



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 11-69

File No. DSDS-670

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DSDS-670, Brandywine Crossing-Phase II requesting a departure from sign design standards for a freestanding sign along US 301 (Robert Crain Highway) in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on June 30, 2011, the Prince George's County Planning Board finds:

A. **Location and Field Inspection:** The Brandywine Crossing Shopping Center is situated along the northbound side of US 301 (Robert Crain Highway) at its intersection with Timothy Branch Drive and along the west side of Matapeake Business Drive. The property consists of 34.1 acres in the C-S-C Zone. The property is currently vacant and undeveloped.

B. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-S-C	C-S-C
Use(s)	Vacant	Integrated Shopping Center w/Movie Theater
Acreage	34.1	34.1
Parcels	1	1
Lots	4	4
Square Footage/GFA	None	116,100 sq. ft Integrated Shopping Center including a 60,000 sq. ft. Movie Theater

C. **History:** 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). On July 10, 2008 Preliminary Plan of Subdivision 4-07112 was approved by the Planning Board with 23 conditions for Brandywine Crossing, Phase II (PGCPB Resolution No. 08-106).

The Brandywine Crossing property as a whole has had numerous zoning map amendments that were approved by the District Council. A summary of the recent prior zoning map amendments is provided below:

September 14, 1993—The *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 (Light Industrial) and I-3 (Planned Industrial/Employment Park) Zones which was approved by County Council Resolution CR-17-1993.

October 4, 2006—Zoning Map Amendment A-9980-C (Zoning Ordinance No. 16-2006) approved rezoning 52.78 acres from the I-1 and I-3 Zones to the C-S-C Zone.

November 20, 2007—Zoning Map Amendment A-9990-C (Zoning Ordinance 12-2007) approved rezoning 30.35 acres from the I-1 and I-3 Zones to the C-S-C Zone.

June 29, 2009—Zoning Map Amendment A-10014-C (Zoning Ordinance No. 10-2009) approved rezoning 3.6 acres from the I-3 Zone to the C-S-C Zone.

September 11, 2008—Detailed Site Plan DSP-07076 was approved for a 271,215-square-foot integrated shopping center in the C-S-C (Commercial Shopping Center) Zone (PGCPB Resolution No. 08-122). On July 29, 2010 Detailed Site Plan DSP-07076/01 was approved by the Planning Board (PGCPB Resolution No. 10-82(C)) which reduced the gross floor area (GFA) 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).

April 1, 2009—Special Exception No. 4612 was approved by the Zoning Hearing Examiner for the Safeway Fueling Station located at the northeast corner of the US 301 and Timothy Branch Drive intersection. A condition of approval of the special exception application required the fueling station to obtain detailed site plan approval prior to the issuance of building permits.

November 4, 2009—Detailed Site Plan DSP-06077-04 approved by the Planning Director for the Safeway Fueling Station.

March 23, 2010—The Department of Public Works and Transportation (DPW&T) approved Stormwater Management Concept Plan 11481-2008-01.

- D. **Master Plan Recommendation:** The 2002 *Prince George's County Approved General Plan* locates the subject property in a designated Community Center in the Developing Tier per an amendment to the General Plan that was approved as part of the 2009 *Approved Subregion 5 Master Plan and Sectional Map Amendment (SMA)*. The vision for Centers is mixed residential and nonresidential uses at moderate- to high densities and intensities, with a strong emphasis on transit-oriented development.

The 2009 *Approved Subregion 5 Master Plan and Sectional Map Amendment* recommends commercial land uses that are more compact, transit-supportive and transit-oriented in the center edge area of the Community Center in Brandywine.

E. **Request:** The applicant requests a freestanding sign along the northbound side of US 301 that is 27 feet in height and 588 square feet in sign area, requiring a departure of 2 feet in height and 388 square feet in sign area. The freestanding sign will be properly setback from US 301.

F. **Surrounding Uses:** The property is surrounded by the following uses:

North— Golf cart rental business and other commercial uses in the I-3 and I-1 Zones.

South— Timothy Branch Drive, and beyond the Brandywine Crossing Shopping Center (Phase I) in the C-S-C Zone. Further to the south is the Brandywine 301 Industrial Park.

East— Matapeake Business Drive, and beyond undeveloped property in the I-1 and M-X-T Zones and the Brandywine 301 Industrial Park.

West— Robert Crain Highway (US 301), and beyond the Chaddsford development in the L-A-C and R-M Zones.

G. **Sign Requirements:**

Section 27-614 Freestanding signs

Section 27-614(a)(4) of the Zoning Ordinance states that notwithstanding any other provisions of this Subtitle addressing setbacks and yards, in all Commercial Zones freestanding signs need only be located ten (10) feet behind the street line.

Section 27-614(b)(1) of the Zoning Ordinance states that the maximum height for freestanding signs in all Commercial Zones (except the C-O Zone) is 25 feet when measured from the finished grade at the base of the sign to the top of the sign.

Section 27-614(c)(3)(A) of the Zoning Ordinance states that in all Commercial Zones (except the C-O Zone), the area of a freestanding sign shall be not more than:

One (1) square foot for each two (2) lineal feet of street frontage, to a maximum of two hundred (200) square feet for each sign if the building is located in an integrated shopping center. The street frontage shall be measured on the property occupied by the center or complex associated with the sign.

Section 27-614(d)(2)(A) of the Zoning Ordinance provides the total number of freestanding signs that are permitted in an integrated shopping center in all Commercial Zones (except the C-O Zone):

TOTAL STREET FRONTAGE ON ALL STREETS	NUMBER OF SIGNS PERMITTED
0 to under 100 feet	None
100 to 1,100 feet	1.0
Each additional 1,000 feet (or fraction)	1.0

The submitted site plan demonstrates that the total street frontage within the integrated shopping center is approximately 3,583 linear feet, therefore, a total of four freestanding signs would be permitted in the shopping center.

The applicant requests a freestanding sign along the northbound side of US 301 that is 27 feet in height and 588 square feet in sign area, requiring a departure of 2 feet in height and 388 square feet in sign area. The freestanding sign will be properly setback from US 301.

H. **Required Findings:** Section 27-239.01(b)(8)(A) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

(i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal.**

In general, the purposes of the Sign Ordinance are to regulate unsightly and hazardous signs, to provide adequate identification and advertisement, to promote the general welfare of the residents in the county, and to foster the appropriate use of land, buildings and structures.

On July 29, 2010, Detailed Site Plan application, DSP-07076-01 was approved by the Planning Board (PGCPB Resolution No. 10-82(C)) for Phase II of the Brandywine Crossing Shopping Center. Although the location of the proposed freestanding sign was reflected on the approved detailed site plan, signage details were not provided or approved with the detailed site plan application.

Condition 2(e) of PGCPB Resolution No. 10-82(C) requires the proposed freestanding sign to be compatible with the existing freestanding that is located at the intersection of Timothy Branch Drive and US 301 at the main entrance of the shopping center. The condition further requires that stone veneer columns be utilized as a design element instead of brick.

The applicant's revised freestanding sign elevation (Exhibit 3) was found to be consistent with the signage design guidelines that were approved for the Brandywine Crossing Shopping Center at the

time of detail site plan. The sign will have stone veneer columns, a stone veneer planter, white tenant panels with black trim and a clock at the top of the sign with an inset of the shopping center logo. The Urban Design Section has found the proposed sign to meet the required design criteria provided in Condition 2(e) of PGCPB Resolution No. 10-82(C).

The applicant has worked closely with the Brandywine/TB Southern Region Neighborhood Coalition to design an attractive sign that is compatible with the existing shopping center and the surrounding neighborhood. As a result, the purposes of this Subtitle will be equally well or better served by the applicant's proposal.

(ii) The departure is the minimum necessary, given the specific circumstances of the request.

The applicant argues that the size of the proposed sign is generally smaller than the freestanding signs that are provided in other regional shopping centers in the county, and that because the proposed movie theater will be setback approximately 825 feet from US 301, a larger sign is needed for visibility purposes in order to adequately advertise upcoming and now playing movie features and to provide additional advertising and visibility for the other tenants in the shopping center.

The submitted site plan demonstrates that the total street frontage within the integrated shopping center is approximately 3,583 linear feet, therefore, a total of four freestanding signs would be permitted in the shopping center. At the public hearing for this application on June 30, 2011, the Planning Board approved the subject application with a condition stating that no further sign permits shall be approved for freestanding signs in either Phase I or Phase II of the Brandywine Crossing Shopping Center. The applicant was in agreement with the Planning Board's condition.

The freestanding sign that was initially proposed with this application was 36 feet in height and 936.8 square feet in sign area. The current freestanding sign elevation (Exhibit 3) has now been reduced to 27 feet in height and 588 square feet in sign area. With the recommended conditions, the Planning Board finds that the departure is the minimum necessary given the specific circumstances of the request.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949.

This application included a departure request for building mounted signage for the movie theater, and for an additional freestanding sign along Robert Crain Highway (US 301). At the public hearing on May 19, 2011, the Planning Board bifurcated the case by approving the attached buildings signs for the movie theater, and continuing the case as it relates to the freestanding sign to the June 9, 2011 Planning Board Hearing. The portion of the application pertaining to the freestanding sign was then continued to the June 30, 2011 in order to allow the applicant additional time to submit revised elevations for the proposed freestanding sign. A separate

resolution was adopted for DSDS-670 as it relates to the building signs for the movie theater (PGCPB Resolution No. 11-51).

The proposed 60,000 square foot movie theater will be 60 feet in height and contain approximately 3,266 seats. The theater will be setback approximately 825 feet from US 301. US 301 is a designated freeway, and a larger sign is needed in order to adequately advertise the movie titles and to advertise the other tenants in the shopping center that may not have visibility from US 301. Although the smaller panels on the sign will be used to advertise other tenants in the shopping center, the need for a larger sign that can properly display movie titles along a fast paced freeway is unique to this site. As a result, the departure is necessary in order to alleviate circumstances that are unique to the site.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

The subject property is an integrated shopping center that abuts other commercially-zoned properties to the south and west, and industrial-zoned property to the north and east. Therefore, the proposed freestanding sign will not be visible from any nearby residentially-zoned properties.

While the applicant has already obtained detailed site plan approval for the shopping center, the details for the proposed freestanding sign were not provided or approved by the Planning Board at the time of detailed site plan. However, the location of the proposed freestanding sign was reflected on the approved detailed site plan. A revision to the approved detailed site plan (DSP-07076-01) will be required prior to the approval of a sign permit in order to reflect the proposed signage on the approved DSP.

The freestanding sign that was initially proposed with this application was a 36-foot high, white vinyl pylon sign that had a total sign area consisting of 936.8 square feet. The initially proposed white vinyl sign was in no way compatible with the existing stone veneer freestanding sign that is located at the intersection of US 301 and Timothy Branch Drive at the main entrance of the shopping center. Since that time, the applicant has submitted several revised sign elevations for the freestanding sign and compatible building materials are now proposed. As demonstrated on applicant's Exhibit 3, the height of the proposed sign has been reduced to 27 feet and the total sign area has been reduced to 588 square feet.

The applicant has worked closely with the Brandywine/TB Southern Region Neighborhood Coalition to design an attractive sign that is compatible with the existing shopping center and the surrounding neighborhood. The combined efforts of the applicant and the Brandywine/TB Southern Region Neighborhood Coalition has resulted in a significant reduction in the overall height and sign area of the proposed freestanding sign since the time of acceptance, and a significant improvement in the quality of the building materials that will be used to make up the sign. As a result, the Planning Board finds that the departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

I. Further Planning Board Findings and Comments from Other Entities:

Urban Design—The Urban Design Section provided the following comments concerning the departure request:

The Planning Board heard the above case for a second time on June 9, 2011 and, again, continued the requested departures from the height and area requirements of Section 27-614(b) and Section 27-614(c), respectively, for the proposed freestanding sign, which is to be located at the Crain Highway (US 301) entrance to the shopping center. These referral comments address the two revised concepts for the freestanding sign, received from the applicant on June 22, 2011 and the Planning Board's concerns expressed at the May 19, 2011 and June 9, 2011 hearings regarding the design, height and size of the proposed freestanding sign. Revised "Concept A" for the freestanding sign indicates a 26.9-foot tall sign, requiring a departure of 1.9 feet, and measuring 538.33 square feet in size, requiring a departure of 338.33 square feet. Revised "Concept B" for the freestanding sign indicates a 25-foot tall sign, requiring no departure, and measuring 620.75 square feet in size, requiring a departure of 420.75 square feet. The design of the subject signs have been revised from that presented at the previous public hearings on the case in terms of materials, size, and height. The Urban Design Section offers the following comments:

URBAN DESIGN REVIEW

The proposed "Concept A" sign is 26.9 feet high, 20 feet wide, has a red brick base, a tan main cabinet around the tenant panels, black metal side poles, and the text "Brandywine Crossing", and a black metal, arched, truss design on top. The proposed "Concept B" sign is 25 feet high, 24.83 feet wide, has a red brick base with an expanded two-foot-high planter, a tan main cabinet around the tenant panels, black metal side poles, and the text "Brandywine Crossing" and a black metal, arched, truss design on top.

Except for the dimensions, the brick planter, and the arrangement of the tenant panels, the design of the two concepts is essentially the same; however, neither is very similar in design or size to the existing shopping center pylon sign that sits at the corner of Timothy Branch and US 301, which has stone-veneered base columns, a tan main cabinet, a round shopping center logo at the top, and was designed as 24.33 feet high and 12.33 feet wide. This is an issue as Condition #2.e., of the Planning Board's action on the previous DSP-07076-01 for Brandywine Crossing (PGCPB No. 10-82(C)), reads as follows:

- "2. The development of Brandywine Crossing Phase II shall be consistent with that constructed in Phase I. This includes consistency in construction materials for lighting, signage, benches, planters, and landscape treatments. The DSP shall be revised to create more compatibility between the two phases as follows:**
 - e. The proposed pylon gateway sign shall be revised to be more compatible with the existing gateway sign on the corner of Timothy Branch and US 301.**

The sign proposal shall include columns with stone veneer as a design element instead of brick."

Neither of the submitted sign concepts are consistent with the aesthetic requirements of this condition of the Planning Board's previous approval. The addition of columns with stone veneer to the current sign design, as the condition requires, could possibly increase the total size and height of the sign, thereby increasing the required departures above what is currently shown, unless other design revisions are made.

The revised signs reduce the height from the originally proposed 36 feet to 25 or 26.9 feet, and the size from the originally proposed 936.8 square feet to 538.33 or 620.75 square feet. The materials, shape and general design of the signs have been revised to replace the stone-veneered base columns with ground-mounted brick bases, to remove the clock on top, and to add black metal details at the top and sides of the sign. The revised sign designs do address some of the negative impacts of the proposed free-standing sign by reducing the overall height and size of the sign, and do incorporate some unique features, such as the metal detailing, as desired by the Planning Board. However, the difference in size and height appears to have been accomplished by reducing the height of the base and top cabinet and reducing the framing of the tenant panels, as the size of the tenant panels has remained approximately the same. Staff is then concerned that the majority of the face of the sign is now comprised of only tenant panels, and that once these panels are filled with the specific tenant graphics and text, the sign will lose its effectiveness as a unique place marker for this shopping center. Of course, any additions to the framing of the sign to enhance its distinctiveness would, again, most likely serve to increase the total size and height of the sign, thereby increasing the required departures above what is currently shown, unless other design revisions are made such as reducing the size of the tenant panels.

CONCLUSION

The Urban Design Section recommends the following:

1. Should a departure for the freestanding sign be approved by the Planning Board, a revision to the detailed site plan shall be approved by the Planning Board or its designee prior to the issuance of a sign permit.

Comment: After the time the above referral comments were generated by the Urban Design Section, a revised freestanding sign elevation (entitled as Exhibit 3) was submitted by the applicant on the morning of the scheduled hearing. After careful consideration of the evidence and testimony that was provided at the public hearing, the Planning Board determined that the approval of the departure request would not substantially impair or be detrimental to the area master plan.

The departure request had been significantly reduced since the time of acceptance, and the Planning Board found the applicant's revised sign elevation to be compatible with the existing

freestanding sign that is located at the intersection of Timothy Branch Road and US 301. The building materials that are proposed for the freestanding sign consist of stone veneer support columns, a stone veneer planter box, white tenant panels with black trim, and a clock at the top of the sign with an inset of the Brandywine Crossing Shopping Center logo.

Based on the linear street frontage within the shopping center, the applicant was entitled to add additional freestanding signs within the shopping center. However, the Planning Board determined that while a larger sign was necessary for the movie theater and for the other tenants who may not have adequate visibility along US 301, that no additional freestanding signs should be permitted in the shopping center. As a result, the Planning Board added a condition that restricts any additional sign permits for freestanding signs to be approved for the shopping center. With the added condition, the Planning Board found that the departure request was the minimum necessary and that it would not impair the visual, functional, or environmental quality or integrity of the site or the surrounding area.

Community Planning—The Community Planning South Division provided the following comments concerning the departure request:

Two new revised sign designs were submitted by the applicant for DSDS-670. Overall, the new concepts are an improvement over the original and second submittals. The original sign proposed was 36 feet in height and 937 square feet in area; in the second submittal it was reduced to 32 feet high and 765 square feet in area. The current concepts, A and B, have further reduced the height and area. Concept A shows a height of approximately 27 feet and an area of 528 square feet. Departures for height and sign area would still be required. Concept B shows a sign height of 25 feet (which is the maximum permitted under the Zoning Ordinance) and a sign area of 608 square feet. A departure for sign area (200 square feet is maximum amount permitted) would still be required. Staff is still concerned, however, with both sign designs.

Although Concept A has an acceptable height, the sign area is clearly meant to be oriented toward the highway (US 301), and therefore it does not conform to recommendations in the master plan for pedestrian scale development at this location. Concept B, which has a more horizontal emphasis, is also oriented to the highway. Both are much larger than the two existing signs for the shopping center, neither of which required departures. The comments from Community Planning South Division in memoranda dated March 28, 2011 and May 11, 2011 are still pertinent:

“The proposed sign does not conform to the recommendations of the 2009 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, PGCPB Resolution No. 09-109, and District Council Resolution CR-61-2009 for pedestrian scale development.

The 2002 General Plan designates the subject property within a Corridor. The 2009 Subregion 5 Master Plan established boundaries to designate the subject property within a 2002 General Plan Community Center. To the extent possible under zoning regulations for this C-S-C zoned property, development designated in Centers and Corridors should incorporate mixed-use and transit-oriented design elements, including pedestrian routes and connections to adjoining commercial and residential

development. A large sign oriented toward highway traffic does not contribute toward achieving that objective. Because, in staff's view, it is more emblematic of standard commercial development along a highway frontage, staff cannot support the proposed application."

The applicant should consider providing a sign that is more consistent, in terms of height and mass, with what currently exists at the shopping center. In particular, the sign area should be reduced so the panels are less overwhelming and more in scale with the rest of the sign. The applicant should also consider using building materials that are consistent with the existing signage (e.g. stone), which would help create a unified theme or image for the center.

As also stated in the previous memoranda, the transit right-of-way along the east side of MD 5/US 301 should be identified on the site plan.

Comment: After the time the above referral comments were generated by the Community Planning South Division, a revised freestanding sign elevation (entitled as Exhibit 3) was submitted by the applicant on the morning of the scheduled hearing. After careful consideration of the evidence and testimony that was provided at the public hearing, the Planning Board determined that the approval of the departure request would not substantially impair or be detrimental to the area master plan.

The departure request had been significantly reduced since the time of acceptance, and the Planning Board found the applicant's revised sign elevation to be compatible with the existing freestanding sign that is located at the intersection of Timothy Branch Road and US 301. The building materials that are proposed for the freestanding sign consist of stone veneer support columns, a stone veneer planter box, white tenant panels with black trim, and a clock at the top of the sign with an inset of the Brandywine Crossing Shopping Center logo.

Based on the linear street frontage within the shopping center, the applicant was entitled to add additional freestanding signs within the shopping center. However, the Planning Board determined that while a larger sign was necessary for the movie theater and for the other tenants who may not have adequate visibility along US 301, that no additional freestanding signs should be permitted in the shopping center. As a result, the Planning Board added a condition that restricts any additional sign permits for freestanding signs to be approved for the shopping center. With the added condition, the Planning Board found that the departure request was the minimum necessary and that it would not impair the visual, functional, or environmental quality or integrity of the site or the surrounding area.

The Community Planning South Division also requested that the transit right-of-way that is proposed along the east side of MD 5/US 301 be identified on the site plan. This application is only for the purposes of evaluating the departure request for the proposed signage, and a revision to the approved detailed site plan is required prior to the approval of a sign permit in order to reflect the signage details on the approved plan. The proposed transit right-of-way should be reflected on the approved site plan at the time the DSP is revised.

At the Public Hearing –This application includes a departure request for building mounted signage for the movie theater, and for an additional freestanding sign along Robert Crain Highway (US 301). At the public hearing on May 19, 2011, the Planning Board bifurcated the case by approving the attached buildings signs for the movie theater, and continuing the case as it relates to the freestanding sign to the June 9, 2011 Planning Board Hearing. The portion of the application pertaining to the freestanding sign was then continued to the June 30, 2011 in order to allow the applicant additional time to submit revised elevations for the proposed freestanding sign. A separate resolution was adopted for DSDS-670 as it relates to the building signs for the movie theater (PGCPB Resolution No. 11-51).

- Staff had recommended disapproval for the portion of the application that relates to the freestanding sign at all three public hearings that were held for this case. However, on June 30, 2011, the Planning Board found the applicant's revised freestanding sign exhibit (Exhibit 3) to be acceptable and the Planning Board approved the application subject to two conditions, one of which prohibits the approval of any additional sign permits for freestanding signs within Phases I or II of the Brandywine Crossing Shopping Center.

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 above-noted application, subject to the following conditions:

1. Prior to the approval of a sign permit, a revision to the approved detailed site plan shall be approved by the Planning Board or its designee.
2. No further sign permits for freestanding signs shall be approved for Phase I or Phase II of the Brandywine Crossing Shopping Center.

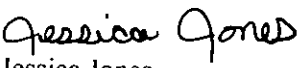
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

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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 Cavitt, seconded by Commissioner Clark, with Commissioners Cavitt, Clark, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, June 30, 2011, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2011.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:JF:arj

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department

Date 7/19/11