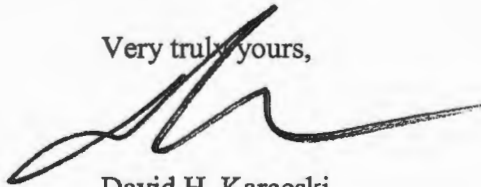
VENABLE[®] LLP

V
Timothy M. Kotroco, Director
Jeffrey W. Long, Deputy Director
July 28, 2008
Page 3

At this time, I am requesting confirmation, by countersignature below, that Chick-fil-A may install its own ground-mounted brick enterprise sign by right within the Chick-fil-A lease area, pursuant to Section 450.4.5(b) of the Zoning Regulations, provided the sign is built consistent with the enclosed sign detail.

With this letter, I have enclosed a check in the amount of \$50.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with this review. If you need any additional information in order to complete your review, please feel free to give me a call.

Very truly yours,



David H. Karceski

DHK/cdm
Enclosures
cc: Mr. Scott Thigpen
Mr. Joe Ucciferro

AGREED AND ACCEPTED:

Donald T. Rascoe
for Timothy M. Kotroco, Director
Department of Permits and Development
Management

Jeffrey W. Long
Jeffrey W. Long, Deputy Director
Office of Planning

MAIN SIGN COLORS

 PAINTED TO MATCH
SHERWIN WILLIAMS 6108 LATTE
(MATCHES AKZO NOBEL 419-C4)

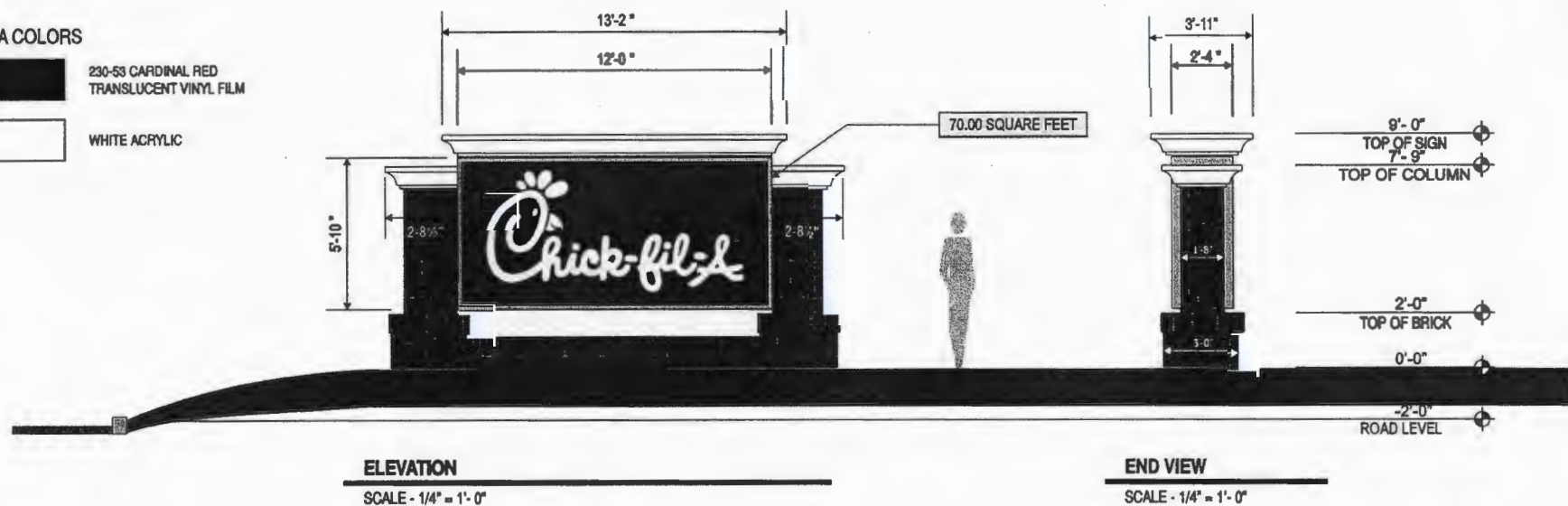
 WHITE

 BRICK CUNNINGHAM BRICK
RED VELOUR

CFA COLORS

 230-53 CARDINAL RED
TRANSLUCENT VINYL FILM

 WHITE ACRYLIC



5198 North Lake Drive
Lake City, GA 30260
404-361-3808 fax 404-361-7038
website - www.daytonsigns.com

SIGN TYPE
2
DOUBLE-FACED INTERNALLY-ILLUMINATED MONUMENT SIGN
DRAWING FILE - CFA - BALTIMORE, MD SIGNAGE.CDW

ALL ELECTRICAL
SIGNS ARE
120 VOLTS
UNLESS
OTHERWISE INDICATED

DRAWN BY BEN HOLLIDAY
ACCOUNT REP: BEN HOLLIDAY
DRAWING DATE JULY 3, 2007
REVISION DATE JULY 21, 2008

STORE NUMBER
2222

STORE ADDRESS
CHICK-FIL-A FSU
EASTERN AVENUE @ EASTPOINT MALL
BALTIMORE, MD 21224

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SIGNS, INC. IT IS NOT TO BE REPRODUCED, CHANGED, OR EXPLOITED TO IMPROVE
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LOCATION
A



BALTIMORE COUNTY ZONING HEARING OUTLINE

MCDONALD'S – 7801 EASTERN AVENUE

November 9, 2011

LEE MAY – TESTIMONY

Name: Lee May

Employer, employer's address: McDonald's Corporation
6903 Rockledge Drive, Ste. 1100
Bethesda, MD 20817

Your job title and responsibilities at McDonalds: Area Construction Manager

Are you familiar with the petition before the Office of Administrative Hearings? Yes

What is the location that is the subject of the petition?

Eastpoint Mall – 7801 Eastern Avenue

The McDonald's pad site is technically part of the mall property but has the address of 1050 North Point Blvd.

What is your interest in the property? McDonald's USA, LLC is the current lessee of the property.

What is at this location currently?

Until recently, this site was unimproved and used for parking as part of Eastpoint Mall. The new McDonald's restaurant, which is a permitted use as a matter of right, is currently under construction at this location.

What is McDonald's proposing to do at this location?

Construct a new McDonald's restaurant.

This restaurant will replace an existing McDonald's restaurant located on North Point Blvd. across from the mall.

That McDonald's has been in operation since October 1987. However, McDonald's lease is now expiring at that location and they have elected to relocate the restaurant to a pad site at Eastpoint Mall for improved visibility and better access.



The proposed new restaurant will be a much more efficient building, both operationally and in terms of energy usage.

Describe existing conditions at this site.

EXHIBIT 1 – OVERALL SITE PLAN OF EASTPOINT MALL

**EXHIBITS 2A & 2B – PLAT TO ACCOMPANY ZONING PETITION
(V-1 / V-1A)**

Identify photographs of McDonald's at Eastpoint Mall.

EXHIBIT 3 – PHOTOS

Describe the location of the proposed McDonald's.

The McDonald's site is a pad site at Eastpoint Mall. The site itself is located near the intersection with the I-695 exit ramp.

What is being proposed at this location?

**SEE EXHIBITS 2A & 2B – PLAT TO ACCOMPANY ZONING PETITION
(V-1 / V-1A)**

We are constructing a new McDonald's restaurant at this location.

Preliminarily, as part of the signage package, we have requested a Special Hearing to determine whether a free-standing monument sign is permitted on this site, similar to the sign that was approved for the Chick-Fil-A restaurant on the other side of the mall.

We are also requesting several signage variances for the new restaurant in order to make the restaurant visible to passing motorists and to bring the new restaurant into conformity with other new McDonald's restaurants in Baltimore County.

In the event that it is determined that the free-standing sign is not permitted, we are also requesting an additional variance to permit an additional free-standing enterprise sign at Eastpoint Mall.

There is ample off-street parking on this site as it is part of Eastpoint Mall.

What is the square footage of the new McDonald's restaurant? 4,164 sq. ft.

How many seats will the new restaurant have? 69 seats

Show elevations of new McDonald's – highlight the features of the new building.

**EXHIBITS 4A & 4B – ELEVATIONS / SIGNAGE DETAILS
(V-2 / V-2A)**

- Contemporary, upscale look – moving away from the bright, plastic look of the old McDonald’s restaurants.
 - “Café”-type customer area - tasteful colors and materials; limited branding.
- Brick exterior (as opposed to painted red and white).
- No mansard roof with (lighted) white roof beams.
- “Green building” features: (now standard for new McDonald’s)
 - High-efficiency HVAC system
 - TPO reflective roof to reduce energy costs
 - Awnings – reduce solar heat gain
 - Masonry walls – thermal properties
 - Two-speed grill exhausts
 - Auto-sensor lavatory faucets
 - LED lighting throughout the building
 - All internally lit signs are LED
 - Cardboard recycling
- The new building will be entirely ADA-compliant.

Explain the sign package:

What is proposed?

We are proposing 6 enterprise signs on the faces of the buildings: 2 signs on the front of the building; 1 sign on the drive-thru side of the building; 2 signs on the non-drive-thru side of the building; and 1 sign on the rear of the building.

We also propose a “canopy”-style directional sign on the front side of the building. This sign will have the word “Welcome” above the face of the canopy, rather than printed directly on the face of the canopy.

We are also proposing a directional sign over each of the drive-thru lanes which, because they are intended to go over the drive-thru lanes, are higher than what would otherwise be permitted.

Finally, we are proposing a free-standing enterprise sign for the McDonald’s site, which is the subject of the Petition for Special Hearing.

Why are you proposing these signage variances?

We have requested these signage variances to make the building visible to passing motorists at this busy intersection and to safely direct traffic in and around the site.

These signage variances will also permit the appearance of this restaurant to be consistent with other McDonald's restaurants in Baltimore County.

Similar signage packages have been approved by variances granted by the Baltimore County Administrative Law Judge for other McDonald's restaurants located at 502 Reisterstown Road, 2116 York Road, 2222 Dundalk Avenue, 6650 Security Boulevard, 2107 E. Joppa Road, 934 York Road, and 7927 Belair Road.

Describe how proposed construction will improve the operation.

The new restaurant will have significantly better access than the existing restaurant, which is difficult to access from North Point Blvd. It will also be more functionally efficient than the existing restaurant and, as we are implementing as many "green building" items in our design as possible, the new building will be much more energy efficient than the existing one.

What is the amount of capital investment for this project?

Approximately \$ 2.2 million

What is the construction schedule for the new restaurant?

Construction of the new restaurant, which is a permitted use as a matter of right, is already underway. If the petition is approved, we will update our signage permit to include the additional signs.



BALTIMORE COUNTY ZONING HEARING OUTLINE

MCDONALD'S – 7801 EASTERN AVENUE

November 9, 2011

IWONA ZARSKA – TESTIMONY

Name: Iwona Zarska

Address:

Employer, employer's address: Baltimore Land Design Group
222 Schilling Circle, Ste. 105
Hunt Valley, MD 21030

What is your job title?

Please describe the nature of the services you provide.

Have you ever testified as an expert witness in the field of site engineering before the Zoning Commissioner of Baltimore County?

Yes.

Have you ever been accepted an approved as such an expert witness?

Yes.

I offer Ms. Zarska as an expert witness in site engineering.

Are you familiar with the petition before the Zoning Commissioner? Yes.

What has been your involvement with this project?

As a result of the Petitioner's application, what is being requested?

SPECIAL HEARING:

Preliminarily, we are requesting a Special Hearing to determine whether a separate free-standing enterprise sign for the McDonald's pad site is permitted.

The proposed free-standing sign would be located on the southwest corner of the pad site and would consist of a 12' tall monument sign.

EXHIBIT 5 – PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING (SH-1)

McDonald's will not be identified on the Eastpoint Mall identification signs and therefore will not benefit from the existing free-standing signs at the mall.

In addition, although the McDonald's restaurant is technically part of the mall, the site will be surrounded by curb islands and separated from the mall property by the ring road. The McDonald's will therefore function as its own independent site.

The McDonald's will also have a separately dedicated parking area, distinguishing its pad site from the rest of the mall.

On the Eastern Avenue side of the mall, Chick-Fil-A was permitted to install its own free-standing monument sign by decision dated July 28, 2008.

EXHIBIT 6 – CHICK-FIL-A PHOTOS

EXHIBIT 7 – CHICK-FIL-A DECISION

McDonald's proposed free-standing sign will be similar in size and character to the Chick-Fil-A sign.

For these reasons, we request that McDonald's be permitted to install its own free-standing sign on its pad site.

VARIANCE PETITION:

What variances are being requested?

- 405.4 Attachment 1, 5(a)(VI) to permit 6 wall-mounted enterprise signs on the building facades in lieu of the permitted 3 signs (Sign #4 and #5 on Plat to Accompany Zoning Petition);
- 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 10.7 ft. in height in lieu of the permitted 6 ft. (Sign #1 on Plat to Accompany Zoning Petition);
- 450.4 Attachment 1, 3(b)(VII) to permit two directional signs of 9.71 ft. in height in lieu of the permitted 6 ft. (Sign #2 on Plat to Accompany Zoning Petition);
- 450.4 Attachment 1, 3(II) to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (Sign #3 on Plat to Accompany Zoning Petition); and
- 450.5.B.3.b to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy (Sign #3 on Plat to Accompany Zoning Petition).

SEE EXHIBIT 4A – ELEVATIONS / SIGNAGE DETAILS (V-2)

If the Special Hearing is denied, we are also requesting an additional variance to permit a second free-standing sign on the North Point Blvd. frontage of Eastpoint Mall.

SEE EXHIBIT 4B – ELEVATIONS / SIGNAGE DETAILS (V-2A)

Is the subject property peculiar, unusual, or unique when compared to other properties in the neighborhood?

Yes. The property is unique due to its small size, as well as the fact that it is located within the Eastpoint Mall property and does not have direct access from the streets it abuts. In addition, the view of the site to northbound traffic on North Point Blvd. is obstructed by a grove of trees located immediately south of the site.

Since you have indicated that the property is peculiar, unusual, or unique, would strict compliance with the Baltimore County Zoning Regulations result in a practical difficulty or unreasonable hardship to the Petitioner?

Yes.

The small size of the lot, the fact that the property is located within the Eastpoint Mall property, and the obstructed view of the property due to the location of a grove of trees on the adjacent lot all create practical difficulties in identifying the building and safely directing traffic in and around the site.

The additional wall-mounted enterprise signs identify the building as a McDonald's restaurant from all sides, and will permit motorists to more easily identify the building as a McDonald's as the exit I-695, as well as from North Point Blvd. and within the mall property.

In addition, the proposed signage identifies the drive-thru lane and the entrances to the restaurant in order to safely direct traffic around the site.

This McDonald's would also differ from McDonald's standard signage plan that has been implemented on other restaurants in Baltimore County if the requested variances were not permitted.

Would the granting of the variance be injurious to the use and enjoyment of the other property owners in the immediate vicinity, or substantially diminish and impair property values in the neighborhood?

The granting of the variance will likely improve property values in the vicinity, as the new restaurant will activate a currently vacant corner.

In addition, as the requested variances will permit McDonald's to replace an existing restaurant on North Point Blvd. with this new one, there will be no greater impact on the use and enjoyment of the neighboring properties than that created by the existing restaurant.

We have shared our plans with the Eastpoint Estates Improvement Association and they have expressed no objection to the proposed variances.

Would the granting of the variances impair an adequate supply of light and air to adjacent property, or overcrowd the land, or create an undue concentration of population, or substantially increase the congestion of the streets, or create hazardous traffic conditions, or increase the danger of fire, or otherwise endanger the public safety?

The granting of the variances will not impact the size, shape or location of the proposed building and therefore will not impair the supply of light and air to adjacent properties, nor will these variances cause an overcrowding of the land. Similarly, the granting of the variances will have no affect on the concentration of population, congestion of the streets, traffic conditions, or the danger of fire, nor will they endanger the public safety in any manner.

Would the granting of the variances adversely affect transportation or unduly burden water, sewers, school, park, or other public facilities?

The granting of the variances will not have any impact on transportation, nor will they burden water, sewers, school, park, or other public facilities.

Would the granting of the variances be in strict harmony with the spirit and intent of the BCZR?

The granting of these variances is in harmony with the purpose of the Zoning Regulations, as they will promote the health, security, comfort, convenience, orderly development and other aspects of the general welfare of the community by permitting McDonald's to replace an outdated restaurant with a more modern, attractive one. This will improve the general welfare of the surrounding neighborhood.

Would the granting of the variances cause any injury to the public health, safety, or general welfare?

The granting of the variances will not cause any injury to the public health, safety, or general welfare.

CONCLUSION

For these reasons, we respectfully request that the Petition for Special Hearing be granted to permit McDonald's to have its own free-standing enterprise sign on its pad site and that the requested variances be granted.

EXHIBIT 8 – OUTLINE OF TESTIMONY

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2012-0078-SPHA

7801 Eastern Avenue

N/s Eastern Avenue, 36 feet N/east centerline of North Point Boulevard

15th Election District - 7th Councilmanic District

Legal Owner(s): Thor East Point Mall, LLC

Contract Purchaser: McDonald's USA, LLC

Special Hearing: to permit a free-standing enterprise sign to be located within the McDonald's lease area as shown on the attached Plan to accompany zoning petition (sign #6) were none are permitted. **Variance:** to permit 6 wall-mounted enterprise signs on the building's facade in lieu of the permitted 3 signs (signs # 4 & 5); to permit a directional sign of 10.7 feet in height in lieu of the permitted 6 ft. (sign #1); to permit a directional sign of 9.71 ft. in height in lieu of the permitted 6 ft. (sign #2); to permit a canopy-type directional sign in lieu of the permitted wall-mounted or free-standing sign (sign #3) and to permit erection of the sign above the face of the canopy in lieu of its erection on the face of the canopy (sign #3).

Hearing: Wednesday, November 9, 2011 at 11:00 a.m.
in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 10/699 October 25 289245

CERTIFICATE OF PUBLICATION

10/27/2011

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/25/2011.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

Certificate of Posting

RE: Case NO. 2012-0078-SPHA

Petitioner/Developer _____

McDonald's Corp. c/o S. Fine

Date of Hearing/Closing 11/9/11

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

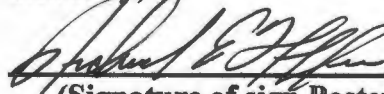
Attention:

This letter is to certify, under penalties of perjury, that the necessary sign as required by law, was posted conspicuously on the property located at _____

7801 Eastern Avenue.; sign posted on North side of North Point Boulevard adjacent to location of new McDonald's restaurant.

The sign(s) were posted on 10/24/11
(Month, Day, Year)

Sincerely,

 10/24/11
(Signature of sign Poster and date)

Richard E. Hoffman
(Printed Name)

See Attached
Photograph

904 Dellwood Drive
(Address)

Fallston, Md. 21047
(City, State, Zip Code)

410-879-3122
(Telephone Number)

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
7801 Eastern Avenue; N/S Eastern Avenue, * OF ADMINISTRATIVE
36' NE c/line of North Point Boulevard * HEARINGS FOR
15th Election & 7th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Thor Eastpoint Mall, LLC *
Contract Purchaser(s): McDonald's USA LLC *
Petitioner(s) * 2012-078-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

SEP 3 0 2011

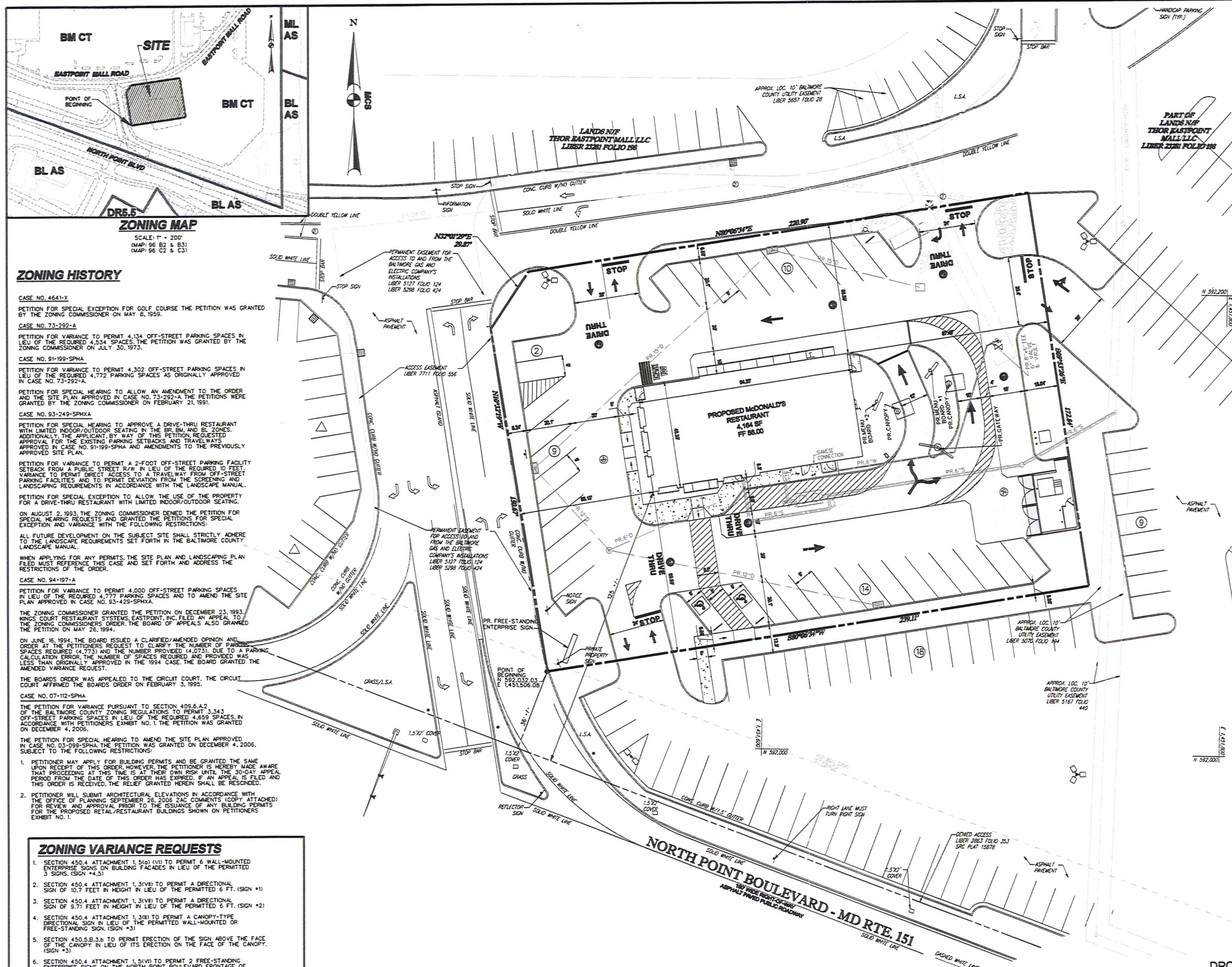
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of September, 2011, a copy of the foregoing Entry of Appearance was mailed to Lee May, Area Construction Manager, 6093 Rockledge Drive, Suite 1100, Bethesda, MD 20817 and Stanley Fine, Esquire, Rosenberg, Martin, Greenburg, LLP, 25 S. Charles Street, Suite 2115, Baltimore, Maryland 21201, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County





SITE DATA

1. AREA OF TRACT (EASTPOINT MALL SHOPPING CENTER): 3,053,556 SF OR 70.30 AC.
2. LEASE AREA OF McDONALD'S RESTAURANT: 41,287 SF OR 0.95 AC.
3. LESSEE: McDONALD'S USA, LLC, BALTIMORE-WASHINGTON REGION, 6903 ROCKLEDGE DRIVE, SUITE 1100, BETHESDA, MARYLAND 20817
4. TAX MAP REFERENCES: T.M. 96-G, 17-P, 21-TAX ID: 1505000500
5. DEED REFERENCES: L. 23281; F.198
6. ELECTION DISTRICT: 15; COUNCILMANIC DISTRICT: 7
7. EXISTING ZONING: BM-CT, MAP #96C3 (McDONALD'S); 96C2; 96B2; 96B3
8. EXISTING USE: EX. SHOPPING CENTER; PROPOSED USE: EX. SHOPPING CENTER W/ NEW McDONALD'S
9. CENSUS TRACT: 4524; TRANSPORTATION ZONE: 0759; ZIP CODE: 21224; WATERSHED: BACK RIVER; REGIONAL PLANNING DISTRICT: NORTH POINT
10. MINIMUM SETBACK REQUIREMENT: FRONT: 40' (PER SECTION 235.1 OF BCZR); SIDE & REAR: 0' FT (PER SECTION 235.2; 235.3; 232.2; & 232.3 OF BCZR)
11. SETBACK PROVIDED: FRONT: 125' FT; SIDE & REAR: N/A
12. BUILDING HEIGHT: PERMITTED: 40' FT; PROPOSED: 23.3' FT
13. AMENITY OPEN SPACE: A. REQUIRED: 0.10 OR 79,489 SF; B. PROVIDED: 210,000 SF PER PLAN SUBMITTED WITH ZONING CASE 94-197-A; C. NOTE: 11,498 SF ADDITIONAL GREEN SPACE IS BEING CREATED BY THIS DEVELOPMENT. THIS SF OF GREEN SPACE IS BEING ELIMINATED FOR A NET GAIN OF 10,507 SF, GIVING A NEW TOTAL OF 237,683 SF
14. F.A.R.: F.A.R. ALLOWED = 5.5 MAX (OR 16,794,556 SF); F.A.R. PROPOSED = 794,889 / 2,894,135 = 0.28; INCLUDES ALL EXISTING AND PROPOSED BUILDINGS
15. ADT: (550 X 4,164 SF) / 1,000 = 2,290 DAILY TRIPS (McDONALD'S ONLY); (553 X 794,889 SF) / 1,000 = 42,129 DAILY TRIPS (ENTIRE SHOPPING CENTER)
16. LANDSCAPE REQUIREMENTS: LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL.
17. ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES. ZONING VARIANCES ARE BEING REQUESTED.

PARKING REQUIREMENTS

A VARIANCE WAS APPROVED BY THE ZONING COMMISSIONER FOR BALTIMORE COUNTY FOR OVERALL PARKING IN THE SHOPPING CENTER ON DECEMBER 4, 2006. THE PARKING LAYOUT FOR THE PROPOSED McDONALD'S WITHIN THE CENTER WAS FURTHER CONFIRMED AND APPROVED BY THE DIRECTOR OF THE PERMITS, APPROVALS AND INSPECTIONS OF BALTIMORE COUNTY WITH THE SIGNING OF THE SPURT OF INTENT LETTER DATED SEPTEMBER 28, 2010.

PARKING SPACES REQUIRED: 794,889 SF @ 5 PS/1,000 = 3,975 PS
PARKING SPACES PROVIDED: 3,569 PS

PARKING PROVIDED FOR THE ENTIRE MALL ARE SHOWN ON THE APPROVED 5TH REFINED CRG PLAN.

DEVELOPMENT APPROVAL

1. ORIGINAL CRG PLAN FOR "EASTPOINT MALL" WAS APPROVED ON 6/21/90.
2. LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(2) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS FOR REFINEMENT OF CRG PLAN TO CONSTRUCT McDONALD'S RESTAURANT WAS GRANTED BY DRC ON 3/14/11.
3. FIFTH REFINED CRG PLAN FOR "EASTPOINT MALL" WAS APPROVED ON 3/14/11.



THE COORDINATE SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN DATUM OF 1983. THE ELEVATION SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
HORIZ: NAD 83/51; VERT: NAVD 88

ZONING HISTORY

CASE NO. 4641-X
PETITION FOR SPECIAL EXCEPTION FOR GOLF COURSE THE PETITION WAS GRANTED BY THE ZONING COMMISSIONER ON MAY 8, 1959.

CASE NO. 73-292-A
PETITION FOR VARIANCE TO PERMIT 4,134 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 4,534 OFF-STREET PARKING SPACES. THE PETITION WAS GRANTED BY THE ZONING COMMISSIONER ON JULY 30, 1973.

CASE NO. 91-199-SPHA
PETITION FOR VARIANCE TO PERMIT 4,302 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 4,772 PARKING SPACES AS ORIGINALLY APPROVED IN CASE NO. 73-292-A.

CASE NO. 93-249-SPHXA
PETITION FOR SPECIAL HEARING TO APPROVE A DRIVE-THRU RESTAURANT WITH LIMITED INDOOR/OUTDOOR SEATING IN THE BR, BM, AND BL ZONES. ADDITIONALLY, THE APPLICANT, BY WAY OF THIS PETITION REQUESTED APPROVAL FOR THE EXISTING PARKING SETBACKS AND TRAVELWAYS APPROVED IN CASE NO. 91-199-SPHA AND AMENDMENTS TO THE PREVIOUSLY APPROVED SITE PLAN.

CASE NO. 94-197-A
PETITION FOR VARIANCE TO PERMIT 4,000 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 4,777 PARKING SPACES AND TO AMEND THE SITE PLAN APPROVED IN CASE NO. 93-249-SPHXA.

CASE NO. 07-112-SPHA
THE ZONING COMMISSIONER GRANTED THE PETITION ON DECEMBER 23, 1993. KINGS COURT RESTAURANT SYSTEMS, EASTPOINT, INC. FILED AN APPEAL TO THE ZONING COMMISSIONERS ORDER. THE BOARD OF APPEALS ALSO GRANTED THE PETITION ON MAY 26, 1994.

ON JUNE 15, 1994, THE BOARD ISSUED A CLARIFIED/AMENDED OPINION AND ORDER AT THE PETITIONERS REQUEST TO CLARIFY THE NUMBER OF PARKING SPACES REQUIRED (4,773) AND THE NUMBER PROVIDED (4,073). DUE TO A PARKING CALCULATION ERROR, THE NUMBER OF SPACES REQUIRED AND PROVIDED WAS LESS THAN ORIGINALLY APPROVED IN THE 1994 CASE. THE BOARD GRANTED THE AMENDED VARIANCE REQUEST.

THE BOARD'S ORDER WAS APPEALED TO THE CIRCUIT COURT. THE CIRCUIT COURT AFFIRMED THE BOARD'S ORDER ON FEBRUARY 3, 1995.

CASE NO. 03-099-SPHA
THE PETITION FOR VARIANCE PURSUANT TO SECTION 405.6.A.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 3,343 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 4,659 SPACES, IN ACCORDANCE WITH PETITIONERS EXHIBIT NO. 1, THE PETITION WAS GRANTED ON DECEMBER 4, 2006.

THE PETITION FOR SPECIAL HEARING TO AMEND THE SITE PLAN APPROVED IN CASE NO. 03-099-SPHA THE PETITION WAS GRANTED ON DECEMBER 4, 2006, SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. PETITIONER MAY APPLY FOR BUILDING PERMITS AND BE GRANTED THE SAME UPON RECEIPT OF THIS ORDER. HOWEVER, THE PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL THE 30-DAY APPEAL PERIOD FROM THE DATE OF THIS ORDER HAS EXPIRED. IF AN APPEAL IS FILED AND THIS ORDER IS RECEIVED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.
2. PETITIONER WILL SUBMIT ARCHITECTURAL ELEVATIONS IN ACCORDANCE WITH THE OFFICE OF PLANNING SEPTEMBER 26, 2006 ZAC COMMENTS (COPY ATTACHED) FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FOR THE PROPOSED RETAIL/RESTAURANT BUILDINGS SHOWN ON PETITIONERS EXHIBIT NO. 1.

ZONING VARIANCE REQUESTS

1. SECTION 450.4 ATTACHMENT 1.5(a) (VI) TO PERMIT 6 WALL-MOUNTED ENTERPRISE SIGNS ON BUILDING FACADES IN LIEU OF THE PERMITTED 3 SIGNS. (SIGN #4.5)
2. SECTION 450.4 ATTACHMENT 1.3(vi) TO PERMIT A DIRECTIONAL SIGN OF 10.7 FEET IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (SIGN #1)
3. SECTION 450.4 ATTACHMENT 1.3(vi) TO PERMIT A DIRECTIONAL SIGN OF 9.7 FEET IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (SIGN #2)
4. SECTION 450.4 ATTACHMENT 1.3(i) TO PERMIT A CANOPY-TYPE DIRECTIONAL SIGN IN LIEU OF THE PERMITTED WALL-MOUNTED OR FREE-STANDING SIGN. (SIGN #3)
5. SECTION 450.5.B.3.b TO PERMIT ERECTION OF THE SIGN ABOVE THE FACE OF THE CANOPY IN LIEU OF ITS ERECTION ON THE FACE OF THE CANOPY. (SIGN #3)
6. SECTION 450.4 ATTACHMENT 1.5(vi) TO PERMIT 2 FREE-STANDING ENTERPRISE SIGNS ON THE NORTH POINT BOULEVARD FRONTAGE OF THE SHOPPING CENTER IN LIEU OF THE PERMITTED ONE SIGN. (SIGN #6)

NOTE: THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY AND SHALL NOT BE USED FOR ANY OTHER PURPOSES.

BLDG
Baltimore Land Design Group Inc.
Consulting Engineers
222 SCHILLING CIRCLE SUITE 105 • HUNT VALLEY, MARYLAND 21036
PHONE: 410.229.9551 • FAX: 410.229.9665 • BLDG@BLDGCNC.COM

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2012.

OWNER
THOR EASTPOINT MALL LLC
25 WEST 39TH ST, 11TH FLOOR
NEW YORK, NY 10018
212-432-3048

DEVELOPER / LESSEE
McDONALD'S USA, LLC
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

REVISIONS				
DATE	NO.	DESCRIPTION	BY	

DRC NO: 100510D
PAI NO: XV-534

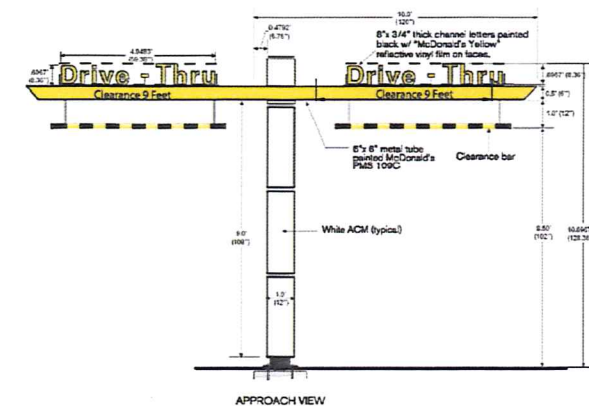
PLAT TO ACCOMPANY ZONING PETITION
FOR ZONING VARIANCES
McDONALD'S RESTAURANT
EASTPOINT MALL SHOPPING CENTER
7801 EASTERN AVE
BALTIMORE COUNTY, MARYLAND 21224
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'

DRAWING NO.
V-1A
SHEET 1 OF 2

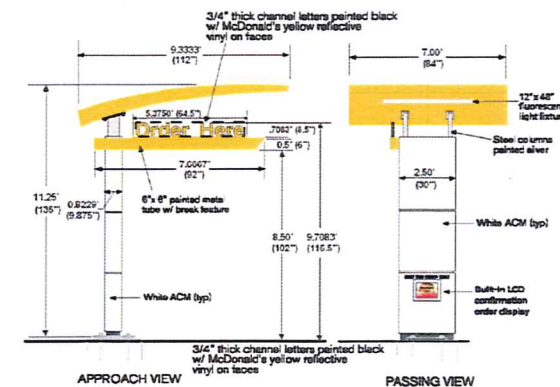




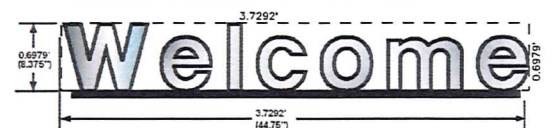
1	WELCOME POINT GATEWAY
CLASS:	DIRECTIONAL
STRUCTURAL TYPE:	FREESTANDING
FACE AREA:	2 x 0.6967' x 4.9483' = 6.8950 SF
QUANTITY:	1
HEIGHT:	10.6967 FT.
ILLUMINATION:	NO



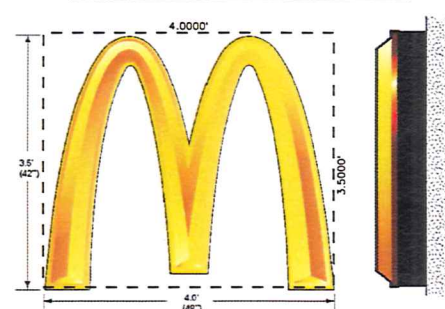
2	DRIVE-THRU SIGN POLE CANOPY
CLASS:	DIRECTIONAL
STRUCTURAL TYPE:	FREESTANDING
FACE AREA:	5.3750' x 0.7083' = 3.8000 SF
QUANTITY:	2
HEIGHT:	9.7083 FT.
ILLUMINATION:	NO



3	WELCOME LETTERS
CLASS:	18.0000' DIRECTIONAL
STRUCTURAL TYPE:	CANOPY
FACE AREA:	3.7292' x 0.6979' = 2.6026 SF
QUANTITY:	1
HEIGHT:	N/A
ILLUMINATION:	NO



4	42" ILLUMINATED ARCH LOGO
CLASS:	ENTERPRISE
STRUCTURAL TYPE:	WALL-MOUNTED
FACE AREA (BOXED):	4.0000' x 3.5000' = 14.0000 SF
QUANTITY:	4
HEIGHT:	N/A
ILLUMINATION:	YES



5	EMBODY ELEMENT
CLASS:	ENTERPRISE
STRUCTURAL TYPE:	WALL-MOUNTED
FACE AREA:	18.0000' x 2.2917' = 41.2506 SF
QUANTITY:	2
HEIGHT:	N/A
ILLUMINATION:	YES



SIGNAGE DATA

I. ENTERPRISE SIGN ON THE BUILDING FACADES

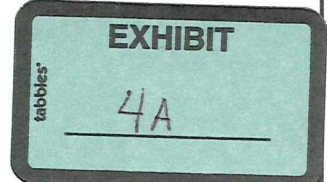
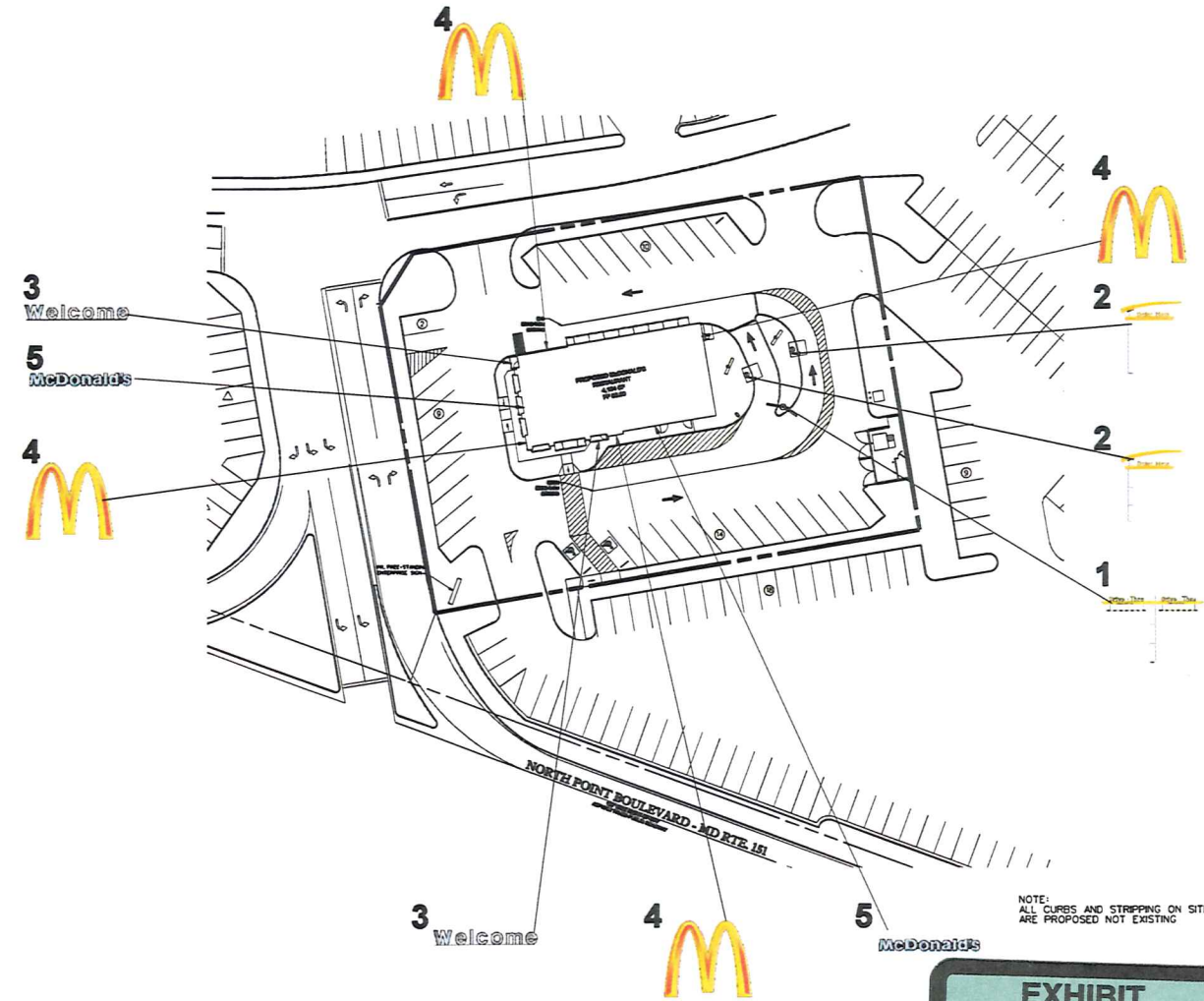
- AREA / FACE OF THE ENTERPRISE SIGNS ON THE SINGLE FACADE:
 - FRONT FACADE (LENGTH = 46.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 46.33' x 92.66 SF
 - AREA / FACE PROPOSED: SIGN #3 = 41.2506 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 55.2506 SF < 92.66 SF
 - NON-DRIVE-THRU FACADE (LENGTH = 94.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 94.33' x 188.66 SF
 - AREA / FACE PROPOSED: SIGN #5 = 41.2506 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 55.2506 SF < 188.66 SF
 - DRIVE-THRU FACADE (LENGTH = 94.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 94.33' x 188.66 SF
 - AREA / FACE PROPOSED: SIGN #4 = 14.0000 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 14.0000 SF < 188.66 SF
 - REAR FACADE (LENGTH = 45.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 45.33' x 92.66 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 14.0000 SF < 92.66 SF
- NUMBER OF ENTERPRISE SIGNS:
 - NUMBER OF SIGNS PERMITTED: THREE (3) ON PREMISES, NO MORE THAN TWO ON EACH FACADE.
 - NUMBER OF ENTERPRISE SIGNS PROPOSED:
 - SIGNS ON FRONT FACADE: 2 (SIGNS #4 & #5)
 - SIGN ON NON-DRIVE-THRU FACADE: 1 (SIGN #4)
 - SIGNS ON DRIVE-THRU FACADE: 2 (SIGNS #4 & #5)
 - SIGN ON REAR FACADE: 1 (SIGN #4)
 - TOTAL NUMBER OF PROPOSED ENTERPRISE SIGNS: 6

II. DIRECTIONAL SIGNS ON THE BUILDING FACADES

- MAX. AREA / FACE ALLOWED: 8 SF / SIGN
- AREA / FACE PROPOSED: SIGN #1 = 6.8950 SF < 8 SF ALLOWED
- STRUCTURAL TYPE ALLOWED: WALL-MOUNTED
- STRUCTURAL TYPE PROPOSED: SIGN #3 = CANOPY

III. DIRECTIONAL FREESTANDING SIGNS

- MAX. AREA / FACE ALLOWED: 8 SF / SIGN
- AREA / FACE PROPOSED: SIGN #1 = 6.8950 SF < 8 SF ALLOWED
- STRUCTURAL TYPE ALLOWED: FREESTANDING (SIGNS #1 & #2)
- STRUCTURAL TYPE PROPOSED: FREESTANDING (SIGNS #1 & #2)
- MAX. HEIGHT ALLOWED: 6 FT
- MAX. HEIGHT PROPOSED: SIGN #1 = 10.70 FT
- SIGN #2 = 9.71 FT



BLDG
Baltimore Land Design Group Inc.
Consulting Engineers
222 SCHILLING CIRCLE SUITE 105 • BUNT VALLEY, MARYLAND 21030
PHONE: 410.229.9651 • FAX: 410.229.9665 • BLDG@BLDGINC.COM

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2012.

OWNER
THOR EASTPOINT MALL LLC
25 WEST 39TH ST., 11TH FLOOR
NEW YORK, NY 10018
212-432-3048

DEVELOPER / LESSEE
McDONALD'S USA, LLC
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

REVISIONS			
DATE	NO.	DESCRIPTION	BY

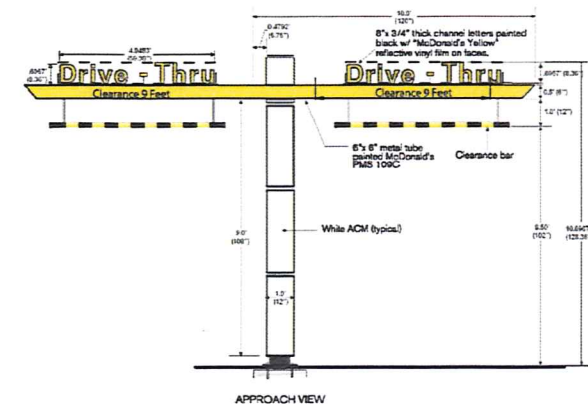
PLAN TO ACCOMPANY ZONING PETITION
FOR ZONING VARIANCES
McDONALD'S RESTAURANT
EASTPOINT MALL SHOPPING CENTER
7601 EASTERN AVE
BALTIMORE, COUNTY, MARYLAND 21244
BALTIMORE COUNTY, MARYLAND
SCALE: NOT APPLICABLE

ELECTION DISTRICT 15, C7
DATE: AUGUST, 2011

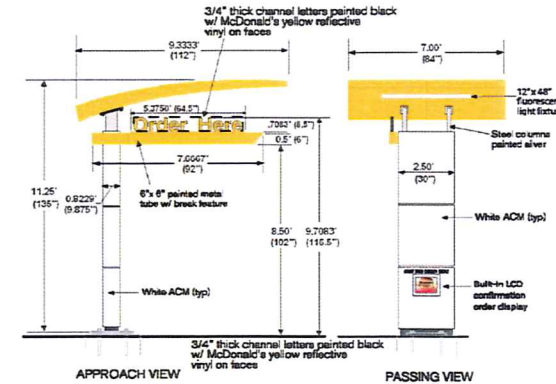
DRAWING NO.
V-2
SHEET 2 OF 2



1	WELCOME PORT GATEWAY
	CLASS: DIRECTIONAL
	STRUCTURAL TYPE: FREESTANDING
	FACE AREA: 2 x 0.6967' x 4.9483' = 6.8950 SF
	QUANTITY: 1
	ILLUMINATION: NO



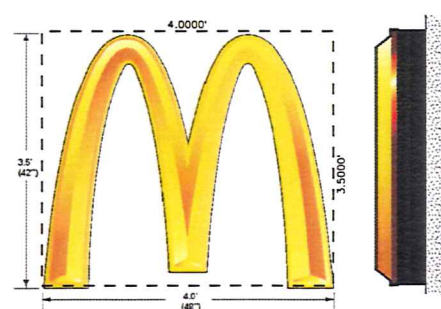
2	DRIVE-THRU SINGLE POLE CANOPY
	CLASS: DIRECTIONAL
	STRUCTURAL TYPE: FREESTANDING
	FACE AREA: 5.3750' x 0.7083' = 3.8000 SF
	QUANTITY: 2
	ILLUMINATION: NO



3	WELCOME LETTERS
	CLASS: DIRECTIONAL
	STRUCTURAL TYPE: CANOPY
	FACE AREA: 3.7292' x 0.6979' = 2.6026 SF
	QUANTITY: 1
	ILLUMINATION: NO



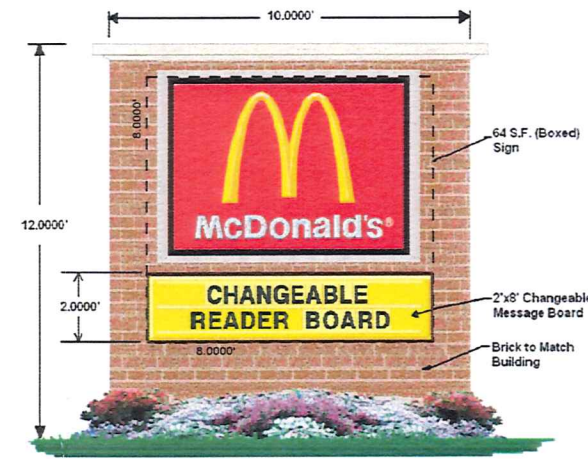
4	42" ILLUMINATED ARCH LOGO
	CLASS: ENTERPRISE
	STRUCTURAL TYPE: WALL-MOUNTED
	FACE AREA (BOXED): 4.0000' x 3.5000' = 14.0000 SF
	QUANTITY: 4
	ILLUMINATION: YES



5	UNIBODY ELEMENT
	CLASS: ENTERPRISE
	STRUCTURAL TYPE: WALL-MOUNTED
	FACE AREA: 18.0000' x 2.2917' = 41.2506 SF
	QUANTITY: 2
	ILLUMINATION: YES



6	90-40 PYLON ROAD SIGN
	CLASS: ENTERPRISE
	STRUCTURAL TYPE: FREESTANDING
	FACE AREA: 8.0000' x 8.0000' = 64.0000 SF
	QUANTITY: 1
	ILLUMINATION: YES



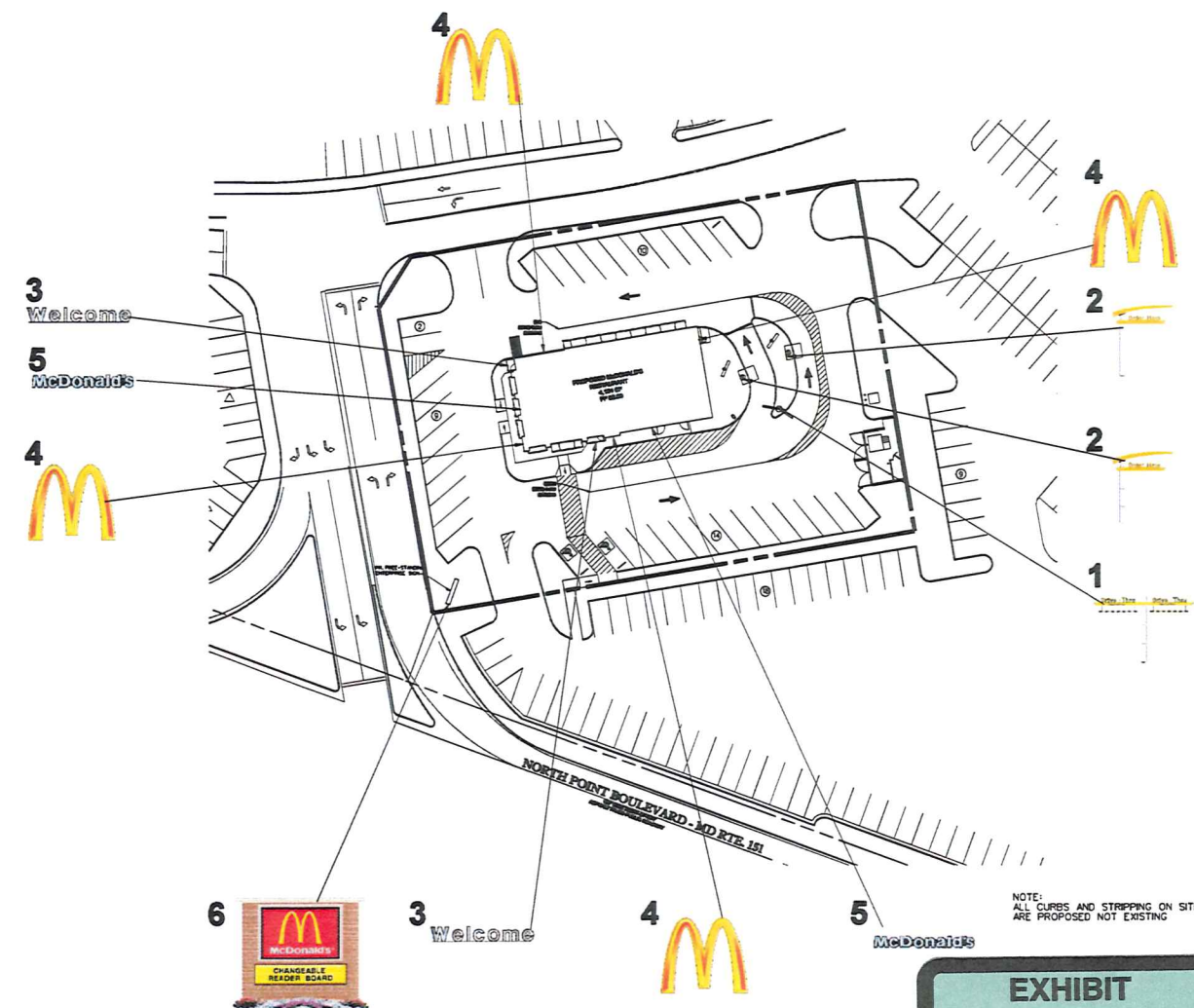
SIGNAGE DATA

I. ENTERPRISE SIGN ON THE BUILDING FACADES

- AREA / FACE OF THE ENTERPRISE SIGNS ON THE SINGLE FACADE:
 - FRONT FACADE (LENGTH = 46.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 46.33' x 92.66 SF
 - AREA / FACE PROPOSED: SIGN #5 = 41.2506 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 55.2506 SF < 92.66 SF
 - NON-DRIVE-THRU FACADE (LENGTH = 94.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 94.33' x 188.66 SF
 - AREA / FACE PROPOSED: SIGN #5 = 41.2506 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 55.2506 SF < 188.66 SF
 - DRIVE-THRU FACADE (LENGTH = 94.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 94.33' x 188.66 SF
 - AREA / FACE PROPOSED: SIGN #4 = 14.0000 SF
 - TOTAL = 14.0000 SF < 188.66 SF
 - REAR FACADE (LENGTH = 45.33')
 - MAXIMUM AREA / FACE ALLOWED: 2 x 45.33' x 92.66 SF
 - SIGN #4 = 14.0000 SF
 - TOTAL = 14.0000 SF < 92.66 SF
- NUMBER OF ENTERPRISE SIGNS:
 - NUMBER OF SIGNS PERMITTED: THREE (3) ON PREMISES, NO MORE THAN TWO ON EACH FACADE.
 - NUMBER OF ENTERPRISE SIGNS PROPOSED:
 - SIGNS ON FRONT FACADE: 2 (SIGNS #4 & #5)
 - SIGN ON NON-DRIVE-THRU FACADE: 2 (SIGN #4 & #5)
 - SIGNS ON DRIVE-THRU FACADE: 1 (SIGN #4)
 - SIGN ON REAR FACADE: 1 (SIGN #4)
 - TOTAL NUMBER OF PROPOSED ENTERPRISE SIGNS: 6

II. DIRECTIONAL SIGNS ON THE BUILDING FACADES

- MAX. AREA / FACE ALLOWED - 8 SF / SIGN
 - AREA / FACE PROPOSED: SIGN #3 = 2.60 SF < 8 SF ALLOWED
 - STRUCTURAL TYPE ALLOWED: WALL-MOUNTED
 - STRUCTURAL TYPE PROPOSED: SIGN #3 - CANOPY
- ### III. DIRECTIONAL FREESTANDING SIGNS
- MAX. AREA / FACE ALLOWED: 8 SF / SIGN
 - AREA / FACE PROPOSED: SIGN #1 = 6.8950 SF < 8 SF ALLOWED
 - SIGN #2 = 3.8000 SF < 8 SF ALLOWED
 - STRUCTURAL TYPE ALLOWED: FREESTANDING
 - STRUCTURAL TYPE PROPOSED: FREESTANDING (SIGNS #1 & #2)
 - MAX. HEIGHT ALLOWED: 6 FT
 - MAX. HEIGHT PROPOSED: SIGN #1 = 10.70 FT
 - SIGN #2 = 9.71 FT
- ### IV. ENTERPRISE FREESTANDING SIGN (SIGN #6)
- MAX. AREA / FACE ALLOWED: 75 SF
 - MAX. AREA / FACE PROPOSED: 63.0000 SF
 - MAX. HEIGHT ALLOWED: 25 SF
 - MAX. HEIGHT PROPOSED: 12 SF
 - MAX. NUMBER / PREMISES ALLOWED: 1 PER FRONTAGE
 - NUMBER OF PROPOSED SIGNS: 2 PER FRONTAGE



EXHIBIT

4B

DRAWING NO.

V-2A

SHEET 2 OF 2

BLDG

Baltimore Land Design Group Inc.

Consulting Engineers

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PHONE: 410.229.9851 • FAX: 410.229.9865 • BLDG@BLDGCNC.COM

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OWNER

THOR EASTPOINT MALL LLC

25 WEST 39TH ST, 11TH FLOOR

NEW YORK, NY 10018

212-432-3048

DEVELOPER / LESSEE

McDONALD'S USA, LLC

BALTIMORE - WASHINGTON REGION

6903 ROCKLEDGE DRIVE, SUITE 1100

BETHESDA, MARYLAND 20817

PHONE (240) 497-3626

REVISIONS			
DATE	NO.	DESCRIPTION	BY

PLAN TO ACCOMPANY ZONING PETITION

FOR ZONING VARIANCES

McDONALD'S RESTAURANT

EASTPOINT MALL SHOPPING CENTER

2760 EASTERN AVE

BALTIMORE COUNTY, MARYLAND 21224

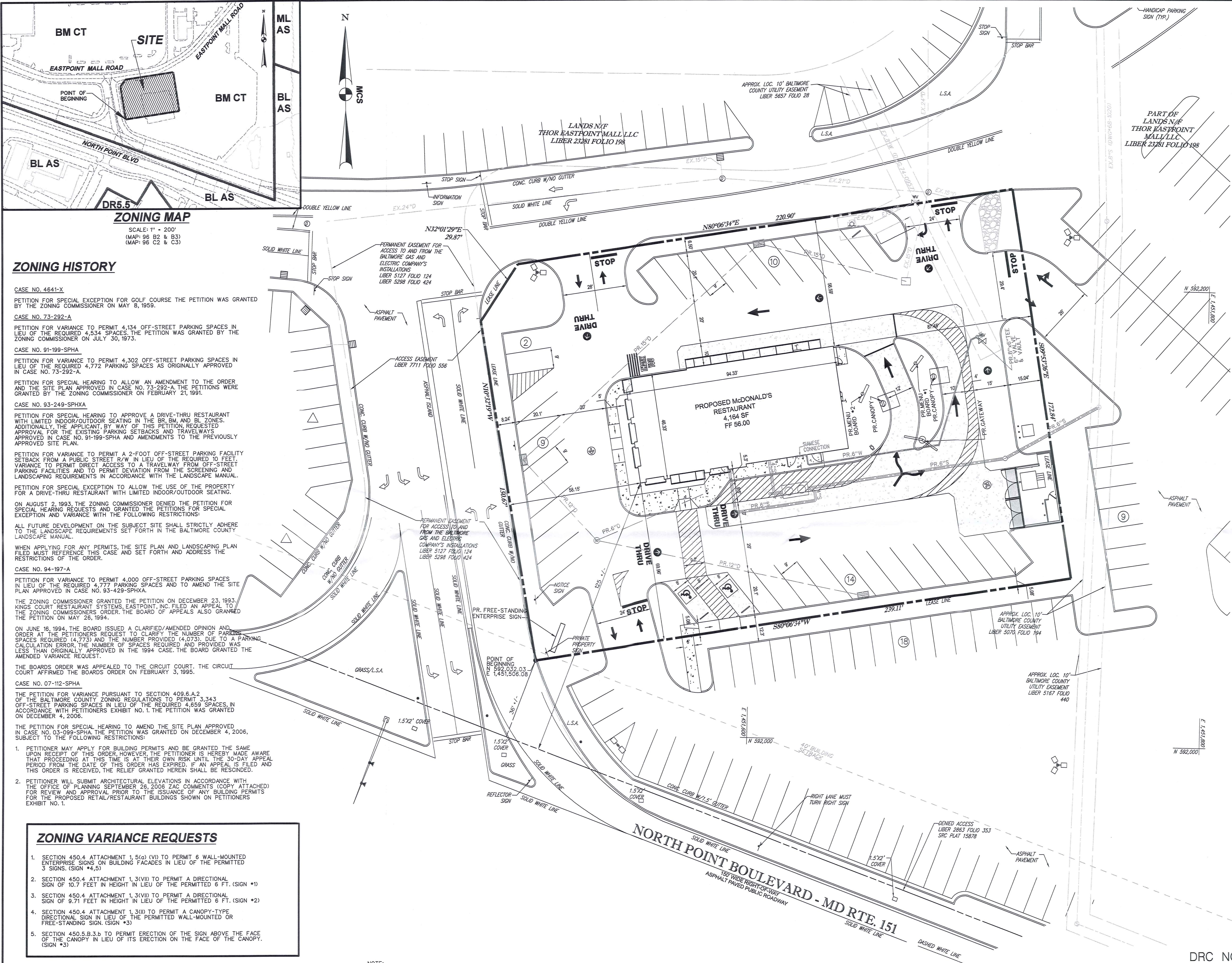
BALTIMORE COUNTY, MARYLAND

SCALE: NOT APPLICABLE

ELECTION DISTRICT 15, C7

DATE: AUGUST, 2011





SITE DATA

1. AREA OF TRACT (EASTPOINT MALL SHOPPING CENTER): 3,053,556 SF OR 70.30 AC.
2. LEASE AREA OF McDONALD'S RESTAURANT: 41,287 SF OR 0.95 AC.
3. LESSEE: McDONALD'S USA, LLC
BALTIMORE-WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
4. TAX MAP REFERENCES: T.M. 961 G, 171 P, 211 TAX ID. 1505000500
5. DEED REFERENCES: L. 23281; F.198
6. ELECTION DISTRICT: 15; COUNCILMANIC DISTRICT: 7
7. EXISTING ZONING: BM-CT, MAP *96C3 (McDONALD'S.); 96C2; 96B2; 96B3
8. EXISTING USE: EX. SHOPPING CENTER
PROPOSED USE: EX. SHOPPING CENTER W/ NEW McDONALD'S
9. CENSUS TRACT: 4524
TRANSPORTATION ZONE: 0759
ZIP CODE: 21224
WATERSHED: BACK RIVER
REGIONAL PLANNING DISTRICT: NORTH POINT
10. MINIMUM SETBACK REQUIREMENT: FRONT: 40 FT PER SECTION 235.1 OF BCZR
SIDE & REAR: 0 FT PER SECTION 235.2; 235.3; 232.2; & 232.3 OF BCZR
11. SETBACK PROVIDED: FRONT: 125 FT
SIDE & REAR: N/A
12. BUILDING HEIGHT: PERMITTED: 40 FT
PROPOSED: 23.3 FT
13. AMENITY OPEN SPACE: A. REQUIRED: 0.10 OR 79,489 SF
B. PROVIDED: 215,000 SF PER PLAN SUBMITTED WITH ZONING CASE 94-197-A
C. NOTE: 11,498 SF ADDITIONAL GREEN SPACE IS BEING CREATED BY THIS DEVELOPMENT. 1,155 SF GREEN SPACE IS BEING ELIMINATED FOR A NET GAIN OF 10,607 SF, GIVING A NEW TOTAL OF 237,653 SF
14. F.A.R.: F.A.R. ALLOWED = 5.5 MAX.(OR 16,794,558 SF)
F.A.R. PROPOSED = 794,889 / 2,894,135 = 0.28
INCLUDES ALL EXISTING AND PROPOSED BUILDINGS
15. ADT: (550 X 4,164 SF) / 1,000 = 2,290 DAILY TRIPS (McDONALD'S ONLY)
(53 X 794,889 SF) / 1,000 = 42,129 DAILY TRIPS (ENTIRE SHOPPING CENTER)
16. LANDSCAPE REQUIREMENTS: LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL.
17. ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES. ZONING VARIANCES ARE BEING REQUESTED.

PARKING REQUIREMENTS

A VARIANCE WAS APPROVED BY THE ZONING COMMISSIONER FOR BALTIMORE COUNTY FOR OVERALL PARKING IN THE SHOPPING CENTER ON DECEMBER 4, 2006. THE PARKING LAYOUT FOR THE PROPOSED McDONALD'S WITHIN THE CENTER WAS FURTHER CONFIRMED AND APPROVED BY THE DIRECTOR OF THE PERMITS, APPROVALS AND INSPECTIONS OF BALTIMORE COUNTY WITH THE SIGNING OF THE SPIRIT OF INTENT LETTER DATED SEPTEMBER 28, 2010.

PARKING SPACES REQUIRED: 794,889 SF @ 5 PS/1,000 = 3,975 PS
PARKING SPACES PROVIDED: 3,569 PS

PARKING PROVIDED FOR THE ENTIRE MALL ARE SHOWN ON THE APPROVED 5TH REFINED CRG PLAN

DEVELOPMENT APPROVAL

1. ORIGINAL CRG PLAN FOR "EASTPOINT MALL" WAS APPROVED ON 6/21/90.
2. LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(2) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS FOR REFINEMENT OF CRG PLAN TO CONSTRUCT McDONALD'S RESTAURANT WAS GRANTED BY DRC ON 3/14/11, DRC *100500.
3. FIFTH REFINED CRG PLAN FOR "EASTPOINT MALL" WAS APPROVED ON 3/14/11.

ZONING VARIANCE REQUESTS

1. SECTION 450.4 ATTACHMENT 1.5(a) (VI) TO PERMIT 6 WALL-MOUNTED ENTERPRISE SIGNS ON BUILDING FACADES IN LIEU OF THE PERMITTED 3 SIGNS. (SIGN *4,5)
2. SECTION 450.4 ATTACHMENT 1.3(VII) TO PERMIT A DIRECTIONAL SIGN OF 10.7 FEET IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (SIGN *1)
3. SECTION 450.4 ATTACHMENT 1.3(VII) TO PERMIT A DIRECTIONAL SIGN OF 9.71 FEET IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (SIGN *2)
4. SECTION 450.4 ATTACHMENT 1.3(II) TO PERMIT A CANOPY-TYPE DIRECTIONAL SIGN IN LIEU OF THE PERMITTED WALL-MOUNTED OR FREE-STANDING SIGN. (SIGN *3)
5. SECTION 450.5.9.3.b TO PERMIT ERECTION OF THE SIGN ABOVE THE FACE OF THE CANOPY IN LIEU OF ITS ERECTION ON THE FACE OF THE CANOPY. (SIGN *3)

NOTE:
THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY AND SHALL NOT BE USED FOR ANY OTHER PURPOSES.

DRC NO: 100510D
PAI NO: XV-534

BLDG
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Consulting Engineers

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NEW YORK, NY 10018
212-432-3048

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BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 1100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

REVISIONS			
DATE	NO.	DESCRIPTION	BY

PLAT TO ACCOMPANY ZONING PETITION
FOR ZONING VARIANCES
McDONALD'S RESTAURANT

EASTPOINT MALL SHOPPING CENTER
7801 EASTERN AVE
BALTIMORE COUNTY, MARYLAND 21224

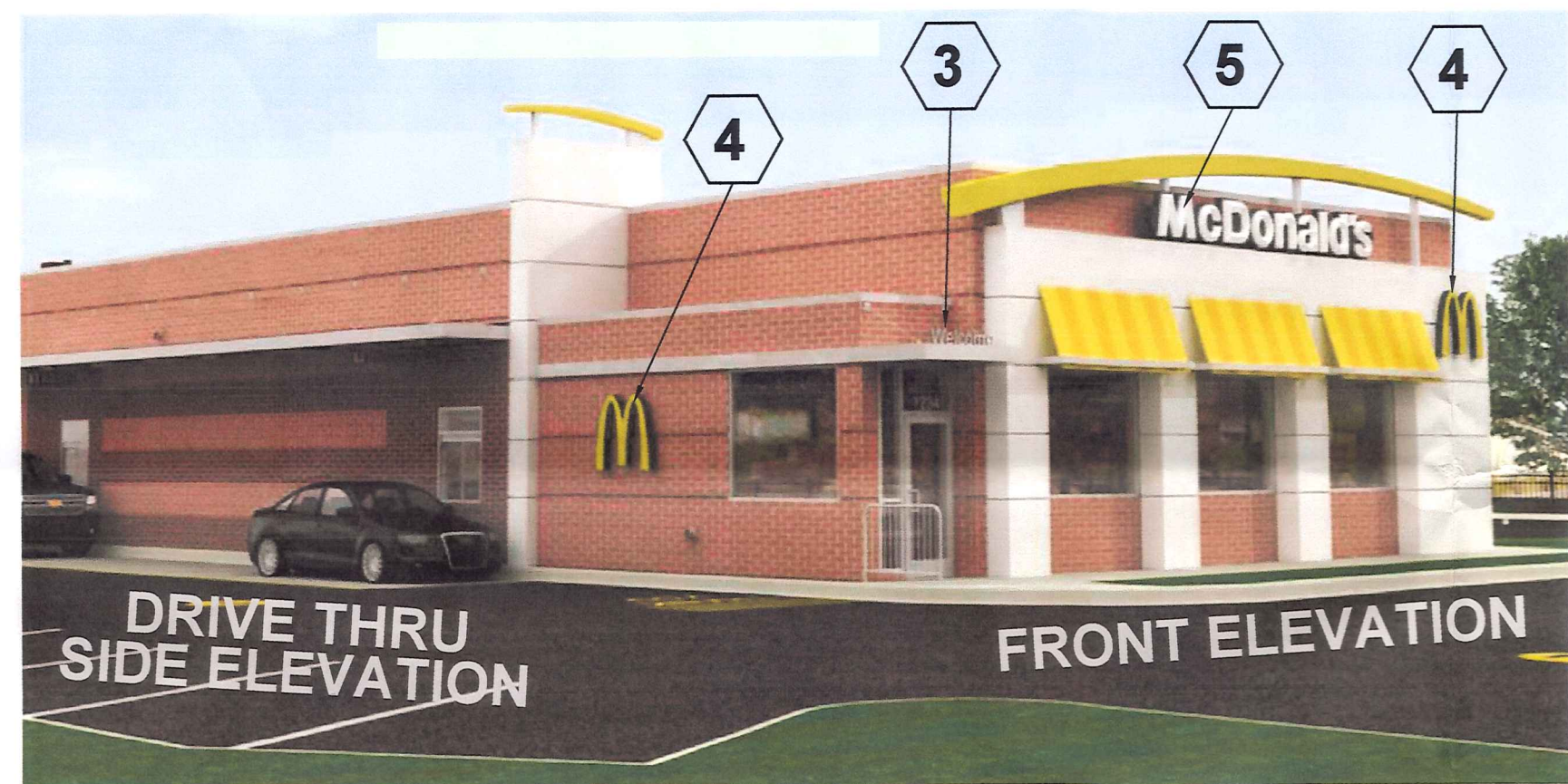
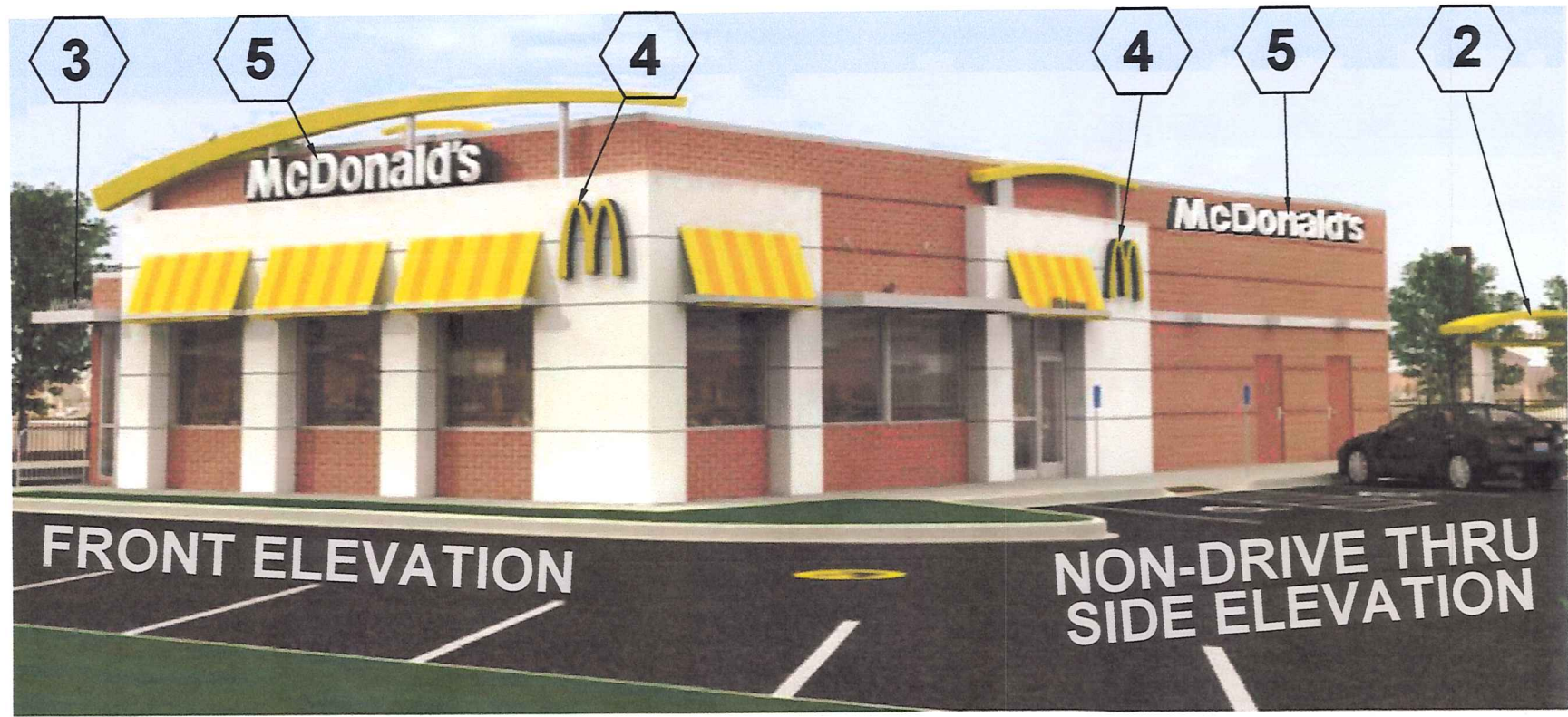
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'

ELECTION DISTRICT 15, C7
DATE: AUGUST, 2011

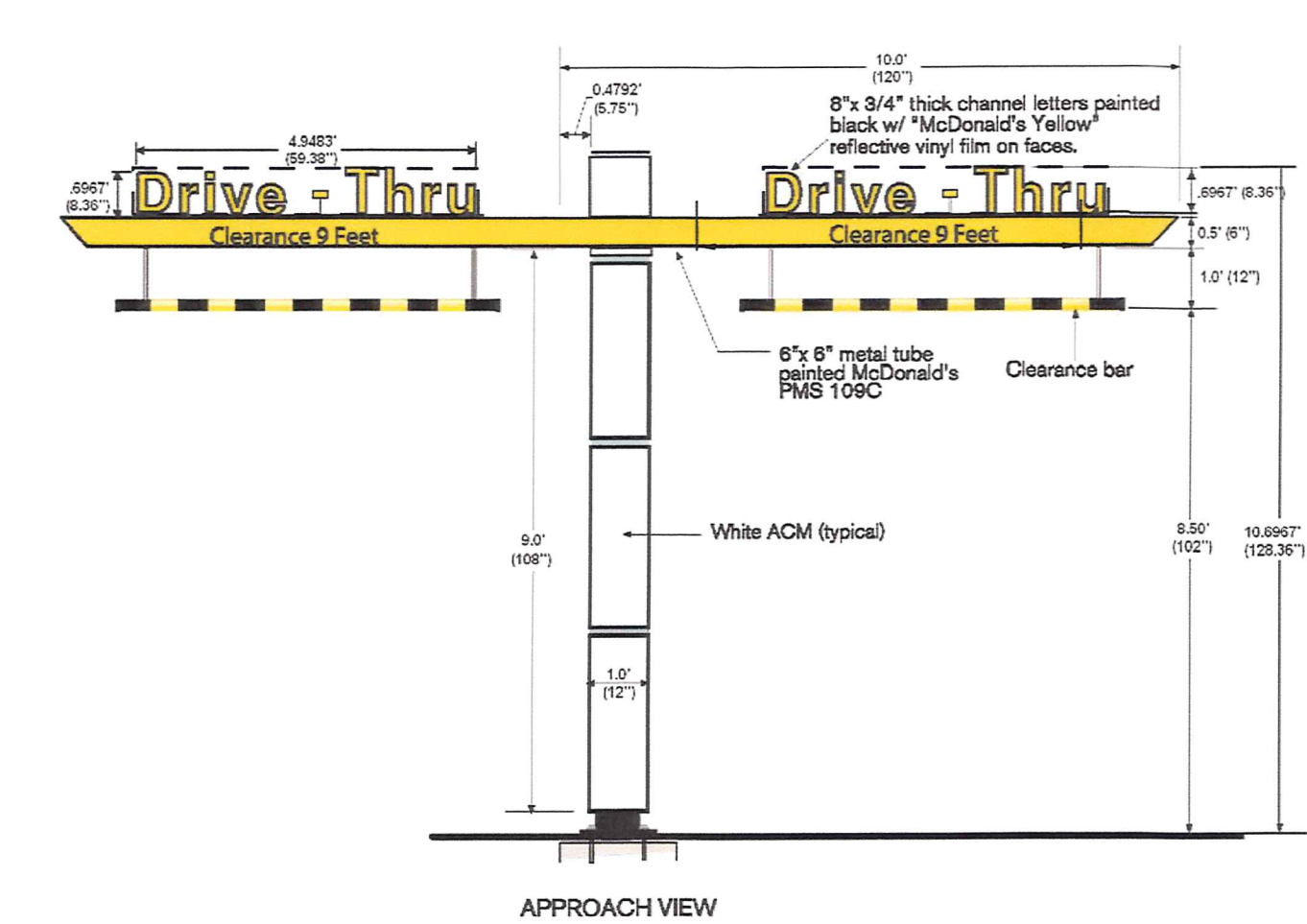
DRAWING NO.

V-1

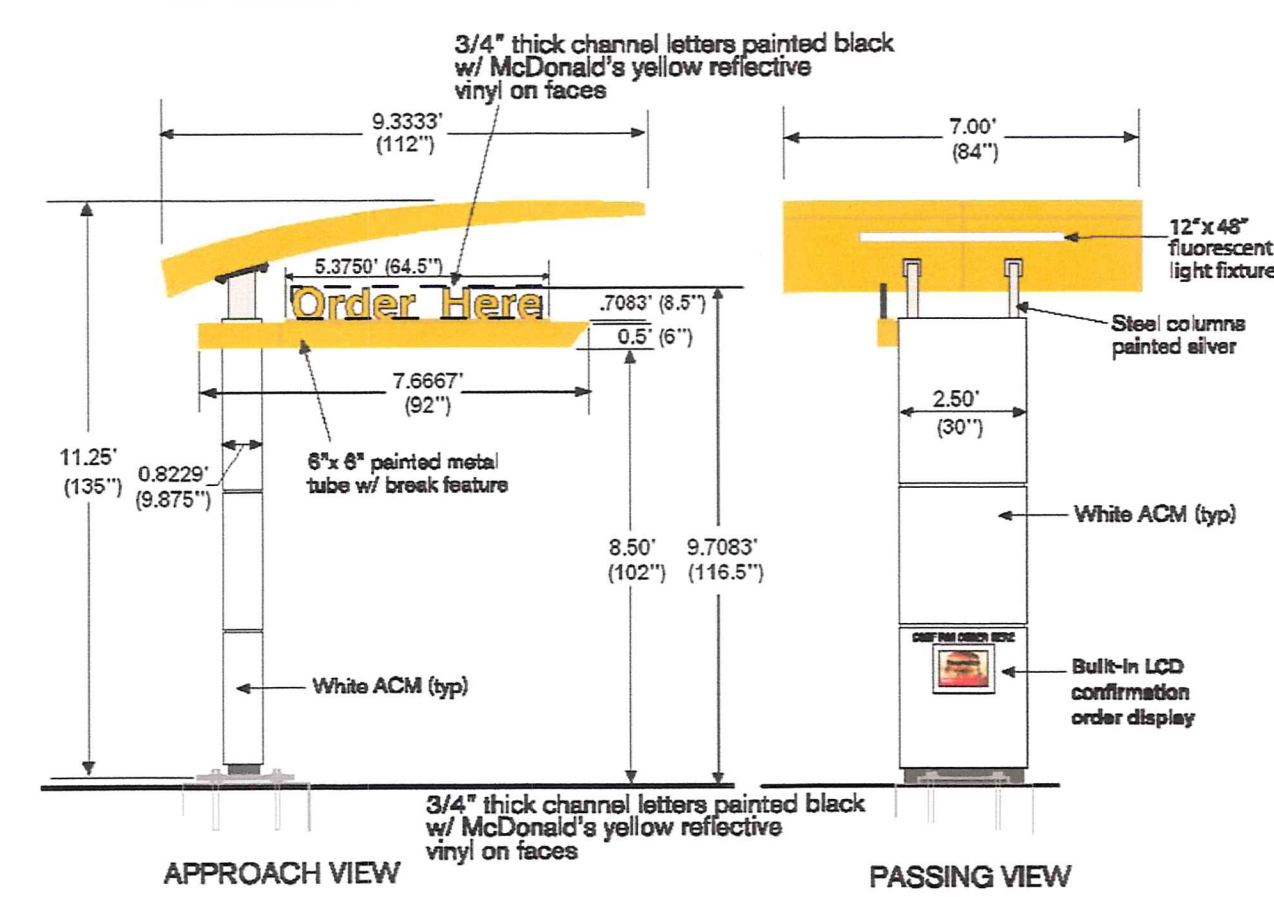
SHEET 1 OF 2



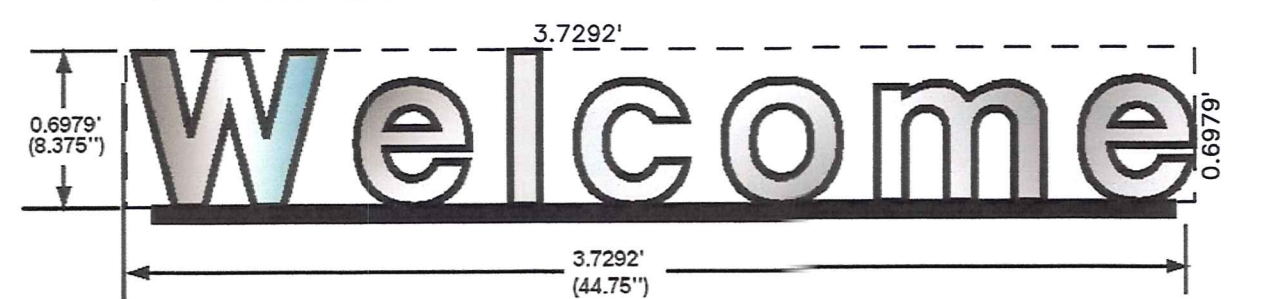
1	WELCOME POINT GATEWAY
	CLASS: DIRECTIONAL
	STRUCTURAL TYPE: FREESTANDING
	FACE AREA: 2 x 0.6967' x 4.9483' = 6.8950 SF
	QUANTITY: 1
	HEIGHT: 10.6967 FT.
	ILLUMINATION: NO



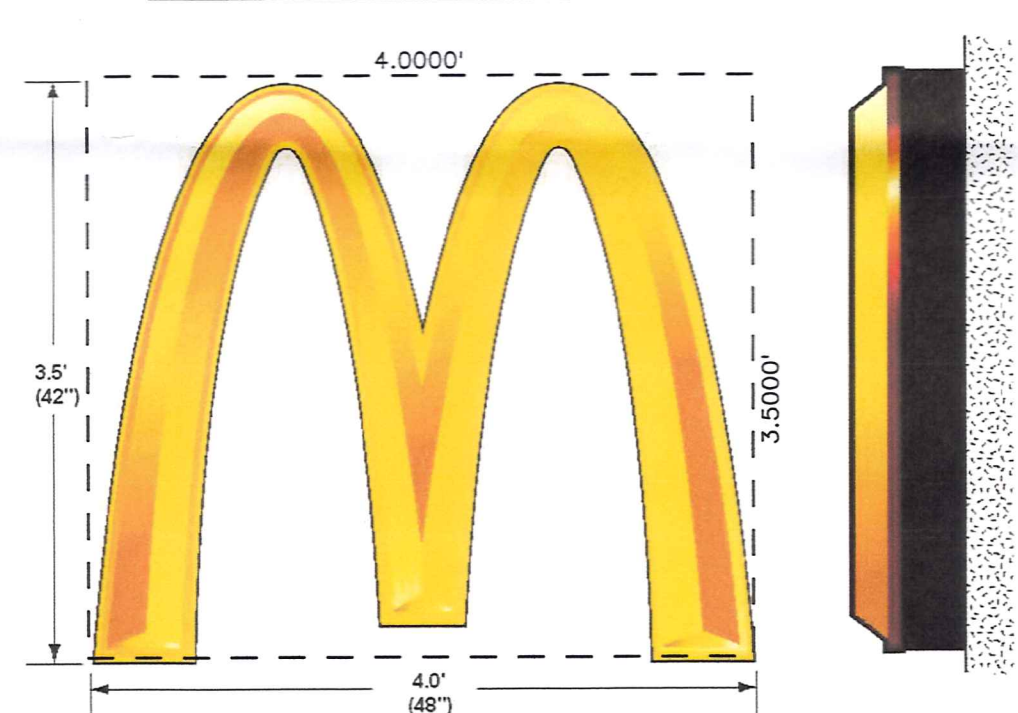
2	DRIVE-THRU SINGLE POLE CANOPY
	CLASS: DIRECTIONAL
	STRUCTURAL TYPE: FREESTANDING
	FACE AREA: 5.3750' x 0.7083' = 3.8000 SF
	QUANTITY: 2
	HEIGHT: 9.7083 FT.
	ILLUMINATION: NO



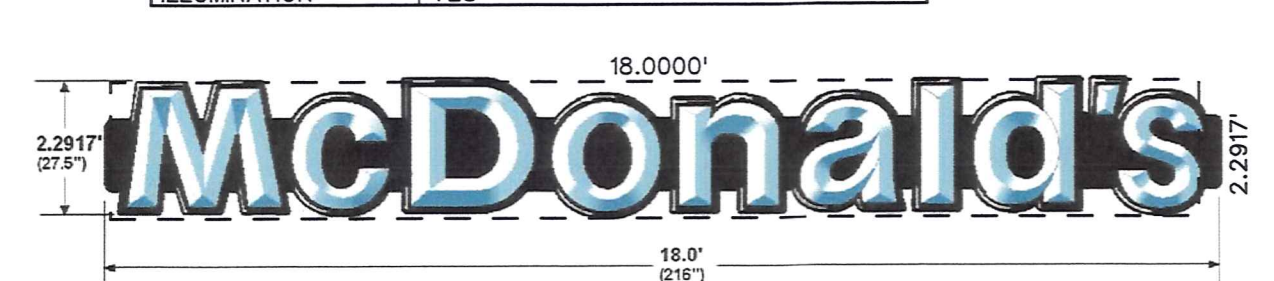
3	WELCOME LETTERS
	CLASS: 18.0000'
	STRUCTURAL TYPE: CANOPY
	FACE AREA: 3.7292' x 0.6979' = 2.6026 SF
	QUANTITY: 1
	HEIGHT: N/A
	ILLUMINATION: NO



4	42" ILLUMINATED ARCH LOGO
	CLASS: ENTERPRISE
	STRUCTURAL TYPE: WALL-MOUNTED
	FACE AREA: (BOXED) 4.0000' x 3.5000' = 14.0000 SF
	QUANTITY: 4
	HEIGHT: N/A
	ILLUMINATION: YES



5	UNIBODY ELEMENT
	CLASS: ENTERPRISE
	STRUCTURAL TYPE: WALL-MOUNTED
	FACE AREA: 18.0000' x 2.2917' = 41.2506 SF
	QUANTITY: 2
	HEIGHT: N/A
	ILLUMINATION: YES



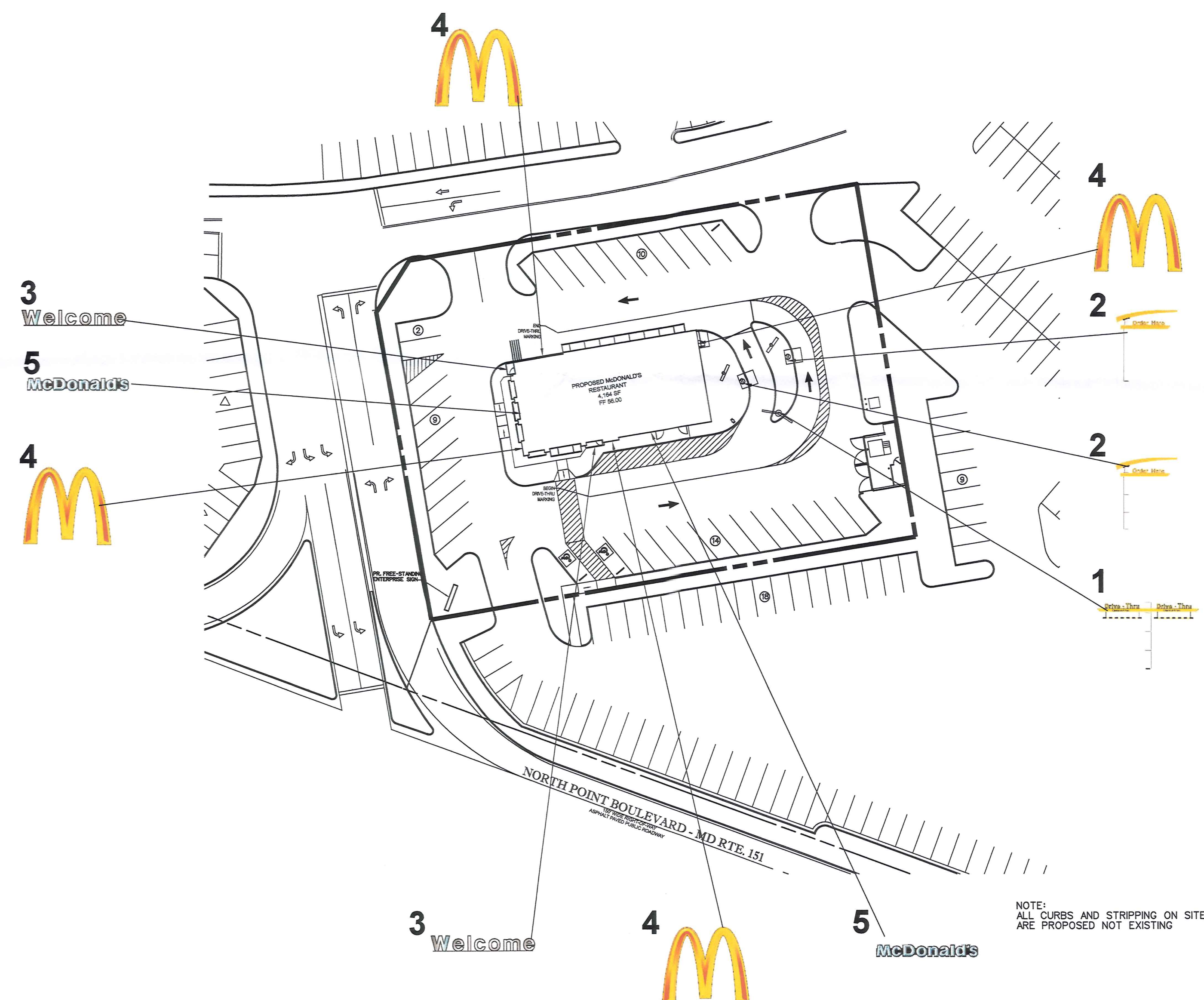
SIGNAGE DATA

I. ENTERPRISE SIGN ON THE BUILDING FACADES

- AREA / FACE OF THE ENTERPRISE SIGNS ON THE SINGLE FACADE:
 - FRONT FACADE (LENGTH = 46.33')
MAXIMUM AREA / FACE ALLOWED: 2 x 46.33' = 92.66 SF
AREA / FACE PROPOSED:
SIGN #5 = 41.2506 SF
SIGN #4 = 14.0000 SF
TOTAL = 55.2506 SF < 92.66 SF
 - NON-DRIVE-THRU FACADE (LENGTH = 94.33')
MAXIMUM AREA / FACE ALLOWED: 2 x 94.33' = 188.66 SF
AREA / FACE PROPOSED:
SIGN #5 = 41.2506 SF
SIGN #4 = 14.0000 SF
TOTAL = 55.2506 SF < 188.66 SF
 - DRIVE-THRU FACADE (LENGTH = 94.33')
MAXIMUM AREA / FACE ALLOWED: 2 x 94.33' = 188.66 SF
AREA / FACE PROPOSED:
SIGN #4 = 14.0000 SF
TOTAL = 14.0000 SF < 188.66 SF
 - REAR FACADE (LENGTH = 45.33')
MAXIMUM AREA / FACE ALLOWED: 2 x 45.33' = 90.66 SF
SIGN #4 = 14.0000 SF
TOTAL = 14.0000 SF < 90.66 SF
- NUMBER OF ENTERPRISE SIGNS:
 - NUMBER OF SIGNS PERMITTED:
THREE (3) ON PREMISES, NO MORE THAN TWO ON EACH FACADE.
 - NUMBER OF ENTERPRISE SIGNS PROPOSED:
SIGNS ON FRONT FACADE: 2 (SIGNS #4 & #5)
SIGN ON NON-DRIVE-THRU FACADE: 1 (SIGN #4)
SIGNS ON DRIVE-THRU FACADE: 2 (SIGNS #4 & #5)
SIGN ON REAR FACADE: 1 (SIGN #4)
TOTAL NUMBER OF PROPOSED ENTERPRISE SIGNS: 6

II. DIRECTIONAL SIGNS ON THE BUILDING FACADES

- MAX. AREA / FACE ALLOWED - 8 SF / SIGN
 - AREA / FACE PROPOSED:
SIGN #3 = 2.60 SF < 8 SF ALLOWED
 - STRUCTURAL TYPE ALLOWED: WALL-MOUNTED
STRUCTURAL TYPE PROPOSED:
SIGN #3 = CANOPY
- ### III. DIRECTIONAL FREESTANDING SIGNS
- MAX. AREA / FACE ALLOWED: 8 SF / SIGN
 - AREA / FACE PROPOSED:
SIGN #1 = 6.8950 SF < 8 SF ALLOWED
SIGN #2 = 3.8000 SF < 8 SF ALLOWED
 - STRUCTURAL TYPE ALLOWED: FREESTANDING
STRUCTURAL TYPE PROPOSED: FREESTANDING (SIGNS #1 & #2)
 - MAX. HEIGHT ALLOWED: 6 FT
MAX. HEIGHT PROPOSED:
SIGN #1 = 10.70 FT
SIGN #2 = 9.71 FT



NOTE: ALL CURBS AND STRIPPING ON SITE ARE PROPOSED NOT EXISTING

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REVISIONS			
DATE	NO.	DESCRIPTION	BY

PLAN TO ACCOMPANY ZONING PETITION
FOR ZONING VARIANCES
McDONALD'S RESTAURANT

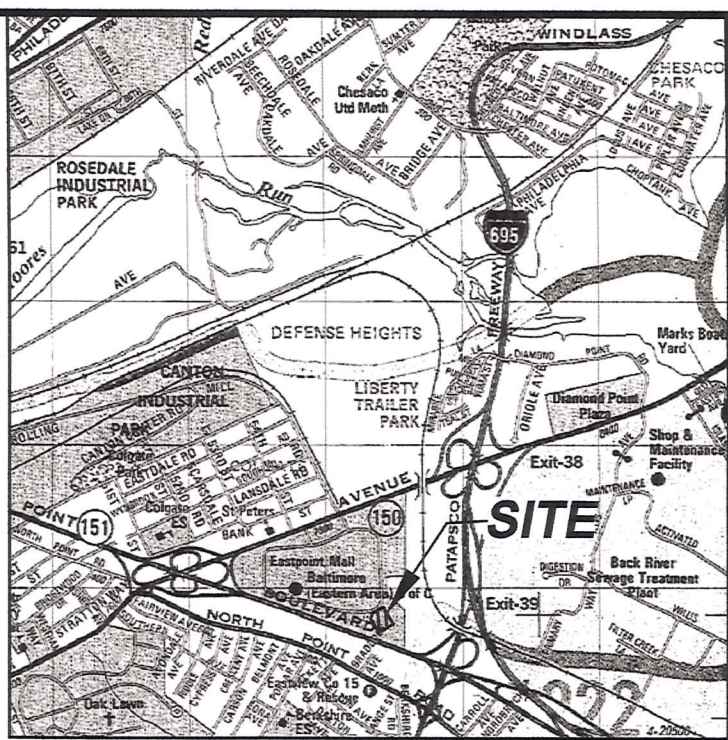
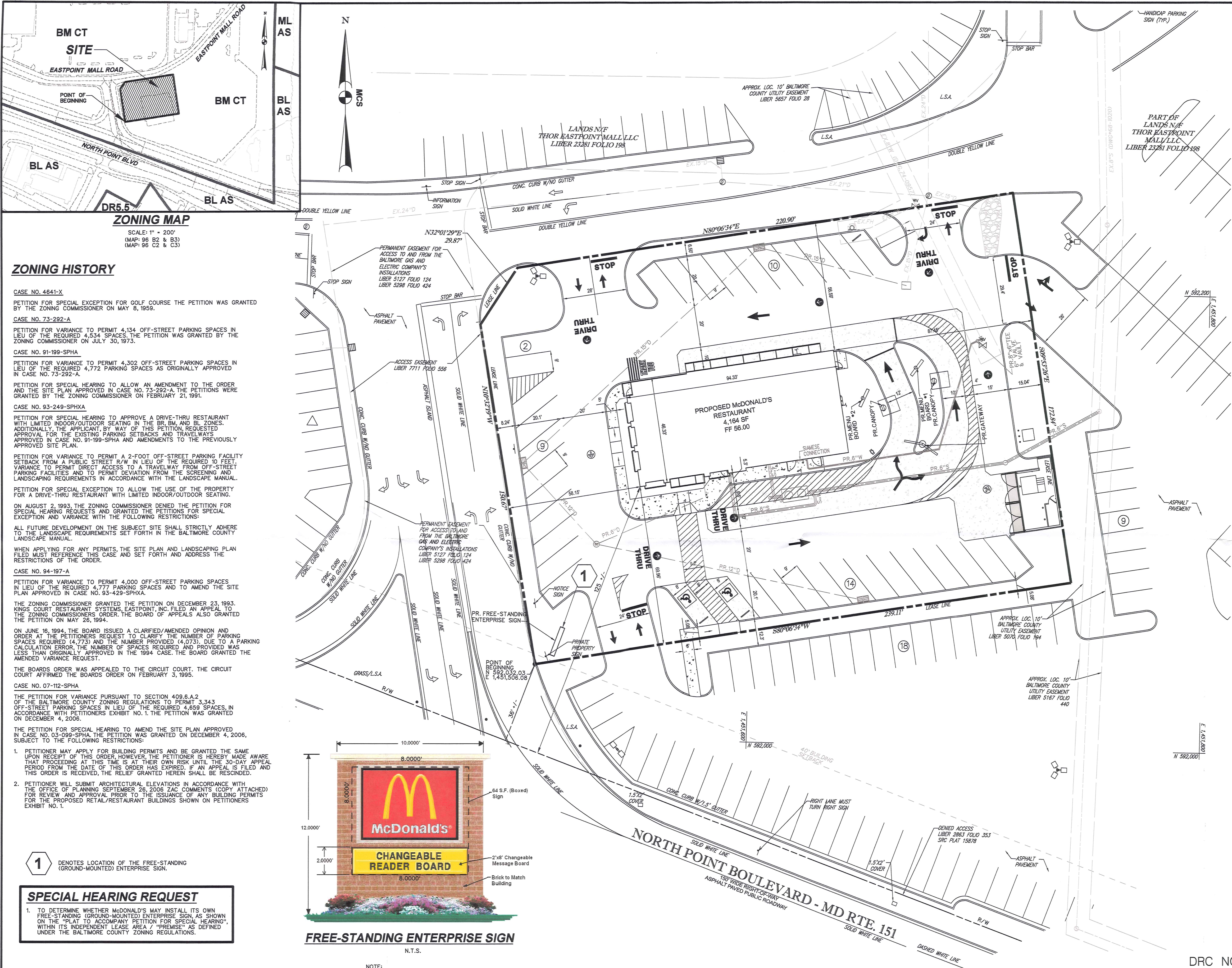
EASTPOINT MALL SHOPPING CENTER
7801 EASTERN AVE
BALTIMORE COUNTY, MARYLAND 21224
BALTIMORE COUNTY, MARYLAND
SCALE: NOT APPLICABLE

ELECTION DISTRICT 15, C7
DATE: AUGUST, 2011

DRAWING NO.

V-2

SHEET 2 OF 2



VICINITY MAP
SCALE: 1" = 2000'

SITE DATA

- AREA OF TRACT (EASTPOINT MALL SHOPPING CENTER): 3,053,556 SF OR 70.30 AC.
- LEASE AREA OF McDONALD'S RESTAURANT: 41,287 SF OR 0.95 AC.
- LESSEE:
McDONALD'S USA, LLC
BALTIMORE-WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 100
BETHESDA, MARYLAND 20817
- TAX MAP REFERENCES:
T.M. 96: G. 17; P. 21; TAX ID. 1505000500
- DEED REFERENCES: L. 23281; F. 198
- ELECTION DISTRICT: 15; COUNCILMANIC DISTRICT: 7
- EXISTING ZONING: BM-CT, MAP *96C3 (McDONALD'S.); 96C2; 96B2; 96B3
- EXISTING USE: EX. SHOPPING CENTER
PROPOSED USE: EX. SHOPPING CENTER W/ NEW McDONALD'S
- CENSUS TRACK: 4524
TRANSPORTATION ZONE: 0759
ZIP CODE: 21224
WATERSHED: BACK RIVER
REGIONAL PLANNING DISTRICT: NORTH POINT
- MINIMUM SETBACK REQUIREMENT:
FRONT: 40 FT PER SECTION 235.1 OF BCZR
SIDE & REAR: 0 FT PER SECTION 235.2; 235.3; 232.2; & 232.3 OF BCZR
- SETBACK PROVIDED:
FRONT: 125 FT
SIDE & REAR: N/A
- BUILDING HEIGHT:
PERMITTED: 40 FT
PROPOSED: 23.3 FT
- AMENITY OPEN SPACE:
A. REQUIRED 0.10 OR 79,489 SF
B. PROVIDED 215,000 SF PER PLAN SUBMITTED WITH ZONING CASE 94-197-A
C. NOTE: 11,498 SF ADDITIONAL GREEN SPACE IS BEING CREATED BY THIS DEVELOPMENT. 1,155 SF GREEN SPACE IS BEING ELIMINATED FOR A NET GAIN OF 10,607 SF, GIVING A NEW TOTAL OF 237,683 SF
- F.A.R.:
F.A.R. ALLOWED = 5.5 MAX (OR 16,794,558 SF)
F.A.R. PROPOSED = 794,889 / 2,894,135 = 0.28
INCLUDES ALL EXISTING AND PROPOSED BUILDINGS
- ADT:
(550 X 4,164 SF) / 1,000 = 2,280 DAILY TRIPS (McDONALD'S ONLY)
(53 X 794,889 SF) / 1,000 = 42,129 DAILY TRIPS (ENTIRE SHOPPING CENTER)
- LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL.
- ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES. ZONING VARIANCES ARE BEING REQUESTED.

PARKING REQUIREMENTS

A VARIANCE WAS APPROVED BY THE ZONING COMMISSIONER FOR BALTIMORE COUNTY FOR OVERALL PARKING IN THE SHOPPING CENTER ON DECEMBER 4, 2006. THE PARKING LAYOUT FOR THE PROPOSED McDONALD'S WITHIN THE CENTER WAS FURTHER CONFIRMED AND APPROVED BY THE DIRECTOR OF THE PERMITS, APPROVALS AND INSPECTIONS OF BALTIMORE COUNTY WITH THE SIGNING OF THE SPIRIT OF INTENT LETTER DATED SEPTEMBER 28, 2010.

PARKING SPACES REQUIRED: 794,889 SF @ 5 PS/1,000 = 3,975 PS
PARKING SPACES PROVIDED: 3,569 PS

PARKING PROVIDED FOR THE ENTIRE MALL ARE SHOWN ON THE APPROVED 5TH REFINED CRG PLAN

DEVELOPMENT APPROVAL

- ORIGINAL CRG PLAN FOR "EASTPOINT MALL" WAS APPROVED ON 6/21/90.
- LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(2) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS FOR REFINEMENT OF CRG PLAN TO CONSTRUCT McDONALD'S RESTAURANT WAS GRANTED BY DRC ON 3/14/11, DRC *1005100.
- FIFTH REFINED CRG PLAN FOR "EASTPOINT MALL" WAS APPROVED ON 3/14/11.

DRC NO: 100510D
PAI NO: XV-534

THE COORDINATE SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN DATUM OF 1983. THE ELEVATION SYSTEM OF ALL DRAWINGS IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
HORZ: NAD 83/91; VERT: NAVD 88

SPECIAL HEARING REQUEST

- TO DETERMINE WHETHER McDONALD'S MAY INSTALL ITS OWN FREE-STANDING (GROUND-MOUNTED) ENTERPRISE SIGN, AS SHOWN ON THE "PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING", WITHIN ITS INDEPENDENT LEASE AREA / "PREMISES" AS DEFINED UNDER THE BALTIMORE COUNTY ZONING REGULATIONS.

1 DENOTES LOCATION OF THE FREE-STANDING (GROUND-MOUNTED) ENTERPRISE SIGN.

BLDG

Baltimore Land Design Group Inc.
Consulting Engineers

222 SCHILLING CIRCLE SUITE 105 • HUNT VALLEY, MARYLAND 21030
PHONE: 410.229.9851 • FAX: 410.229.9865 • BLDG@BLDGINC.COM



PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2012.

OWNER

THOR EASTPOINT MALL LLC
25 WEST 39TH ST, 11TH FLOOR
NEW YORK, NY 10018
212-432-3048

DEVELOPER / LESSEE

McDONALD'S USA, LLC
BALTIMORE - WASHINGTON REGION
6903 ROCKLEDGE DRIVE, SUITE 100
BETHESDA, MARYLAND 20817
PHONE (240) 497-3626

REVISIONS

DATE	NO.	DESCRIPTION	BY

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

McDONALD'S RESTAURANT

EASTPOINT MALL SHOPPING CENTER

7801 EASTERN AVE
BALTIMORE COUNTY, MARYLAND 21224

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20'

ELECTION DISTRICT 15, C7
DATE: AUGUST, 2011

DRAWING NO.

SH-1

SHEET 1 OF 1