

M E M O R A N D U M

DATE: January 10, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0090-SPHA- Appeal Period Expired

The appeal period for the above-referenced case expired on January 9, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(502 Reisterstown Road)
3rd Election District
2nd Council District
McDonald's Corporation
Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2017-0090-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of McDonald's Corporation, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve the amendment of Zoning Case No. 2008-0235-SPHA. In addition, a Petition for Variance seeks: (1) To permit 30 off-street parking spaces in lieu of the required 65 parking spaces; (2) To permit a directional sign of 11.67 ft. in height in lieu of the permitted 6 ft. (Double Arm Gateway); (3) To permit 2 directional signs of 10.17 ft. in height in lieu of the permitted 6 ft. ("Order Here" Signs); (4) To permit 2 order boards of 6.75 ft. in height in lieu of the maximum permitted 6 ft.; (5) To permit 2 projected directional signs in lieu of the permitted wall-mounted or free-standing directional signs ("Window Position Signs" Signs); and (6) To permit 2 stacking spaces behind the order board in lieu of the minimum required 5 stacking spaces. Counsel noted that a redline change was made to the plan to reflect that 62 (rather than 65) parking spaces are required, and the Order will therefore use that revised figure. A site plan was marked and accepted into evidence as Petitioner's Exhibit 4.

Professional engineer Geoff Ciniero, Danitra Bell and Martin Emmer appeared in support of the requests. Caroline L. Hecker, Esq. and Justin Williams, Esq. represented the Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by

ORDER RECEIVED FOR FILING

Date 12/8/16

By Sen

the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR), indicating that lighting and landscape plans would be required.

The subject property is approximately 0.698 acres in size and is split-zoned BL/DR 5.5. A McDonald's has operated at this location since 1967. The restaurant was reconstructed in 2008 with a modern building and signage. Petitioner proposes to install a second drive-thru lane at the restaurant, along with directional signage. To do so variances are required.

SPECIAL HEARING

The special hearing request is simply a "housekeeping" matter, in that Petitioner seeks to amend a prior zoning Order to reflect the relief granted herein. As such the request will be granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The split-zoned property is narrow and irregularly shaped. As such it is unique. Petitioner would experience practical difficulty if the regulations were strictly interpreted because it would be unable to construct the proposed improvements. Finally, as demonstrated by the lack of County and/or community opposition, I do not believe granting the requests would have a detrimental impact upon the community.

The requested signage is not excessive and is identical to that in place at numerous other McDonald's restaurants in Baltimore County and surrounding areas. With respect to the parking

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Date 12/8/16

By ser

variance, Petitioner submitted a "Parking Survey" prepared by Traffic Concepts, Inc. which noted that a commercial parking lot is considered "full" when 90 percent of the spaces are occupied. Petitioner's Exhibit 5. Based upon on-site observations during three different time periods, the study concluded that even at peak periods the parking lot occupancy rate at this location would not exceed 63 percent.

THEREFORE, IT IS ORDERED this 8th day of December, **2016**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve the amendment of Zoning Case No. 2008-0235-SPHA, in accordance with the relief granted below, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the petition for variance: (1) To permit 30 off-street parking spaces in lieu of the required 62 parking spaces; (2) To permit a directional sign of 11.67 ft. in height in lieu of the permitted 6 ft. (Double Arm Gateway); (3) To permit 2 directional signs of 10.17 ft. in height in lieu of the permitted 6 ft. ("Order Here" Signs); (4) To permit 2 order boards of 6.75 ft. in height in lieu of the maximum permitted 6 ft.; (5) To permit 2 projected directional signs in lieu of the permitted wall-mounted or free-standing directional signs ("Window Position Signs" Signs); and (6) To permit 2 stacking spaces behind the order board in lieu of the minimum required 5 stacking spaces, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must provide landscaping and/or lighting at the site as determined by the Baltimore County landscape architect.

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Date 12/8/16
By Den

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 12/8/16

By sen



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 502 Reisterstown Road which is presently zoned BL / DR 5.5
 Deed References: 5667-943 10 Digit Tax Account # 1 7 0 0 0 0 8 3 8 9
 Property Owner(s) Printed Name(s) McDonalds Corporation

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the amendment of zoning case no. 2008-0235-SPHA.

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

See Attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # Email Address

Attorney for Petitioner:

Caroline L. Hecker, Esq.

Name- Type or Print

Signature

25 S. Charles Street, 21st Fl., Baltimore, MD

Mailing Address City State

21201 / (410) 727-6600 / checker@rosenbergmartin.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

McDonald's Corporation

Name #1 - Type or Print

Name #2 - Type or Print

Brice Freeman

Senior Counsel

Signature #1

Signature #2

One McDonald's Plaza, Oak Brook, IL

Mailing Address City State
60523

Zip Code / Telephone # Email Address

Representative to be contacted:

Caroline L. Hecker, Esq.

Name - Type or Print

Signature

25 S. Charles Street, 21st Fl., Baltimore, MD

Mailing Address City State

21201 / (410) 727-6600 / checker@rosenbergmartin.com
 Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING

CASE NUMBER 2017-0090-SPHA Filing Date 10/3/16

Do Not Schedule Dates: 12/8/16 Reviewer JK

Date

By Den

REV. 10/4/11

Attachment

Petition for Variance

502 Reisterstown Road

Variance Relief is Requested from the Following Sections of the BCZR:

1. Section 409.6.A.2 to permit 30 off-street parking spaces in lieu of the required 65 parking spaces.
2. Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 11.67 feet in height in lieu of the permitted 6 feet (Double Arm Gateway).
3. Section 450.4 Attachment 1, 3(b)(VII) to permit 2 directional signs of 10.17 feet in height in lieu of the permitted 6 feet ("Order Here" Signs).
4. Section 450.4 Attachment 1, 5(f)(VII) to permit 2 order boards of 6.75 feet in height in lieu of the maximum permitted 6 feet.
5. Section 450.4 Attachment 1, 3(II) to permit 2 projected directional signs in lieu of the permitted wall-mounted or free-standing directional signs ("Window Position Signs" Signs).
6. Section 409.10.A to permit 2 stacking spaces behind the order board in lieu of the minimum required 5 stacking spaces.

Petition for Special Hearing

502 Reisterstown Road

A Special Hearing is Requested to determine whether or not the Administrative Law Judge should approve the amendment of Zoning Case No. 2008-0235-SPHA.

METES AND BOUNDS DESCRIPTION
Liber 5667 Page 942
McDonald's Corporation
502 Reisterstown Road - Baltimore County

All of that parcel or tract of land located in the 3rd Election District of Baltimore County, Maryland, being all of that parcel of land conveyed to McDonald's Corporation, a body corporate of the State of Delaware, from Alvin Snyder, party of the first part, and Alvin Snyder, The Equitable Trust Company and Ruth Lipsetts (formerly Ruth Keyser), Trustees under Agreement for the Trust dated May 16, 1958 from Irvin S. Keyser, and First Amendment thereof dated March 18, 1964, parties of the second part, and Ruth Lipsetts, Alvin S. Snyder and The Equitable Trust Company, Executors of the Estate of Irvin S. Keyser, deceased, parties of the third part, by Deed, dated August 16, 1976, recorded among the Land Records of Baltimore County, Maryland in Liber 5667 at Folio 942, said parcel being Lots 5 and 6 as shown and included on a Subdivision Record Plat, titled Plat No. 1 of Lampman Property, which plat is recorded among the aforesaid Land Records in Plat Book WPC 5 at Page 063, said parcel being more particularly described as follows:

Beginning for the same at a point being the northeasternmost corner of said Lot 6 on the souther right-of-way line of Reisterstown Road; then leaving said point along the northern boundary line of said Lot 6 and continuing with said Lot 5 along a portion of Reisterstown Road right-of-way

1. North 37° 16' 11" West 153.91 feet; then leaving said right-of-way
2. South 52° 55' 00" West 199.42 feet; then
3. South 37° 13' 35" East 38.20 feet; then
4. South 53° 12' 47" West 32.72 feet to a point on the westernmost line of said Lot 5; then with a portion of said line
5. South 35° 01' 11" East 107.43 feet the beginning of said westernmost line of said Lot 5; then with the southernmost line of said Lot 5
6. North 54° 58' 49" East 236.57 feet to the point of beginning containing a computed area of 33,741 Square Feet or 0.7746 Acres of land.

Subject to a 20' Easement and Right-of-Way agreement established by deed dated Feb. 2, 1967 and is recorded among the aforesaid Land Records in Liber OTG 4728 Folio 449.



Two year MDLLR Professional Land Surveyor's
License Renewal Date: 11/29/2017

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

Nº 145705

Date: 10/3/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	706	0000		6150				1,000.00

Total: 1,000.00

Rec

From: Rosenberg, Martin, Greenberg, LLP

For:

PAYMENT FOR SPN 7 A

SEA Registration Fee

2017-0090-SPN 7 A

DISTRIBUTION

WHITE - CASHIER, PINK - AGENCY YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
10/04/2016 10/03/2016 11:12:05 3
REG #303 WALKIN CAN
>>RECEIPT # 699490 10/03/2016 OFLN
Dept 5 529 ZONING VERIFICATION
CR NO. 145705
Recpt Tot \$1,000.00
\$1,000.00 CK 4.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4589707

Sold To:

ROSENBERG MARTIN GREENBERG LLP - CU00193689
25 S Charles St 21st Floor
BALTIMORE, MD 21201

Bill To:

ROSENBERG MARTIN GREENBERG LLP - CU00193689
25 S Charles St 21st Floor
BALTIMORE, MD 21201

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Nov 15, 2016

The Baltimore Sun Media Group

By

S. Williamson

Legal Advertising

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2017-0090-SPHA

502 Reisterstown Road
S/s Reisterstown Road, 112 ft. N/of centerline of Dreher Avenue
3rd Election District - 2nd Councilmanic District
Legal Owner(s) McDonald's Corporation

Special Hearing: to determine whether or not the Administrative Law Judge should approve the amendment of Zoning Case 2008-0235-SPHA. Variance to 1. To permit 30 off-street parking spaces in lieu of the required 65 parking spaces. 2. To permit a directional sign of 11.67 ft. in height in lieu of the permitted 6 ft. (Double Arm Gateway). 3. To permit 2 directional signs of 10.17 ft. in height in lieu of the permitted 6 ft ("Order Here" Signs). 4. To permit 2 order boards of 6.75 ft. in height in lieu of the maximum permitted 6 ft. 5. To permit 2 projected directional signs in lieu of the permitted wall-mounted or free-standing directional signs ("Window Position Signs" Signs). 6. To permit 2 stacking spaces behind the order board in lieu of the minimum required 5 stacking spaces.

Hearing: Tuesday, December 6, 2016 at 2:30 p.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 11/710 November 15

4589707

CERTIFICATE OF POSTING

RE: Case No. 2017-0090-SPHA

Petitioner: Caroline Hecker, attorney

Hearing Date: 12/6/16

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

502 Reisterstown Road

_____ on 11/16/16

Sincerely,

Handwritten signature of Richard E. Hoffman in blue ink, dated 11/16/16.

Richard E. Hoffman

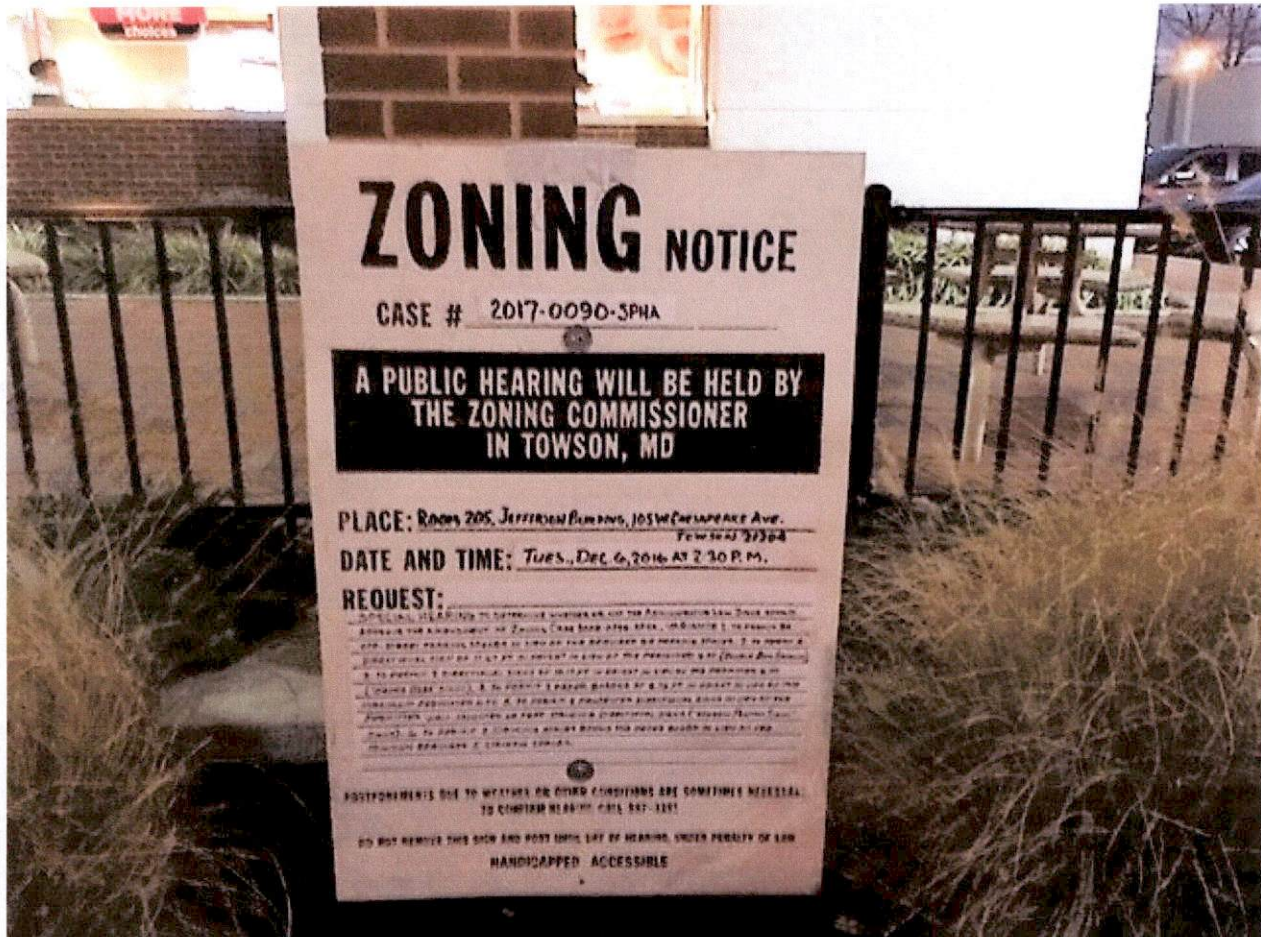
904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

Certificate of Posting

Case No. 2017-0090-SPHA



502 Reisterstown Road (1 of 2)

(Posted 11/16/16)

Richard E Hoffman 11/16/16

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

1. The first part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

2. The second part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

3. The third part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

4. The fourth part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

5. The fifth part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

6. The sixth part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

7. The seventh part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

8. The eighth part of the paper is devoted to a discussion of the various methods which have been proposed for the determination of the rate of reaction between a radical and a molecule.

Certificate of Posting

Case No. 2017-0090-SPHA

LAUREL. 1001 1001, 1001 1001 BUILDING, 103 W. CHESAPEAKE AVE.
TOWSON 21204

DATE AND TIME: TUES., DEC. 6, 2016 AT 2:30 P.M.

REQUEST: SPECIAL HEARING TO DETERMINE WHETHER OR NOT THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE THE AMENDMENT OF ZONING CASE 2008-0235-SPHA. VARIANCE 1. TO PERMIT 30 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 65 PARKING SPACES. 2. TO PERMIT A DIRECTIONAL SIGN OF 11.67 FT. IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. (DOUBLE ARM GATEWAY) 3. TO PERMIT 2 DIRECTIONAL SIGNS OF 10.17 FT. IN HEIGHT IN LIEU OF THE PERMITTED 6 FT. ('ORDER HERE' SIGN). 4. TO PERMIT 2 ORDER BOARDS OF 6.75 FT. IN HEIGHT IN LIEU OF THE MAXIMUM PERMITTED 6 FT. 5. TO PERMIT 2 PROJECTED DIRECTIONAL SIGNS IN LIEU OF THE PERMITTED WALL-MOUNTED OR FREE-STANDING DIRECTIONAL SIGNS ('WINDOW POSITION SIGNS' SIGNS). 6. TO PERMIT 2 STACKING SPACES BEHIND THE ORDER BOARD IN LIEU OF THE MINIMUM REQUIRED 5 STACKING SPACES.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

502 Reisterstown Road (2 of 2)

(Posted 11/16/16)

 11/16/16

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 9, 2016

NOTICE OF ZONING HEARING

The Administrative Law Judge 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 NUMBER: 2017-0090-SPHA

502 Reisterstown Road

S/s Reisterstown Road, 112 ft. N/of centerline of Dreher Avenue

3rd Election District – 2nd Councilmanic District

Legal Owners: McDonald's Corporation

Special Hearing to determine whether or not the Administrative Law Judge should approve the amendment of Zoning Case 2008-0235-SPHA. Variance 1. To permit 30 off-street parking spaces in lieu of the required 65 parking spaces. 2. To permit a directional sign of 11.67 ft. in height in lieu of the permitted 6 ft. (Double Arm Gateway). 3. To permit 2 directional signs of 10.17 ft. in height in lieu of the permitted 6 ft. ("Order Here" Signs). 4. To permit 2 order boards of 6.75 ft. in height in lieu of the maximum permitted 6 ft. 5. To permit 2 projected directional signs in lieu of the permitted wall-mounted or free-standing directional signs ("Window Position Signs" Signs). 6. To permit 2 stacking spaces behind the order board in lieu of the minimum required 5 stacking spaces.

Hearing: Tuesday, December 6, 2016 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Caroline Hecker, 25 S. Charles Street, 21st Fl., Baltimore 21201
McDonald's Corp., Sr. Counsel, One McDonald's Plaza, Oak Brook, IL 60523

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Issue - Jeffersonian ~ 11/15/16

Please forward billing to:

Maggie Giordano
Rosenberg, Martin & Greenberg
25 S. Charles Street, 21st Fl.
Baltimore, MD 21201

410-727-6600

NOTICE OF ZONING HEARING

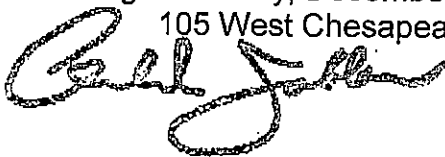
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Hearing: Tuesday, December 6, 2016 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
502 Reisterstown Road; S/S Reisterstown Rd, * OF ADMINISTRATIVE
112' N of c/line of Dreher Avenue *
3rd Election & 2nd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): McDonald's Corporation *
Petitioner(s) * BALTIMORE COUNTY
* 2017-090-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

NOV 14 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2016, a copy of the foregoing Entry of Appearance was mailed to Caroline L. Hecker, Esquire, 25 S. Charles Street, 21st Floor, Baltimore, Maryland 21201, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2017-0090-SPHA

Property Address: 502 Reisterstown Road

Property Description: _____

Legal Owners (Petitioners): McDonalds Corp.

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Maggie Giordano

Company/Firm (if applicable): Rosberg Martin Greenberg, LLP

Address: 25 S. Charles St
21st Fl.

Balt., MD 21201

Telephone Number: (410) 727-6600

Revised 7/9/2015



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 29, 2016

McDonald's Corporation
One McDonald's Plaza
Oak Brook IL 60523

RE: Case Number: 2017-0090 SPHA, Address: 502 Reisterstown Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 3, 2016. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Caroline L Hecker, Esquire, 25 S Charles Street, 21st Floor, Baltimore MD 21201

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 10/11/16

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 10/11/16. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2017-0090-SHA.

*Variance Special Hearing
McDonalds Corporation
502 Reisterstown Road
MD140*

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Wolcott".

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: October 31, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-090

INFORMATION:

Property Address: 502 Reisterstown Road
Petitioner: McDonald's Corporation
Zoning: BL & D.R.5.5
Requested Action: Special Hearing, Variance

RECEIVED

NOV 03 2016

OFFICE OF ADMINISTRATIVE HEARINGS

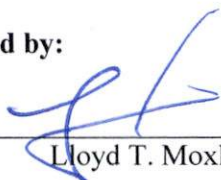
The Department of Planning has reviewed the petition for a Special Hearing to determine whether or not the Administrative Law Judge should approve the amendment of Zoning Case No. 2008-0235-SPHA and variances as listed on the attachment filed in support of said petition.

A site visit was conducted on October 17, 2016. No change is being proposed to the existing building.

The Department of Planning has no objection to granting the petitioned zoning relief.

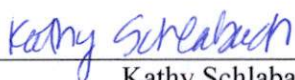
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Caroline L. Hecker, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

RECEIVED

OCT 13 2016

Inter-Office Correspondence

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 13, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0090-SPHA
Address 502 Reisterstown Road
(McDonald's Corporation Property)

Zoning Advisory Committee Meeting of **October 17, 2016**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 10-13-2016

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 17, 2016
Item No. 2017-0090

DATE: October 17, 2016

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Landscape and Lighting Plans are required per Landscape Manual.

* * * * *

DAK: ~~CEN~~
Cc: file
ZAC-ITEM NO 17-0090-10172016.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

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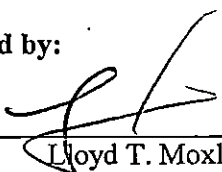
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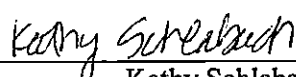
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Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Caroline L. Hecker, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NAME 502 Rusters town Road
CASE NUMBER 2017-0090-SP/A
DATE 12/6/16

Petitioner's

~~CITIZEN~~'S SIGN - IN SHEET

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NO. 2017-

0090-SPHA

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

10/17/16

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

C

10/13/16

DEPS
(if not received, date e-mail sent _____)

N/C

FIRE DEPARTMENT

10/31/16

PLANNING
(if not received, date e-mail sent _____)

NO Obj

10/11/16

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 11/15/16

SIGN POSTING Date: 11/16/16

by Hoffman

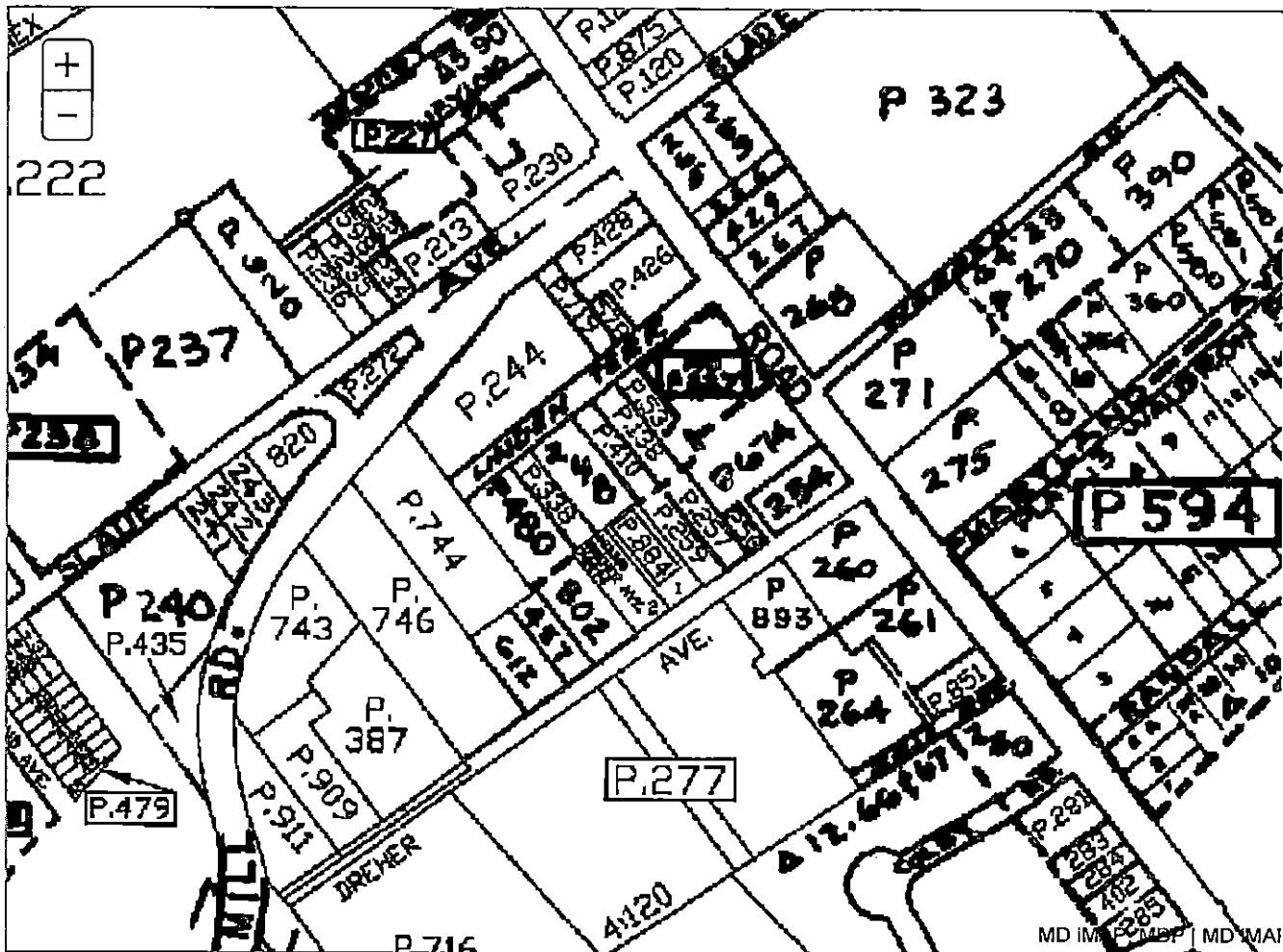
PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

[Real Property Data Search](#) [Guide to searching the database](#)
[Search Result for BALTIMORE COUNTY](#)

View Map			View GroundRent Redemption				View GroundRent Registration			
Account Identifier:			District - 03 Account Number - 1700008389							
Owner Information										
Owner Name:		MCDONALDS CORPORATION				Use:		COMMERCIAL		
Mailing Address:		8483 FORT SMALLWOOD RD PASADENA MD 21122-2739				Principal Residence:		NO		
						Deed Reference:		/05667/ 00943		
Location & Structure Information										
Premises Address:		500 REISTERSTOWN RD BALTIMORE MD 21208-0000				Legal Description:		SWS REISTERSTOWN RD .7746 AC 100 NW DREHER AV		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0078	0009	0674		0000				2016	Plat Ref:	
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use		
2008		3978				30,420 SF		24		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
		FAST FOOD								
Value Information										
			Base Value		Value As of 01/01/2016		Phase-in Assessments As of 07/01/2016		As of 07/01/2017	
Land:			502,100		502,100					
Improvements			675,200		674,500					
Total:			1,177,300		1,176,600		1,176,600		1,176,600	
Preferential Land:			0						0	
Transfer Information										
Seller: B & A REAL ESTAT E CORP,ET AL				Date: 08/20/1976				Price: \$222,353		
Type: ARMS LENGTH IMPROVED				Deed1: /05667/ 00943				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2016		07/01/2017				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:				Special Tax Recapture:						
Exempt Class:				NONE						
Homestead Application Information										
Homestead Application Status: No Application										

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **03** Account Number: **1700008389**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Case No.:

2017-0090-SPHA

Exhibit Sheet

12-8-16
Ben

Petitioner/Developer

Protestants

No. 1	Aerial zoning map	
No. 2	Photos of site	
No. 3	Order - # 2008-235	
No. 4	site plan (redline)	
No. 5	Parking survey	
No. 6	Sign detail	
No. 7	Ciniero CV	
No. 8	Letter - Pikesville Chamber of Commerce	
No. 9	Hearing outline	
No. 10		
No. 11		
No. 12		

502 Reisterstown Road

EXHIBIT

2

tabbles

502 Reisterstown Rd

Google earth



100 ft

502 Reisterstown Road

Viewing Southeasterly



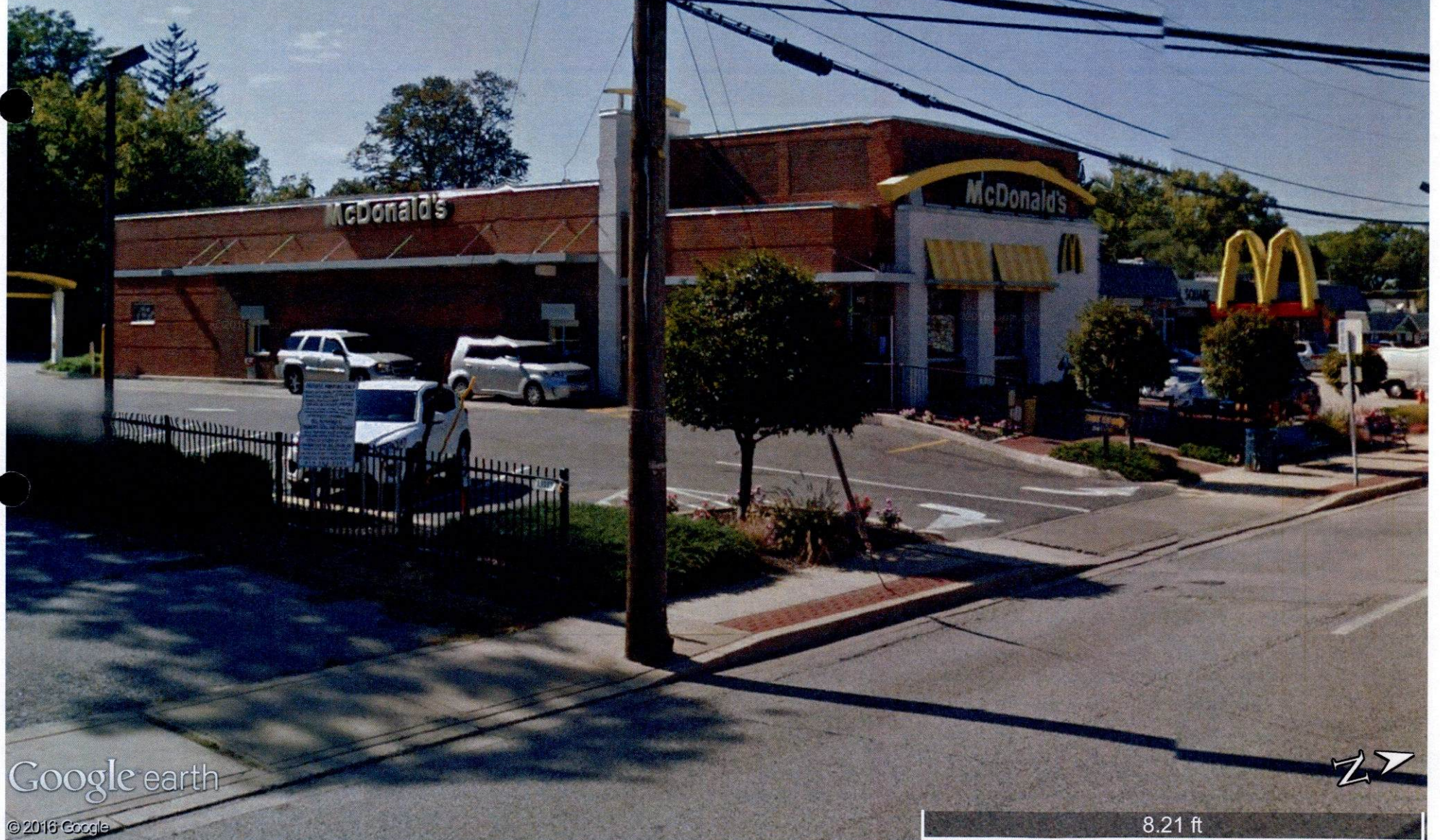
Google earth

© 2016 Google

8.05 ft

502 Reisterstown Road

Viewing Westerly



Google earth

© 2016 Google

8.21 ft

IN RE: PETITIONS FOR SPECIAL
HEARING AND VARIANCE
SW/S Reisterstown Road, 270' S/W
C/line of Dreher Avenue
(502 Reisterstown Road)

3rd Election District
2nd Council District

McDonald's Corporation
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Case No. 08-235-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, McDonald's Corporation, through its attorney, Stanley S. Fine, Esquire, for property located at 502 Reisterstown Road (also known as 500 Reisterstown Road). The Petitioner requests a special hearing to verify that the approval granted in Special Hearing Zoning Case No. 66-193-SPH is still valid. In addition, relief is requested from five (5) sections of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, Petitioner requests variance relief as follows: From B.C.Z.R. Section 409.6.A.2 to permit 35 off-street parking spaces in lieu of the required 62 spaces; from B.C.Z.R. Section 303.2 to permit a front yard (depth) setback of 32 feet in lieu of the required 43 feet; from B.C.Z.R. Section 450.4.5.A to permit five (5) enterprise signs on building facades in lieu of the permitted three (3) signs; from B.C.Z.R. Section 450.4.3 to permit a "canopy" style directional sign in lieu of the permitted wall-mounted or free-standing sign; and from B.C.Z.R. Section 450.5.B.3.6 to permit the erection of a sign above the face of the canopy in lieu of its erection on the face of the canopy. The subject property and requested relief are more particularly described on the site plan submitted and the color sign elevation drawings which were accepted into evidence as Petitioner's Exhibits 2 and 5, respectively.

ORDER RECEIVED FOR FILING
Date 2-5-08
By [Signature]



Appearing at the requisite public hearing in support of the request were Stanley S. Fine, Esquire and Caroline L. Hecker, Esquire, attorneys for McDonald's; Robert A. Houck, owner-operator of the existing McDonald's at the subject location; Lee May, Area Construction Manager for McDonald's Corporation; and Iwona Rostek-Zarska and Walenty Zarski of Baltimore Land Design Group, Inc., the consulting engineers who prepared the site plan for this property. Peirce Macgill, of the Baltimore County Department of Economic Development, also appeared in support of the request. Although no one appeared as a Protestant or other interested person, it should be noted that Howard L. Alderman, Jr., Esquire entered his appearance on behalf of the owners of the property located at 404 Reisterstown Road which is immediately adjacent to the subject property.

An appreciation of the property's past history and use is relevant and is briefly outlined. The property that is the subject of the instant Petitions is known both as 502 Reisterstown Road and as 500 Reisterstown Road. See Petitioner's Exhibit 1. Although the records of the State Department of Assessments and Taxation reflect an address of 500 Reisterstown Road, the physical location of the property has historically been known as 502 Reisterstown Road. For purposes of these Petitions, the property(s) will be referred to as 502 Reisterstown Road. As illustrated on the site plan, two-thirds of the 0.77 acre site immediately adjacent to Reisterstown Road is zoned B.L.; the rear one-third of the property is zoned D.R.5.5. A fast-food restaurant and a drive-thru are permitted uses in the B.L. zone pursuant to B.C.Z.R. Section 230.4. Parking is an accessory use that is not permitted as a matter of right in the D.R.5.5 zone. On October 5, 1966, a use permit was granted by Special Hearing to permit parking on the D.R.5.5 portion of the property in Case No. 66-193-SPH. The existing McDonald's was constructed in 1967 and has operated continuously at this location since that time.

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Date 2-5-08
By [signature]

Testimony and evidence presented at the hearing discloses that McDonald's proposes to demolish the existing restaurant and rebuild a new restaurant in its place. The existing structure is operationally inadequate and has only one drive-thru window. The proposed structure will occupy approximately the same footprint as the existing structure, and will have an enlarged kitchen area, as well as two drive-thru windows. The proposed restaurant will seat approximately 64 patrons, whereas the existing restaurant seats 76-78 patrons.

Ms. Rostek-Zarska was accepted as an expert in site engineering, and testified that the size and location of the existing building impose certain restraints on the proposed new construction that make the requested variances necessary. The existing McDonald's, shown on the Existing Conditions Sheet (Petitioner's Exhibit 2), is situated 32 feet from Reisterstown Road. The existing building, along with the stacking lane for the drive-thru, occupies most of the lot. In addition, the rear lot line is irregularly shaped, causing the lot to be shallower on one side than the other. Section 303.2 of the B.C.Z.R. provides that the front yard must not be less than the average depth of the front yards of all improved lots within 200 feet on either side of this lot. This would require a 43-foot front yard, which is not feasible given the configuration of the lot. As the lot is shallower on one side than the other, the building cannot be situated further back from Reisterstown Road while maintaining the stacking lane for the drive-thru and the parking spaces in the rear of the building. Moreover, at the recommendation of the Baltimore County Design Review Panel, McDonald's sited the building closer to Reisterstown Road than originally planned, in order to conform to the character of the Pikesville community. In light of the recommendation of the Design Review Panel, a variance from the provisions of Section 303.2 to permit a 32-foot front yard depth in lieu of the required 43-foot front yard is the minimum variance necessary to permit the construction of the new McDonald's.

ORDER RECEIVED FOR FILING
Date 2-5-08
By 103

Section 409.6.A.2 of the B.C.Z.R. would require McDonald's to provide 62 parking spaces on the property to accommodate the fast-food restaurant use. McDonald's currently provides 48 off-street parking spaces at this location. In support of its request for a variance from the off-street parking requirements, McDonald's submitted two parking studies conducted by Street Traffic Studies, Ltd. (Petitioner's Exhibits 8 and 9). These studies examined the use of the existing McDonald's parking lot during its peak hours, and found that a maximum of 28 cars were parked in the parking lot at any one time. Both studies therefore concluded that adequate parking exists at this site to accommodate peak demand periods. It is also to be noted that McDonald's does approximately 53% of its business at this location through the one existing drive-thru window. The proposed structure will have two drive-thru windows, which will increase the efficiency of the drive-thru operation and allow McDonald's to do a greater percentage of its business through the drive-thru. Robert A. Houck, owner-operator of the existing McDonald's at this location, testified that he owns and operates 11 McDonald's restaurants and that, in his experience, the addition of a second drive-thru window can be expected to increase the amount of business done at the drive-thru to 60-65%. This increased drive-thru business will lessen the demand for off-street parking. Finally, as the proposed new restaurant will seat fewer patrons than the existing restaurant, the reduction in off-street parking to 35 spaces is expected to sufficiently accommodate the reduced capacity of the restaurant.

Petitioner also seeks variances from B.C.Z.R. Section 450.4.5.A to permit five (5) enterprise signs on building facades in lieu of the permitted three (3) signs; from B.C.Z.R. Section 450.4.3 to permit a "canopy" style directional sign in lieu of the permitted wall-mounted or free-standing sign; and from B.C.Z.R. Section 450.5.B.3.6 to permit the erection of a sign above the face of the canopy in lieu of its erection on the face of the canopy. These signs are McDonald's standard signage plan, and the restaurant at this location would deviate from the

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Date 2-5-08
By [signature]

standard style of other McDonald's restaurants if the proposed signs were not permitted. McDonald's consulted extensively with the Baltimore County Design Review Panel to ensure that the proposed signs and structure would conform to the character of the Pikesville community, and the proposed signs have been approved by the Panel. In addition, the Office of Planning issued a Zoning Advisory Committee (ZAC) comment indicating that the Petitioner's submittal is consistent with the recommendations of the Design Review Panel, and recommended approval of the requested variances.

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. Section 307. The property is unique by virtue of its narrow size and irregularly shaped rear lot line. The existing building, located 32 feet from Reisterstown Road, further contributes to the site's uniqueness and imposes certain constraints on the development of the property. These different features of the property and structure drive the need for variance relief and 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 find that the use proposed will not be detrimental to the surrounding locale and will meet the spirit and intent of the B.C.Z.R. I will therefore grant the requested variances.

Additionally, McDonald's has reached an agreement with the owner of the property located at 404 Reisterstown Road immediately adjacent to the subject property. The neighboring property owner has agreed to support McDonald's' Petitions for Variance, provided that three conditions are included in the instant Order. See Attorney Alderman's letter received as Petitioner's Exhibit 7. These conditions relate to the installation of a fence between 502 Reisterstown Road and 404 Reisterstown Road, the erection of appropriate signage on the property at 404 Reisterstown Road regarding parking violations, and the establishment by

ORDER RECEIVED FOR FILING
Date 2-5-08
BY [signature]

McDonald's of procedures for resolving any complaints about parking violations arising from 404 Reisterstown Road. McDonald's consents to these conditions and they will therefore be incorporated herein.

In furtherance of the first condition, McDonald's has submitted a redlined version of the Plat to Accompany Zoning Petition showing the requested fence and shrubbery as Petitioner's Exhibit 6. This modified redlined plat also shows the addition of a 9-foot by 20-foot loading area in the rear of the property which, as a practical matter, will not be used. Mr. Houck testified that loading would occur on the side of the restaurant late at night or very early in the morning, so as not to interfere with the normal operation of the restaurant. Similarly, the modified plan also shows a new dumpster, which will replace the existing dumpster at the rear of the site. The dumpster will be unloaded during non-peak hours so as not to interfere with the normal operation of the restaurant. Two parking spaces are shown adjacent to the dumpster area and are counted toward the total parking provided. These two spaces may be designated as employee parking spaces and could be vacated immediately in the rare event that the dumpster must be unloaded during normal operating hours.

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 by the Zoning Commissioner of Baltimore County this 5th day of February, 2008, that the Petition for Special Hearing to verify that the approval granted in Special Hearing Zoning Case No. 66-193-SPH is still valid, be and is hereby verified and confirmed; and

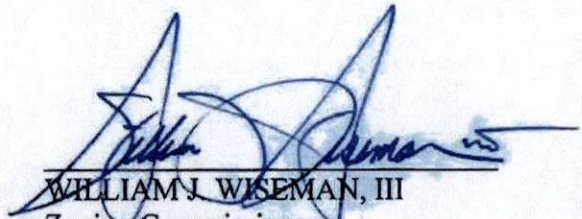
IT IS FURTHER ORDERED that the Petitions for Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 35 off-street parking spaces in lieu of the required 62 spaces; from B.C.Z.R. Section 303.2 to permit a front yard (depth)

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DATE 2-5-08
BY [signature]

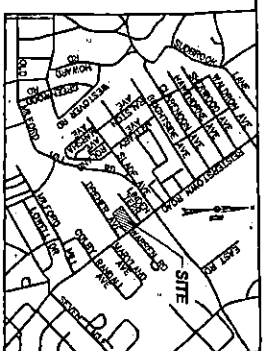
setback of 32 feet in lieu of the required 43 feet; from B.C.Z.R. Section 450.4.5.A to permit five (5) enterprise signs on building facades in lieu of the permitted three (3) signs; from B.C.Z.R. Section 450.4.3 to permit a "canopy" style directional sign in lieu of the permitted wall-mounted or free-standing sign; and from B.C.Z.R. Section 450.5.B.3.6 to permit the erection of a sign above the face of the canopy in lieu of its erection on the face of the canopy, in accordance with Petitioner's Exhibits 4, 5, and 6, be and are hereby GRANTED, subject to the following conditions:

1. An attractive 48-inch tall, black or dark bronze ornamental iron fence with through-the-top-rail flat-top pickets, is to be erected and maintained by current and future owners of the McDonald's store or property. This fence is to be erected on the grassy strip that separates the entire length of the properties located at 404 and 502 Reisterstown Road. This fence is to be supplemented with shrubbery that is no more than 30 inches tall, spanning both sides of the entire length of the fence but taking into consideration existing trees. The style of the fence and the selection of the shrubbery are to be approved by the owners of 404 Reisterstown Road and the Baltimore County Landscape Architect.
2. McDonald's shall provide adequate and appropriate signage on 404 Reisterstown Road in the immediate vicinity of the common property line between the properties, informing parking violators of their infringement on private property and the potential towing, storage, and removal expenses to be borne by the violator. All such signs shall conform to applicable provisions of Baltimore County law and regulation. McDonald's shall, on an as-needed basis, replace signs on the 404 Reisterstown Road property in the event that they become unreadable.
3. McDonald's shall establish and provide McDonald's employees with clearly written procedures on how to handle and resolve any and all parking violation complaints from the 404 Reisterstown Road property.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2-5-08
By [signature]



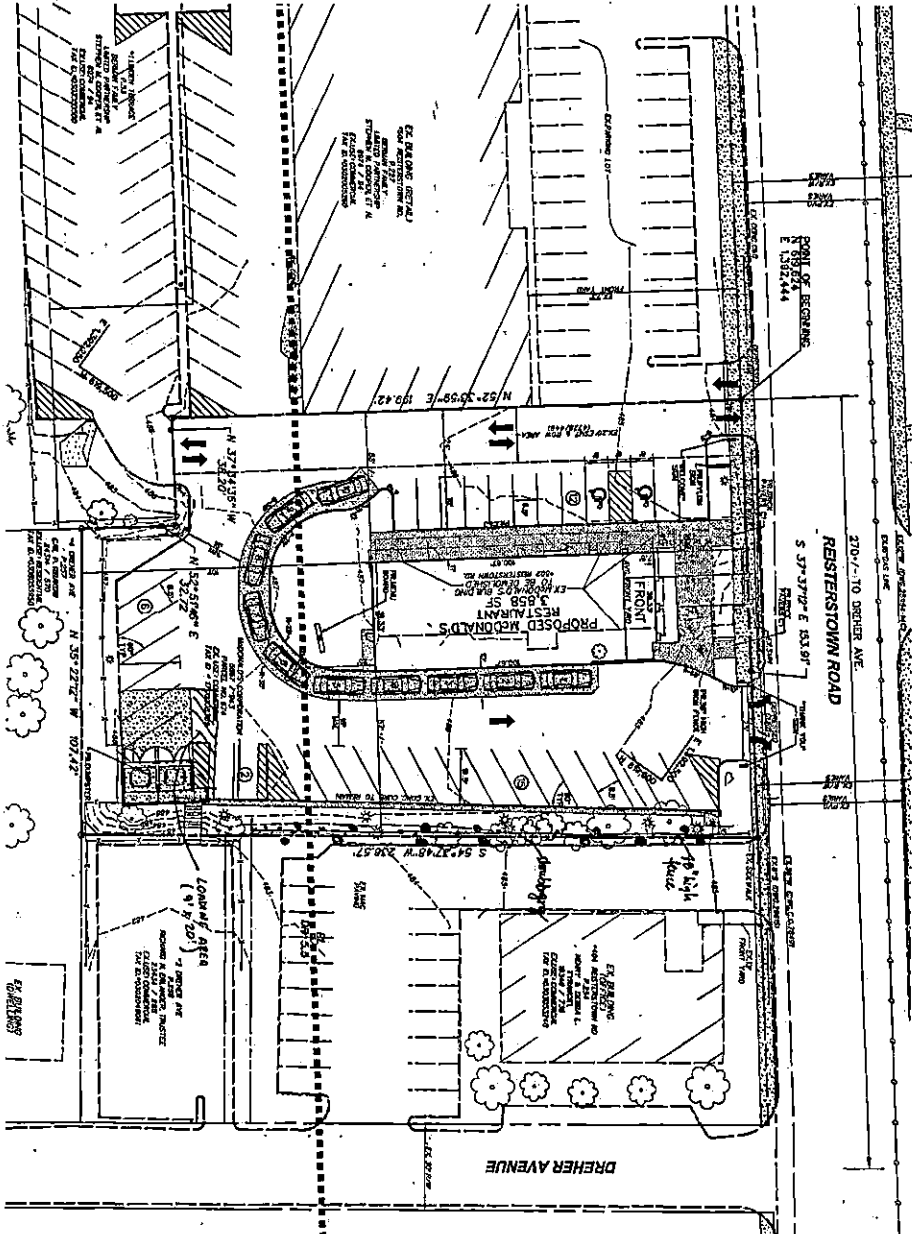
BENCH MARK

LOT 1 - 60' x 120' - 1/4 SEC. 17 T. 1 N., R. 1 E., S. 1 W.
JULY - 80' x 120' IN SEAM OF CONCRETE WITH PORTLAND CEMENT
IN FRONT OF MEDICAL BLDG +/- EAST OF BLACK RD.

SITE DATA

1. SITE AREA = 30,450 SF ON 0.77AC.
2. COMMENTS:

- [illegible]



ZONING HEARING REQUESTS

- [illegible]

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

BLDG

Baltimore Land Design Group Inc.
Consulting Engineers



PROFESSIONAL CERTIFICATION
 LIBRARY CERTIFY THAT THESE DOCUMENTS WERE RECEIVED OR APPROVED BY ME THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE EARTH RETENTION ACT OF MICHIGAN, LICENSE NO. 7115, CREATION DATE JUNE 8, 2008.

DEVELOPER/APPLICANT
MCDONALD'S CORPORATION

PLAT TO ACCOMPANY ZONING PETITIONS
MCDONALD'S
602. REISTERSTOWN ROAD
BALTIMORE, MARYLAND

C-1

PREVIOUS ZONING HISTORY

COX-DE-10396
FROM REQUEST TO REPEAL OF 1970 ACT IN A SEVERAL THE CATTLE
BE OBTAIN A, 1964, 1971, 1972, 1, 2, 3 FOR DELETED
PETITIONER'S

EXHIBIT NO. _____

REGION & COUNTRY AND
LIFE ON MOUNTAIN
SOCIETY SYSTEM

TRAFFIC CONCEPTS, INC.

Traffic Impact Studies • Feasibility • Traffic Signal Design • Expert Testimony

December 5, 2016

Mr. Lee May
Area Construction Manager
McDonald's USA, LLC
Atlantic Group – Capitol Team
6903 Rockledge Drive, Suite 1100
Bethesda, MD 20817

Re: McDonald's Restaurant – 502 Reisterstown Road
Parking Lot Occupancy Study
T/C 3316

Dear Ms. Hecker:

Traffic Concepts, Inc. is pleased to provide a parking survey for the McDonald's store located at 502 Reisterstown Road in Baltimore County. The purpose of the study is to determine the existing and future parking occupancy at this McDonald's site during the peak operating hours.

In order to complete the parking survey, we first identified the McDonald's peak hours of operation. The peak periods were determined with field observations and with data contained in the Institute of Transportation Engineers; Parking Generation, 3rd Edition. We then identified the existing on-site parking supply, which is 34 parking spaces. The survey dates and the peak hours of operation are described below:

- Thursday 12/1/16 (11 AM – 2 PM)
- Friday 12/2/16 (11 AM – 2 PM)
- Saturday 12/3/16 (7 AM – 1 PM)

The peak hour parking demand was determined by counting the number of occupied spaces in fifteen minute time intervals during the peak periods. With the existing 34 parking spaces, the weekday and Saturday peak parking occupancy did not exceed 56 percent. Based on our survey finding, we conclude the existing parking supply is adequate to serve the site during the peak time periods of a typical weekday and Saturday. The table on the following page shows the parking occupancy rate and parking count for each peak fifteen minute time period. The complete parking occupancy tables are included as an attachment.

Ms. Caroline L. Hecker
December 5, 2016
Page 2 of 2

Existing Peak Period Parking Demand

DATE	Peak 15 Minute Time Period	Peak Period Occupancy Rate	Actual Count Vehicles/spaces
Thur. 12/1/16	11:45-12:45	50.0%	17/34
Friday 12/2/16	1:00-2:00	55.9%	19/34
Saturday 12/3/16	9:30-10:30	50.0%	17/34

The Reisterstown Rd McDonald's redevelopment improvement plan will reduce the parking to 30 on-site parking spaces. Using the surveyed parking occupancy counts with 30 spaces, the weekday and Saturday peak parking occupancy rate would be 63 percent. Generally, the parking supply is considered full when 90 percent of the spaces are occupied. We conclude that the parking reduction, which creates 30 on-site spaces, provides an effective parking supply where demand does not exceed 63 percent. Therefore, we conclude the site with the stated parking reduction would be adequate.

Please do not hesitate to contact me if you have any questions about this study.

Sincerely,


Mark Keeley, PTP
Traffic Concepts, Inc.

Enclosures: Parking Lot Occupancy Count Sheets
Concept Plan

PARKING LOT OCCUPANCY COUNT

PARKING LOT: 502 REISTERSTOWN RD.

COUNTY: BALTIMORE

COUNT BY: J. ROBERTSON

DATE: 12/1/2016

WEATHER: CLEAR

DAY: THURSDAY

TIME	CARS IN LOT	% OF LOT FILLED (34 TOTAL SPACES)
11:00-11:15	10	29.41%
11:15-11:30	16	47.06%
11:30-11:45	12	35.29%
11:45-12:00	17	50.00%
12:00-12:15	13	38.24%
12:15-12:30	9	26.47%
12:30-12:45	11	32.35%
12:45-1:00	13	38.24%
1:00-1:15	16	47.06%
1:15-1:30	14	41.18%
1:30-1:45	11	32.35%
1:45-2:00	12	35.29%

TRAFFIC CONCEPTS, INC.
7525 CONNELLEY DRIVE, SUITE B
HANOVER, MARYLAND 21076
(410) 760-2911 FAX (410) 760-2915
E-MAIL TRAFFIC@TRAFFIC-CONCEPTS.COM

M:\3316

PARKING LOT OCCUPANCY COUNT

PARKING LOT: 502 REISTERSTOWN RD

COUNTY: BALTIMORE

COUNT BY: J. ROBERTSON

DATE: 12/2/2016

WEATHER: CLEAR

DAY: FRIDAY

TIME	CARS IN LOT	% OF LOT FILLED (34 TOTAL SPACES)
11:00-11:15	11	32.35%
11:15-11:30	13	38.24%
11:30-11:45	15	44.12%
11:45-12:00	11	32.35%
12:00-12:15	9	26.47%
12:15-12:30	7	20.59%
12:30-12:45	14	41.18%
12:45-1:00	14	41.18%
1:00-1:15	19	55.88%
1:15-1:30	16	47.06%
1:30-1:45	16	47.06%
1:45-2:00	18	52.94%

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E-MAIL TRAFFIC@TRAFFIC-CONCEPTS.COM

PARKING LOT OCCUPANCY COUNT

PARKING LOT: 502 REISTERSTOWN RD

COUNTY: BALTIMORE

COUNT BY: J. ROBERTSON

DATE: 12/3/2016

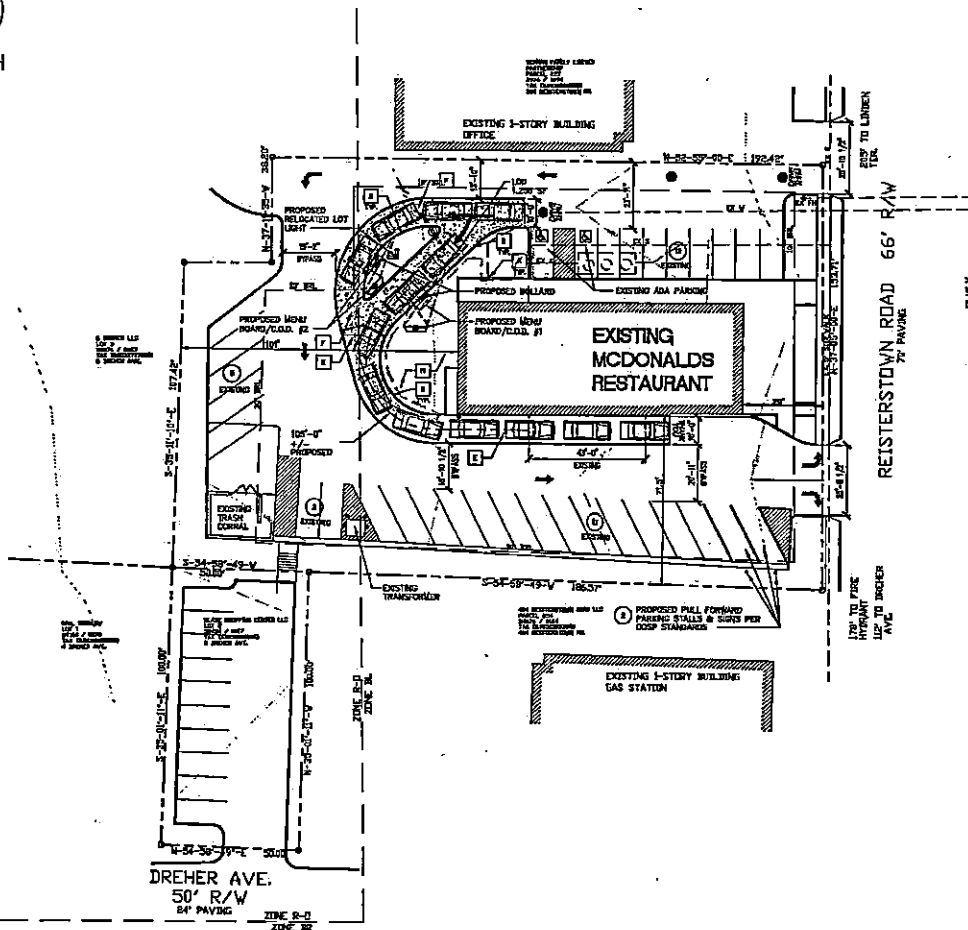
WEATHER: CLEAR

DAY: SATURDAY

TIME	CARS IN LOT	% OF LOT FILLED (34 TOTAL SPACES)
7:00-7:15	5	14.71%
7:15-7:30	7	20.59%
7:30-7:45	8	23.53%
7:45-8:00	10	29.41%
8:00-8:15	5	14.71%
8:15-8:30	10	29.41%
8:30-8:45	6	17.65%
8:45-9:00	8	23.53%
9:00-9:15	8	23.53%
9:15-9:30	12	35.29%
9:30-9:45	17	50.00%
9:45-10:00	14	41.18%
10:00-10:15	10	29.41%
10:15-10:30	8	23.53%
10:30-10:45	11	32.35%
10:45-11:00	12	35.29%
11:00-11:15	9	26.47%
11:15-11:30	7	20.59%
11:30-11:45	8	23.53%
11:45-12:00	9	26.47%
12:00-12:15	10	29.41%
12:15-12:30	13	38.24%
12:30-12:45	14	41.18%
12:45-1:00	15	44.12%

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m;13316



1 SITE PLAN

SCALE: 1"=40'-0"

- A EXISTING CONCRETE CURB (TYP)
- B PROPOSED CONCRETE CURB (TYP)
- C EXISTING CONCRETE SIDEWALK (TYP)
- D PROPOSED CONCRETE SIDEWALK (TYP)
- E EXISTING CONCRETE PAV.

- F PROPOSED REINFORCED CONCRETE PAV.
- G EXISTING LANDSCAPE (TYP)
- H PROPOSED LANDSCAPE

SPECIAL SITE NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT LOCAL, STATE, AND FEDERAL REGULATIONS.
2. THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO BE SURE PRIOR TO CONSTRUCTION. NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING UTILITIES AND MARKS, AND ANY DAMAGE TO THEM SHALL BE REPAIRED IMMEDIATELY AT HIS OWN EXPENSE.
3. IT SHALL BE UNDERSTOOD THAT THE CONTRACTOR IS REQUIRED TO COMPLETE ALL WORK THAT IS REQUIRED WITHIN THE AREA AND IS REQUIRED BY MCDONALD'S STANDARD PRACTICES, REQUIREMENTS OF INCLUSION OF SUD FROM ON LOCATIONS.

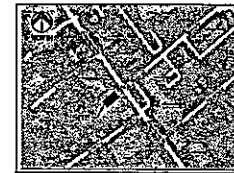
4. NO DRIVE DRIVE, DRIVE OF STORM DRAINAGE CONSTRUCTION IS ANTICIPATED AS PART OF ANY IMPROVEMENTS, MAJOR ROAD IMPROVEMENTS.
5. AREAS INDICATED AS MCDONALD'S PARKING SPACES, LANDSCAPES AND OBSTRUCTIONS SHALL BE CONSIDERED AS SUCH, NOT TO EXCEED THE USES IN ANY DIRECTION, UNLESS INDICATED ON THE PLAN.
6. CONTRACTOR SHALL REMOVE AND REPLACE ONLY THOSE AREAS NECESSARY TO CONSTRUCT IMPROVEMENTS SHOWN ON THE SITE PLAN. THE CONTRACTOR SHALL OIL AND REPAIR EXISTING ASPHALT PAVEMENT IF NECESSARY, TO PROVIDE PROPER DRAINAGE AND SURFACE TO MATCH TO ADJACENT AREAS. UNLESS OTHERWISE NOTED, ALL CONSTRUCTION SHALL BE WITH COMPACTED, CONCRETE SHALL BE 15% CEMENT PORTLAND CEMENT AND SHALL BE PLACED AT 4" MIN. ON THE PLAN.

2 SITE PLAN KEYED NOTES

SCALE: N.T.S.

3 SITE PLAN GENERAL NOTES

SCALE: N.T.S.



GENERAL NOTES:

1. OWNER / DEVELOPER / APPLICANT: MCDONALD'S CORPORATION, 6905 ROCKLEDGE DRIVE, SUITE 1100, BETHESDA, MD 20817
2. SITE AREA: 30,420 SF / 0.699 AC
3. EXISTING / PROPOSED USE: RESTAURANT (FAST FOOD WITH DRIVE-THRU)
4. PARCEL: 0674
5. EXISTING BUILDING AREA: 3,855 SF, PROPOSED BUILDING AREA: NO CHANGE
6. UTILITIES: PUBLIC WATER, PUBLIC SEWER
7. PARKING CALCULATION: 15 SP. / 1,000 GFA = 3,855 / 1,000 = 3.855 X 16 = 61.73 = 62 SPACES REQ. TOTAL PARKING SPACES PROVIDED = 28 + 2 TLE=20
8. SETBACKS: REQUIRED: FRONT 10' FROM PROPERTY LINE, SIDE 10', REAR 30'
9. HEIGHT OF STRUCTURE: 15'-0" 1 STORY (EXISTING - NO CHANGE)
10. DEED REFERENCE: LIBER 6667 FOLIO 943
11. TAX ACCOUNT #: 1700000389
12. ELECTION DISTRICT: 3rd
13. COUNCILMANIC DISTRICT: 2nd
14. ZONING: DL & OR 5.5
15. TAX MAP: 79 ORD 9
16. CENSUS TRACT: 403400
17. FLOOR AREA RATIO FOR DL: MAXIMUM PERMITTED: 3.0, ACTUAL: 5,915 SF / 30,420 SF = 0.19
18. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE CRITICAL AREA.
19. LIMIT OF DISTURBANCE = 1,256 SF
20. THIS SITE IS NOT WITHIN THE BASIC SERVICES MAP AREAS.
21. ZONING MAP: 107822
22. THERE ARE NO KNOWN WETLANDS, FLOODPLAINS, OR STREAMS ON THE SITE.
23. THIS SITE IS NOT WITHIN A HISTORIC DISTRICT

***ZONING HISTORY CASES:**

- VARIANCE GRANTED PER CASE 1973-0102-SFHA TO PERMIT OFF-STREET PARKING SPACES ON RESIDENTIAL PROPERTY - 12/5/1972
- VARIANCE GRANTED PER CASE 1966-0003-SFHA TO PERMIT 6 PARKING SPACES IN LIEU OF THE 35 REQUIRED IN THE DL ZONE - 7/8/1965
- VARIANCE GRANTED PER CASE 2008-0235-SFHA TO PERMIT 35 OFF-STREET PARKING SPACES IN LIEU OF THE 62 SPACES REQUIRED & 32 FOOT FRONT YARD DEPTH IN LIEU OF THE REQUIRED 45 FEET & 5 ENTERPRISE SIGNS ON BUILDING FACADE & CANOPY TYPE SIGNS - 1/22/2008
- VARIANCE GRANTED PER CASE 1994-0237-SFHA TO PERMIT 70 PARKING SPACES IN LIEU OF THE REQUIRED 93 SPACES & ALLOW PARKING IN THE R-O ZONE - 3/22/1994
- VARIANCE DENIED PER CASE R-1967-0067-A TO PERMIT THE REAR YARD SETBACK LINE TO BE ZERO - 10/20/1966
- VARIANCE GRANTED PER CASE 1968-0193-X TO PERMIT OFF-STREET PARKING IN THE RESIDENTIAL ZONE - 10/5/1965



419 North Charles Street
Baltimore, Maryland 21201
t: 410.837.3622
f: 410.837.3621

SEAL

Professional Certification:
I hereby certify that these drawings were prepared or supervised by me, and that I am a duly Licensed Professional Engineer under the laws of the State of Maryland.
Signature: [Signature]
Registration No.: 2238
Expiration Date: 11-29-17



REVISIONS

NO.	DESCRIPTION	DATE

DATE: 11/29/18
SCALE: AS NOTED
BUILDING AREA SQ. FT.
DINING ROOM SEATING SQ. FT.
PROJECT # 15RA71
DRAWN BY: GJC CHECKED BY: GJC

PROJECT TITLE
ALTERATIONS TO
MCDONALD'S
REISTERSTOWN RD
502 REISTERSTOWN RD
BALTIMORE, MD
REGION: CAPITOL
LC NO. 019-0025

SHEET TITLE
SITE PLAN TO
ACCOMPANY
ZONING HEARING

SHEET NO. SPL-1.00-00



Geoffrey L. Ciniero, P.E.
President

EDUCATION: Bachelor of Science in Civil Engineering, July 1987
Clemson University, Clemson South Carolina

**PROFESSIONAL
REGISTRATION:** Professional Engineer – Maryland, Virginia,
Pennsylvania, New Jersey, Delaware,
District of Columbia, West Virginia

**PROFESSIONAL
EXPERIENCE:** 29 Years Total Experience

PROFESSIONAL SUMMARY:

Mr. Ciniero is President of CMS Associates LLC and has over twenty nine years of experience in the design and construction industry. Mr. Ciniero has experience as an engineering project manager, office manager, expert witness, and designer for office, industrial, institutional and residential land development, as well as public, military and institutional projects. His responsibilities include overall management and design of civil engineering projects. His past assignments include schematic and final design, stormwater management grading and utility design, zoning analysis, preparation and review of plans and specifications, earthwork and feasibility studies, site analysis, construction inspection and review of environmental and geotechnical investigations. Mr. Ciniero has extensive experience in design/build projects as well as value engineering.

REPRESENTATIVE PROJECT EXPERIENCE

PRIVATE SECTOR PROJECTS:

Twinbrook Commons, Montgomery County, MD – Managed and designed site drawings for a 325,000sf office, 1,595 unit residential and retail mixed development.

White Flint Crossing, Montgomery County, MD – Managed and designed site drawings for a 24 story mixed use 440 unit residential, 223,000sf commercial development with underground parking. Design included bioretention facilities.

Rock Spring Park, Montgomery County, MD – Managed and designed office buildings, garages and road network for a 40 acre office park. This design included, water, sewer, storm and stormwater management, including bioretention design.

Site Analysis * Planning * Engineering * Project Management

4925 Ellis Lane * Ellicott City, MD 21043 * (410) 988-2436
www.cms-engineering.net



Lee Airport, Anne Arundel County, MD – Managed and designed site drawings for a 24 acre residential and commercial development adjacent to a municipal airport. This project included infiltration and bioretention design.

Arundel West, Anne Arundel County, MD - Managed and designed site drawings for two warehouse sites. Design included water, sewer, grading, storm water management, as well as design around existing wetlands and floodplain.

Asbury Villas North, Gaithersburg, MD - Managed site design of grading, sediment control, water, sewer and storm drain for a new 43 duplex unit development including a roadway network and stormwater management at the Asbury Methodist Village Community. This project included stormwater management infiltration and recharge design

Asbury Drive and Fellowship Circle, Gaithersburg, MD - Managed road/storm drain design of an interior road system for the Asbury Methodist Village Community. This project included stormwater management analysis.

Asbury Assisted Living Building I, Gaithersburg, MD - Managed site design of grading, sediment control, water, sewer and storm drain for a new 6 story building and parking lots at the Asbury Methodist Village Community. This project included stormwater management analysis.

Riverside, Riverdale, MD - Managed design of 200 acre commercial development. Provided civil engineering for all site work, utilities, storm water management, sediment control, site inspection, and cost estimation.

McDonald's Restaurants, East Coast – Managed and designed the reconfiguration of multiple drive thru sites within Maryland, Virginia, Washington, DC, Delaware, West Virginia and Pennsylvania.

Archdiocese of Washington, Washington, DC – Managed and designed the design of stormwater management, site grading and utilities for an addition to the existing facility on Taylor Street.

PUBLIC SECTOR PROJECTS:

Enid A. Haupt Gardens, Smithsonian Institution, Washington, DC - Managed design and demolition of rehabilitation of walkways and drainage system. Provided cost estimates, special construction details, specifications, and site observation.

Ripley Gardens, Smithsonian Institution, Washington, DC- Managed design and demolition of rehabilitation of walkways and drainage system. Provided cost estimates, special construction details, specifications, and site observation.

American Indian Museum, Smithsonian Institution, Washington, DC- Level I engineering study. Provided utility, grading, and parking information/feasibility study.

American Indian Museum Support Site, Smithsonian Institution, Suitland, MD
Level I engineering study. Provided utility, grading, and parking information/feasibility study.

Janes Island State Park, Somerset County, MD - Managed site design of day use expansion for a state park within non-tidal wetlands. Coordinated design of electrical engineer.

Assateague State Park, Worcester County, MD - Managed site design of an interior camp loop road and camp pads. Design included working within the flood plain and coordinating design of electrical engineer.

U.S. Navy Section 802 Housing, Cheltenham, MD - Feasibility research and preliminary design of water, sewer, and stormwater management for a 37 acre townhouse/apartment subdivision. Included cost estimates and all utilities.

Patuxent River Naval Station, Patuxent River, MD - Conceptual design and cost analysis of storm drain, stormwater management, water, sewer, and grading for site.

Bolling Air Force Base Housing, Washington, DC - Managed site design of a 123 unit, design build project. Design included grading, sediment control, storm drain, stormwater management, road design, and water and sewer.

JNCO Family Housing, Fort Meade, MD - Managed site design of a new townhouse community for base housing.

Nyumburu Cultural Center, College Park, MD - Managed site design of site plans, storm drain, sediment control, water and sewer plans for design/build project at the University of Maryland.

Andrews Air Force Base, Maryland - Performed a base wide feasibility study for storm drain, water, sewer, and stormwater management.

Kehoe Field, Soccer Stadium, College Park, MD. - Full construction design as a design build project including grading and utilities.

Bowie State University, Bowie, MD - Drainage feasibility study

ATF Facility, Martinsburg, WV - Complete energy retrofit for the entire facility, including geothermal wells, parking lot re-configuration, construction phasing and erosion and sediment control.

Warriors in Training, Ft. Belvoir, VA. - Value engineering review for the entire project.

Graduate Gardens, College Park, MD. - Managed and designed waterline upgrades for eight university apartment buildings.

University Hills, Hyattsville, MD. - Managed and designed waterline upgrades for seven university apartment buildings.



December 1, 2016

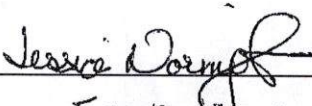
The Honorable John E. Beverungen
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue
Suite 103
Towson, MD 21204

Re: 502 Reisterstown Road
Case No. 2017-0090-SPHA

Dear Judge Beverungen:

On behalf of the Pikesville Chamber of Commerce, I am pleased to offer this letter in support of the proposal of McDonald's Corporation to upgrade the drive-thru operation at the McDonald's restaurant located at 502 Reisterstown Road by adding a second queuing lane. Representatives of McDonald's have shared their plans for the project and we believe that the restaurant will continue to be an asset to our community. We understand that this proposal requires several variances from the County's Zoning Regulations for signage, off-street parking, and stacking spaces, and we support the approval of these variances.

Sincerely,


Executive Director, Pikesville Chamber

4845-3154-4893, v. 1





ROSENBERG | MARTIN | GREENBERG, LLP

25 South Charles Street, Suite 2115 Baltimore, Maryland 21201-3305 410-727-6600

BALTIMORE COUNTY ZONING HEARING OUTLINE

MCDONALD'S - 502 REISTERSTOWN ROAD

DECEMBER 6, 2016

2016-0090-SPHA

I. INTRODUCTION

1. Caroline Hecker and Justin Williams – Rosenberg Martin Greenberg, LLP
2. Cathy Bell – Operator
3. Geoffrey Ciniero – CMS Associates, LLC (Professional Engineer)
4. This is a petition for:
 - i. Variances necessary for McDonald's to construct an additional drive-thru queuing lane and to install related signage; and
 - ii. Special hearing approval of the amendment of the previously approved site plan to reflect the requested variances (housekeeping item)

II. EXISTING CONDITIONS

1. The Property, which is located in the Pikesville area of Baltimore County, has a site area of 0.698 acres (30,420 SF), and is improved with a 3,858-SF McDonald's restaurant.
2. Zoning Classification: Primarily B.L.; portion of rear parking lot zoned D.R 5.5
(Note: Parking in a residential zone was previously approved by Zoning Commissioner in Case No. 2008-0235-SPHA)
 - i. **Exhibit 1 – Zoning Map/ Photo**
3. The Property is located along the Reisterstown Road commercial corridor. The adjacent properties are an office building (404 Reisterstown Road) and a retail building (504 Reisterstown Road).
 - i. **Exhibit 2 – Google Aerial and Streetview Photos**
4. McDonald's has operated at the Property since 1967.



5. Its current building was constructed in 2008 and is owned/operated by Cathy Bell.
 - i. Ms. Bell, who has over 25 years of experience as a franchise owner, is the recipient of the Golden Arch Award, the highest honor awarded by McDonald's to a franchisee.
 1. Less than 1 percent of all McDonald's franchise owners worldwide are honored with the award, which recognizes top-notch customer service, community involvement, and contributions to the success of the entire company.
 6. The dining room, which has the capacity to seat approximately 64 patrons, operates from 6:00 AM until 10:00 PM, while the drive-thru is open 24 hours.
 7. Recent Zoning History:
 - i. Pursuant to the Zoning Commissioner's approval in Case No. 2008-235-SPHA, there are 35 parking spaces on the Property in lieu of the 62 spaces that would otherwise be required.
 1. **Exhibit 3 – Case No. 2008-235-SPHA**
 - ii. In that case, the Zoning Commissioner also confirmed the approval granted in 1966-193-SPH to permit parking in a residential zone was still valid, and approved the various enterprise and directional signs on the property.
 - iii. The Zoning Commissioner's approval was subject to three conditions which were imposed at the request of the adjacent property owner (404 Reisterstown Road):
 1. Installation of a 48-inch tall fence that is supplemented with shrubbery.
 2. Providing adequate and appropriate signage on 404 Reisterstown Road informing parking violators of their infringement on private property and the potential for towing, storage, and removal expenses to be borne by the violator.
 3. Establishing and providing McDonald's employees with clearly written procedures on how to handle and resolve any and all parking complaints from the 404 Reisterstown Property.
 - iv. Although these conditions have been (and continue to be) satisfied, the adjacent property has sold to a new owner since the 2008 case. The new owner has not voiced any objection to McDonald's plans.
-

8. While the property is within the Pikesville Design Review Panel (DRP) Area, the Department of Planning has confirmed that DRP approval is not required for the improvements proposed below.

III. PROPOSED CONDITIONS

1. McDonald's proposes to install a second drive-thru queuing lane and new drive-thru directional signage. The project represents an investment of approximately \$225,000.

2. **Exhibit 4 – Redlined Site Plan**

- i. The site plan filed in connection with this case incorrectly stated the size of the existing building, and accordingly, incorrectly stated the amount of off-street parking required. The redlined plan corrects the size of the existing building from (3,978 SF to 3,858 SF) and reduces the parking required from 65 to 62 spaces.

3. Three types of variance relief are requested:

- i. Parking Variance
 - ii. Stacking Lane Variance
 - iii. Signage Variances

4. Parking Variance:

- i. McDonald's proposes to reconfigure the drive-thru aisle to add a second queuing lane to accommodate increased drive-thru demand. The restaurant currently conducts approximately 60% of its business via drive-thru. With the addition of the second queuing lane, McDonald's expects that its drive-thru business will increase by approximately 5-7%.

- ii. To accommodate the additional queuing lane, two parking spaces will be removed along the northern side of the Property and one parking space will be removed along the dumpster area.

1. The result is a net loss of 3 parking spaces.

2. *Note: The Zoning Office suggested that only 30 spaces (not 32) are shown on the Site Plan, since two of the spaces would be identified for drive-thru customers waiting for their orders; however, in Case No. 2016-0255-A, Judge Beverungen noted "there is no provision in the B.C.Z.R. to this effect."*

-
- iii. In order to confirm that the parking lot will continue to provide adequate parking spaces to meet demand even after the reduction in parking spaces,

McDonald's engaged Traffic Concepts, Inc. to conduct a study of the parking utilization rates during its peak hours.

1. The study was conducted on:

(1) Thursday, December 1st (11:00 a.m. to 2:00 p.m.)

(2) Friday, December 2nd (11:00 a.m. to 2:00 p.m.)

(3) Saturday, December 3rd (7:00 a.m. to 1:00 p.m.)

2. These periods were chosen because McDonald's is busiest during lunchtime on Fridays and breakfast on Saturdays.

3. The study concluded that during the peak period on Friday at lunch, a maximum of 19 cars were parked in the parking lot at any one time, which is a utilization rate of 55.9%.

(1) Exhibit 5 – Parking Study by Traffic Concepts, Inc.

4. As indicated in the report, a parking lot is considered full when 90% of the spaces are utilized at any one time.

(1) Based on the usage rates during the study, Traffic Concepts estimates that, with the loss of three parking spaces, the utilization rate of the parking lot will not exceed 63%.

(2) They therefore concluded that the site would provide adequate parking even with the removal of three parking spaces.

5. Ms. Bell would also testify that this is consistent with her experience as the operator of this site.

6. Moreover, in the unlikely event that the parking lot was full, customers would leave the parking lot and go to one of the many other quick-service restaurants in the vicinity. It is therefore in McDonald's best interests to make sure enough parking is provided.

5. Stacking Space Variance:

i. The Zoning Regulations do not contemplate a side-by-side drive-thru lane configuration. As a result, the Zoning Office considers the site plan to provide only two stacking spaces behind the prime order board. However, as a practical matter, in addition to the space in front of the other order board, there are four stacking spaces total provided.

6. Signage

i. **Exhibit 6 – Signage Plan**

ii. New drive-thru related signage is proposed:

1. Three directional signs over the drive-thru lanes are proposed: One double-arm gateway sign and two “order here” signs are proposed.
2. Two menu order boards are proposed.
3. Two directional signs are proposed to project from the payment/pick-up windows.

IV. REQUESTED ZONING RELIEF

1. As shown on the redlined site plan, the variance petition is being amended to reflect that only 62—and not 65— parking spaces are required on the Property.
2. Section 409.6.A.2 to permit 30 off-street parking spaces in lieu of the required 62 parking spaces. (*Note: the site plan shows 32 spaces, however, the Zoning Review staff have indicated that the proposed drive-thru waiting spaces should not be included in the parking count.*)
3. Section 409.10.A to permit 2 stacking spaces behind the order board in lieu of the required 5 stacking spaces.
4. Section 450.4 Attachment 1, 3(b)(VII) to permit a directional sign of 11.67 feet in height in lieu of the maximum permitted 6 feet (Double Arm Gateway).
5. Section 450.4 Attachment 1, 3(b)(VII) to permit 2 directional signs of 10.17 feet in height in lieu of the maximum permitted 6 feet (“Order Here” Signs).
6. Section 450.4 Attachment 1, 5(f)(VII) to permit 2 order boards of 6.75 feet in height in lieu of the maximum permitted 6 feet.
7. Section 450.4 Attachment 1, 3(II) to permit two projected directional signs in lieu of the permitted wall-mounted or free-standing signs (Window Position Signs).

V. VARIANCE – LEGAL STANDARDS

1. The Site Plan was prepared by Geoff Ciniero, a licensed professional engineer and an expert in the application of the Baltimore County Zoning Regulations (“BCZR” or “Zoning Regulations”). He would testify that the Property meets the standard for granting the necessary variances under Section 307.1 of the BCZR and the test in *Trinity Assembly of God v. People’s Counsel*, 407 Md. 53, 80 (2008).

i. **Exhibit 7 – Ciniero, C.V.**

2. Legal standards:

- i. BCZR Section 307.1 authorizes the Administrative Law Judge to “grant variances from height and area regulations ... and from sign regulations ... in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare.

3. Uniqueness:

- i. As stated by the Zoning Commissioner in Case No. 2008-235-SPHA, the Property has a narrow size, an irregularly shaped rear lot line, and is split-zoned.

1. ***See Exhibit - 3 - Case No. 2008-235-SPHA***

- ii. Additionally, the Property is improved with an existing McDonald’s restaurant, the size and location of which limits the amount of parking that can be provided and creates practical difficulties in safely directing traffic in and around the site, requiring additional signage.

4. Practical Difficulty or Hardship:

- i. The Petitioner would experience a practical difficulty if the Zoning Regulations were strictly interpreted:

1. Parking: The BCZR would require Petitioner to provide 62 parking spaces; however, the dimensions of the Property, together with landscaping requirements, only permit 30 spaces (32 if the two the drive-thru pull-up spaces are included). Without the parking variance, McDonald’s would not be able to add the queuing lane.

- (1) As this restaurant currently does 60% of its sales at the drive-thru, the addition of a second queuing lane will improve traffic circulation on the site. With the second queuing lane, McDonald’s anticipates that the percentage of drive-thru sales will increase another 5% to comprise approximately 65% of sales.

-
2. Stacking Spaces: The Zoning Regulations would require 5 stacking spaces behind the order board, however, the dimensions of the Property, together with drive-aisle and landscaping requirements only permit 2 stacking spaces behind the primary menu board. Without the

stacking space variance, McDonald's would not be able to add the additional queuing lane.

3. Signs: The strict application of the Zoning Regulations would create practical difficulties for McDonald's, as this restaurant would deviate from the standard style of other McDonald's restaurants if the proposed signs were not permitted.

Due to the size of the site, additional signage is necessary to safely direct traffic around the drive-thru lanes and into the site.

5. Spirit and Intent:

- i. 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 upgrade its existing store's drive-thru operation. The significant \$225,000 capital investment will improve the general welfare of the surrounding neighborhood.
- ii. The loss of three parking spaces promotes orderly development of the site by accommodating the construction of a second drive-thru queuing lane, which will improve the efficiency of the drive-thru operation and increase the percentage of drive-thru sales from 60% to 65%.
 1. The parking study concluded that adequate parking exists on this site to meet the market demands, so the loss of three spaces will not adversely impact the general welfare.
- iii. Likewise, the purpose of the stacking space requirement is met by the construction of a second drive-thru lane, which will allow additional cars to queue prior to ordering. While the Zoning Regulations do not contemplate the side-by-side drive-thru lane configuration, as a practical matter, there are five stacking spaces available for vehicles behind the prime order board.

6. Without Injury to Public Health, Safety, and General Welfare:

- i. The granting of the variance will not be injurious to public health, safety, or general welfare. Because a substantial percentage of McDonald's sales are conducted via drive-thru, the restaurant will continue to utilize fewer parking spaces than the Zoning Regulations would require—indeed the increased drive-thru demand is what triggered the proposed additional queuing lane. The second order board will reduce order times and thereby reduce the likelihood of motorists stacking in the queuing lanes in a manner that would be disruptive.

- ii. The project has the support of the Pikesville Chamber of Commerce.

1. **Exhibit 8 – Support Letter**

- iii. If the application is approved, McDonald's plans to complete the proposed renovations in the fourth quarter of 2017.

VI. SPECIAL HEARING

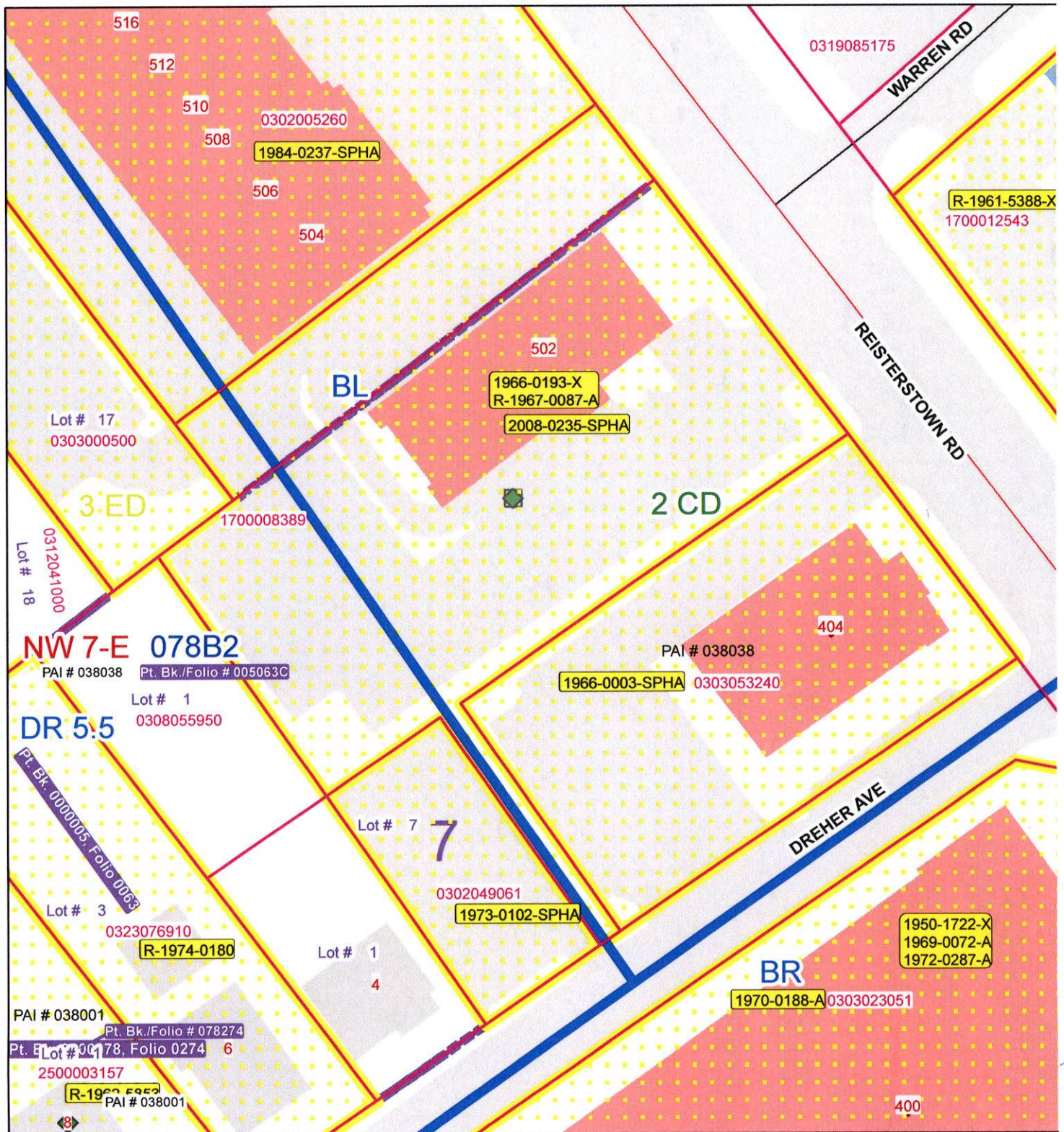
The petition for special hearing was filed pursuant to BCZR § 500.7 to approve the amendment to the previously approved plan in Case No. 2008-235-SPHA. This request is solely made to amend the previously approved plans to reflect the variance relief requested above and no substantive zoning relief is requested under this special hearing.

VII. CONCLUSION

For these reasons, we respectfully request that the petition for variances and petition for special hearing be granted.

1. Exhibit 9 – Hearing Outline

002 Reisterstown Road



Publication Date: 10/3/2016



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 50 feet

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 03 Account Number - 1700008389			
Owner Information					
Owner Name:	MCDONALDS CORPORATION		Use:	COMMERCIAL	
Mailing Address:	8483 FORT SMALLWOOD RD PASADENA MD 21122-2739		Principal Residence:	NO	
			Deed Reference:	/05667/ 00943	
Location & Structure Information					
Premises Address:		500 REISTERSTOWN RD BALTIMORE MD 21208-0000		Legal Description:	SWS REISTERSTOWN RD .7746 AC 100 NW DREHER AV
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0078	0009	0674		0000	2016 Plat Ref:
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
2008	3978		30,420 SF	24	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		FAST FOOD			
Value Information					
	Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	502,100	502,100			
Improvements	675,200	674,500			
Total:	1,177,300	1,176,600	1,176,600	1,176,600	
Preferential Land:	0			0	
Transfer Information					
Seller: B & A REAL ESTAT E CORP,ET AL		Date: 08/20/1976	Price: \$222,353		
Type: ARMS LENGTH IMPROVED		Deed1: /05667/ 00943	Deed2:		
Seller:		Date:	Price:		
Type:		Deed1:	Deed2:		
Seller:		Date:	Price:		
Type:		Deed1:	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016	07/01/2017		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.



McDonald's of procedures for resolving any complaints about parking violations arising from 404 Reisterstown Road. McDonald's consents to these conditions and they will therefore be incorporated herein.

KEVIN KAMENETZ

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

In furtherance of the first condition, McDonald's has submitted a redlined version of the Plat to Accompany Zoning Petition showing the requested fence and shrubbery as Petitioner's Exhibit 6. This modified redlined plat also shows the addition of a 9-foot by 20-foot loading area in the rear of the property which, as a practical matter, will not be used. Mr. Houck testified that loading would occur on the side of the restaurant late at night or very early in the morning, so as not to interfere with the normal operation of the restaurant. Similarly, the modified plan also shows a new dumpster, which will replace the existing dumpster at the rear of the site. The dumpster will be unloaded during non-peak hours so as not to interfere with the normal operation of the restaurant. Two parking spaces are shown adjacent to the dumpster area and are counted toward the total parking provided. These two spaces may be designated as employee parking spaces and could be vacated immediately in the rare event that the dumpster must be unloaded during normal operating hours.

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 by the Zoning Commissioner of Baltimore County this 5th day of February, 2008, that the Petition for Special Hearing to verify that the approval granted in Special Hearing Zoning Case No. 66-193-SPH is still valid, be and is hereby verified and confirmed; and

IT IS FURTHER ORDERED that the Petitions for Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 35 off-street parking spaces in lieu of the required 62 spaces; from B.C.Z.R. Section 303.2 to permit a front yard (depth)

ORDER RECEIVED FOR FILING
Date 2-5-08



setback of 32 feet in lieu of the required 43 feet; from B.C.Z.R. Section 450.4.5.A to permit five (5) enterprise signs on building facades in lieu of the permitted three (3) signs; from B.C.Z.R.

KEVIN KAMENETZ

Section 450.4.3 to permit a "canopy" style directional sign in lieu of the permitted wall-mounted

ARNOLD JABLON
Director, Department of Permits,
Approvals & Inspections

or free-standing sign; and from B.C.Z.R. Section 450.5.B.3.6 to permit the erection of a sign

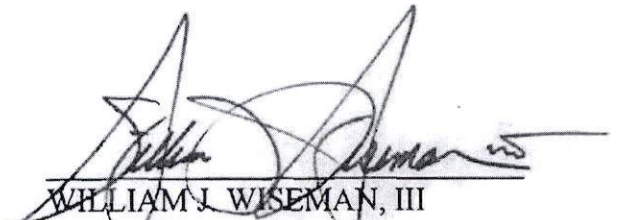
above the face of the canopy in lieu of its erection on the face of the canopy, in accordance with

Petitioner's Exhibits 4, 5, and 6, be and are hereby GRANTED, subject to the following

conditions:

1. An attractive 48-inch tall, black or dark bronze ornamental iron fence with through-the-top-rail flat-top pickets, is to be erected and maintained by current and future owners of the McDonald's store or property. This fence is to be erected on the grassy strip that separates the entire length of the properties located at 404 and 502 Reisterstown Road. This fence is to be supplemented with shrubbery that is no more than 30 inches tall, spanning both sides of the entire length of the fence but taking into consideration existing trees. The style of the fence and the selection of the shrubbery are to be approved by the owners of 404 Reisterstown Road and the Baltimore County Landscape Architect.
2. McDonald's shall provide adequate and appropriate signage on 404 Reisterstown Road in the immediate vicinity of the common property line between the properties, informing parking violators of their infringement on private property and the potential towing, storage, and removal expenses to be borne by the violator. All such signs shall conform to applicable provisions of Baltimore County law and regulation. McDonald's shall, on an as-needed basis, replace signs on the 404 Reisterstown Road property in the event that they become unreadable.
3. McDonald's shall establish and provide McDonald's employees with clearly written procedures on how to handle and resolve any and all parking violation complaints from the 404 Reisterstown Road property.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR PLANS
Date 8-5-08
By [Signature]



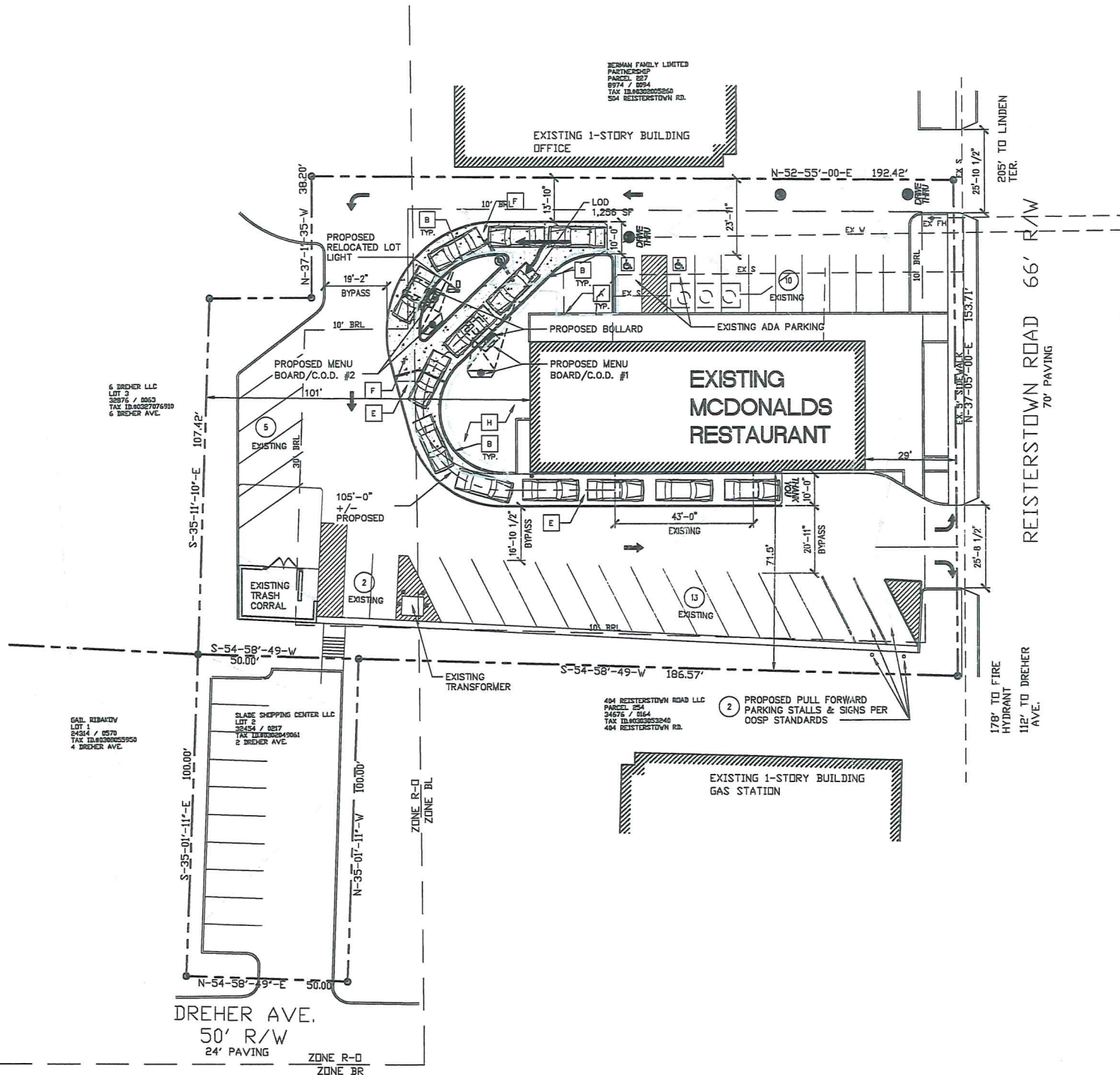
502 Reisterstown Road

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 12/1/2016



- GENERAL NOTES:**
1. OWNER / DEVELOPER / APPLICANT:
McDONALD'S CORPORATION
6903 ROCKLEDGE DRIVE
SUITE 1100
BETHESDA, MD. 20817
 2. SITE AREA: 30,420 SF / 0.698 AC
 3. EXISTING / PROPOSED USE RESTAURANT (FAST FOOD WITH DRIVE-THRU)
 4. PARCEL: 0674
 5. EXISTING BUILDING AREA: 3,858 SF
PROPOSED BUILDING AREA: NO CHANGE
 6. UTILITIES:
PUBLIC WATER
PUBLIC SEWER
 7. PARKING CALCULATION
16 SP. / 1,000 GFA = $3,858 / 1,000 = 3.858 \times 16 = 61.73 = 62$ SPACES REQ.
TOTAL PARKING SPACES PROVIDED = 28 + 2 H.C. = 30
 8. SETBACKS
REQUIRED
FRONT 10' FROM PROPERTY LINE
SIDE 10'
REAR 30'
 9. HEIGHT OF STRUCTURE: 16'-9"-1 STORY (EXISTING - NO CHANGE)
 10. DEED REFERENCE: LIBER 5667 FOLIO 943
 11. TAX ACCOUNT #: 1700008369
 12. ELECTION DISTRICT: 3rd
 13. COUNCILMANIC DISTRICT: 2nd
 14. ZONING: BL & DR 5.5
 15. TAX MAP: 78 GRID 9
 16. CENSUS TRACT: 403400
 17. FLOOR AREA RATIO FOR BL
MAXIMUM PERMITTED: 3.0
ACTUAL: $3,978 \text{ SF} / 30,420 \text{ SF} = 0.13$
 18. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE CRITICAL AREA.
 19. LIMIT OF DISTURBANCE = 1,256 SF
 20. THIS SITE IS NOT WITHIN THE BASIC SERVICES MAP AREAS.
 21. ZONING MAP #078B2
 22. THERE ARE NO KNOWN WETLANDS, FLOODPLAINS, OR STREAMS ON THE SITE.
 23. THIS SITE IS NOT WITHIN A HISTORIC DISTRICT

****ZONING HISTORY CASES:**

VARIANCE GRANTED PER CASE 1973-0102-SPHA TO PERMIT OFF-STREET PARKING SPACES ON RESIDENTIAL PROPERTY. - 12/5/1972

VARIANCE GRANTED PER CASE 1966-0003-SPHA TO PERMIT 6 PARKING SPACES IN LIEU OF THE 35 REQUIRED IN THE BL ZONE. - 7/6/1965

VARIANCE GRANTED PER CASE 2008-0235-SPHA TO PERMIT 35 OFF-STREET PARKING SPACES IN LIEU OF THE 62 SPACES REQUIRED & 32 FOOT FRONT YARD DEPTH IN LIEU OF THE REQUIRED 43 FEET & 5 ENTERPRISE SIGNS ON BUILDING FACADE & CANOPY TYPE SIGNS. - 1/22/2008.

VARIANCE GRANTED PER CASE 1984-0237-SPHA TO PERMIT 70 PARKING SPACES IN LIEU OF THE REQUIRED 93 SPACES & ALLOW PARKING IN THE R-O ZONE. - 3/28/1984.

VARIANCE DENIED PER CASE R-1967-0087-A TO PERMIT THE REAR YARD SETBACK LINE TO BE ZERO - 10/20/1966.

VARIANCE GRANTED PER CASE 1966-0193-X TO PERMIT OFF-STREET PARKING IN THE RESIDENTIAL ZONE. - 10/5/1966.



419 North Charles Street
Baltimore, Maryland 21201
t: 410.837.3622
f: 410.837.3621

SEAL

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.: 22538
Expiration Date: 11-24-17



REVISIONS

NO.	DESCRIPTION	DATE

DATE: 11/30/16
SCALE: AS NOTED
BUILDING AREA SQ. FT.
DINING ROOM SEATING SQ. FT.
PROJECT #: 15RA71
DRAWN BY: GLC CHECKED BY: GLC

PROJECT TITLE

ALTERATIONS TO
McDONALD'S
REISTERSTOWN RD
502 REISTERSTOWN RD
BALTIMORE, MD
REGION: CAPITOL
LC NO. 019-0025

SHEET TITLE

SITE PLAN TO
ACCOMPANY
ZONING
HEARING

SHEET NO. SPL-1.00-00

1 SITE PLAN

SCALE: 1"=20'-0"

- | | |
|-------------------------------------|-------------------------------------|
| A EXISTING CONCRETE CURB (TYP.) | F PROPOSED REINFORCED CONCRETE PAD. |
| B PROPOSED CONCRETE CURB (TYP.) | G EXISTING LANDSCAPE (TYP.) |
| C EXISTING CONCRETE SIDEWALK (TYP.) | H PROPOSED LANDSCAPED. |
| D PROPOSED CONCRETE SIDEWALK (TYP.) | |
| E EXISTING CONCRETE PAD. | |

GENERAL SITE NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT LOCAL, STATE AND FEDERAL REGULATIONS.
2. THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS SATISFACTION PRIOR TO CONSTRUCTION. NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS, AND ANY DAMAGE TO THEM SHALL BE REPAIRED IMMEDIATELY AT HIS OWN EXPENSE.
3. IT SHALL BE UNDERSTOOD THAT THE CONTRACTOR IS REQUIRED TO COMPLETE ALL WORK THAT IS DISCUSSED WITH THE ACM AND IS REQUIRED BY McDONALD'S STANDARD SPECIFICATIONS, REGARDLESS OF INCLUSION OF SAID WORK ON DOCUMENTS.
4. NO UTILITY, SEWER, WATER OR STORM DRAINAGE CONSTRUCTION IS ANTICIPATED AS PART OF SITE IMPROVEMENTS, UNLESS NOTED OTHERWISE.
5. AREAS INDICATED AS HANDICAPPED PARKING SPACES, LANDINGS AND CROSSWALKS WILL BE CONSTRUCTED AT GRADE, NOT TO EXCEED 1.5% SLOPE IN ANY DIRECTION, UNLESS INDICATED ON SITE PLAN.
6. CONTRACTOR SHALL REMOVE AND REPLACE ONLY THAT ASPHALT PAVEMENT NECESSARY TO CONSTRUCT IMPROVEMENT SHOWN ON THE SITE PLAN. THE CONTRACTOR SHALL MILL AND REPLACE EXISTING ASPHALT PAVEMENT, IF NECESSARY, TO PROVIDE POSITIVE DRAINAGE AND SMOOTH TRANSITION TO AND FROM IMPROVEMENTS. ONCE CONSTRUCTION HAS BEEN COMPLETED, CONTRACTOR SHALL SEAL COAT ASPHALT PARKING AREA AND STRIPE PARKING LOT AS SHOWN ON SITE PLAN.

2 SITE PLAN KEYED NOTES

SCALE: N.T.S.

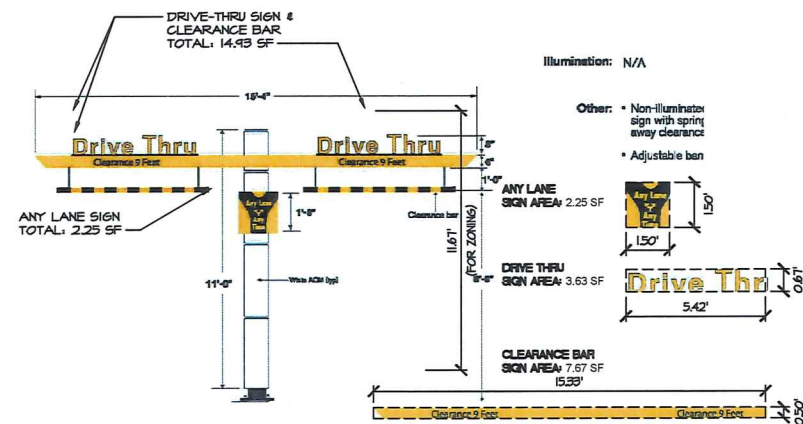
3 SITE PLAN GENERAL NOTES

SCALE: N.T.S.

NEW CONCRETE CURB RAMPS, CONCRETE PAD AND WALKWAY



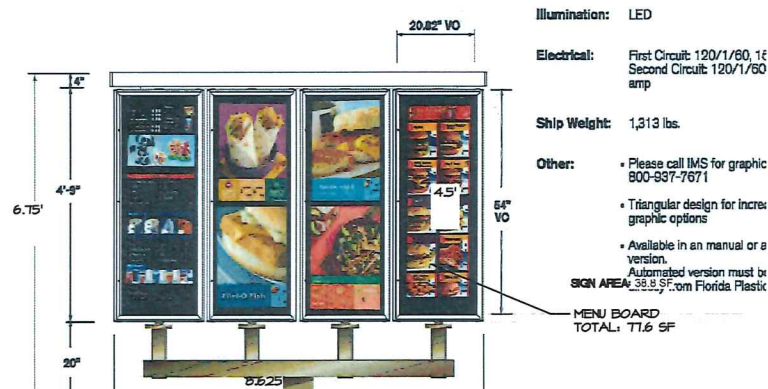
Double Welcome Point Gateway



1 DOUBLE WELCOME GATEWAY
SCALE: N.T.S.

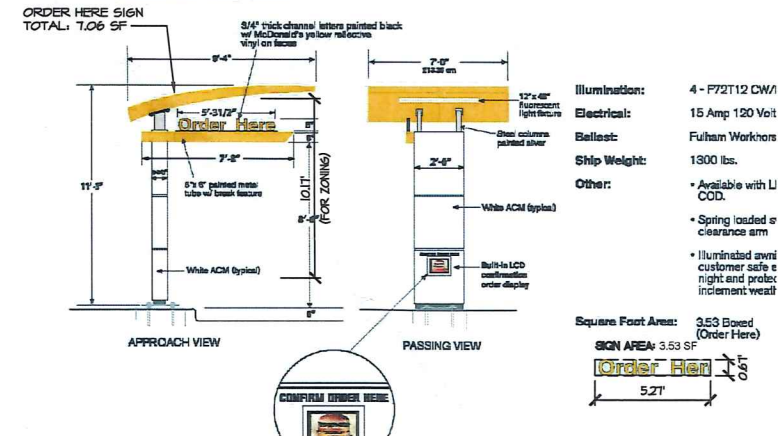
2 INTEGRATED MENU BOARD
SCALE: N.T.S.

OPO Outdoor Menu Board



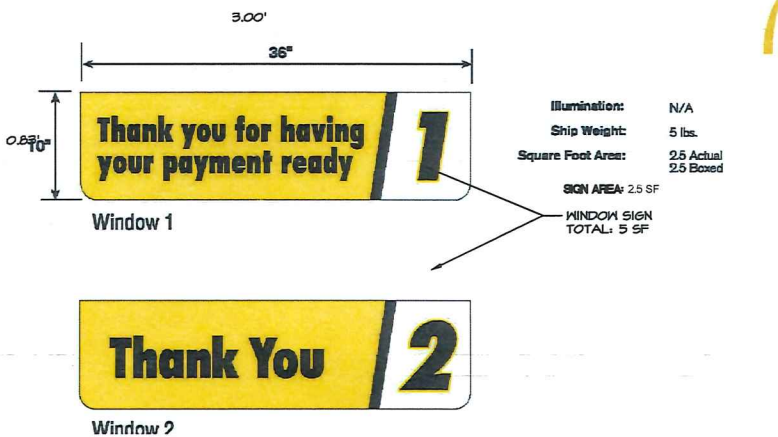
5 OPO OUTDOOR MENU BOARD
SCALE: N.T.S.

Drive-Thru Twin Pole Canopy w/ Built-In COD (Preferred)
LCD Confirmation Order Display



3 ORDER HERE CANOPY
SCALE: N.T.S.

Window Position Signs



6 WINDOW SIGNAGE
SCALE: N.T.S.



419 North Charles Street
Baltimore, Maryland 21201
t: 410.837.3622
f: 410.837.3621

SEAL

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.: 22538
Expiration Date: 11-24-17

CMS
CMS Associates LLC
4925 Ellis Lane
Ellicott City, Md 21043
(410) 988-2436
ciniero@cms-engineering.net
c/o Geoffrey Ciniero

REVISIONS

NO.	DESCRIPTION	DATE

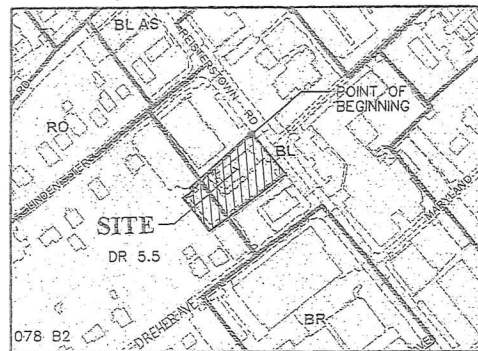
DATE: 09/21/16
SCALE: AS NOTED
BUILDING AREA SQ. FT.
DINING ROOM SEATING SQ. FT.
PROJECT #: 15RA71
DRAWN BY: GLC CHECKED BY: GLC

PROJECT TITLE
ALTERATIONS TO
McDONALD'S
REISTERSTOWN RD
502 REISTERSTOWN RD
BALTIMORE, MD
REGION: CAPITOL
LC NO. 019-0025



SHEET NO. SIGN 2

SIGNAGE SET 09/21/16



ZONING MAP
SCALE: 1" = 200'

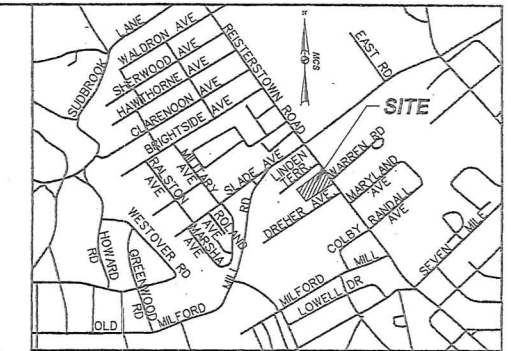
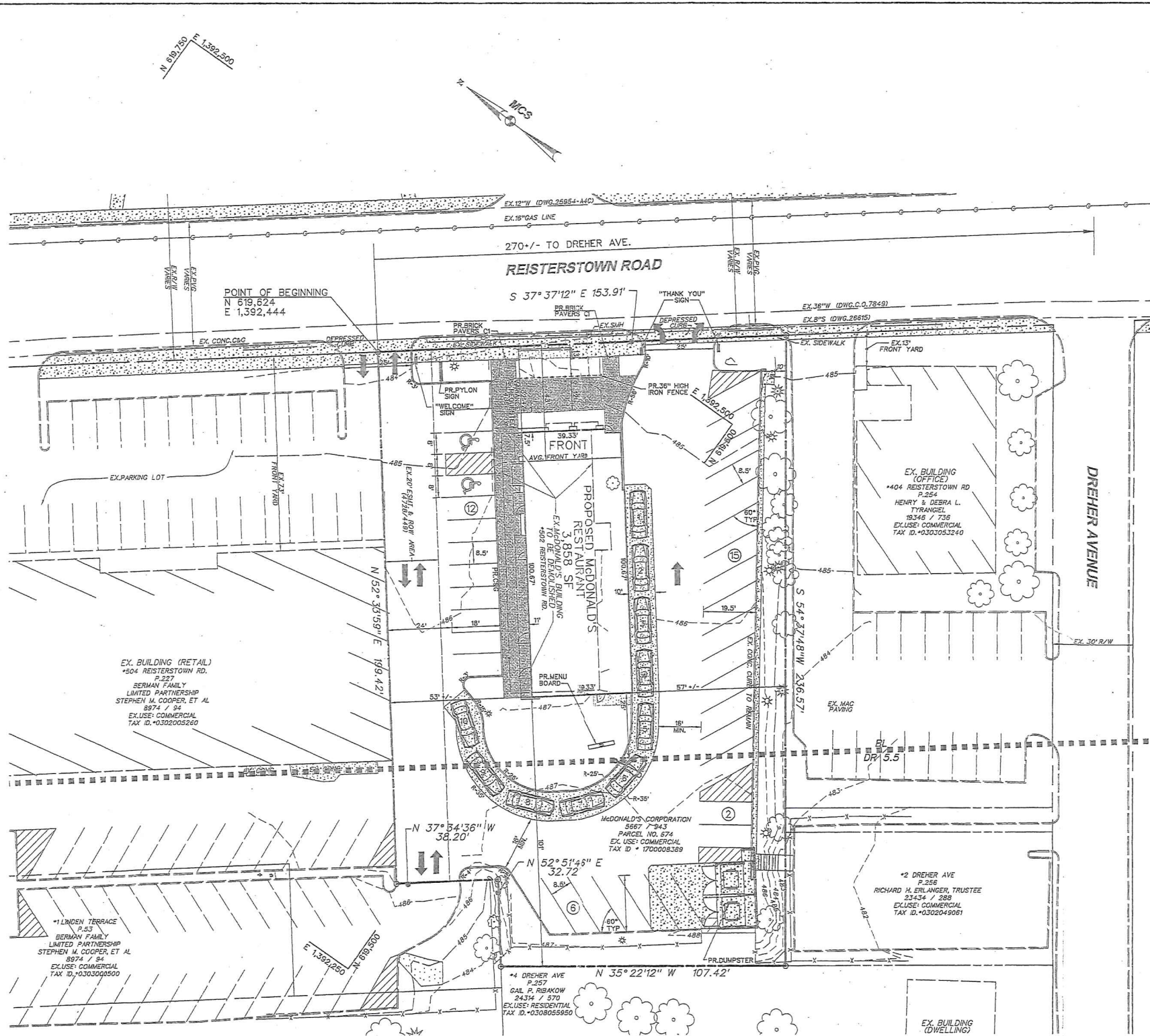
LEGEND

PROPERTY LINE	---
EX. ZONING LINE	----- BL 5.5
EX. BUILDING	12
EX. PARKING SPACES	15
EX. TREES	16
EX. STORM DRAIN, MANHOLE & INLET	EX. 15" D
EX. SANITARY SEWER, MANHOLE & CLEANOUT	EX. 8" S
EX. WATER MAIN, VALVE & FIRE HYDRANT	EX. 8" W
EX. CONCRETE CURB & GUTTER	EX. C&G
EX. CONCRETE C&G TO REMAIN	EX. C&G TO REMAIN
EX. CONCRETE CURB & GUTTER TO BE REMOVED	XXXXXX
PR. BUILDING	PR. CONG. C&G
PR. CONCRETE CURB & GUTTER	PR. CONG. C&G
PR. PARKING SPACES	15

ZONING HEARING REQUESTS

- SPECIAL HEARING
- VERIFICATION THAT APPROVAL GRANTED IN SPECIAL HEARING ZONING CASE #66-193-SPH IS STILL VALID.
- HEARING FOR ZONING VARIANCES
- VARIANCE FOR PARKING REGULATIONS
 - VARIANCE FROM SECTION 409.6.A.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 35 SPACES IN LIEU OF THE REQUIRED 62 SPACES.
- VARIANCE FOR B.L. ZONE AREA REGULATIONS
 - VARIANCE FROM SECTION 303.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW 34' FRONT YARD DEPTH IN LIEU OF THE REQUIRED 43' (AVERAGE OF THE FRONT YARD DEPTHS OF THE ADJACENT LOTS).
- VARIANCE FOR SIGN REGULATIONS
 - VARIANCE FROM SECTION 450.4.5.A OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW FIVE (5) ENTERPRISE SIGNS ON THE BUILDING FACADES IN LIEU OF THE ALLOWED THREE (3) SIGNS (SIGNS #1, #2, #3, #4, AND #5).
 - VARIANCE FROM SECTION 450.4.3 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A "CANOPY" TYPE DIRECTIONAL SIGN IN LIEU OF THE ALLOWED WALL MOUNTED OR FREESTANDING SIGN (SIGNS #6 & #7).
 - VARIANCE FROM SECTION 450.5.B.3.b OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW ERECTION OF THE SIGN ABOVE FACE OF THE CANOPY IN LIEU OF ITS ERECTION ON THE FACE OF CANOPY (SIGNS #6 & #7).

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



VICINITY MAP
SCALE: 1" = 1,000'

BENCH MARK

HUB 44-591-9 - ELEV. 485.584
3/8" IRON PIN IN SEAM OF CONCRETE WALK SOUTHWEST OF REISTERSTOWN RD
IN FRONT OF MCDONALD'S 500'-1" EAST OF SLADE AVE.

SITE DATA

- SITE AREA = 30,420 SF OR 0.77AC
- OWNER:
MCDONALD'S CORPORATION
8500 FORT SMALLWOOD ROAD
PASADENA, MD 21122-2608
PHONE: 410-437-4455
- TAX MAP REFERENCES:
- TAX ACCT. # 1700008389
- MAP 75
- GRID 09
- PARCEL 674
- DEED REFERENCE: 5667 / 873
- ELECTION DISTRICT: 31 COUNCILMANIC DISTRICT: 2
- EXISTING ZONING: BL 1 DR 5.5 MAP # 078 B2
- EXISTING USE: MCDONALD'S RESTAURANT - TO BE RAZED
PROPOSED USE: MCDONALD'S RESTAURANT
- CENSUS TRACT: 4034.00
WATERSHED: 8
SUBWATERSHED: 71
- MINIMUM SETBACK REQUIREMENTS (BL ZONE):
FRONT: 10 FT FROM THE FRONT PROPERTY LINE AND NOT LESS THAN 40 FT FROM THE CENTERLINE OF THE STREET. ALSO, THE AVERAGE OF THE FRONT YARDS AS PER BALTIMORE COUNTY ZONING REGULATIONS SECTION 303.2
SIDE: NONE REQUIRED ON INTERIOR LOTS, EXCEPT THAT WHERE THE LOT ABUTS A LOT IN A RESIDENCE ZONE THERE MUST BE A SIDE YARD NOT LESS THAN THE GREATER MINIMUM WIDTH REQUIRED FOR A DWELLING ON THE ADJUTING LOT AND ON CORNER LOTS THE SIDE YARD ON THE STREET SIDE SHALL BE NOT LESS THAN 20 FT IN WIDTH
REAR: NONE REQUIRED EXCEPT THAT WHERE THE REAR LOT LINE ABUTS A LOT IN A RESIDENCE ZONE THERE SHALL BE A REAR YARD NOT LESS THAN 20 FT DEEP.
- BUILDING HEIGHT:
PERMITTED: 40 FT
PROPOSED: 20 FT
- FLOOR AREA RATIO:
MAX. PERMITTED: 3.0
PROPOSED: 3,858 SF / 30,420 SF = 0.13
- ADT:
550 / 1,000 SF GROSS LEASABLE AREA -
(3,858 SF) = 2,122 DAILY TRIPS
- LANDSCAPE REQUIREMENTS:
LANDSCAPING WILL BE PROVIDED AS PER THE MOST RECENT BALTIMORE COUNTY LANDSCAPE MANUAL. SEE SHEET 3 OF 3 FOR LANDSCAPE PLAN.
- STORM WATER MANAGEMENT:
THIS SITE IS A RE-DEVELOPMENT. EXISTING IMPERVIOUS AREAS WITHIN THE LIMIT OF DISTURBANCE SHALL BE REDUCED AT LEAST 20% TO MEET WATER QUALITY VOLUME (WQV) REQUIREMENTS
- THERE ARE NO EXISTING OR PROPOSED WELL OR SEPTIC AREAS.
- PUBLIC WATER AND SANITARY SEWER FACILITIES EXIST.
- THERE ARE NO KNOWN WETLANDS REQUIRING REGULATION, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON SITE.
- FOREST CONSERVATION REQUIREMENTS:
EXEMPT: THE PROPOSED DEVELOPMENT IS LOCATED ON A SINGLE LOT THAT HAS EXISTED BEFORE JANUARY 1, 1993 AND IS LESS THAN 40,000 SF.
- ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL SIGN POLICIES, EXCEPT THOSE LISTED UNDER "ZONING HEARING REQUESTS" ON THIS SHEET.
- THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.
- FLOOD MAP INFORMATION:
PERMITS IS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BALTIMORE COUNTY, MARYLAND COMMUNITY PANEL NUMBER 24020 0255 B, EFFECTIVE DATE MARCH 2, 1981 AND DESIGNATED AS ZONE C (AREAS OF MINOR FLOODING).
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- LIGHTING SHALL BE ERECTED AS NOT TO REFLECT INTO ANY ADJOINING RESIDENTIAL AREAS AND PUBLIC ROADS.
- THE BOUNDARY SHOWN HEREON WAS TAKEN FROM A BOUNDARY SURVEY PREPARED BY SURVEY SERVICES OF MD, DATED MARCH, 2007.
- THIS SITE IS LOCATED IN Pikesville AND IS SUBJECT TO Pikesville DESIGN GUIDELINES. THE PROPOSED DEVELOPMENT WAS REVIEWED AND APPROVED BY THE DESIGN REVIEW PANEL (DRP #480).
- THE SITE IS LOCATED IN GWYNN'S FALLS WATERSHED.

PARKING REQUIREMENTS

PARKING SPACES REQUIRED:
3,858 SF @ 16 PS / 1,000 SF = 62 P.S.
PARKING SPACES PROVIDED: 35 PS (INCL. 2 HDPC)
SEE "ZONING HEARING REQUESTS" THIS SHEET

PREVIOUS ZONING HISTORY

CASE #66-193SPH:
SPECIAL HEARING TO PERMIT OFF-STREET PARKING IN A RESIDENTIAL ZONE GRANTED ON OCTOBER 5, 1968. (SEE SHEET 2 OF 3 FOR DETAILS)

DESIGN & DRAWINGS ARE
BASED ON MARYLAND
COORDINATE SYSTEM

DRAWING NO.

C-1

SHEET 1 OF 3

BLDG
Baltimore Land Design Group Inc.
Consulting Engineers
222 SCHILLING CIRCLE SUITE 105 • HUNT VALLEY, MARYLAND 21109
PHONE: 410.229.9851 • FAX: 410.229.9855 • BLDG@BLDGINC.COM



PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21245, EXPIRATION DATE: JUNE 9, 2008.

DEVELOPER / APPLICANT

MCDONALD'S CORPORATION

8500 FORT SMALLWOOD ROAD
PASADENA, MARYLAND 21122-2608
PHONE (410) 437-4455
FAX (410) 755-1542

DATE	ITEM

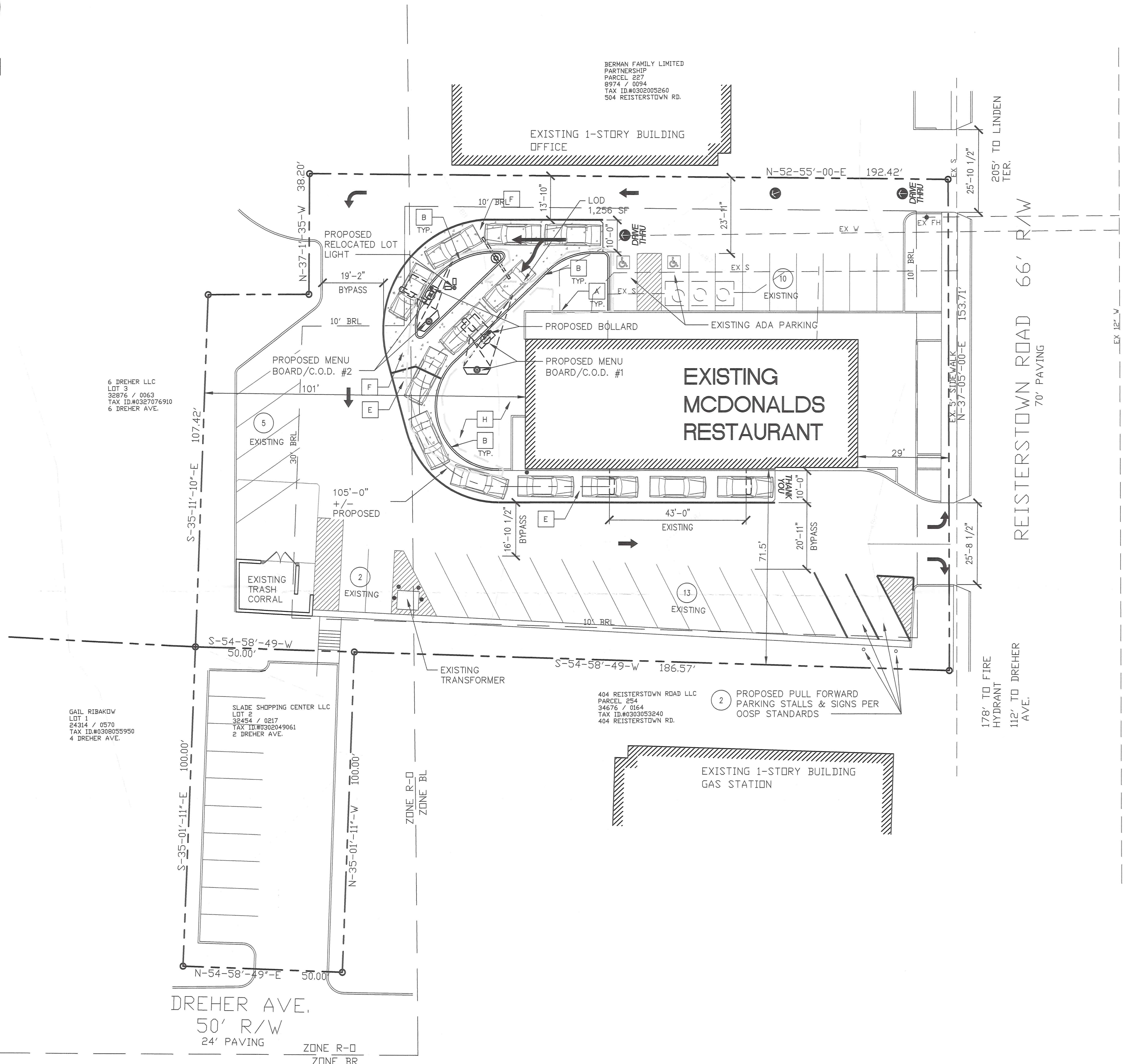
PLAT TO ACCOMPANY ZONING PETITIONS

MCDONALD'S
502 REISTERSTOWN ROAD
BALTIMORE, MARYLAND

BALTIMORE CO., MARYLAND
SCALE: 1" = 20'

ELECTION DISTRICT: 3, C2
DATE: NOVEMBER 19, 2007

08-135-SPHA



- GENERAL NOTES:
1. OWNER / DEVELOPER / APPLICANT:
McDONALD'S CORPORATION
6903 ROCKLEDGE DRIVE
SUITE 1100
BETHESDA, MD. 20817
 2. SITE AREA: 30,420 SF/ 0.698 AC
 3. EXISTING / PROPOSED USE RESTAURANT (FAST FOOD WITH DRIVE-THRU)
 4. PARCEL: 0674
 5. EXISTING BUILDING AREA: **3,858** SF
PROPOSED BUILDING AREA: NO CHANGE
 6. UTILITIES:
PUBLIC WATER
PUBLIC SEWER
 7. PARKING CALCULATION
 $16 \text{ SP.} / 1,000 \text{ GFA} = 3,858 / 1,000 = 3.858 \times 16 = 61.73 = 62 \text{ SPACES REQ.}$
TOTAL PARKING SPACES PROVIDED = 28 + 2 H.C.=20
 8. SETBACKS
REQUIRED
FRONT 10' FROM PROPERTY LINE
SIDE 10'
REAR 30'
 9. HEIGHT OF STRUCTURE: 16'-9"-1 STORY (EXISTING - NO CHANGE)
 10. DEED REFERENCE: LIBER 5667 FOLIO 943
 11. TAX ACCOUNT #: 1700008389
 12. ELECTION DISTRICT: 3rd
 13. COUNCILMANIC DISTRICT: 2nd
 14. ZONING: BL & DR 5.5
 15. TAX MAP: 78 GRID 9
 16. CENSUS TRACT: 403400
 17. FLOOR AREA RATIO FOR BL
MAXIMUM PERMITTED: 3.0
ACTUAL: 3,978 SF/ 30,420 SF = 0.13
 18. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE CRITICAL AREA.
 19. LIMIT OF DISTURBANCE = 1,256 SF
 20. THIS SITE IS NOT WITHIN THE BASIC SERVICES MAP AREAS.
 21. ZONING MAP #078B2
 22. THERE ARE NO KNOWN WETLANDS, FLOODPLAINS, OR STREAMS ON THE SITE.
 23. THIS SITE IS NOT WITHIN A HISTORIC DISTRICT

****ZONING HISTORY CASES:**

VARIANCE GRANTED PER CASE 1973-0102-SPHA TO PERMIT OFF-STREET PARKING SPACES ON RESIDENTIAL PROPERTY. - 12/5/1972

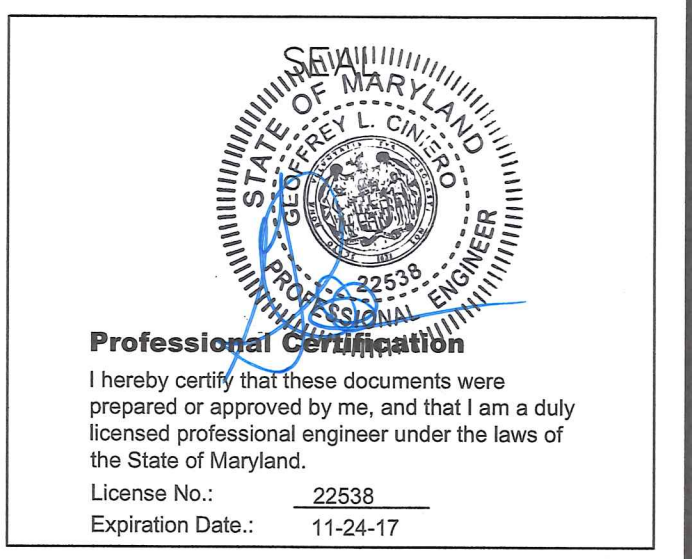
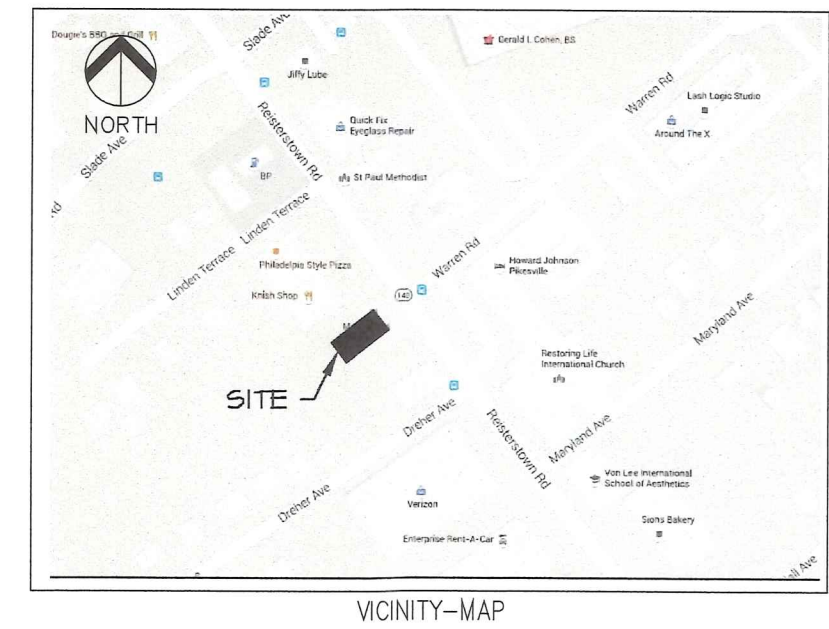
VARIANCE GRANTED PER CASE 1966-0003-SPHA TO PERMIT 6 PARKING SPACES IN LIEU OF THE 35 REQUIRED IN THE BL ZONE. - 7/6/1965

VARIANCE GRANTED PER CASE 2008-0235-SPHA TO PERMIT 35 OFF-STREET PARKING SPACES N LIEU OF THE 62 SPACES REQUIRED & 32 FOOT FRONT YARD DEPTH IN LIEU OF THE REQUIRED 43 FEET & 5 ENTERPRISE SIGNS ON BUILDING FACADE & CANOPY TYPE SIGNS. - 1/22/2008.

VARIANCE GRANTED PER CASE 1984-0237-SPHA TO PERMIT 70 PARKING SPACES IN LIEU OF THE REQUIRED 93 SPACES & ALLOW PARKING IN THE R-O ZONE. - 3/28/1984.

VARIANCE DENIED PER CASE R-1967-0087-A TO PERMIT THE REAR YARD SETBACK LINE TO BE ZERO - 10/20/1966.

VARIANCE GRANTED PER CASE 1966-0193-X TO PERMIT OFF-STREET PARKING IN THE RESIDENTIAL ZONE. - 10/5/1966.



REVISIONS		
NO.	DESCRIPTION	DATE

DATE: 11/30/16	
SCALE: AS NOTED	
BUILDING AREA	SQ. FT.
DINING ROOM SEATING	SQ. FT.
PROJECT #: 15RA71	
DRAWN BY: GLC	CHECKED BY: GLC

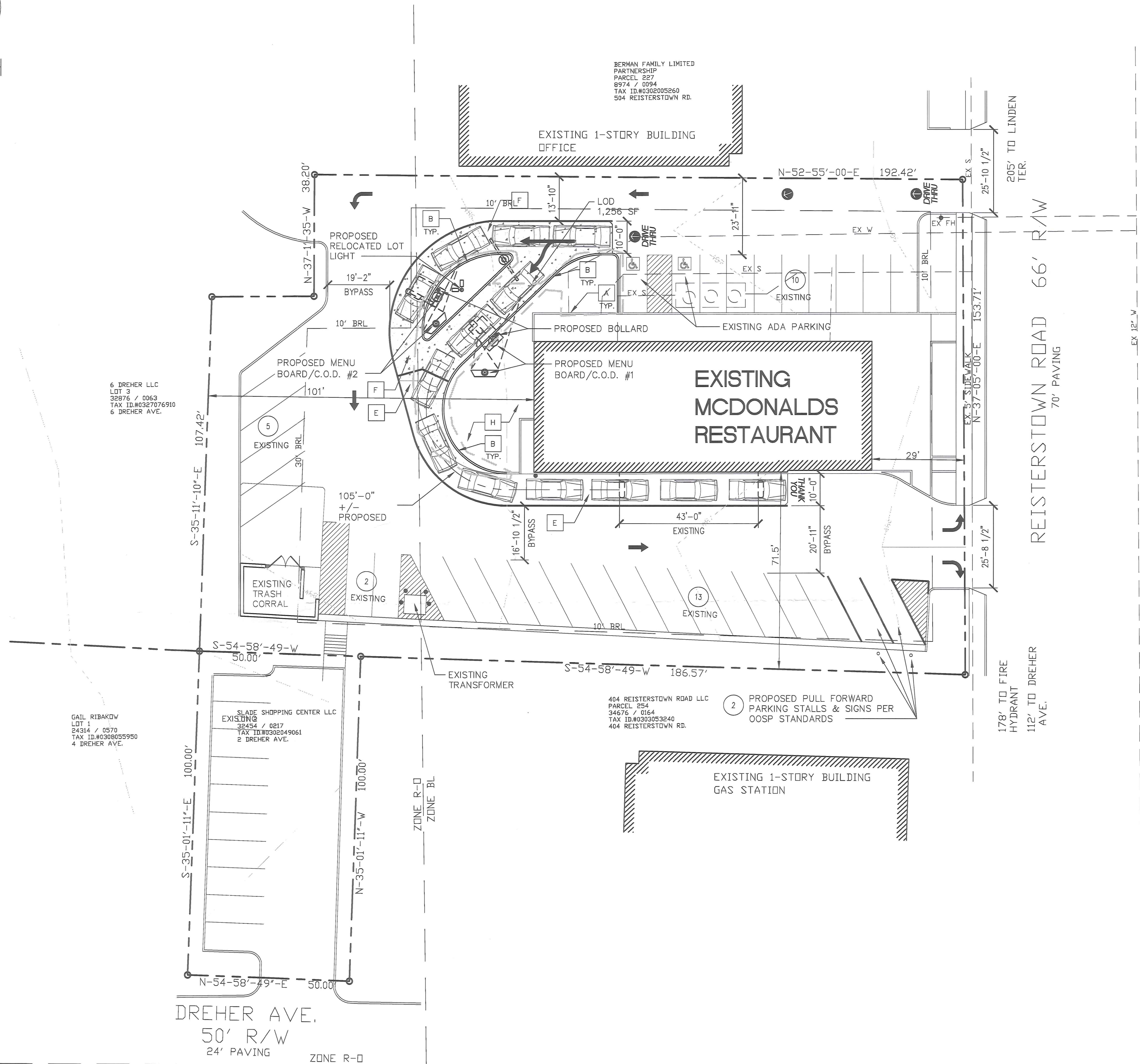
PROJECT TITLE	
ALTERATIONS TO	
McDONALD'S	
REISTERSTOWN RD	
502 REISTERSTOWN RD	
BALTIMORE, MD	
REGION: CAPITOL	
LC NO. 019-0025	

SHEET TITLE	
SITE PLAN TO	
ACCOMPANY	
ZONING	
HEARING	
SHEET No.SPL-1.00-00	

11/20/2016

015-0025 REVISION OWN AND SETTING

1		SITE PLAN	
SCALE: 1"=20'-0"			
A	EXISTING CONCRETE CURB (TYP.)	F	PROPOSED REINFORCED CONCRETE PAD.
B	PROPOSED CONCRETE CURB (TYP.)	G	EXISTING LANDSCAPE (TYP.)
C	EXISTING CONCRETE SIDEWALK (TYP.)	H	PROPOSED LANDSCAPED.
D	PROPOSED CONCRETE SIDEWALK (TYP.)		
E	EXISTING CONCRETE PAD.		
		GENERAL SITE NOTES: 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT LOCAL, STATE AND FEDERAL REGULATIONS. 2. THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS SATISFACTION PRIOR TO CONSTRUCTION. NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS, AND ANY DAMAGE TO THEM SHALL BE REPAIRED IMMEDIATELY AT HIS OWN EXPENSE. 3. IT SHALL BE UNDERSTOOD THAT THE CONTRACTOR IS REQUIRED TO COMPLETE ALL WORK THAT IS DISCUSSED WITH THE A/CN AND IS REQUIRED BY McDONALD'S STANDARD SPECIFICATIONS, REGARDLESS OF INCLUSION OF SAID WORK ON DOCUMENTS. 4. NO UTILITY, SEWER, WATER OR STORM DRAINAGE CONSTRUCTION IS ANTICIPATED AS PART OF SITE IMPROVEMENTS, UNLESS NOTED OTHERWISE. 5. AREAS INDICATED AS HANDICAPPED PARKING SPACES, LANDINGS AND CROSSWALKS SHALL BE CONSTRUCTED AT GRADE, NOT TO EXCEED 1.8% SLOPE IN ANY DIRECTION, UNLESS INDICATED ON SITE PLAN. 6. CONTRACTOR SHALL REMOVE AND REPLACE ONLY THAT ASPHALT PAVEMENT NECESSARY TO CONSTRUCT IMPROVEMENT SHOWN ON THE SITE PLAN. THE CONTRACTOR SHALL MILL AND REPLACE EXISTING ASPHALT PAVEMENT, IF NECESSARY, TO PROVIDE POSITIVE DRAINAGE AND SMOOTH TRANSITION TO AND FROM IMPROVEMENTS. ONCE CONSTRUCTION HAS BEEN COMPLETED, CONTRACTOR SHALL SEAL COAT ASPHALT PARKING AREA AND STRIPE PARKING LOT AS SHOWN ON SITE PLAN	
2		SITE PLAN KEYED NOTES	
SCALE: N.T.S.			
3		SITE PLAN GENERAL NOTES	
SCALE: N.T.S.			



- GENERAL NOTES:
1. OWNER / DEVELOPER / APPLICANT:
McDONALD'S CORPORATION
6903 ROCKLEDGE DRIVE
SUITE 1100
BETHESDA, MD. 20817
 2. SITE AREA: 30,420 SF/ 0.698 AC
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 4. PARCEL: 0674
 5. EXISTING BUILDING AREA: 3,978 SF
PROPOSED BUILDING AREA: NO CHANGE
 6. UTILITIES:
PUBLIC WATER
PUBLIC SEWER
 7. PARKING CALCULATION
 $16 \text{ SP.} / 1,000 \text{ GFA} = 3,978 / 1,000 = 3.978 \times 16 = 63.65 = 65 \text{ SPACES REQ.}$

TOTAL PARKING SPACES PROVIDED = $28 + 2 \text{ H.C.} = 20$
 8. SETBACKS
REQUIRED:
FRONT 10' FROM PROPERTY LINE
SIDE 10'
REAR 30'
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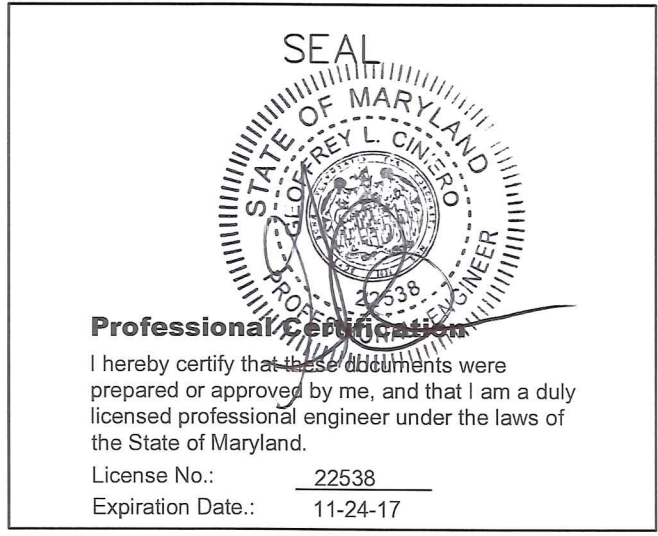
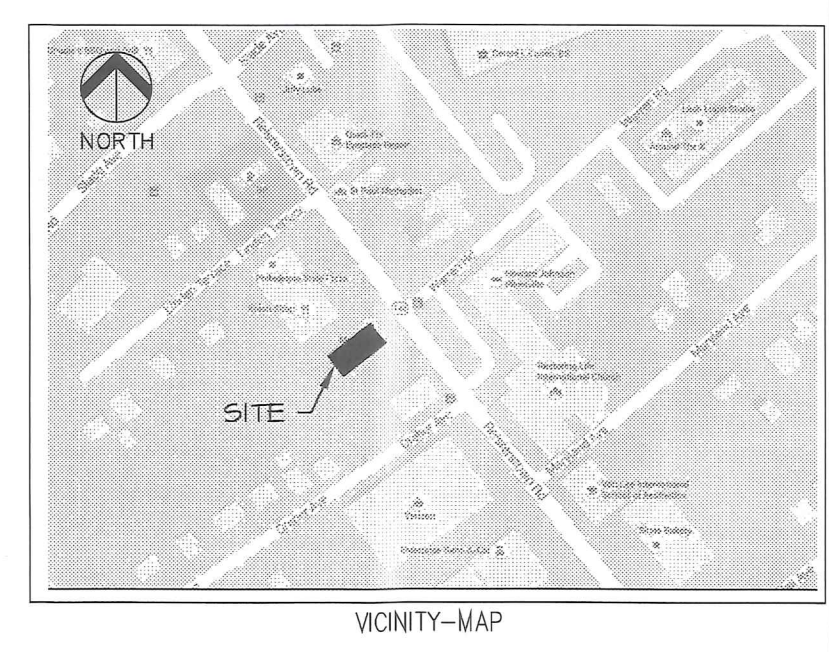
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REVISIONS		
NO.	DESCRIPTION	DATE

DATE: 08/30/16	
SCALE: AS NOTED	
BUILDING AREA	SQ. FT.
DINING ROOM SEATING	SQ. FT.
PROJECT #: 15RA71	
DRAWN BY: GLC	CHECKED BY: GLC

PROJECT TITLE	
ALTERATIONS TO	
McDONALD'S	
REISTERSTOWN RD	
502 REISTERSTOWN RD	
BALTIMORE, MD	
REGION: CAPITOL	
LC NO. 019-0025	

SHEET TITLE	
SITE PLAN TO	
ACCOMPANY	
ZONING	
HEARING	
SHEET NO. SPL-1.00-00	

1

SITE PLAN

SCALE: 1"=20'-0"

A

EXISTING CONCRETE CURB (TYP.)

B

PROPOSED CONCRETE CURB (TYP.)

C

EXISTING CONCRETE SIDEWALK (TYP.)

D

PROPOSED CONCRETE SIDEWALK (TYP.)

E

EXISTING CONCRETE PAD.

F

PROPOSED REINFORCED CONCRETE PAD.

G

EXISTING LANDSCAPE (TYP.)

H

PROPOSED LANDSCAPED.

2

SITE PLAN KEYED NOTES

SCALE: N.T.S.

3

SITE PLAN GENERAL NOTES

SCALE: N.T.S.

GENERAL SITE NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT LOCAL, STATE AND FEDERAL REGULATIONS.

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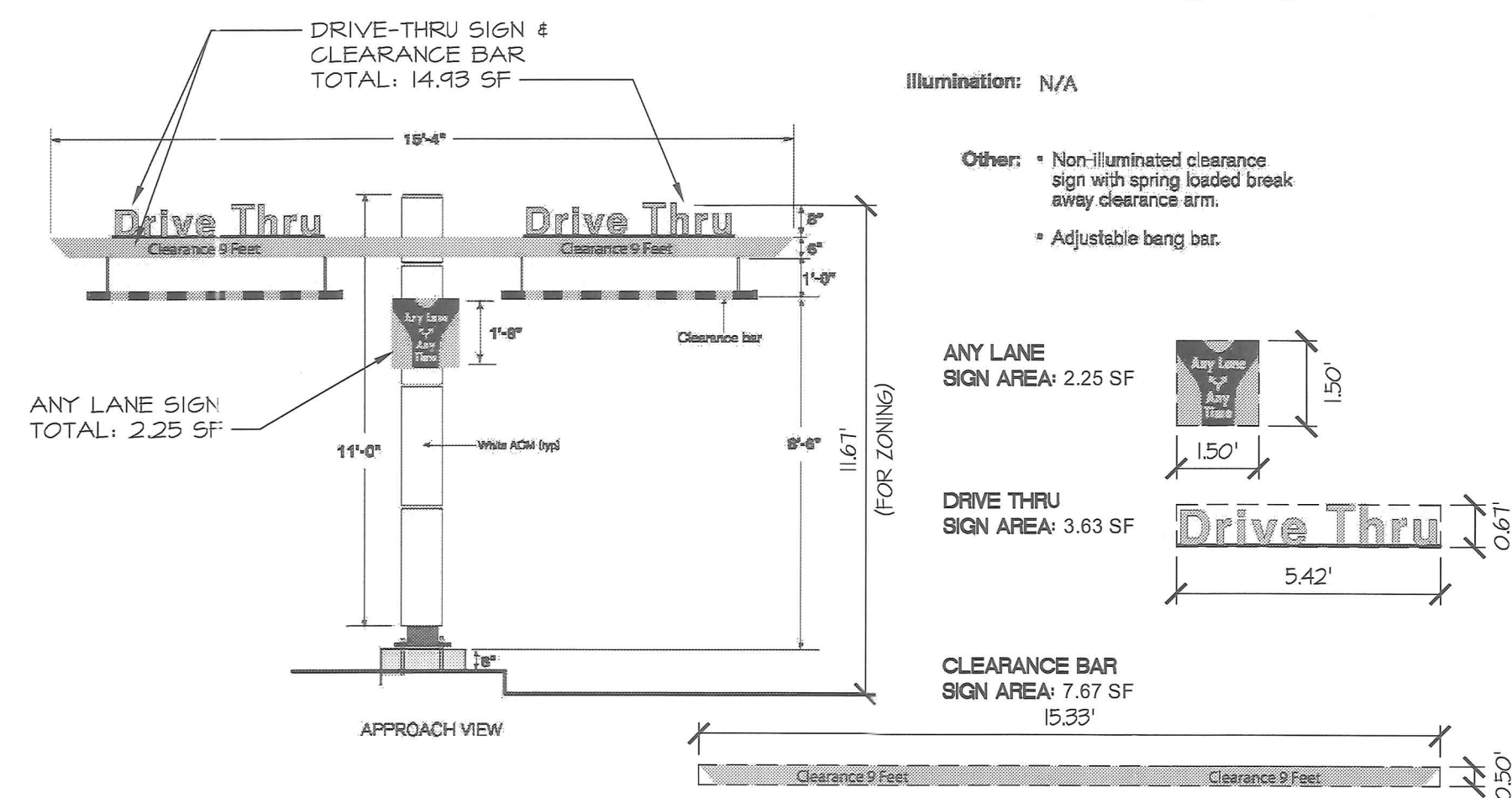
3. IT SHALL BE UNDERSTOOD THAT THE CONTRACTOR IS REQUIRED TO COMPLETE ALL WORK THAT IS DISCUSSED WITH THE ACM AND IS REQUIRED BY McDONALD'S STANDARD SPECIFICATIONS, REGARDLESS OF INCLUSION OF SAID WORK ON DOCUMENTS.

4. NO UTILITY, SEWER, WATER OR STORM DRAINAGE CONSTRUCTION IS ANTICIPATED AS PART OF SITE IMPROVEMENTS, UNLESS NOTED OTHERWISE.

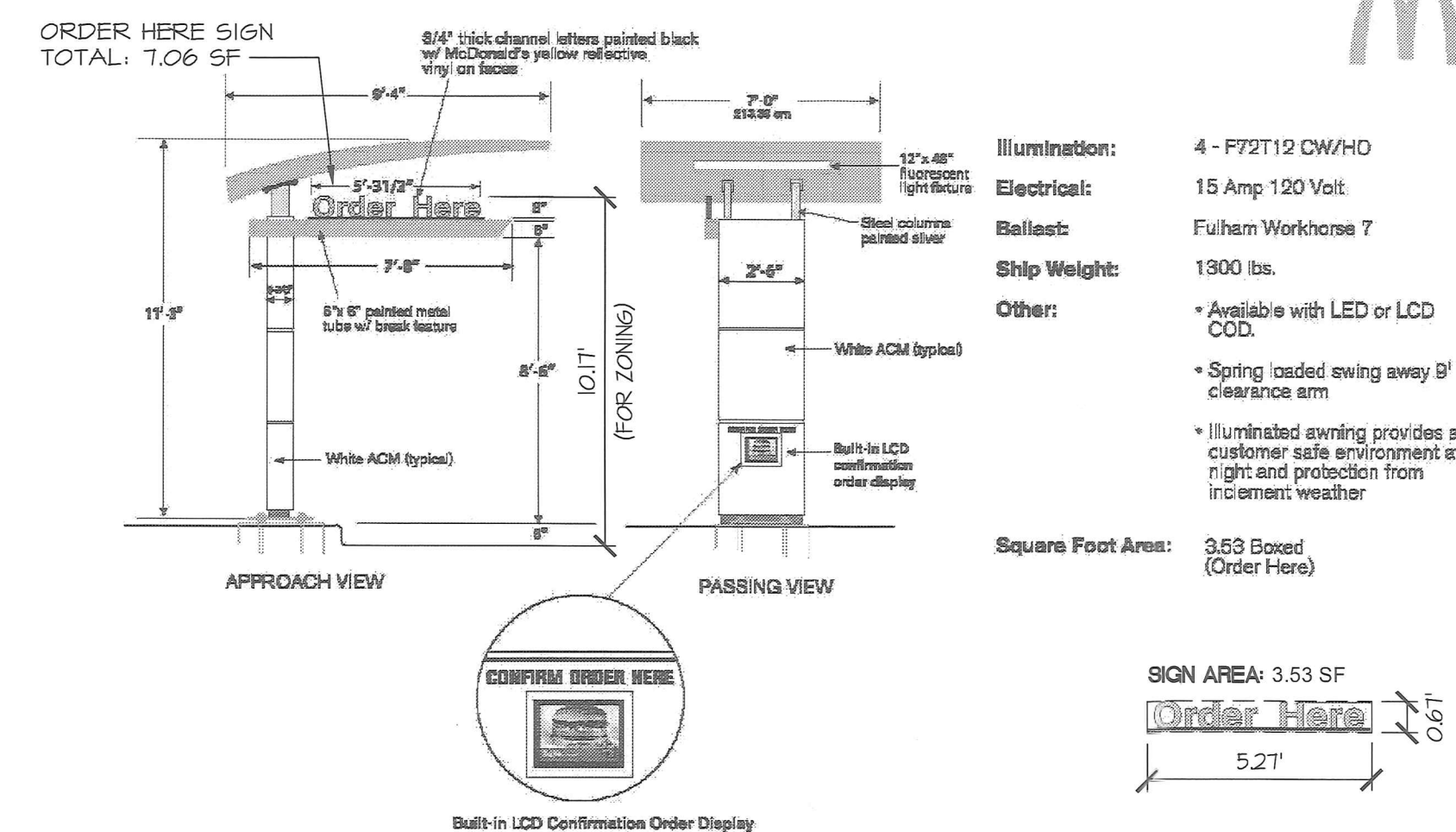
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SPL-1.00-00
9/24/2016
GEOFF CINIERO
019-0025 REISTERSTOWN RD SITE PLAN



NOT USED

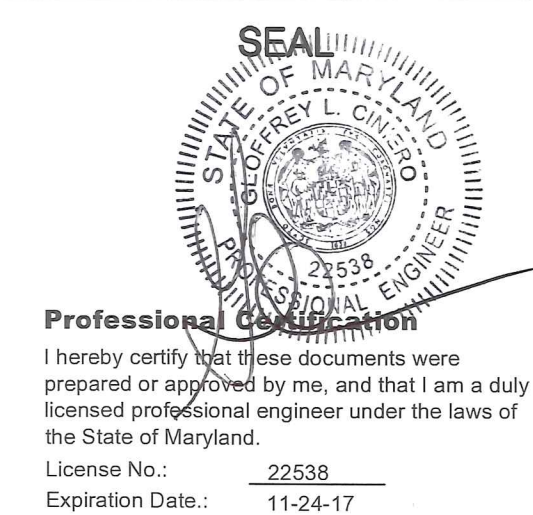


McDonald's

McDONALD'S USA, LLC
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(410) 988-2436
gciniero@cms-engineering.net
c/o Geoffrey Ciniero

[illegible]

DRAWN BY: GLC CHECKED BY: GLC

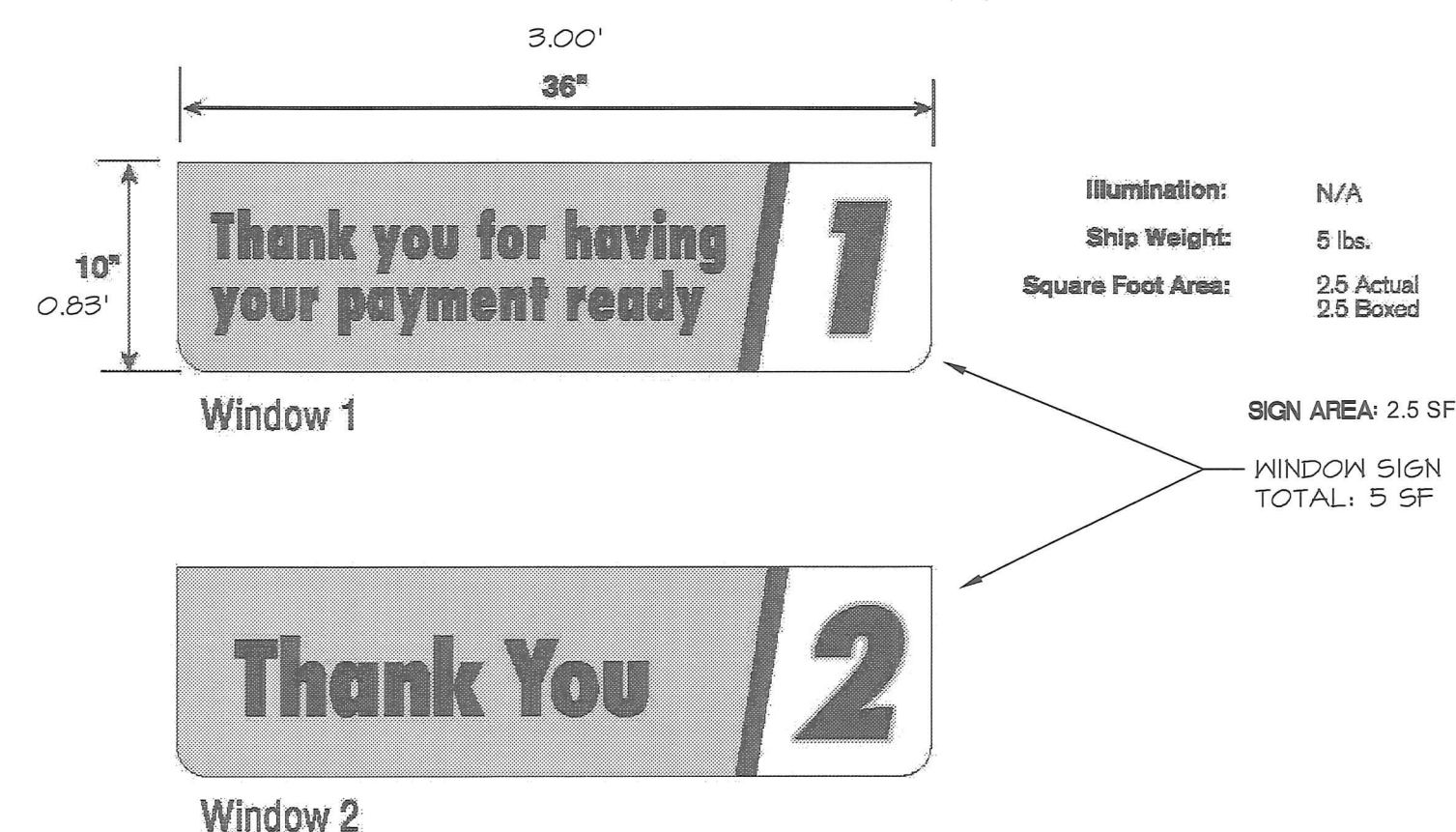
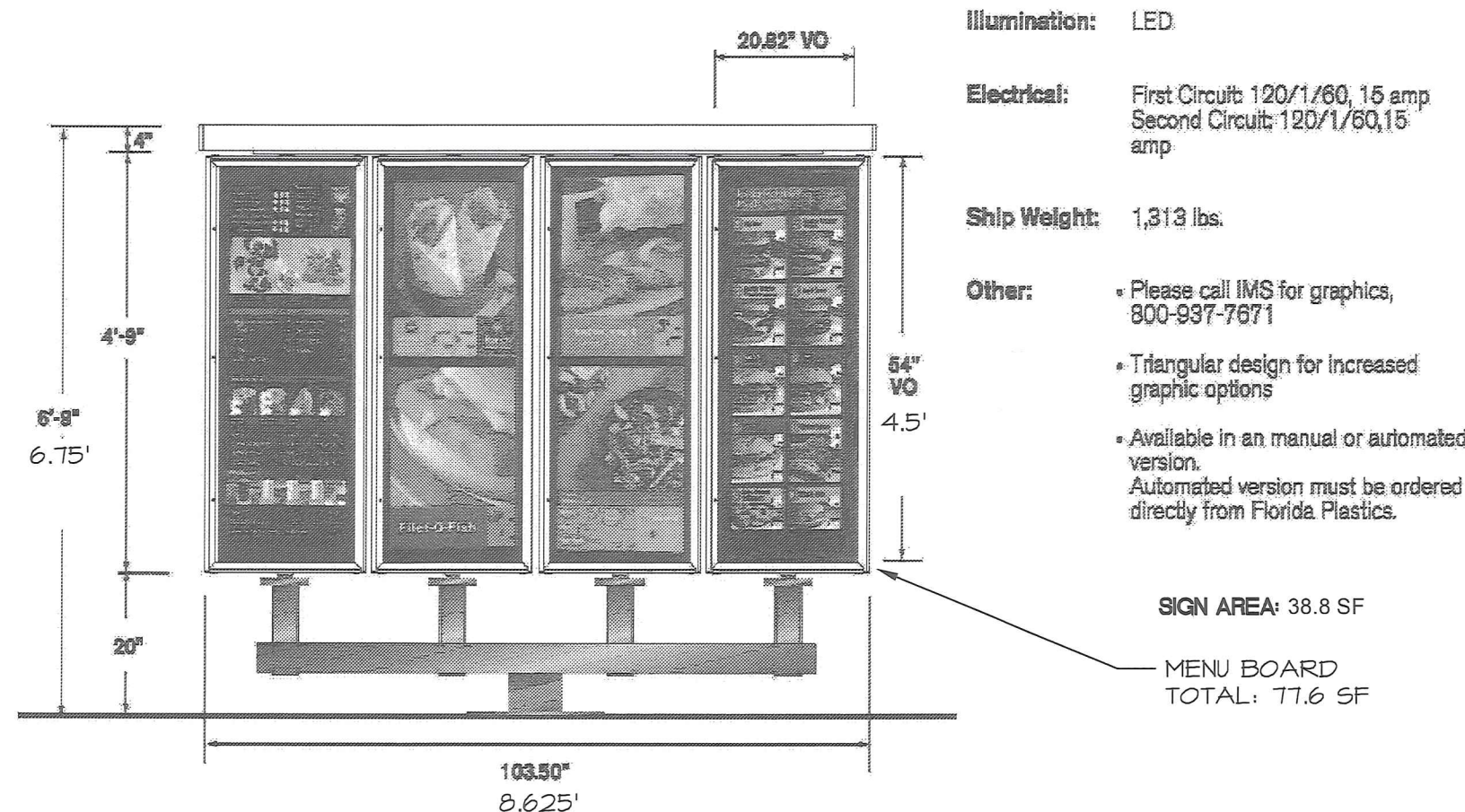
SITE SIGNAGE

SHEET NO. SIGN 2

SCALE: N.T.S.

SCALE: N.T.S.

SCALE: N.T.S.



SCALE: N.T.S.

SCALE: N.T.S.

SCALE: N.T.S.