

R E S O L U T I O N

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 November 29, 2018, regarding Detailed Site Plan DSP-04056-01 for Brandywine 301 Industrial Park, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) is for construction of one freestanding sign and two building-mounted signs, validation of multiple existing building-mounted signs on an existing multi-tenant commercial building, and to establish building-mounted signage standards for future tenants.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Commercial/Office	Commercial/Office
Acreage (gross)	6.49	6.49
100-Year Floodplain	N/A	N/A
Lots/Parcels	1	1
Commercial/ Retail GFA	47,920 sq. ft.	47,920 sq. ft.
Floor Area Ratio (FAR)	0.51*	0.51*

Note: *The existing FAR needs to be calculated for the entire area of the CSP per Section 27-548(e) and is not shown and should be provided on the plan prior to certification of the DSP as conditioned herein.

3. **Location:** The subject property is located on the east side of Matapeake Business Drive, immediately east of its intersection with Timothy Branch Drive, in Planning Area 85A, Council District 9. More specifically, the property is located at 7651 Matapeake Business Drive in Brandywine, Maryland.

4. **Surroundings and Use:** The subject property is bounded to the north by a stormwater management (SWM) pond, in the Mixed Use-Transportation Oriented (M-X-T) Zone; to the east by vacant Outlot C in the M-X-T Zone; to the south by vacant Parcel 6 in the Light Industrial (I-1) Zone; and to the west by the public right-of-way of Matapeake Business Drive with commercial uses, known as the Brandywine Crossing Shopping Center, in the Commercial Shopping Center (C-S-C) Zone beyond.

5. **Previous Approvals:** The subject property is known as Parcel 7, recorded in land records in Plat Book REP 203-50 (Parcel 7), as part of the Brandywine 301 Industrial Park. This property was rezoned from the I-1 Zone to the M-X-T Zone via Prince George's County Council Resolution CR-81-2013 for the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA), approved by the District Council on July 24, 2013. The existing commercial building on Parcel 7 was developed pursuant to Detailed Site Plan DSP-04056, which was approved by the Planning Board on March 10, 2005 (PGCPB Resolution No. 05-71). In addition, an SWM Concept Plan (59115-2017-00) was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on January 8, 2018, and is valid until January 8, 2021.
6. **Design Features:** The applicant is proposing one freestanding sign two building-mounted signs, and validation of multiple existing building-mounted signs on an existing commercial building. The DSP is required because all proposed signage in mixed-use zones must be approved by the Planning Board at the time of DSP review per Section 27-613(f) and Section 27-614(e). The existing development on the site, including parking, is legal as approved in DSP-04056 when the subject property was zoned I-1.

Building-Mounted Signage—The applicant is proposing two building-mounted signs on the western building elevation facing Matapeake Business Drive. The proposed signs are two to three feet in height and include internally illuminated light-emitting diode (LED) channel letters mounted to the building face above the entrances to the commercial tenants.

Seven existing building-mounted signs were previously permitted for existing tenants and are not proposed to change but are being validated within the M-X-T Zone with this application. The applicant has provided copies of the permits, which allowed for these signs, but the permit numbers are not reflected on the DSP and should be noted for clarification. Therefore, a condition has been added to this approval requiring the applicant to revise the DSP to reflect the permit numbers for the existing signs. Building-mounted signage standards, such as maximum square footage, have been shown with this application and will be used to review future proposed signs as tenants change in the commercial building.

Monument Sign—The DSP is proposing one 151-square-foot monument sign at the southern portion of the site near the southern access to the property. The 15-foot-tall sign features an illuminated cabinet with changeable panels to indicate the tenants located on the site. A detail has been provided for the monument sign, however, it is noted that the material of the base of the sign is not labeled on the detail and should be provided for clarification. In addition, it is noted that the base of the sign should be finished in a material and color to match the existing building. Therefore, a condition has been added to this approval requiring the applicant to revise the detail of the freestanding monument sign to indicate the material and finish of the base to match the color and style of the existing building.

CONFORMANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject DSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

a. Conformance with the M-X-T Zone requirements as follows:

Section 27-546. Site Plans.

(d) **In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:**

(1) **The proposed development is in conformance with the purposes and other provisions of this Division;**

The proposed signage is in conformance with the purposes of the M-X-T Zone and proposes signage that is made of high-quality materials and are appropriately designed for the proposed retail and office tenants with respect to size, location, materials, colors, and lighting.

(2) **For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The subject site was placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, specifically on July 24, 2013 through the approval of the Subregion 5 Master Plan and SMA by the Prince George's County Council. The property was developed in its current configuration with the existing commercial building through the approval of Detailed Site Plan DSP-04056 and is not proposed to change with this application, except for signage.

(3) **The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

This application is for signage and will not affect the property's existing physical integration with the adjacent development.

- (4) **The proposed development is compatible with existing and proposed development in the vicinity;**

The proposed signage will be compatible with nearby existing and proposed development, such as the commercial shopping center to the west.

- (5) **The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The application is for signage only and does not propose any changes to uses, buildings or other improvements.

- (6) **If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

This requirement does not apply to this application because it is not staged and proposes signage only.

- (7) **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

The application is for signage only; however, there is an existing sidewalk along the frontage of the property on Matapeake Business Drive. The pedestrian system will encourage pedestrian activity and provide linkages to the surrounding community.

- (8) **On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The DSP is for signage only, and no new pedestrian improvements or gathering places are proposed.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred**

percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The subject application is a DSP, therefore, this required finding does not apply.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.**

The DSP is for signage only, and findings of adequacy will not be changed with this application.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The overall site plan contains less than 250 acres; therefore, this DSP is not subject to this requirement.

- b. The DSP application is also in conformance with additional regulations of the M-X-T Zone, as follows:

Section 27-544. Regulations.

- (a) Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The existing building is in conformance with the regulations of the I-1 Zone as were applied with the approval of DSP-04056. No changes to site improvements, except signage, are proposed with this application.

Section 27-548. M-X-T Zone.

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development -- 0.40 FAR;
and**
- (2) With the use of the optional method of development -- 8.00 FAR.**

The FAR information should be added to the general notes on the coversheet of the DSP.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

The proposed use is located on one parcel.

(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.

The DSP shows the required information, which will be the guide for the development of the subject site.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The landscaping, screening, and buffering have been reviewed in a previously approved permit in accordance with 2010 *Prince George's County Landscape Manual* (Landscape Manual) requirements and are not being altered with this application.

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The subject site has direct frontage on Matapeake Business Drive.

- c. **Site Design Guidelines:** The findings of approval regarding conformance with Section 27-283, Site design guidelines, of the Zoning Ordinance that further cross-references the same guidelines as stated in Section 27-274 of the Zoning Ordinance, were made in the original DSP approval and do not contain any specific guidelines regarding signage.
8. **Preliminary Plan of Subdivision 4-97124:** The Planning Board approved Preliminary Plan of Subdivision (PPS) 4-97124 on March 26, 1998 with 22 conditions. Resolution PGCPB Resolution No. 98-84, formalizing that approval, was adopted on April 16, 1998. It is noted that the subject property is a part of a larger development of 175 acres covered by PPS 4-97124, and none of the conditions of approval impact this DSP application for signage.
9. **Detailed Site Plan DSP-04056:** Detailed Site Plan DSP-04056 was approved by the Planning Board on March 10, 2005 for the development of a contractor's office with outdoor storage on Parcel 7 and is embodied in PGCPB Resolution No. 05-71. It was approved subject to three conditions, none of which are applicable to this DSP application for signage.
10. **Conceptual Site Plan CSP-16003:** Subsequent to the subject property being rezoned to the M-X-T Zone, Conceptual Site Plan CSP-16003 was approved by the Planning Board for 300 to 325 multifamily units on Parcels 8 and 9 and 47,920 square feet of existing commercial uses on Parcel 7 and is embodied in PGCPB Resolution No. 17-109. It was approved subject to three conditions, none of which are applicable to this DSP application for signage.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** Because the subject DSP is for signage only, it does not affect previous findings of conformance with WCO requirements. It is noted that, in review of the currently approved Type 2 tree conservation plan (TCP2), there is a conflict between the proposed location of the monumental sign and a woodland preservation area approved for Parcel 7, which does not appear to have been retained in accordance with the approved TCP2. Therefore, a condition has been added to this approval requiring the TCP2 be revised, as necessary, to conform to Subtitle 25, Division 2, of the Prince George's County Code addressing the woodland conservation requirements, any technical corrections required for the location of the proposed freestanding sign, and the woodland preservation deficiency.
12. **2010 Prince George's County Landscape Manual:** This DSP is for signage only; however, DSP-04056 was previously approved and included landscaping in accordance with the applicable sections of the Landscape Manual. The landscaping is not proposed to change with this application.

13. **Prince George's County Tree Canopy Coverage Ordinance:** This DSP is for signage only and does not affect previous findings of conformance with tree canopy coverage requirements.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The Planning Board adopted, herein by reference, a memorandum dated October 5, 2018 (Stabler to Bishop), and noted that the subject application will have no impact on any Prince George's County historic sites or resources. There are no known archeological resources that will be affected by the application. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low.
 - b. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated October 22, 2018 (Irminger to Bishop), and noted that master plan conformance is not required for this application.
 - c. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated October 2, 2018 (Masog to Bishop), and noted that no new construction is proposed, and access and circulation would remain the same. The transportation-related findings of adequacy were made more than six years ago and the addition of signage would have a de minimus impact on traffic, thereby negating the need for further analysis.

In addition, it was noted that the freestanding monument sign is shown on the plan behind a 17-foot public utility easement, or 52 feet from the centerline. Therefore, it is determined that the monument sign, and all other proposed signage, is outside of the ultimate right-of-way and poses no issues.

- d. **Subdivision**—The Planning Board adopted, herein by reference, an e-mail dated September 21, 2018 (Conner to Bishop), and noted that there are no subdivision-related issues regarding the subject application because it is limited to the review of signage.
- e. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated October 2, 2018 (Masog to Bishop), and noted that the site was reviewed for compliance with PPS 4-97124 during the review of the previous Detailed Site Plan, DSP-04056, and because the site plan only proposes signage, none of the conditions of the PPS are applicable to this review.

- f. **Environmental Planning**—The Planning Board adopted, herein by reference, an email dated November 8, 2018 (Shoulars to Bishop), and noted that there is a conflict between the proposed location of the monumental sign and the woodland preservation areas approved for Parcel 7, as discussed in Finding 11. A condition related to conformance with Subtitle 25, Division 2, of the County Code has been included in this approval.
 - g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 15, 2018 (Giles to Bishop), DPIE stated they had no objection to the DSP and the site plan meets the intent of approved SWM Concept Plan (59115-2017). The SWM concept plan will ensure that the development of this site will not result in any on-site or downstream flooding.
15. As required by Section 27-285(b)(1), this DSP, as revised by conditions, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
16. As required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board found that the regulated environmental features on site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations. This property does not contain any regulated environmental features; therefore, no preservation or restoration is necessary.

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 Type 2 Tree Conservation Plan TCP2-133-91-14, and further APPROVED Detailed Site Plan DSP-04056-01 for the above described land, subject to the following conditions:

- 1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made to the plan or the following information shall be provided:
 - a. Provide the floor area ratio information in the general notes on the DSP.
 - b. Note the permit numbers for the existing signs on the DSP.
 - c. Indicate the construction material of the base of the freestanding monument sign, which should match the color and style of the existing building.
 - d. Revise the parking schedule to provide the required number of parking spaces as a whole number.

2. Prior to certification of the detailed site plan (DSP), the Type 2 tree conservation plan submitted with the DSP shall be revised, as necessary, to conform to Subtitle 25, Division 2, of the Prince George's County Code, meeting the woodland conservation requirements related to the proposed location of the sign, and addressing the woodland preservation deficiency and the technical corrections needed.
3. All future building-mounted signs will comply with the standards established with this detailed site plan (DSP), or as modified by future amendments to the DSP.

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 Doerner, with Commissioners Washington, Doerner, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Geraldo temporarily absent at its regular meeting held on Thursday, November 29, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of December 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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