



MAYOR AND CITY COUNCIL OF LAUREL
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

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DATE December 28, 2021

AGENDA ITEM NO. 5

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission
FROM: Andrea Brown, Deputy Director
CASE: Special Exception Application No. 921
Westside Commercial, Lot 4

GENERAL INFORMATION

APPLICANT: Westside Land Holdings LLC
9102 Owens Drive
Manassas Park, VA 20111

OWNER: Westside Land Holdings LLC
9102 Owens Drive
Manassas Park, VA 20111

LOCATION: 14940 Silver Trail Lane
Laurel, MD 20707

ZONE: Mixed Use Transportation Oriented (M-X-T)

REQUESTED ACTION: The Applicant is seeking Special Exception approval to construct a Starbucks restaurant with a drive-thru.

BACKGROUND INFORMATION:

The Applicant (Westside Holdings LLC) is seeking Special Exception approval to construct a 4,800 sq. ft. commercial building that includes a Starbucks restaurant with a drive-thru and for lease retail space. The site is part of the larger development known as Westside. The current zoning of the property is Mixed Use Transportation Oriented (M-X-T). The property was annexed into the City in July of 2012.

The following Agencies and City Departments were notified:

Department of Agency	Comments Received
City of Laurel Department of Public Works	See comments below.
City of Laurel Police Chief	No issues with the project (12/9/2021)
City of Laurel Department of Parks and Recreation	No issues with the project (12/13/2021)
City of Laurel Fire Marshal and Permitting Services	No issues with the project. (12/27/2021)
Prince George's County Health Department	See attached memo. (12/23/2021)
Maryland State Highway Administration	No comments received
Maryland Department of Permitting, Inspections and Enforcement	No comments received
Washington Suburban Sanitary Commission	See attached memo. (12/14/2021)
Baltimore Gas and Electric Company	No comments received
Verizon	No comments received
Prince George's County Public Schools	No comments received

Department of Public Works Comments:

If any utility cuts are performed on a City Street, the restoration work must follow the City's standards that require the permanent patches in the cut area with a 2" mill and overlay from curb-to-curb and a minimum of 25-feet in each direction of the cut. The Applicant is responsible for all the damage within the public right-of-way. The scope of the restoration work will be determined by this Department.

All the hazardous waste from the site such as anti-freeze, tires, and various oils, etc. must be disposed of properly.

Street light designs and illumination will be coordinated with DPW.

DPW will be made aware of any necessary changes to stormwater/drain systems that may impact city streets and right of ways.

If it is anticipated that any refuse/recycling collection will be performed by this Department, please contact us as soon as the determination is made.

Below is an overhead of the subject properties.



ANAYLSIS

The Applicant seeks Special Exception approval for Westside Commercial Lot 4 to construct a 4,800 sq. ft. commercial building that includes a Starbucks restaurant with a drive-thru and for lease retail space. The Starbucks restaurant with a drive-thru will encompass 2,496 sq. ft. while the retail space will cover 2,304 sq. ft. Facing the building, vehicles will enter the drive-thru on the right side of the building, they will order at the menu board at the rear of the building and the drive-thru window will be located on the left side of the building.

A total of 36 spaces are proposed on the Site Plan package submitted with this Application for the entire lot. The Starbucks is proposed to have 37 seats, which requires 25 parking spaces.

Section 20-21.1 of the *Land Development Code* lists the general criteria that must be met in order for the special exception use to be granted.

- 1) The proposed use is in harmony with the purpose and intent of the Master Plan, as embodies in this article and in any Master Plan or portion thereof adopted or proposed as part of such Master Plan.*

The proposed Starbucks restaurant will offer citizens of Laurel an environment to live and work. The Starbucks is readily accessible to pedestrians through the sidewalk system within Westside and is adequately buffered from the residential component. The proposed development satisfies the Master Plan's recommendations.

- 2) ***The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area.***

The Starbucks will be readily accessible to pedestrians within Westside and nearby developments. Screening and landscaping will be provided along the northern boundary of Lot 4 where the Starbucks will be located to ensure no adverse impact will occur to residents. The conclusion of the transportation impact analysis submitted by the applicant shows that Westside Shoppes would have no adverse impact on transportation facilities within the area. A traffic signal will be installed by the applicant at the intersection of Van Dusen Road and Westside Boulevard, and issuance of the SHA permit is expected in the very near future. Further, the conclusion of the supplemental analysis prepared by Lenhart Traffic Consulting is that approval of a Special Exception for the proposed Starbucks will not result in any negative impact on traffic, access, or circulation. A request for a right-turn only into Westside Shoppes has been filed with the SHA, and once constructed, that access will further promote additional traffic safety for access and internal circulation.

- 3) ***Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.***

The use itself is a sought after retail offering. The operation of the Starbucks will not generate noise, vibrations, fumes, odors, or dust. Construction activities will be such that noise will not emanate from inside the building, and a speaker system on the drive-thru lane will be engineered to direct comments from employees inside the restaurant building directly at the vehicle window. Further, a sight tight and solid fence will be constructed along the northern boundary of Lot 4. The combination of these measures will ensure there will be no adverse impact from noise associated with the drive-thru. The proposed lights are to be covered with a shield and will directly light down so as not to allow glare to intrude on to adjoining properties.

- 4) ***Will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police, and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.***

The proposed Starbucks, which is commercial in nature, will have no impact on schools. City of Laurel Police Chief submitted no adverse comments to the approval of the Preliminary Subdivision Plan. The same was the case for the City of Laurel Fire Marshall. A stormwater management concept plan has been approved, and an existing stormwater management facility owned by SHA located immediately south of Westside Shoppes will accommodate stormwater from the Starbucks. WSSC reviewed the Preliminary Plan and made no adverse comments. Public water and sewer is proximate to the property.

Finally, the transportation network has ben deemed to function adequately within articulated levels of service.

5) *Meets the definition and specific standards set forth elsewhere in this article for such particular use.*

There are no individual standards which are found in the ULDC which relate to specialty restaurants.

RECOMMENDATION:

Staff recommends that the City of Laurel Planning Commission **Recommend Approval** to the City of Laurel Board of Appeals for Special Exception No. 921, with the following conditions:

- (1) Applicant must obtain all required City of Laurel permits.
- (2) The Applicant shall comply with all applicable local, state and federal laws and regulations in the development of the Property.
- (3) A traffic signal must be installed at the intersection of Westside Boulevard, Van Dusen Road, and Anderson Way. Signal installation must be completed, and the signal must be operational prior to the issuance of a Use & Occupancy permit for the site.

ATTACHMENTS:

1. Plat Plan
2. Statement of Justification

SUBMITTED:

Robert Love
Director