

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 13, 2013, regarding Detailed Site Plan DSP-07076/09 for Brandywine Crossing, Phase II, the Planning Board finds:

1. **Request:** The purpose of the subject detailed site plan (DSP) application is to revise the building architecture for Buildings J and N, and to update the landscape plan to meet the requirements of the 2010 *Prince George's County Landscape Manual*.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-S-C	C-S-C
Use(s)	A developing Integrated Shopping Center with Theater, Vehicle Sales Lot and Service	A developing Integrated Shopping Center with Theater, Vehicle Sales Lot and Service
Acreage	34.1	34.1
Parcels/Lots	5 Parcels, 14 lots	5 Parcels, 14 lots

	Previously Approved Building Square Footage
Total Gross Floor Area (GFA)	163,245 (including CarMax potential expansion)
of which Theater Building M	60,000
Building J	6,895
Building K	3,500
Building L	13,000
Building N	6,500
Building O (McDonald's)	3,987
Building P	4,650
Building Q (Cheddar's)	7,938
Building R	3,500
	27,185 (initial)
	53,275 (potential)

Parking Data Previously Approved:

Total Parking Spaces Required	1,200 spaces
Integrated Shopping Center	
49,970 GFA @ 1 space per 250 GFA	200 spaces
Theater	
3,266 seats @ 1 space per 4 seats	817 spaces
Vehicle Sales/ Service Lot @ 1 space/250 S.F. (197 spaces)	183 spaces
Total Parking Spaces Provided	1,525 spaces
Compact Spaces	205 spaces
ADA Spaces	42 spaces
Loading Spaces Required	6 spaces
Loading Spaces Provided	6 spaces

- Location:** The subject site is located in the northeast quadrant of the intersection of Timothy Branch Drive and Robert Crain Highway (US 301), on the west side of Matapeake Business Drive, in Planning Area 85A and Council District 09.
- Surrounding Uses:** The property is part of what is known as the Brandywine 301 Industrial Park. The site is bounded on the east side by the right-of-way of Matapeake Business Drive and on the west by the right-of-way of Crain Highway (US 301) and Branch Avenue (MD 5). To the south and east of the site is the Brandywine 301 Industrial Park. Further to the east across Matapeake Business Drive is undeveloped I-1-zoned (Light Industrial) property. To the south is C-S-C-zoned (Commercial Shopping Center) property (Zoning Map Amendment A-9980-C), a previously approved integrated shopping center known as Brandywine Crossing, Phase I, developed by the same applicant. To the west across US 301 is the Chaddsford development zoned E-I-A (Employment and Institutional Area), L-A-C (Local Activity Center), and R-M (Residential Medium Development). To the north are I-3 (Planned Industrial/Employment Park) and I-1-zoned properties.
- Previous Approvals:** The 1978 Brandywine-Mattawoman Sectional Map Amendment rezoned the subject site from the R-R (Rural Residential) Zone to the E-I-A (Employment and Industrial Area) Zone. The September 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B* retained this property in the I-1 and I-3 Zones. On November 5, 2007, the District Council approved Zoning Map Amendment A-9990-C to rezone the subject property from the I-1 and I-3 Zones to the C-S-C Zone. The subject site was a part of a larger subdivision known as Brandywine 301 Industrial Park (approximately 176.44 acres), which was approved as Preliminary Plan of Subdivision 4-97124 in 1998 (PGCPB Resolution No. 98-84). A preliminary plan of subdivision covering the subject

DSP site was approved by the Planning Board on July 24, 2008 with 23 conditions (PGCPB Resolution No. 08-106). The subject site also has a Stormwater Management Concept Plan, 18385-2008-00.

A previously approved Detailed Site Plan, DSP-07076 (PGCPB Resolution No. 08-122), was for approval of a 271,215-square-foot integrated shopping center in the C-S-C Zone. On July 29, 2010, DSP-07076-01 was approved by the Planning Board (PGCPB Resolution No. 10-82(C)) which reduced the gross floor area for Phase II of Brandywine Crossing and relocated the proposed movie theater north of the "T" intersection of Matapeake Business Drive and Timothy Branch Drive. The DSP revision also added an additional 3.6 acres of land that was recently rezoned from the I-3 Zone to the C-S-C Zone per the District Council's approval of Zoning Map Amendment A-10014-C on June 29, 2009 (Zoning Ordinance No. 10-2009).

On June 30, 2011, the Planning Board approved Departure from Sign Design Standards DSDS-670 for a freestanding sign and building signage for this section of the shopping center. Prince George's County Planning Board Resolution No. 11-51 was approved for the building-mounted signage proposal and PGCPB Resolution No. 11-69 was approved for the freestanding signage proposal.

On November 16, 2011, the Zoning Hearing Examiner approved Special Exception SE-4697 for the Brandywine Crossing, CarMax proposal. That decision was made final on April 10, 2012. The special exception approval contained a condition anticipating further DSP review and approval for the Brandywine Crossing CarMax.

On May 10, 2012, the Planning Board approved DSP-07076-04 (Brandywine Crossing, Phase II, Cheddar's Café and CarMax (PGCPB Resolution No. 12-37)), to incorporate the architecture and site layout for a Cheddar's restaurant, which was previously identified as Building Q; and provide DSP review for a proposed CarMax vehicle sales lot, as required by Zoning Ordinances No. 12-2007 (A-9990-C) and No. 10-2009 (A-10014-C). Detailed Site Plan DSP-07076-04 was also the subject of a District Council-approved permit in the right-of-way application pursuant to Section 27-259 of the Zoning Ordinance.

On November 1, 2012, the Planning Board approved DSP-07076-05 (Brandywine Crossing, Phase II, McDonald's (PGCPB Resolution No. 12-103)) to incorporate the architecture and site layout for a 3,987-square-foot McDonald's restaurant with drive-through; provide layout changes for Parcels 7 and 8; and increase the square footage previously assigned to Building P.

On November 1, 2012, the Planning Board approved DSP-07076-05 (Brandywine Crossing, Phase II, McDonald's (PGCPB Resolution No. 12-103)) to incorporate the architecture and site layout for a 3,987-square-foot McDonald's restaurant with drive-through; provide layout changes for Parcels 7 and 8; and increase the square footage previously assigned to Building P.

On May 2, 2013, the Planning Board approved DSP-07076-08 (Brandywine Crossing, Phase II (PGCPB Resolution No. 13-50)) to revise the building architecture for Buildings K, L, and R, and

to update the landscape plan to meet the requirements of the 2010 *Prince George's County Landscape Manual*.

6. **Design Features:** The Brandywine Crossing, Phase II, site is roughly rectangular in shape with the east, west, and south sides fronting public rights-of-way. The site has one right-in temporary access from Crain Highway/Branch Avenue (US 301/MD 5) that was approved by Preliminary Plan 4-07112 for this site. The site also has two access points from Matapeake Business Drive and three additional access points from Timothy Branch Drive.

The layout of Brandywine Crossing, Phase II, is composed of three major sections: the theater, a retail street, and a vehicle sales building with service lot. There is one four-acre parcel (Parcel 11) within Brandywine Crossing, Phase II, for which there is no development proposal.

The retail street section is located close to US 301/MD 5. There are eight buildings that comprise the retail street. The design of the retail street is intended to emulate the pattern of traditional main streets with small retail buildings on both sides. The terminus for the retail street is Building Q, which is the location of the approved Cheddar's restaurant.

Proposed Architectural Revisions

The subject application is to obtain approval for the architecture of Buildings J and N. Both buildings are located west of the retail street, between the retail street and US 301/MD 5.

Building N is a 6,500-square-foot building with two proposed tenants. Its east elevation facing the main street is defined by an expanse of storefront windows with fabric awnings above. The storefront windows extend along a portion of the northern and southern elevations. An area of tan exterior insulation finishing system (EIFS) is proposed above the fabric awnings. It is within this area that the building-mounted signage is proposed. The sides and rear of the building have a two-toned masonry façade of orange brick with horizontal bands of buff brick in between.

Building J is a 6,894-square-foot building with retail space for one tenant, Advance Auto Parts. This building proposes similar materials to Building N, except that a trademark red masonry band is proposed along the top of Building J. The submitted architectural elevations indicate that the building front is oriented towards the south. Storefront windows are proposed at the center of the south elevation, facing a small surface parking lot and a gas station to the south. A relatively unadorned side elevation is shown to face the retail street.

The proposed building design deemphasizes the importance of the retail street and detracts from its overall design. The Planning Board finds that the architectural elevations for Building J shall be revised so that the design provides a more attractive front to the retail street. The east building elevation shall be revised to include fabric canopies over an area of storefront glass consistent with other retail building approvals for Brandywine Crossing, Phase II. At least two storefront windows shall allow views into the retail store from the retail street. The building elevations shall be revised consistent with Applicant's Exhibit 1, which reflects many of the requested modifications.

Modifications to the architectural proposal were recommended with the approval of DSP-07076-08 for Buildings L, K, and R, and were adopted by the Planning Board in PGCPB Resolution No. 13-50. The Planning Board requires similar modifications at this time. The architecture would be improved with the use of a masonry material of an alternate and complementary color along the base of Buildings J and N. This modification would add visual interest at the pedestrian level and consistency with constructed buildings in Brandywine Crossing, Phase II. The areas of EIFS along the top of Buildings J and N appear to lack definition and dimension. With additional definition along the top of the buildings in these areas of EIFS, the Planning Board finds that the buildings will be attractively designed.

7. **Zoning Ordinance No. 12-2007 (Zoning Map Amendment A-9990-C):** Zoning Ordinance No.12-2007 was adopted by the District Council on November 5, 2007 to approve Zoning Map Amendment A-9990 that rezoned the subject site from the I-1 and I-3 Zones to the C-S-C Zone, with three conditions. The subject application, which is a revision to architecture and landscaping only, does not affect previous findings of conformance.
8. **Preliminary Plan of Subdivision 4-07112:** On July 10, 2008, the Planning Board approved Preliminary Plan of Subdivision 4-07112 (PGCPB Resolution No. 08-106) for Parcels 1–5 which includes a variation from Sections 24-130 and 24-121(a)(3) of the Subdivision Regulations. The subject application, which is a revision to architecture and landscaping, does not affect previous findings of conformance.
9. **Detailed Site Plan DSP-07076-01:** On July 29, 2010, Detailed Site Plan DSP-07076-01 (Brandywine Crossing, Phase II) was approved by the Planning Board (PGCPB Resolution No. 10-82(C)).

At the time of approval of DSP-07076-01, the Planning Board encouraged the use of consistent design standards to help unify Phase II of the development with Brandywine Crossing, Phase I (DSP-06077). At the time of approval of Brandywine Crossing, Phase I, the applicant submitted complete design guidelines to be applied to the entire Brandywine Crossing shopping center. The intent of the design guidelines was to develop a framework for an integrated retail development made up of different buildings of varying size and scale. The design of the shopping center draws heavily from the design principles found in the twentieth century retail architecture of the surrounding metropolitan area, such as the Art Deco style, which is reflected in the building's scale, massing, and materials. Exterior finishing materials include brick, precast masonry, stone, cementitious panels, colored split-face concrete block, EIFS, wood, and composite products. The applicant also submitted complete signage design guidelines for the entire shopping center at the time of approval of Brandywine Crossing, Phase I.

As approved with conditions, the Planning Board finds that the architecture and tenant signage will be in keeping with the previously established standards. The building-mounted signage shall be dimensioned on the plans and each tenant name shall be 12 to 36 inches in height and conform to all other Brandywine Crossing sign standards. Individual tenant names shall appear as channel

letters and box signs are not permitted. The red panel behind the Advance Auto Parts sign shall be eliminated because it is inconsistent with approved and constructed sign types in Brandywine Crossing. Details of all proposed building-mounted signs shall indicate the use of channel letters. Furthermore, signage proposed on top of canopies is not permitted by the Zoning Ordinance.

Detailed Site Plan DSP-07076-01 also requires bike racks near the front entrance of each building pad. Bike rack locations shall be located so as not to impede pedestrian flow along the sidewalk. Minor shifting of bike rack locations towards the curb of the retail street is necessary.

10. **Zoning Ordinance:** The Planning Board finds that the subject application complies with the requirements of the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed integrated shopping center is permitted in the C-S-C Zone and eating and drinking establishments are permitted in this zone.
 - b. The DSP shows a site layout that is consistent with Section 27-462, regulations regarding building setbacks. The DSP is also in conformance with the applicable site design guidelines.
 - c. The signage within the DSP has been reviewed per Section 27-613 of the Zoning Ordinance, which governs signs attached to a building or canopy, and Section 27-614, Freestanding Signs. The following discussion is offered.
 - (1) The permitted building-mounted sign area is regulated as follows:

Section 27-613(c)(3)(C)

- (i) **The area of all of the signs on a building shall be not more than two (2) square feet for each one (1) lineal foot of width along the front of the building measured along the wall containing the principal entrance of each individual place of business to a maximum of four hundred (400) square feet.**

The sign chart provided on the architectural elevations does not indicate conformance with Section 27-613. This chart demonstrates four frontages for the purposes of calculating the amount of permitted building-mounted signage. The sign charts shall be corrected. The amount of signage permitted for the entire building is calculated based upon the width of the wall that contains the building's principal entrance. The signage shall conform to the requirements of Section 27-613.

- (2) On July 28, 2011, the Planning Board adopted a resolution for the approval of Departure from Sign Design Standards DSDS-670 for signs for the Brandywine Crossing, Phase II, development. In its approval of a more extensive signage proposal for the proposed movie theater and retail tenants, the Planning Board determined that no additional freestanding signs should be permitted in the shopping center. As a result, the Planning Board added a condition that restricts the issuance of any additional sign permits for freestanding signs for the shopping center. Condition 2 of PGCPB Resolution No. 11-69 reads:

2. No further sign permits for freestanding signs shall be approved for Phase I or Phase II of the Brandywine Crossing Shopping Center.

The Planning Board finds that no additional freestanding signage has been proposed with the subject application.

11. **Prince George's County Landscape Manual Requirements:** The Planning Board finds that the area of revision is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

Section 4.2, Requirements for Landscape Strips Along Streets—The subject proposal has frontage on Crain Highway (US 301). Section 4.2 specifies that for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. A Section 4.2 schedule has been provided indicating conformance with this requirement; however, the landscape plan coversheet shall be updated to reflect the location of the required Section 4.2 landscape strips along streets.

Section 4.3, Parking Lot Requirements—A percentage of the parking lot, determined by the size of the lot, is required to be interior planting area. The landscape plan has provided the required interior planting area, shade trees, and the required schedules.

The site plan demonstrates conformance with the parking lot perimeter landscape strip requirements for the parking lot on Parcels 3 and 5. In the Developing Tier, Section 4.3-1 requires a minimum five-foot-wide landscape strip between a parking lot and any adjacent property line.

Section 4.4, Screening Requirements—The site is subject to Section 4.4. A detail for a durable, brick trash enclosure shall be provided for the proposed dumpster. The dumpster enclosure shall include brick and masonry materials complementary to those used in the construction of the proposed building. The loading spaces shall also be screened from drive aisles and areas for public gathering through the use of evergreen plant material.

Section 4.7, Buffering Incompatible Uses—The site is subject to the requirements of Section 4.7. A Section 4.7 schedule shall be provided that indicates the impact category of the proposed use and the adjacent uses. If no bufferyard is required, then that shall be indicated on the provided Section 4.7 schedule, or in a plan note.

Section 4.9, Sustainable Landscaping Requirements—The site is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The required charts have been provided and demonstrate conformance to this section.

12. **Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the 1989 Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland, and there are previously approved tree conservation plans for the site. This application is not subject to the environmental regulations that came into effect on September 1, 2010 because the site has a previously approved preliminary plan and detailed site plan. The application is not subject to the Woodland and Wildlife Habitat Conservation Ordinance, Subtitle 25, Division 2, which became effective September 1, 2010, because there are previously approved Type I (TCPI) and Type II (TCPII) tree conservation plans. The associated TCPII is for the entirety of the Brandywine 301 Commerce Park totaling 182.35 acres.

The subject application which is a revision to architecture and landscaping does not affect previously made findings of conformance.

13. **Tree Canopy Coverage Ordinance:** The Tree Canopy Coverage Ordinance came into effect on September 1, 2010. The Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned C-S-C are required to provide a minimum of ten percent of the gross tract area in tree canopy. The provided TCC schedule indicates the use of credit for woodland conservation shown on an approved TCPII.

In the approval of DSP-07076-04 (PGCPB Resolution No. 12-37), the Planning Board found that TCC should be provided on each of the developing sites within Brandywine Crossing, Phase II, to the extent feasible. Finding 14 of Resolution No. 12-37 states the following:

14. **Tree Canopy Coverage Ordinance: The Tree Canopy Coverage Ordinance came into effect on September 1, 2010. The Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned C-S-C are required to provide a minimum of ten percent of the gross tract area in tree canopy. This requirement is to be met on-site. Tree canopy coverage schedules have been provided for the parcels (Parcels 9 and 10) subject to this revision. Those schedules indicate the use of credit for woodland conservation shown on an approved Type II tree conservation plan (TCPII); however, the areas of woodland conservation are not on Parcels 9 or 10, or even within the area of Brandywine Crossing, Phase II.**

The TCC credit provided on Parcels 9 and 10 is as follows:

	REQUIRED	PROPOSED ON-SITE
Tree Canopy	51,793 sq. ft.	16,100 sq. ft.

Although the Tree Canopy Coverage Ordinance is new, there appears to be precedent for allowing credit for woodland conservation shown on a tree conservation plan, even when that woodland conservation is not within the boundaries of the detailed site plan area being reviewed. While this may be permissible, this policy does not appear to entirely meet the intent of the Tree Canopy Coverage Ordinance, which is to preserve, maintain, enhance, and restore tree canopy coverage on developed and developing sites. The Planning Board encourages the applicant to provide additional tree canopy within the developing sites of Brandywine Crossing, which will be enjoyed by future patrons of those businesses. The remote areas of tree preservation off the subject property do little to improve environmental quality within Brandywine Crossing. The applicant shall improve TCC on the subject developing sites to the extent feasible.

The TCC schedule shall be revised to indicate that the technical requirement is met for the entire area of the TCPII, which includes Brandywine Crossing, Phases I and II. As the TCPII encompasses 182.35 acres, approximately 18.23 acres of tree canopy shall be demonstrated for the area of the TCPII.

The TCC credit provided on Parcels 3 and 5, which is the 2.12-acre area of revision, is as follows:

	RECOMMENDED	APPROVED
Tree Canopy	9,235 sq. ft.	13,820 sq. ft.

The TCC provided on Parcels 3 and 5 is 14.97 percent, and exceeds the ten percent TCC requirement in the C-S-C Zone. The Planning Board finds that the TCC provided on Brandywine Crossing, as a whole, meets the TCC requirements and guidelines established in previous plan approvals.

14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Community Planning**—The Planning Board adopts the following:

- (1) The preferred alternative transit alignment along US 301/MD 5 shall be shown on the site plan. In the 2009 Preliminary Subregion 5 Master Plan, the transit station is proposed north of the subject property.

The proposed transit alignment was shown on previous approvals for Brandywine Crossing, Phase II, and shall be shown on the subject plan prior to signature approval. The DSP should reflect all of the most up-to-date proposal approved by the Planning Board.

- (2) The eastern elevation (#2) of Building J shall be designed to be in keeping with the character of a “main street,” e.g. a smaller, more aesthetic sign. Along the northern elevation (#3), building materials and fenestration should create less of a solid wall or, if there needs to be a solid wall, a mural could be put on it to make it more aesthetically pleasing and appropriate for a pedestrian-scaled environment.

As approved with conditions, the architectural proposal will be in keeping with previous approvals, and more adequately reflect the character of a main street.

- b. **Permit Review**—The Permit Review Section had no comment on the plan revision.

15. Based upon the foregoing, and as required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George’s County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-07076/09, subject to the following conditions:

1. Prior to signature approval of the detailed site plan, the following information shall be provided, notes added, or revisions made:
 - a. A detail for a durable, non-wood trash enclosure and gate shall be provided for the proposed dumpster. The dumpster enclosure shall include brick and masonry materials complementary to those used in the construction of the proposed buildings.
 - b. The architectural elevations for Building J shall be revised as follows:
 - (1) The elevations for Building J shall be consistent with the updated elevations in Applicant’s Exhibit 1. The north and west elevations of Building J shall be revised to indicate the use of brick in the area below the red band.
 - (2) The primary storefront entrance along the east elevation shall be improved with the use of a metal or fabric canopy over the area of storefront glass consistent with other retail building approvals for Brandywine Crossing, Phase II.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey and Hewlett voting in favor of the motion, and with Commissioners Geraldo and Shoaff absent at its regular meeting held on Thursday, June 13, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of July 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

