

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 July 21, 2016, regarding Detailed Site Plan DSP-16015 for Krispy Kreme, Capital Heights, the Planning Board finds:

1. **Request:** The detailed site plan is for one freestanding sign and various building-mounted and window signs for Krispy Kreme.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/D-D-O	M-X-T/D-D-O
Use(s)	Office	Commercial Retail
Acreage (gross)	1.05	1.05
100-Year Floodplain	N/A	N/A
Lots/Parcels	1	1
Commercial/ Retail	4,309 square feet	4,309 square feet
GFA		
F.A.R	0.09*	0.09*

Note* The existing FAR should be provided on the plan prior to certification of the DSP.

OTHER DEVELOPMENT DATA

Total Parking Spaces	Required/Allowed	Proposed
Eating and Drinking Establishment (38 seats at 1 space / 3 seats)	13 spaces	13 spaces
Drive-through (1 space at 50 sq. ft.) (Compact spaces provided)	28	28
Total Parking Spaces Provided		41
Handicap Parking	2	2
Loading Spaces	0	0

3. **Location:** The subject site is located on the south side of Central Avenue (MD 214), approximately 200 feet west of its intersection with Hampton Park Boulevard, Planning Area 75A, Council District 6.

4. **Surrounding Uses:** The subject property is bounded to the north by MD 214 and beyond, by various commercial/retail uses in the Mixed-Use Infill (M-U-I) Zone; to the south by a warehouse in the I-1(Light-Industrial) Zone; to the east and south by a fast-food restaurant and an industrial use in the M-X-T Zone; and, to the west by an industrial use in the I-1 Zone.
5. **Previous Approvals:** Permit 6134-2016-CU was approved on March 3, 2016 for interior renovations to the former bank building. Permit 15755-2016-CEW was approved on April 6, 2016 for general exterior work which includes the addition of six parking spaces and restriping of the existing parking lot, a new dumpster corral, removal of a canopy, and landscaping. An approved Stormwater Management Concept plan and approval letter (No. 50619-2015-00) were submitted with the subject application. The approval is valid until December 4, 2018.
6. **Design Features:** The applicant is proposing a freestanding sign and various building-mounted and window signage for a Krispy Kreme store in a former bank building as described below.

Building Signage—The applicant is proposing three identical roof-mounted signs on the front and side elevations. The signs include Krispy Kreme in red script channel letters illuminated by LEDs within a green bow-tie against a white background. The signs are not directly attached to the roof, but rather, are attached to a panel of unidentified material that extends beyond the building roofline. Two circular red neon window signs are proposed—one at the front entrance and the other on the right-side elevation—with “Hot Now” on the top and bottom, respectively, and “Krispy Kreme Original Glazed” in the middle. There is also a sign in 12-inch aluminum (non-illuminated) letters along the storefront canopy above the windows on the front and right side elevation indicating “Doughnuts and Coffee.”

Freestanding Signage—The applicant is proposing to convert an existing pylon sign to an eight-foot-high freestanding monument sign (Option 2) in the same location. The 16.2-square-foot cabinet (illuminated box) sign includes the distinctive bow-tie shape, colors and lettering that comprise the Krispy Kreme logo, with a smaller cabinet underneath indicating “Coffee,” atop a three-and one-half-foot high pole with a thick brushed aluminum cover. Option 2 should be provided on the DSP detail sheet. The applicant is also proposing a menu board and a new canopy over the drive-through window.

7. **The 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment and Development District Standards:** Section 27-548.25 of the Zoning Ordinance requires the Planning Board to find that the site plan meets all applicable development district standards of the 2010 *Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA). Section 27-548.25(c) provides that the Planning Board may approve modifications to the development district standards if they are found to benefit the development and not substantially impair the implementation of the master plan. The following standards in [**BOLD**] warrant discussion:

Signage Standards and Guidelines, General

- 2. The placement of signs shall be integrated into the overall architectural design of the building. The material, color, style, and size of a sign shall be coordinated with the architectural features of the building.**

The three Krispy Kreme bowtie signs are each affixed to a vertical panel that extends beyond the roofline. Such architectural embellishments are permitted by the development district standards. The panels were approved along with other exterior façade improvements in Permit 15755-2016-CEW.

- 4. Temporary signs, flashing or blinking signs, internally illuminated box signs, roof signs, and billboards are prohibited. However, external lighting of signs and signs consisting of individual characters shall be permitted.**

The DSP proposes three bowtie signs with channel lettering and LED illumination in conformance with this standard. However, because the panels to which the three bow-tie signs are affixed are attached to the roof, the applicant is requesting an amendment to this standard. One internally illuminated box sign is proposed as a monument entrance feature, which also requires an amendment. Finally, two neon window signs are also proposed, one near each entrance, for which an amendment is requested. The applicant cites the distinctive Krispy Kreme brand, the limited use of signage and the minor nature of the request (noting other signage revisions to comply with the standards) as justification.

The Planning Board finds that the three bow-tie signs (affixed to the roof-mounted panel) and two neon signs are not excessive and contribute to the unique character presented by the Krispy Kreme brand, as long as the neon signs do not occupy more than 25 percent of the total window area where the signs are located. The proposed monument entrance sign will further contribute to the character of the building and use. It is noted that the proposed six-foot-high sign replaces a much taller non-descript box sign. It is further noted that most, if not all the existing retail establishments along this segment of Central Avenue corridor were built prior to the approval of the overlay zone and do not comply with the current development design standards.

Considering the character of surrounding development, the minor nature of the modifications requested of the standards to accommodate the Krispy Kreme brand, and the enhancement and contribution to the architectural character and use of the building provided by the signage, the Planning Board finds the requested amendments will not substantially impair the implementation of the Subregion 4 Master Plan and SMA.

- 8. Zoning Ordinance Conformance:** 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.

(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 proposed signage is generally in conformance with the requirements of the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* except where amendments to the D-D-O standards were requested. Further discussion of the amendments is found above.

(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;**

The application is for signage only.

(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.

(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.

- (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 the instant application for signage.

- (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 MD 214. 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, however, the proposed Krispy Kreme has approved permits that include façade improvements and landscaping.

- (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.

- (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 subject site contains a total of 1.05 acres.

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 plan has been reviewed in accordance with the above Section of the Zoning Ordinance.

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* requirements.

- (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 MD 214.

- b. **Site Design Guideline(s):** The applicant has proposed a site plan in accordance 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, specifically in regard to parking, loading, and circulation; service areas; and lighting. Landscaping has been provided in accordance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual) requirements.
9. **The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** Because the subject DSP is for signage only, it is exempt from WCO requirements.
10. **The 2010 Prince George's County Landscape Manual:** This DSP is for signage only; however, Permit 15755-2016-00 included landscaping in accordance with the applicable sections of the Landscape Manual.
11. **Prince George's County Tree Canopy Coverage Ordinance:** This DSP is for signage only therefore, it is exempt from TCC requirements.
12. **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. **Community Planning**—The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* superimposed a Development District Overlay Zone (D-D-O-Z) on the subject property that establishes the design standards regulating signage on the subject property. Most, if not all the existing retail establishments along this segment of Central Avenue corridor were built prior to the approval of the overlay zone and do not comply with the current development design standards.

The Signage Standards and Guidelines section on page 549, (A. General)(2) states, "The placement of signs shall be integrated into the overall architectural design of the building. The materials, color, style, and size of a sign shall be coordinated with the architectural features of the building." (A. General)(4) specifically states, "Temporary signs, flashing or blinking signs, internally illuminated box signs, roof signs, and billboards are prohibited. However, external lighting of signs and signs consisting of individual characters shall be

permitted.” This application proposes a monument box sign with interior illumination which is prohibited. In addition, three roof-mounted bowtie signs are proposed. (C. Window Signs)(1) states, “Window signs, including letters and logos, shall not obscure views into the business or retail establishment and shall not occupy more than 25 percent of the total window area in which the sign is located.” Two interior neon window signs are proposed, although the application doesn’t specify the amount of window coverage.

The Planning Board may apply development district standards which differ from the approved development district standard if requested by the applicant per Section 27-548.25(c) of the Zoning Ordinance. The Planning Board must find that the alternative development district standard will benefit the development and the development district and will not substantially impair the implementation of the master plan. Considering the character of surrounding development, the requested minor modifications of the standards to accommodate the Krispy Kreme brand, the enhancement and contribution to the architectural character and use of the building, the requested amendments will not substantially impair the implementation of the master plan.

- b. **Transportation**—The following summarized comments are provided:

Site Access Evaluation

Minor site improvements are included in the proposal. The applicant is proposing building mounted signs, site directional and window signs, and a freestanding monument sign. The monument sign is set back 80 feet from MD 214. The existing two drive-through lanes will be retained and the parking area will be restriped. The location of the proposed menu boards and drive-through lanes do not present any on-site or off-site queuing problems. There are two existing curb cuts on MD 214 providing access and egress. Overall, on site access and circulation is adequate.

Master Plan Roads

The site is adjacent to Central Avenue (MD 214), a master plan arterial roadway listed in the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment*, with 120 feet of right-of-way. No new development is proposed in the master plan right-of-way.

Conclusion

Overall from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.

- c. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time this report was written, no comment had been received from DPIE.
- d. **Verizon**—At the time this report was written, no comment had been received from Verizon.

- e. **Potomac Electric Power Company (PEPCO)**—At the time this report was written, no comment had been received from PEPCO.
13. Based on the foregoing and as required by Section 27-285(b)(1), the DSP 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.
14. As required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board must also find that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5). In their memorandum the Environmental Planning Section noted that the site does not contain any regulated environmental features that are required to be protected.
15. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Subregion 4 Master Plan and SMA. The amendments to the development district standards required for this development would benefit the development and the development district as required by Section 27-548.25(c) of the Zoning Ordinance, and would not substantially impair implementation of the sector plan.

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-16015, subject to the following conditions:

- A. APPROVED the alternative development district standards for:
 1. **Signage Standards and Guidelines, General, 4** (to allow three roof-mounted signs, two neon window signs, and one interior-illuminated monument sign).
- B. APPROVED Detailed Site Plan DSP-16015 for Krispy Kreme, Capitol Heights, subject to the following conditions:
 1. Prior to certificate approval of the Detailed Site Plan, the following revisions shall be made or information provided:
 - a. The FAR information shall be provided on the DSP coversheet in the General Notes.
 - b. The three bowtie signs showing channel letters illuminated by LEDs shall be shown on the DSP detail sheet and the interior illuminated cabinet signs shall be deleted.

- c. The Option 2 details for the eight-foot-high monument sign shall be provided on the plan.
- d. The neon window signs shall not occupy more than 25 percent of the total window area.

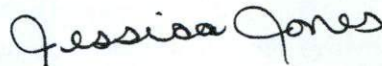
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 21, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of September 2016.


Patricia Colihan Barney
Executive Director



By Jessica Jones
Planning Board Administrator

PCB:JJ:CF:ydw

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPO Legal Department

Date 8/8/16