

**Statement of Justification**July 24, 2014

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**Introduction / Written Statement**

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McDonald's Corporation is proposing to redevelop the existing McDonald's eating establishment with a drive-through located at 121 N Maple Road in the Town of Purcellville, Virginia. The parcel tax map number is 35A2-3-6-5A. The existing McDonald's restaurant is approximately 3,687 square feet (sf) and the proposed restaurant will be approximately 4,388 sf on a 33,540 sf parcel (0.77 acres). The site is zoned M-C (Mixed Commercial), and the M-C zoning district requires that two separate Special Use Permits (SUP) be issued by the Town Council for the proposed drive-through and for the proposed size of the restaurant, since it exceeds 4,000 sf, in accordance with the provisions of the Town Zoning Ordinance. The applicant is pursuing approval of the proposed Special Use Permits for the restaurant size and drive-through with this application.

The existing McDonald's was previously approved by the Town of Purcellville with the existing building footprint, site layout and drive-through operation. The lobby and drive-through are both open 24 hours a day and will continue to operate these hours upon completion of the new store.

The proposed redevelopment will provide the following development improvements as compared to the existing restaurant:

- Updated building architecture undergoing review and approval by the Board of Architectural Review
- Improved store operations
- Upgraded stormwater management system meeting current standards
- Provision of ADA access to the sidewalk in the right of way
- Construction of a sidewalk along Maple Avenue in the right of way, in accordance with the policies contained in the 2009 Transportation Plan and 2025 Comprehensive Plan
- Increased traffic efficiency as a result of providing separate one-way entrance and exit driveways, which was the preferred orientation, requested by VDOT and Town staff.
- Improved on-site traffic flow due to the addition of a second drive-through order area, which will increase through-put during peak drive-through usage.
- Enhanced landscaping

Kimley-Horn analyzed the existing site and proposed plan for compliance with the requirements for an SUP application and has provided plans for the proposed redevelopment that will be of superior quality, will benefit the community and will meet the Town's requirements for an SUP. The M-C district calls for SUP applications to address the standards contained in Article 8, Section 1.4 (D) of the Zoning Ordinance, as well as Article 4, Sections 7.9 and 7.14. These standards are addressed below.

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**Issues for Consideration**

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Below are the criteria contained in Article 8 Section 1.4 (D) of the Town of Purcellville Zoning Ordinance to be addressed in this Special Use Permit application and the manner in which the criteria are either inapplicable or addressed by the proposed application:

1. *Whether the proposed application is consistent with the comprehensive plan.*

This site is planned as a Mixed Use Commercial land use in the Town of Purcellville 2025 Comprehensive Plan. The intent of the Mixed Use Commercial land use is “to provide for a variety of retail shopping, office uses, and miscellaneous recreational and service activities in compact clusters.” McDonald’s is a commercial/retail use and therefore, the McDonald’s use is consistent with the Comprehensive Plan.

2. *Whether the proposed special use at the specified location will contribute to or promote the welfare and convenience of the public.*

The existing McDonald’s was previously approved by the Town of Purcellville and is a widely used eating establishment. The proposed restaurant redevelopment will create a new building and site development that will provide enhanced architecture, site access and on-site traffic flow, in addition to new stormwater treatment, a new sidewalk along Maple Avenue and a new pedestrian connection to the new Maple Avenue sidewalk. This restaurant was previously approved by the Town, and the proposed redevelopment will improve the convenience to the public by bringing the establishment up to current standards.

3. *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

The existing uses in the neighborhood and adjacent parcels consist of a grocery store anchored shopping center, a BP gas station, a BB&T bank; an antique store, a Wells Fargo bank, as well as other retail uses. Since this is an existing McDonald’s and an existing retail center, the proposed redevelopment of the McDonald’s is compatible with the other existing uses on adjacent parcels.

4. *Whether the level and impact of any noise or odor emanating from the site, including that generated by the proposed special use, negatively impacts the uses in the immediate area.*

The Town previously approved a McDonald’s with a drive-through operation on the site, and no changes to the level or impact of any noise or odor emanating from the site is anticipated. In addition, the retail uses in the immediate area include similar noise and odor levels, consistent with typical retail uses. Therefore, there will not be any additional negative impacts on the uses in the immediate area.

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5. *Whether the proposed special use will result in the preservation or damage of any existing habitats, vegetation, topographic or physical, natural, scenic, archeological, or historic feature of significant importance.*

The existing site development was previously approved by the Town, and no changes to the overall size of the developed site are included and therefore, no habitats, vegetation, topographic or physical, natural, scenic, archeological, or historic feature of significant importance will be affected. The existing landscaping will be replaced with new, enhanced landscaping as part of the proposed redevelopment.

6. *Whether the proposed special use will impact existing water quality or air quality.*

The Town previously approved a McDonald's with a drive-through operation on the site, and no negative changes to the level or impact of air quality from the site are anticipated. Due to the increased efficiency and improved through-put in the drive-through operation, the amount of queuing time for traffic will be decreased over existing conditions, thus reducing automotive exhaust. The proposed redevelopment will incorporate pervious pavers and a stormwater treatment manhole, or similar method, to provide treatment of the stormwater prior to discharge into the stormwater sewer. Therefore, the water quality discharged from the site will be improved from the existing conditions.

7. *Whether the traffic generated by the proposed use will be adequately and safely served by roads, pedestrian connections, and other transportation services.*

The traffic generated by the proposed use was previously approved by the Town and VDOT. McDonald's met with the Town and VDOT on March 6, 2014, to discuss improvements to the existing conditions. Based on the requests by the Town and VDOT, McDonald's has agreed to revise the entrance configuration by creating a one-way entrance and a one-way exit, to assist with traffic flow and safety. McDonald's also agreed to add a pedestrian sidewalk and an ADA accessible route to the proposed sidewalk along Maple Avenue. In addition, the increased efficiency and throughput of the drive-through operation will reduce the customer wait times and associated automobile queuing on the site. A Traffic Memorandum is attached that provides additional information regarding the traffic generation.

8. *Whether the proposed use will negatively impact orderly and safe road development and transportation in accordance with the comprehensive plan and all relevant transportation and corridor plans.*

The use and site access for the existing McDonald's was previously approved by the Town and VDOT. As noted in 7, above, McDonald's met with the Town and VDOT to discuss revisions to the existing conditions in order to improve the site safety and traffic flow. The concept plan was revised to incorporate the comments from this meeting. In addition, the

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concept plan incorporates the site access, pedestrian/bicycle improvements and overall traffic flow, which is consistent with the Comprehensive Plan and the Transportation Plan. Accommodations have also been made for the future widening of Maple Avenue.

9. *Whether the proposed use will be served adequately by essential public facilities and services.*

The existing McDonald's was previously approved by the Town, and the site will continue to be served by the existing essential public facilities, and no additional service needs are anticipated.

10. *Whether, in the case of existing structures to be converted to uses requiring a special use permit, the existing structures can be converted in such a way that retains the character of the neighborhood in which the existing structures are located, especially when an application seeks to convert a building of historic significance.*

The existing McDonald's structure does not have any historic significance and will be demolished and redeveloped, therefore this criteria does not apply. In addition, the proposed building architecture will be an enhancement of the existing building architecture and will be reviewed and approved by the Board of Architectural Review to ensure that the new building architecture is consistent with the character of the neighborhood and the Historic Corridor Overlay district.

11. *Whether the proposed special use contributes to the economic development needs of the town.*

The proposed redevelopment will continue to provide the following economic development benefits:

- Design and construction jobs
- Permit fees
- Additional tax base, including a town meals tax
- Additional employees/more jobs to serve the new store

12. *Whether adequate on and off site infrastructure is available.*

The site is an existing McDonald's facility with corresponding existing on and off site infrastructure. The proposed redevelopment will maintain the existing infrastructure and therefore, there will be no net change to the required infrastructure.

13. *Whether the proposed special use illustrates sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and schools.*

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The construction traffic will follow Main Street to North Maple Avenue and then to the McDonald's site. The construction traffic will be managed such that the impact on the existing neighborhood and school is minimized. Traffic control plans will be generated during the site plan approval process to manage the construction traffic and the adjacent Maple Avenue traffic.

The criteria contained Article 4, Section 7.9, Additional design standards for all uses are addressed as follows:

1. *Site plan. Where approval of a site plan is required, the plan shall be designed to promote sensitive use of topography and to promote harmonious relationships with adjacent and nearby residential properties, developed or undeveloped, and to this end shall provide effective screening alongside and rear properties lines by means of fences, walls, hedges, planting screen or natural vegetation in accord with the requirements of this ordinance.*

The site is surrounded by commercial zoning and commercial uses.

2. *Refuse. Refuse containers and refuse storage shall be located in a paved area and hidden from general public view, either from within or outside the premises, by means of fences, walls, or landscape planting.*

The refuse containers are located on a paved surface and surrounded by fencing.

3. *Drainage. Provision shall be made for proper stormwater drainage from parking and loading areas. Water shall not be permitted to drain from such areas onto adjacent property except into a natural watercourse or a drainage easement. Provision shall be made for protection against erosion and sedimentation in accord with applicable town ordinances.*

The stormwater management for the property will be upgraded to current standards.

4. *New commercial developments incorporating multiple buildings shall be designed to provide a cohesive appearance, using materials, detailing and colors to provide overall similarity and compatibility among structures. Design features of individual buildings, structures or storefronts shall be subordinate to the overall design of the development as a whole.*

The proposal is for a single building. However, the site is located in the Historic Corridor Overlay district, and the new building is undergoing review and approval by the Board of Architectural Review to assure high quality design and compatibility with the corridor.

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5. *Projects containing many buildings or a variety of functions shall provide variety in building size and massing. A general transition from small or low buildings along street frontages to larger and taller buildings on the interior of the site shall be achieved.*

The proposal is for a single building. However, the site is located in the Historic Corridor Overlay district, and the new building is undergoing review and approval by the Board of Architectural Review to assure high quality design and compatibility with the corridor.

6. *On large commercial sites, development of several smaller buildings to create visual interest, human scale and variety, shall be achieved, rather than a single large building. The use of smaller buildings, appropriately positioned and sited as a means of breaking up large parking expanses shall be achieved.*

The proposal is for a single building. However, the site is located in the Historic Corridor Overlay district, and the new building is undergoing review and approval by the Board of Architectural Review to assure high quality design and compatibility with the corridor.

7. *Solid walls, dull or minimal facades shall be avoided along public streets or pedestrian ways.*

The front of the building faces the public street and pedestrian ways. The site is located in the Historic Corridor Overlay district, and the new building is undergoing review and approval by the Board of Architectural Review to assure high quality design and compatibility with the corridor.

8. *Parking shall be designed to the rear of the lot when possible. Shared entrances shall be used wherever possible and, when parking lots are adjacent, the lots shall be connected to parking areas on adjacent sites and integrated with each other whenever possible.*

For the optimal functioning of the proposed use, the parking is provided along one side of the property. Interparcel access continues to be provided to the adjacent properties to the south and west.

9. *Vehicular entrances/exits shall be consolidated and shared among adjacent properties to minimize traffic conflicts. Individual points of access along major roadways shall be avoided. Access shall be provided by secondary roads and common driveways wherever possible.*

Access is provided to Maple Avenue, a secondary roadway. As stated previously in this statement, two one-way entrances are proposed at the recommendation of Town staff and VDOT. Interparcel access continues to be provided to the adjacent properties to the south and west.

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10. *Parking lots shall be screened from view through the use of such elements as earthen berms, landscaping and/or street trees.*

Perimeter landscaping is proposed along parking area and a street tree is provided adjacent to Maple Avenue at the end of the row of parking.

11. *Mechanical equipment, including rooftop equipment, such as generators and air conditioning units, shall be screened from public view in a manner compatible with the site and using material similar to the buildings and harmonious with the overall design.*

The mechanical equipment will be screened from view. The site is located in the Historic Corridor Overlay district, and the new building is undergoing review and approval by the Board of Architectural Review to assure high quality design and compatibility with the corridor.

12. *Loading and service areas shall be oriented away from public views.*

The loading and service areas are located at the rear and along the side of the establishment, away from the view from the public street.

The criteria contained Article 4, Section 7.14, Additional standards and requirements for special permit uses and, more specifically, for

1. *Drive-in financial institutions, drive-through pharmacies, drive-in or drive-through eating establishments, and other permissible drive-in uses requiring a special use permit shall meet the following additional standards:*

- a. *Such a use shall have on all sides the same architectural treatment or shall be architecturally compatible with the building group or neighborhood with which it is associated.*

The site is located in the Historic Corridor Overlay district, and the new building is undergoing review and approval by the Board of Architectural Review to assure high quality design and compatibility with the corridor.

- b. *Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.*

A sidewalk is being added along Maple Avenue to provide better pedestrian circulation for the site. Interparcel access continues to be provided to the adjacent properties to the south and west.

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- c. *The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.*

The proposed site redevelopment has been designed to maximize efficient on-site pedestrian and vehicular circulation for the proposed use.

- d. *In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.*

The proposed use will continue the existing McDonald's operation that is surrounded by all commercial uses. The proposed lay-out demonstrates that the site can accommodate the additional proposed building square footage.

- e. *For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two square feet in area or be located closer than five feet to any lot line.*

Drive-through pharmacy standards are not applicable to the proposed use.

- f. *Drive-through stacking lanes shall be a minimum 100 feet from any residential lot. The planning commission may modify or waive this requirement if it determines that the impacts to nearby residences will be minimal.*

There are no residential uses adjacent to this site.

- g. *Speakers in drive-through areas shall not be audible from adjacent residential uses. Sound attenuation walls, landscaping or other mitigation measures may be required as necessary.*

There are no residential uses adjacent to this site.

- h. *Pedestrian walkways should not intersect the drive-through aisles, but where there is no alternative, they shall have clear visibility.*

The pedestrian crosswalk will cross the entrance drive for vehicular and drive-through traffic, but will be well-marked.

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- i. Drive-through aisles shall have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections.*

The drive-through aisles are a minimum of 12 feet in all locations.

- j. Drive-through aisles shall provide sufficient stacking area behind the menu board for drive-through restaurants and behind the service window for other drive-through uses to accommodate a minimum of six cars (approximately 114 feet).*

Stacking space is provided for seven cars behind the menu boards.

- k. No drive-through aisles shall exit directly into a public right-of-way. Aisles shall be integrated with the on-site circulation and shall merge with the driveway.*

The drive-through aisles merge with the on-site driveway before existing onto Maple Avenue.

- l. Drive-aisles shall be separated from landscaping areas by a six-inch high, poured in place, concrete curb or other suitable protective device meeting town approval.*

The drive-through aisles are separated from the landscaping areas by a six-inch high, poured in place concrete curb.

- m. Landscaping shall screen drive-through aisles from the public right-of-way and shall be used to minimize the visual impacts of menu board signs and directional signs.*

The drive-through aisles are located at the rear of the building. The menu boards are located at the rear of the building.

- 2. A traffic impact analysis shall be required as part of any special use permit application, including but not limited to proposed traffic flow, sight visibility for emerging vehicles, roadway capacity for turning movements, and other public safety factors, as well as proposed actions necessary to mitigate adverse impacts.*

A Traffic Memorandum is included with this application submission.