



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

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October 30, 2025

AGENDA ITEM NO.3

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Monta Burrough, Deputy Director

CASE: **Special Exception NO. 972**
13601 Westside Boulevard
Laurel, MD 20707

GENERAL INFORMATION

APPLICANT: Westside Land Holdings, L.L.C.
9102 Owens Drive
Manassas, Virginia 20111

OWNER: Westside Land Holdings, L.L.C.
9102 Owens Drive
Manassas, Virginia 20111

LOCATION: 13601 Westside Boulevard
Laurel, MD 20707

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

REQUESTED ACTION: Special Exception Approval to operate a Panda Express restaurant with a drive-thru

PREVIOUS ACTION: **July 15, 2025:** Revised Final M-X-T Site Plan for Westside Application No. 973
July 15, 2025: Preliminary Subdivision Plan Application Westside Commercial, Lot 1

BACKGROUND INFORMATION:

The Applicant is seeking special exception approval to construct a commercial stand-alone building. The commercial building will be a Panda Express fast-food restaurant with a drive-thru. The property is zoned Mixed Use Transportation Oriented (M-X-T).

THE PROPERTY IS SURROUNDED BY THE FOLLOWING ZONING CLASSIFICATIONS:

- North: Mixed Use Transportation Oriented (M-X-T)
- South: Mixed Use Transportation Oriented (M-X-T)
- East: Out of City Limits, Various Commercial and Residential Uses
- West: Out of City Limits, Various Commercial and Residential Uses

The following Departments and Agencies were notified of the application and comments were requested. See below for responses:

Department of Agency	Comments Received
City of Laurel Department of Public Works	Comments below. (10.29.25)
City of Laurel Police Chief	No issue with proposal. (11.13.25)
City of Laurel Department of Parks and Recreation.	No issue with the proposal. (10.30.25)
City of Laurel Fire Marshal	Comments below (10.30.25) Because this application has no construction as a part of their submittal, I have nothing to offer other than they will need a City of Laurel electrical low voltage permit for the installation of the cameras.
Washington Suburban Sanitary Commission (WSSC)	No comments received.
Prince George's County Health Department	No comments received.
Maryland State Highway Administration (SHA)	No comments received.
Maryland Department of Planning	No comments received.
Maryland-National Park and Planning Commission (MNPPC)	No comments received.
Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)	No comments received.

Baltimore Gas and Electric (BGE)	No comments received.
Verizon	No comments received.
Prince George's County Public Schools Capital Programs	No comments received.

Below are comments received from the City of Laurel Department of Public Works:

1. Provide a 24" wide Stop Bar, and Stop sign as shown below. (Sheet #C-301)

Response: A stop bar and stop sign have been provided in the location shown.

2. Add detectable ADA Mat to Curb Ramp #1 and Curb Ramp #2 details on sheet # C-302 of Site Development Plan. (Yellow)

Response: ADA mats have been added and labeled on the two curb ramp details on sheet #C302.

3. Detectable ADA Mats must be shown and noted on sheet # C-301 at shown locations below.

Response: ADA mats have been shown on the plan in the locations shown.

4. Provide a structural detail for proposed bollards.

Response: A bollard detail has been added to sheet #C-302.

5. Provide a Stop Sign at Drive-Thru exit shown as below.

Response: A stop sign has been provided in the location shown.

6. Specify the Hot Mix asphalt mixes to be used for the base and wearing course.

Response: Pavement sections can be found on sheet #C-302 with the proposed mixes to be used.

7. Provide a Lightning and Photometric plan for DPW to review.

Response: The photometric plan that was previously submitted with the SDP has been attached for your use

Below are comments received from the Fire Marshal & Permitting Services Comments:

1. Pylon sign will require structural plans. Site plan shows footing depth to be TBD.

Response: The detailed pylon sign structural plan is attached. The note on the site plan has adjusted to show the 8'-6" deep footer per the sign plan.

2. Handicap parking signage is not shown. Must include 250.00 fine sign, 7' A.F.F.

Response: Handicap parking signage details can be found on sheet #C-302. The \$250 fine sign has been added to the details.
3. FDC (Fire Department Connection) is not shown. FDC must be 200 ft from a hydrant and the connection must be located on the front address side of the building.

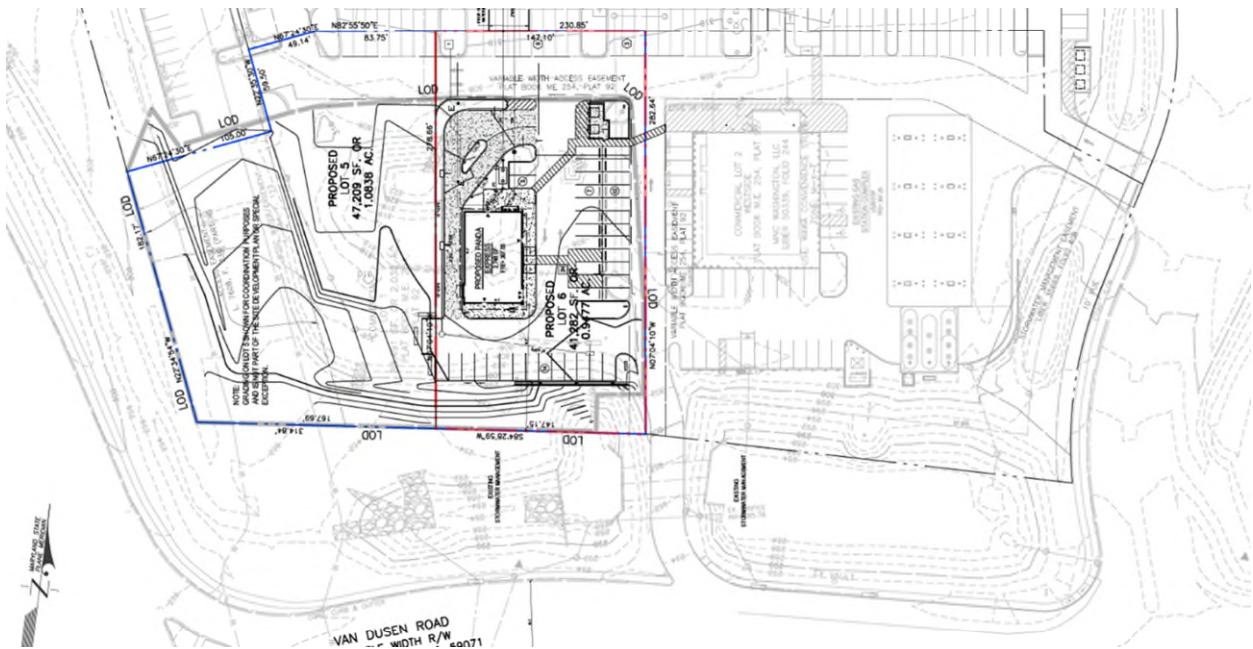
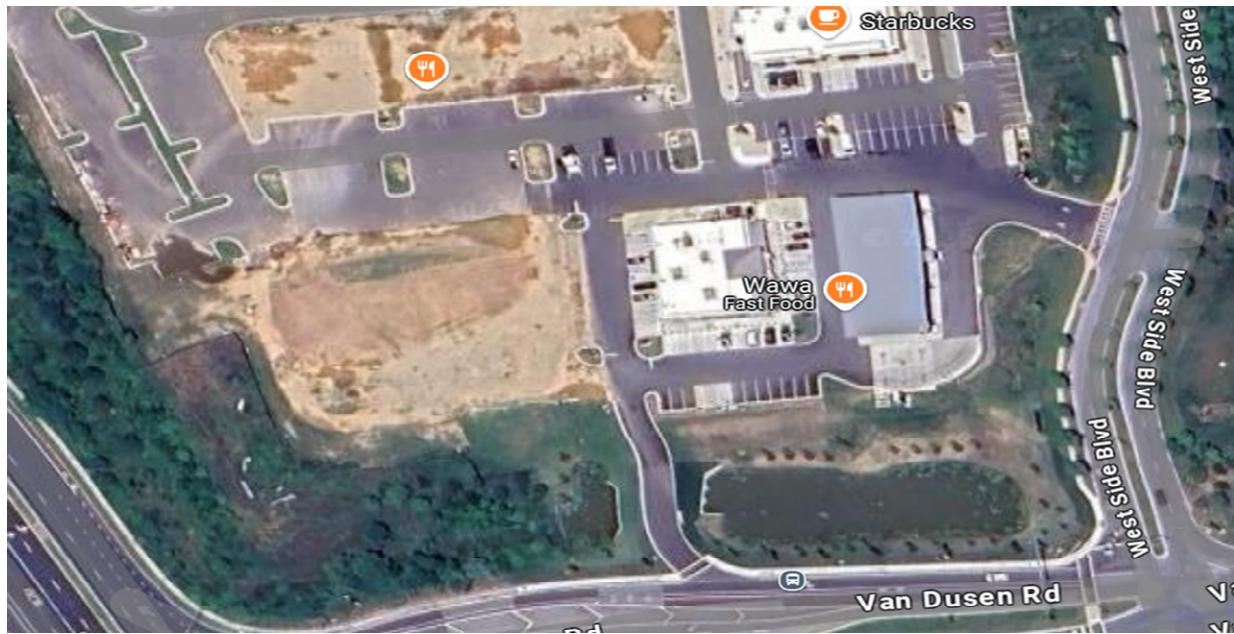
Response: The building will not be sprinklered, therefore, there will be no FDC connection at the building.

ANALYSIS:

The applicant is seeking a Special Exception to develop a 2,748-square-foot Panda Express restaurant with drive-through service in the M-X-T (Mixed Use–Transportation Oriented) Zone. According to the site plan submitted with the application, the project includes a double drive-through lane. The proposed restaurant will be located on Lot 6, adjacent to the Wawa gas station within the Westside community.

Previously, the site was approved for the development of 200,000 square feet of commercial space. The Westside project includes 484 multi-family units, 137 townhomes, and additional commercial retail. The current application is intended to contribute to the redevelopment of the commercial retail space. The property recently had construction of a Starbucks and a commercial strip center. The property was annexed into the City in July 2012.

The photograph below illustrates the building for the proposed fast-food restaurant with a drive-thru location.



Parking:

USE	PARKING SPACES REQUIRED	TOTAL PARKING SPACES FOR THE SITE
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Eating and drinking establishment (including drive-through service or carryout)	28	38
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According to the Code, Sec. 20-16.5 and Sec. 20-16.6. - Schedule of parking requirements requires: one (1) parking space per 100 sq. ft. of the first 3,000 sq. ft. of Gross Floor Area (GFA).

There are thirty-eight (38) parking spaces on-site. This property is in a shopping center surrounded by adequate parking.

Sec. 20-21.01 of the *Unified Land Development Code (Code)* lists five criteria for special exceptions generally, which include:

- (1) The proposed use is in harmony with the purpose and intent of the comprehensive master plan, as embodied in this chapter and in any master plan or portion thereof adopted or proposed as part of such comprehensive master plan.**

Part V of the City of Laurel's Master Plan sets out its vision for Mixed Use Transportation Oriented (M-X-T) development. The Master Plan recommends that M-X-T development occur "in the vicinity of major intersections..." (Master Plan, p. 70). Westside is bordered on its northern and western boundaries by the East Coast's most important North/South artery, Interstate 95, as well as the 'ON' ramp for Interstate 95/Contee Road

Interchange which provides direct access to Interstate 95. The southern portion of the site fronts on Van Dusen Road.

The Master Plan also notes that "these areas will enhance the economic status of the City and provide an expanding source of desirable employment and living opportunities for its citizens,": (Master Plan, p. 70). Westside in its entirety adds 484 new multifamily residential units, 137 townhomes, a potential 150 room hotel and up to a 40,000 square feet of retail uses. All of these components will increase the tax base of the City. The hotel and the retail components will expand the sources of employment and the residential units will expand the living opportunities for the citizens of the City. The proposed Panda Express restaurant will of course provide a source of employment opportunities for residents of the City. It will also create a synergy with the residential component of Westside. Residents within Westside will be able to walk or drive to the Panda Express, which is a sought after commercial use which serves an important need within the community. The commercial component is effectively buffered from the residential area and therefore while it will provide a source of employment, it will not impair the living area within Westside.

It is clear that the Westside development compellingly satisfies the recommendations of the Master Plan for M-X-T zoned property. Panda Express restaurants compellingly satisfy Master Plan recommendations by aligning with community development goals, land-use efficiency, and modern design standards. They demonstrate compliance with zoning, enhance commercial corridors, and contribute to economic vitality while respecting neighborhood character.

Section IV of the Master Plan discusses the "Goals and Objectives" of the Plan. The Land Use "Goal" on page 49 of the Master Plan is: "Providing a quality living and working environment through the effective utilization and implementation of land use

practices." Westside has brought high end residential apartments and quality townhomes to the City of Laurel. These residential units as well as up to 40,000 square feet of new retail space will offer the citizens of Laurel a high quality environment in which to live and work. The Westside project in general conforms with this Master Plan guideline. In particular, the Panda Express restaurant implements the Master Plan's recommendation to provide a quality living and working environment. It should also be noted that three other lots within the commercial component (Lots 4, 2 and 3) have been approved for a Starbucks, a Wawa convenience store with gas and an inline building which will include a Chipotle. All of these uses are constructed and in operation.

Section IV of the Master Plan also describes "General Goals" on page 48. Goal No. 1 is to: "Develop Laurel as a comprehensive balanced community with a full array of integrated and complementary land uses." Westside will continue to harmoniously blend complementary uses to create a vibrant and exciting new development for the City of Laurel. The Westside development does in fact represent a comprehensive balanced community and it includes an array of complementary land uses which are integrated within the development. Once again, the commercial component which will include the Panda Express, is oriented toward the intersection of Westside Boulevard and Van Dusen Road. While it is readily accessible to pedestrians through the sidewalk system within Westside, it is sufficiently buffered from the residential component. Further, the Land Use Map (Map No. 6) found on page 67 of the Master Plan clearly designates Westside for development in the M-X-T Zone. The initial Conceptual Site Plan and the revision have both found conformance with the recommendations of the Master Plan for the entire project. In view of all of the above, the Applicant submits the proposed PANDA EXPRESS conforms to the recommendations of the Master Plan.

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

The law in Maryland creates a legislative presumption that a Special Exception use will be harmonious with the area and will not adversely impact health, safety and welfare. However, the applicant also carries the burden of establishing no adverse impact on health, safety and welfare. As has been noted throughout this Justification Statement, the overall Westside project has been found by both the Planning Commission and the Mayor and City Council to satisfy all relevant criteria set forth for an M-X-T development. This includes the approval of the Conceptual Site Plan and earlier Final Site Plans. In particular, positive findings have previously been made that the mix of commercial and residential uses for Westside satisfies the requirements of Section 20-12.5(d) of the City Code. In particular, positive findings have been made that the Westside development will:

1. Encourage diverse land uses which blend together harmoniously;
2. Create dynamic, functional relationships among individual uses;
3. Permit optimum land planning with greater efficiency through the use of economics of scale; and
4. That the proposed Westside development is compatible with existing and proposed development in the vicinity.

Finally, as has been discussed earlier, the Westside Shoppes at Westside was the subject of an individual Preliminary Subdivision Plan which was approved by the Planning Commission in November of 2019. As part of that approval, the applicant submitted a transportation impact

analysis. The conclusion of that study was that the development of the Westside Shoppes would have no adverse impact on transportation facilities within the area. As part of the approval of that Preliminary Subdivision Plan, the applicant was required to submit a traffic signal warrant analysis for the installation of a traffic signal at the intersection of Van Dusen Road and Westside Boulevard. That analysis was prepared and is dated November 29, 2019. The conclusion of that analysis was that a signal is in fact warranted. The SHA approved the study and the signal has been installed and is now operational.

A revision to the traffic impact analysis dated April 24, 2025 was prepared in conjunction with the current Preliminary Subdivision Plan. That study found that adequate transportation facilities will exist for the entire Westside development and for the 40,000 square foot commercial component. A copy of this study has been filed with this application.

In view of all of the above, there is an abundance of evidence supporting the conclusion that the grant of this Special Exception is consistent with the intent of the Master Plan, promotes economic development, and is in harmony with the surrounding community. The use itself is a sought after retail offering. Therefore, granting this special exception will not be detrimental to the enjoyment, economic value or development of surrounding properties. Further, the operation of the **Panda Express** will not generate noise, vibrations, fumes, odors or dust. The parking lot will be fully paved to reduce dust. The building construction will be such that noise will not emanate from inside the building. Onsite lights are to be covered with a shield and will direct light down so as not to allow glare to intrude on to adjoining properties. Lighting on site will be safe but glare will not be allowed to escape onto the residential townhomes to the north or to other adjoining commercial sites within Westside Shoppes.

(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 approval of the requested special exception to accommodate a restaurant with drive-through lanes will not be detrimental to the use, peaceful enjoyment, economic value, or development surrounding the property. As indicated above, the proposed location of the restaurant with a drive-thru is within the Westside Shoppes, in close proximity to Van Dusen Road and I - 495 with no direct access other than existing drive-aisles that serve the overall center. Moreover, the surrounding property is either developed or zoned for both commercial and resident use, which is consistent with the proposed use. Consequently, there would be no further impact on the neighborhood than what already exists given the existing development on the overall site. The proposed use has been designed to comply with the required performance standards. It is not anticipated that the proposed use will create disruptive noise, vibrations, fumes, odors, dust, glare, or physical activity. The proposed use will include landscaping, has been designed to adhere to all required bulk regulations, and, again, will not create any objectionable noise, vibrations, fumes, odors, dust, or glare. The layout and design accommodate/incorporate Crime Prevention Through Environmental Design (CPTED) strategies and principles that rely upon the ability to influence offender decisions that precede criminal acts. The Traffic Impact Analysis confirms sufficient and safe on-site circulation will be provided throughout the site. Finally, all lighting and signage will be complementary to existing conditions and will not result in any detriment to the peaceful enjoyment of the general neighborhood, which is primarily characterized as commercial in nature.

(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; and

The Preliminary Subdivision Plan for Westside Shoppes was approved on November 19, 2019. Included in the review and approval of the Preliminary Subdivision Plan was a staff analysis of public services. Obviously, since this use is commercial in nature, it will have no impact on schools. The City of Laurel Police Chief rendered no adverse comments to the approval of the Preliminary Subdivision Plan. The same was the case with the City of Laurel Fire Marshall. A stormwater management concept plan has been approved. That plan shows that storm drainage will be accommodated in accordance with all applicable regulations. An existing stormwater management facility owned by SHA is located immediately south of the Westside Shoppes. That facility, along with bio-retention areas located along the perimeter of the commercial component, will accommodate stormwater from the Panda Express. In fact, the Applicant entered into an agreement with SHA to actually expand this stormwater facility in order to accept stormwater from Westside. The Washington Suburban Sanitary Commission reviewed the Preliminary Plan and made no adverse comments. The Property is in Water and Sewer Category 3 and will be served by public water and sewer which is proximate to the Property. Finally, as noted above, there will be no adverse impacts as a result of roads as the transportation network has been deemed to function adequately within articulated levels of service.

(5) The proposed use 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. The above information confirms that all of the criteria set forth in Section 20-21.1 are met and satisfied.

(b) The applicant for a special exception shall have the burden of proof which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Board of Appeals.

The applicant contends that this criterion is met given the documentation submitted, including but not limited to all Site Plans, the Traffic Impact Analysis, the Statement of Justification, and other evidence that may be provided at the future Board of Appeals hearing.

Sec. 20-22.31. - Drive-in, carryout, or fast-food restaurant.

In a C-G or C-SH zone, a drive-in, carry-out, or fast-food restaurant may be allowed, upon a finding, in addition to the requirements of Sections 20-21.1 and 20-22.1 that:

(a) The use will not constitute a nuisance because of noise, illumination, fumes, odors, or physical activity in the location proposed.

For the reasons discussed herein, the proposed use will not be detrimental to the health, safety, and welfare of the neighborhood and the traveling public.

(b) The use at the proposed location will not create a traffic hazard or traffic nuisance because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads and intersections, or its location in relation to other buildings or proposed buildings on or near the site and the traffic patterns from such buildings or cause frequent turning movements across sidewalks and pedestrian ways, thereby disrupting pedestrian circulation within a concentration of retail activity.

The proposed drive-thru at this location does not have any impact that would be beyond those inherent to the use itself (ie. no non-inherent impacts). The site is located and accessed within the Westside shoppes and does not have direct access to any public streets. Therefore, all onsite circulation and queuing is proposed to be contained within the site. Furthermore, the proposed drive-thru has little to no impact on the traffic that would be generated by fast food, regardless of the existence of a drive-thru or not. Therefore, the approval of the Special Exception would not generate additional or excessive trips to and from the use.

(c) Pre-empt frontage on any highway or public road in such manner so as to substantially reduce the visibility and accessibility of an interior commercial area zoned or proposed for commercial use which is oriented to the same highway or public road.

Access to the proposed site will be through existing driveways into the Westside shoppes. There are no issues with visibility and accessibility of the commercial area and site.

(d) When such use abuts a residential zone or institutional premises not recommended for reclassification to commercial or industrial zone on an adopted Master Plan and is not effectively screened by a natural terrain feature, the use shall be screened by a solid wall or a substantial, slightly, solid fence, not less than five (5) feet in height, together with a planting strip on the outside of such wall or fence, planted in shrubs and evergreens three (3) feet high at the time of original planting and which shall be maintained in good condition. Location, maintenance, vehicle sight distance provisions, advertising, and parking areas pertaining to screening shall be as provided for in other sections of these regulations.

The proposed use is located in a planned development area, in a shopping center, and meets all design and maintenance screening, planting standards, and vehicle sight distance requirements. There are no issues with visual or disruptive impacts.

(e) Signs, if erected, shall be in conformance with Division 7 of this article, and such signs, product displays, parked vehicles and other obstructions which adversely affect visibility at intersections or at entrances and exits to and from such use shall be prohibited.

There are not any signs, product displays, parked vehicles, or other obstructions that adversely affect visibility at the proposed site.

(f) **Lighting, including permitted illuminated signs shall be arranged so as not to reflect or cause glare into any residential zone.**

The applicant has submitted plans displaying permitted illuminated signs. The lighting is proposed to be shaded so as not to bleed onto adjacent properties.

(g) **When such use occupies a corner lot, the ingress or egress driveways shall be located at least twenty (20) feet from the intersection of the front and side street lines of the lot, as defined in Section 20-1.7.**

The applicant has provided a traffic study that ensures sufficient ingress and egress of the site. There is clear visibility for vehicles to enter and exit the site safely.

(h) **A preponderance of evidence of record indicates that:**

(1) **A need exists for the proposed fast-food, drive-in, or carryout restaurant for service to the population in the community considering the present availability of such use to the community.**

The proposed use addresses a need for enhanced dining options in the community.

(2) **A need exists for the proposed restaurant due to an insufficient number of similar uses presently available to serve existing population concentrations in the City.**

The proposed restaurant will meet the needs of limited available options within the city.

(3) **The use at the proposed location will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.**

The proposed location will not contribute to excessive density of similar uses in the same general neighborhood.

RECOMMENDATION:

Staff recommends that the City of Laurel Planning Commission **RECOMMEND APPROVAL** to the City of Laurel Board of Appeals for No. 972, with the following conditions:

1. The applicant shall obtain all required electrical and building permits from the City of Laurel Office of the Fire Marshal & Permit Services.
2. The applicant shall comply with all federal, state, and local laws and regulations for the protection of the use of property.
3. The applicant shall submit plans to the Plan Review department at the Department of Permitting, Inspection Enforcement (DPIE) on their website for the proposed food facility and apply online for a Health Department Food Service Facility permit through the Prince George's County's Momentum website.
4. During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
5. No building permit shall be issued unless and until Lot 1 has been resubdivided into Lots 5 and 6, and said lots have been recorded among the land records of Prince George's County.

ATTACHMENTS:

1. Site Plan
2. Statement of Justification
3. Façade Elevations
4. Traffic Study

REVIEWED

Jay Meashey

Jay Meashey,

Director of Economic & Community Development