



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 13-50

File No. DSP-07076/08

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 May 2, 2013, regarding Detailed Site Plan DSP-07076-08 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 K, L, and R, and to update the landscape plan to meet the requirements of the 2010 *Prince George's County Landscape Manual*.
2. **Development Data Summary:** The subject application proposes no revisions to previously approved development square footage or parking data.

	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

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	Previously Approved Building Square Footage
Total Gross Floor Area (GFA)	163,350 (including CarMax potential expansion)
of which Theater Building M	60,000
Building J	6,500
Building K	3,500
Building L	13,000
Building N	7,000
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	1,201 spaces
Integrated Shopping Center	
50,075 GFA @ 1 space per 250 GFA	201 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

3. **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.
4. **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

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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.

5. **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 Permit, 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 Matapcacke 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.

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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 Ordinance No. 12-2007 (A-9990-C) and Zoning Ordinance 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.

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/Brandywine Road (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 K, L, and R.

Building R is a 3,500-square-foot building located north of the proposed green area. Its west elevation facing the main street is defined by an expanse of storefront windows with a metal canopy above. The storefront windows extend along a portion of the north and south elevations. An area of tan exterior insulation finishing system (EIFS) is proposed above the metal canopy. It is within this area that the building signage, which will be mounted upon the metal canopy, 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 K is a mirror image of Building R.

The Planning Board finds that both Buildings R and K would be improved with the use of a masonry material of an alternate and complementary color along the base of the buildings. This modification would add visual interest at the pedestrian level and consistency with constructed buildings in Brandywine Crossing, Phase I, and is shown in the submitted applicant's exhibits. While EIFS is proposed along a portion of the top of the building within signage areas, its use is

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limited for Buildings R and K and in balance with other materials shown. The areas of EIFS along the top of the building appear to lack definition and dimension. With additional definition along the top of the buildings in these areas of EIFS, the buildings will be attractively designed. Overall, the Planning Board finds that the architecture for Buildings R and K will be an attractive addition to the retail center.

Building L is a larger, 13,000-square-foot building with retail space for approximately four tenants. It is the largest building along the retail street within Brandywine Crossing, Phase II. This building proposes similar materials to Buildings R and K along the east building façade and portions of the north and south façades. Storefront windows with a metal canopy above are proposed along the east building elevation. Due to the length of the building façade, the east elevation has been modified to provide brick pilasters along the building's front to provide more attention to design along the retail street. In Brandywine Crossing, Phase I, building façades with orange brick are alternated with those with red brick, and a variety of treatments along the base and top of the buildings are provided. The result is an overall aesthetic that resembles a main street. Similar considerations have been employed in the design of Building L, as shown in Applicant's Exhibit 2.

The rear of Building L as shown in Applicant's Exhibit 2, needs some additional revisions. As the rear of Building L is highly visible from US 301, a fully-articulated façade shall be provided along this elevation. The current proposal is not in keeping with the standards that have been established in previous plan approvals. A mix of brick and colored concrete block shall be used along the building's rear, and articulation shall be provided through the use of brick pilasters and colors compatible with the front of the building. A brick dumpster enclosure wall shall also be provided.

Public Spaces

During the approval of DSP-07076-01, the Planning Board required that Building L be designed to face the theater, and that a public space (i.e. pedestrian plaza) be provided between Building L and the theater. Prior to signature approval of the plans, the applicant redesigned the plan to create a public space that would be further defined with future plan approvals. During the same time, two outdoor dining areas were also created on either side of Building L. The design of the public spaces shall be more fully developed as part of the subject application. These spaces are currently devoid of any landscaping and seating. It also does not appear that specialty paving, beyond the sidewalk treatment that is provided throughout the development, has been considered. Prior to signature of approval of these plans, an attractive plan of development for the central green spaces and the outdoor seating areas shall be provided consistent with the Applicant's Exhibit 3a and 3b. These public spaces shall incorporate trees, shrubs, seating, lighting, specialty paving, and focal points, as appropriate.

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.

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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 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 should be 12 inches to 36 inches in height and conform to all other Brandywine Crossing sign standards.

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 in general 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.

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- (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.**

No additional freestanding signage has been proposed with the subject application.

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

Section 4.2—The subject proposal has frontage on Robert Crain Highway (US 301). Section 4.2, Requirements for Landscape Strips along Streets, 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.

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Section 4.3—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 does not demonstrate conformance with the parking lot perimeter landscape strip requirements for the parking lot on Parcel 6. 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. The Landscape Manual does provide some flexibility from this requirement in integrated shopping centers where drive aisles are located such that it is impractical to conform to the standard. Along the northern property boundary of Parcel 6, it appears that a parking lot perimeter landscape strip shall be provided between the parking lot and the drive aisle into the shopping center in accordance with the Landscape Manual requirements. A perimeter strip shall be provided along the northern property line of Parcel 6 prior to signature approval of the plans.

Section 4.4—The site is subject to Section 4.4, Screening Requirements. A detail for a durable, non-wood 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 buildings. A brick dumpster enclosure wall shall be provided at the rear of Building L.

Section 4.7—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—The site is subject to Section 4.9 of the Landscape Manual, which requires that a percentage of the proposed plant materials be native plants. The required charts have not been sufficiently completed and shall be, prior to signature approval of the plans.

12. **Woodland Conservation and Tree Preservation Ordinance:** The Planning Board finds that 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.

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- 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 TCP II.

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 (TCP II); 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 TCP II, which includes Brandywine Crossing, Phases I and II. As the TCP II encompasses 182.35 acres, approximately 18.23 acres of tree canopy shall be demonstrated for the area of the TCP II.

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The TCC credit provided on Parcels 2, 4, and 6, which is the 3.2-acre area of revision, is as follows:

	RECOMMENDED	APPROVED
Tree Canopy	13,939 sq. ft.	14,160 sq. ft.

The TCC provided on Parcels 2, 4, and 6 is 10.13 percent, and exceeds the ten percent TCC requirement in the C-S-C Zone. 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 Community Planning Division had no comment on the plan revision.
 - b. **Permit Review**—Several revisions that shall be made to the detailed site plan, as follows:
 - (1) The sign chart on the plan demonstrates four frontages. There is only one building width frontage, which is where the entrance is. The width of the building front times two is what is allowed for the entire unit not to exceed 400 square feet. Reduce the sizes of signage or a departure from sign design standards will be required. Provide the correct width in square feet for each unit’s frontage at the entrance. This is what determines the square footage allowed per unit.
 - (2) Revise the site plan to demonstrate the parking space size for all parking and handicap spaces, drive aisle and entrance widths, drive arrows, and clarify which spaces are standard and which are compact.
 - (3) Revise the site plan to demonstrate the building dimensions and heights for all structures, not just the building template plan.

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

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DSP-07076-08, 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 Buildings R, K, and L shall be revised to indicate the use of a masonry material of an alternate and complementary color along the base of the buildings.
 - c. The architectural elevations for Buildings R and K shall be revised as shown in Applicant's Exhibit 1, and shall be revised to show additional definition at the top of the building in the area of exterior insulation finishing system (EIFS).
 - d. The architectural elevations for Building L shall be revised to create the appearance of a more varied street front by incorporating a greater variety of building materials and colors, so the architecture of the building is more consistent in materials and level of detail with the buildings in Phase I, as shown in Applicant's Exhibit 2.
 - e. The sides and rear of Building L shall be modified to increase their visual interest and level of articulation and detail, consistent with Applicant's Exhibit 2; and shall be revised to include colors compatible with the front of the building and a brick wall dumpster enclosure.
 - f. An attractive plan of development for the central green spaces and the outdoor seating areas shall be provided. These public spaces shall incorporate trees, shrubs, seating, lighting, specialty paving, and focal points, as appropriate, consistent with Applicant's Exhibit 3a and 3b.
 - g. The signage and sign charts shall be revised to conform to the requirements of Section 27-613 of the Zoning Ordinance.
 - h. The dimensions of each building-mounted sign shall be provided. Each tenant name shall be 12 to 36 inches in height and conform to all other Brandywine Crossing sign standards.
2. Prior to signature approval of the detailed site plan, the following revisions shall be made to the landscape plan:
 - a. A minimum five-foot-wide, Section 4.3-1 perimeter strip shall be provided along the northern property boundary of Parcel 6 between the parking lot and the drive aisle into the integrated shopping center.

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- b. Indicate conformance with Section 4.7 by either providing a Section 4.7 schedule that indicates the impact category of the proposed use and the adjacent uses, or providing a detailed note indicating that no bufferyard is required.

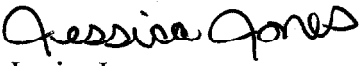
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Shoaff, with Commissioners Washington, Shoaff, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, May 2, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of May 2013.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department

Date 5/9/13