




STAFF REPORT COVER SHEET

May 13, 2026

ATTACHMENT 01

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| Address: | 544 Maple Ave W | Case Number: | PF-1644683 |
| Meeting Date: | 5/13/2026 | Applicant: | Evan Pritchard of Wire Gill LLP |
| Board/Commission: | Planning Commission | Owners: | McDonald's USA, LLC |
| Existing Zoning: | AW Avenue West | Existing Land Use: | Commercial |
| Brief Summary of Request: | Recommendation to Board of Zoning Appeals for a conditional use permit for expansion of drive-through facilities |  | |
| Site Improvements: | Proposed improvements to the property with this application include removal of rear parking spaces to accommodate second drive-through lane, reconfiguration of front entrance and parking space, and replacement and installation of menu and speaker equipment. | | |
| Size of Property: | 39,622 square feet / 0.91 acres | | |
| Public Notice Requirements: | <ul style="list-style-type: none"> Advertisement for two successive weeks of meeting in a newspaper having paid general circulation in the Town prior to Board of Zoning Appeals meeting. Letters were sent on May 7, 2026, to adjacent, abutting and immediately-across-the-street property owners/agents/occupants and subject property owners notifying them of the Planning Commission meeting. A certified letter was sent to Fairfax County on April 30, 2026. One sign was posted in front of the lot along Maple Ave W on April 22, 2026, with the date of Planning Commission meeting and Board of Zoning Appeals hearing. | | |
| Official Submission Date of Approval: | On April 21, 2026, the application was deemed by staff to be complete. | | |
| Deadline for Action: | The BZA should take action by July 21, 2026, which is 90 days after the application was deemed complete. That date is directory, rather than mandatory; the Board does not lose jurisdiction to act after the time period has passed. | | |
| Brief Analysis | | | |
| PROPERTY HISTORY | | | |
| <p>The subject property, located at 544 Maple Avenue West, has been developed as a McDonald's restaurant since its original construction in 1967. The one-story commercial building, constructed of brick and cinder block with glass and brick exterior walls, contains approximately 3,579 square feet of gross floor area on a 0.91-acre parcel. The site has long operated as a fast-food restaurant with carry-out and seating. Ownership has remained under McDonald's Corporation, and the site has functioned as an established commercial use along the Maple Avenue corridor for several decades.</p> | | | |
| COMPATIBILITY WITH THE COMPREHENSIVE PLAN | | | |
| <p>The subject property is located along the Maple Avenue Commercial Corridor, which the Comprehensive Plan identifies as the Town's principal commercial corridor intended to support a mix of retail, office, and service uses (and residences in a mixed-use context) that serve both residents and the broader community. The continued use of the site as a fast-food restaurant is consistent with the Plan's guidance to maintain a vibrant commercial base and support established businesses along Maple Avenue.</p> | | | |

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The proposed improvements do not expand the building footprint or introduce a new use but instead are intended to enhance the efficiency of an existing use, which aligns with the Plan’s objective of encouraging reinvestment and modernization of older commercial properties. Additionally, improvements to internal circulation and reduction of vehicle queuing support broader transportation goals related to maintaining safe and efficient traffic operations along Maple Avenue.

COMPATIBILITY WITH THE ZONING ORDINANCE

The subject property is zoned Avenue West (AW). The existing restaurant use is permitted by right in this zoning district and operates under an approved Certificate of Occupancy establishing a maximum of 95 seats. The existing drive-through facility predates the current requirement for a Conditional Use Permit (CUP) and is therefore considered a legal nonconforming accessory use. The proposed application does not alter the principal use or approved seating capacity, but instead expands the existing drive-through operation, which is subject to CUP approval under the current Zoning Ordinance. Although the proposed modifications reduce the number of on-site parking spaces, the site will continue to meet the minimum parking requirements of the Zoning Ordinance based on the approved seating capacity.

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| Attachments: | 01 – Staff Report 02 – Application and Authorization 03 - CUP Narrative 04 – CUP Site Plan | 05 – Current Certificate of Occupancy 06 – Existing Site Photos taken by Town Staff 07 – Relevant Regulations 08 – Public Notification Affidavit 09 – Staff Presentation |
| Author: | Kelly O’Brien, AICP, Deputy Director of Planning and Zoning | |

Introduction

The applicant is Evan Pritchard of Wire Gill LLP, on behalf of McDonald’s USA, LLC, who has submitted an application for a Conditional Use Permit (CUP) pursuant to Sections 18-304 (Accessory Uses Table) and 18-323 (Drive-Through Facilities) of the Town of Vienna Zoning and Subdivision Ordinance. The request is to modify the existing drive-through facility at the McDonald’s restaurant located at 544 Maple Avenue West, in the AW (Area West Commercial) zoning district.

The Planning Commission’s role is to review the application and provide a recommendation to the Board of Zoning Appeals, which will make the final decision on the request.

Background

The subject property is located at 544 Maple Avenue West and is developed with an existing McDonald’s restaurant. According to Fairfax County records, the building was constructed in 1967 and is a one-story structure containing approximately 3,579 square feet of gross floor area. The property is approximately 0.91 acres in size and is located along the Maple Avenue commercial corridor, in the AW Avenue West zoning district. The site is surrounded by a mix of commercial and residential uses, including adjacent commercial properties and a nearby townhouse development to the rear.

The site has been subject to prior approvals, including modifications to parking requirements and setback standards, resulting in the existing site configuration. These conditions reflect the long-standing configuration of the site and are not proposed to be modified as part of the current application. A Certificate of Occupancy issued on August 25, 2011, permits the operation of a restaurant use at this location, with a total of 95 seats allowed. The existing drive-through facility is a long-established component of the site and operates as an accessory use to the restaurant.

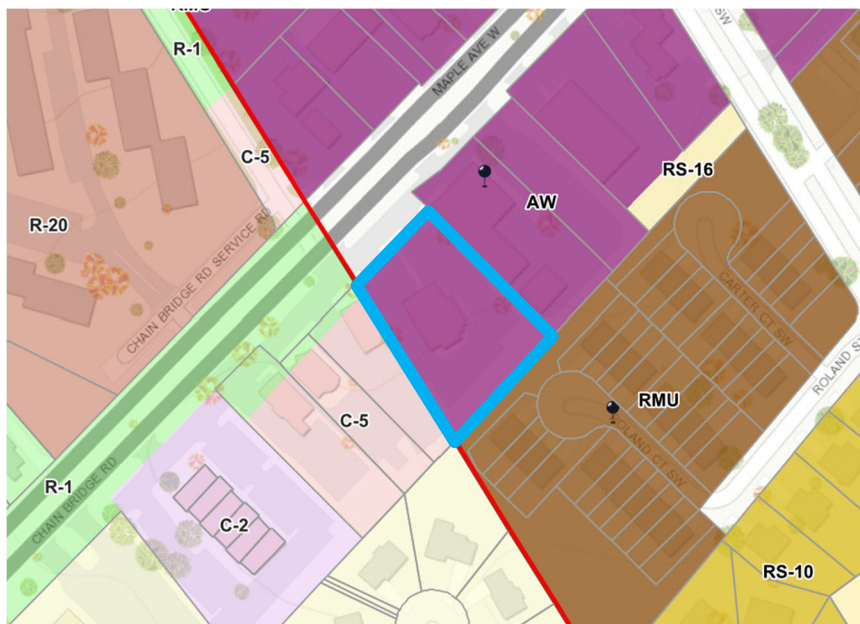


Figure 1 - Zoning map with 544 Maple Ave W identified with a blue boundary.

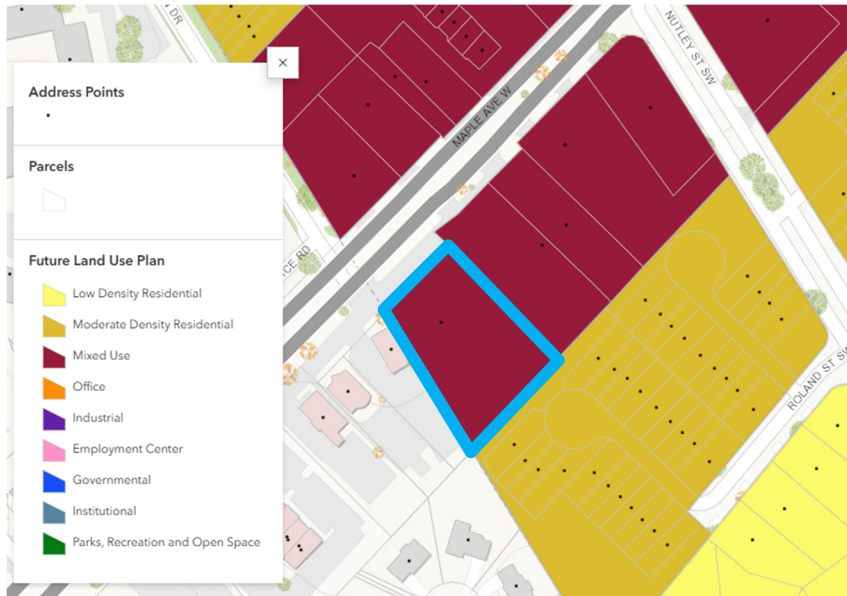


Figure 2 – Future Land Use Plan with 544 Maple Ave W identified with blue boundary.

As shown in Figure 2, the Future Land Use Map of the Town of Vienna Comprehensive Plan designates the subject property (outlined in blue) as **Mixed Use**. This designation supports a range of commercial and service-oriented uses along the Maple Avenue corridor.

Proposal

The applicant proposes to modify the existing drive-through facility to include a dual-lane ordering system. Under the proposed configuration, customers would place orders at one of two menu boards before merging into a single lane for payment and pickup. The proposed improvements are intended to enhance internal site circulation and reduce vehicle stacking associated with the existing drive-through operation.

No expansion of the building footprint, increase in seating capacity, or change in the principal use is proposed. Vehicular access to the site will remain unchanged, and no modifications to external access points are proposed.

The second drive-through lane is proposed to be located approximately 65 feet from the nearest residentially zoned property. In accordance with Section 18-323(9)(A) of the Town Code, the second lane and associated speaker will not be utilized after 10:00 p.m., and the menu board will be turned off during those hours.

Staff Analysis

The request does not involve an expansion of the building footprint, an increase in seating capacity, or a change in the principal use of the site. Instead, the proposal is focused on improving the efficiency of an existing, long-established restaurant use by modifying the existing drive-through operation.

Traffic and Circulation

The primary consideration for this request is the impact on site circulation and potential vehicle stacking. The Department of Public Works (DPW) has reviewed the proposed site plan and Conditional Use Permit narrative and has indicated that it does not have concerns with the proposed improvement. As noted in the applicant's narrative, the proposed dual-lane ordering

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configuration is not expected to generate a notable increase in trips to the site but is designed to improve internal circulation and reduce vehicle stacking associated with the existing drive-through operation. DPW concurs with this assessment.

The site currently accommodates drive-through traffic within the existing circulation system. The proposed modification is designed to improve vehicle processing by allowing customers to order from two menu boards before merging into a single lane for payment and pickup. Based on the materials submitted, the proposed changes are expected to reduce queue lengths and improve the site's ability to manage peak demand without impacting adjacent roadways.

The submitted site plan identifies the restaurant as containing 60 seats and 36 parking spaces remaining after the proposed site changes for the drive through lane. Staff has confirmed that the restaurant currently operates with approximately 92 seats and an approved maximum seating capacity of 95 seats under the existing Certificate of Occupancy.

The proposed site changes would result in a total of 32 parking spaces on-site. Based on the maximum approved seating capacity, the site would continue to meet the minimum parking requirements of the Zoning Ordinance.

Staff also discussed loading operations with restaurant staff on site and confirmed the proposed changes to the drive through aisle would not impact loading practices.

Compatibility with Surrounding Uses

The property is located along the Maple Avenue commercial corridor and is surrounded by a mix of commercial and residential uses, including a nearby townhouse development to the rear of the site.

The proposal includes installation of a second menu board and speaker associated with the addition of a second drive-through ordering lane, as well as replacement and updating of existing drive-through ordering equipment. The proposed second drive-through lane is located approximately 65 feet from the nearest residentially zoned property. While the additional speaker and illuminated menu board may introduce some incremental noise and lighting impacts, those impacts are expected to be limited due to the operational restrictions. In accordance with Section 18-323(9)(A) of the Town Code, the second lane and associated speaker will not be utilized after 10:00 p.m., and the menu board will be turned off during those hours. These operational limitations are intended to minimize potential noise and activity impacts during late evening hours and support compatibility with adjacent residential properties.

Drive-through facilities with menu boards and speaker systems are an existing feature of commercial development along the Maple Avenue corridor. The proposal does not expand the building footprint or introduce a new use, but rather modifies the operation of an existing use to improve efficiency. As such, the overall character of the site and its relationship to surrounding properties is not significantly altered. The proposal does not expand the building footprint or introduce a new use but rather modifies the operation of an existing use to improve efficiency. As such, the overall character of the site and its relationship to surrounding properties is not significantly altered.

Operational Characteristics

The applicant proposes to continue operating the restaurant 24 hours per day, seven days per week, with approximately 12 employees per shift. The proposed modification does not change the nature of the use but adjusts how the drive-through component functions.

The applicant has indicated that no increase in noise levels is anticipated and that updated speaker equipment replacing what currently exists and the new unit to be added are designed to limit impacts on adjacent properties. Additionally, the applicant has provided information regarding litter control, waste management, and air quality, noting that no adverse impacts are expected.

Compliance with Conditional Use Permit Criteria

Pursuant to Section 18-824 of the Town Code, a Conditional Use Permit is required for uses identified as conditional within the Zoning Ordinance. The Board of Zoning Appeals may approve a CUP if the proposed use:

- Will not adversely affect the health or safety of persons residing or working in the neighborhood;
- Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;
- Will be in accordance with the purposes of the Comprehensive Plan; and
- Meets the applicable use-specific standards outlined in Article 3.

The proposed modification to the drive-through facility is evaluated under Section 18-323 (Drive-Through Facilities), which establishes standards related to location, design, hours of operation, and potential impacts such as traffic, noise, and compatibility with surrounding uses.

Based on the information provided, the proposed modification is designed to improve internal circulation and reduce vehicle stacking without increasing the overall intensity of the use. Staff finds that the request is generally consistent with the applicable criteria for approval of a Conditional Use Permit.

Consistency with the Comprehensive Plan

The subject property is located within the Maple Avenue commercial corridor and is designated as Mixed Use in the Comprehensive Plan. This designation supports commercial and service-oriented uses in a corridor setting.

The proposed modification improves the functionality of an existing use by enhancing on-site circulation and reducing vehicle stacking. The proposal does not expand the building footprint or introduce a new use and maintains compatibility with adjacent properties through operational limitations, including the closure of the second drive-through lane after 10:00 p.m. The proposal refines the operation of an existing use rather than intensifying it.

Overall, the proposed improvements are intended to address existing operational constraints of the site while maintaining compatibility with surrounding uses. Based on these factors, staff finds the request to be consistent with the Comprehensive Plan.

Based on the analysis above, staff finds that the proposed modification satisfies the criteria for approval of a Conditional Use Permit as outlined in Section 18-824 of the Town Code.

Required Commission/Board Approvals

The process for review and approval or denial of an application for a Conditional Use Permit (CUP) is outlined in Section 18-824 of the Town Code.

After initial staff review, the Planning Commission reviews the application in order to make a recommendation to the Board of Zoning Appeals, per Section 18-824.6.D. The Board of Zoning Appeals, per Section 18-824.6.E., reviews the application, along with the Planning Commission recommendation and public testimony, and makes the final decision. The Board may also impose conditions as it deems necessary.