

**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 May 11, 2017 regarding Detailed Site Plan DSP-16035 for Lidl (Brandywine), the Planning Board finds:

1. **Request:** Approval of a detailed site plan (DSP) for a 36,185-square-foot food and beverage store.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	C-M	C-M
Use(s)	Vacant Motel	Food & Beverage Store
Acreage	4	4
Net Tract Area	3.5	3.5
Gross Floor Area (GFA) (sq. ft.)	0	36,185
Parcels	1	1

OTHER DEVELOPMENT DATA

**Parking and Loading Schedules**

Use	Parking Rate	Number of Spaces Required*	Number of Spaces Approved*
Food and Beverage Store (Parcel 7)	1 parking space per 250 sq. ft.	130	130
Additional Retail Building (Parcel 8)	1 parking space per 250 sq. ft.	131	131
<b>Total Parking provided</b>			<b>261*</b>

**Note:** \* Of the 261 parking spaces approved, the 131 on Parcel 8 will measure 19 feet long by 9.5 feet wide, and the 130 on Parcel 7 will be provided as follows:

Size	Location	Number of Spaces Approved
20 feet by ten feet	Interior	90
18 feet by ten feet	Perimeter	34
20 feet by ten feet, with an eight-foot landing	Interior—Immediately adjacent to the eastern façade of the proposed food and beverage store.	6
<b>Total Parking Approved/Lot 7</b>		130

Use	Loading Rate	Number of Spaces Required	Number of Spaces Approved
Food and Beverage Store	1 space per 10,000–100,000 sq. ft.	1	2

Note that approval of parking and loading requirements for the site has been based on the subject project being developed as the first phase of an integrated shopping center, utilizing a rate of parking of one space for every 250 square feet of gross leasable area. The future development is anticipated to add 29,000 square feet of retail development on adjacent Parcel 8, which would also be parked at one space for every 250 square feet of gross leasable area. Should the development on Parcel 8 not be retail, the future developer may have to park the development at a higher rate, not be able to meet the requirements, and have to obtain a departure from parking and loading standards. Note also that 130 of the required 145 parking spaces are provided on Parcel 7, with the additional 15 parking spaces required provided on Parcel 8, not a part of the subject DSP.

3. **Location:** The project is located in the southwestern quadrant of the intersection of Robert S. Crain Highway (US 301/MD 5) and Cadillac Drive. The project is also located in Planning Area 85A and Council District 9.
4. **Surrounding Uses:** The subject site is bounded to the south by vacant land in the Commercial Miscellaneous (C-M) and Rural Residential (R-R) Zones; to the west by vacant land in the C-M Zone; to the north by vacant land in the C-M Zone; and to the east by Robert S. Crain Highway (US 301/MD 5), with a commercial land use in the Light Industrial (I-1) Zone beyond.
5. **Previous and Pending Approvals:** The subject site has several prior approvals, as follows:

Natural Resources Inventory NRI-046-11-02 was approved for the site by the Environmental Planning Section on July 26, 2012. The site is the subject of Preliminary Plan of Subdivision 4-11013, which was approved by the Planning Board on October 4, 2012, subject to 25 conditions. Prince George’s County Planning Board Resolution No. 12-94 was adopted on October 18, 2012, formalizing that approval. A final/record plat for Cadillac Crossing was approved for the subject property and recorded in Prince George’s County Land Records in Plat Book SJH 245-23 on July 22, 2016. The site also has a Stormwater Management Concept Plan (39365-2016), which was approved by the Prince George’s County Department of Permitting, Inspections and

Enforcement (DPIE) on October 11, 2016. A reconsideration of Preliminary Plan of Subdivision 4-11013 was approved by the Planning Board also on May 11, 2017.

6. **Design Features:**

**Site Design**

The project is located in the southwestern quadrant of the intersection of Robert S. Crain Highway (US 301/MD 5) and Cadillac Drive. The site is accessed at two points along the Cadillac Drive frontage. Both accesses lead into the parking area for the development. Six handicapped parking spaces are located immediately adjacent to the store and a loading space is located on the western portion of the front façade. Three electric vehicle charging stations are provided opposite the handicapped parking spaces. The Lidl store is to be located in the southwestern corner of the site, just north of the environmentally-sensitive portion of the site that contains primary management area. There are two pad sites, not approved as part of this DSP, one to be located in the northwestern portion of the site and the second located more or less centrally along the project's Cadillac Drive frontage between the two vehicular accesses to the site. Details are not herein approved for the balance of the development. It shall be approved in separate DSPs. A bicycle rack, for parking five bicycles, is provided for the development on the eastern side of the front façade. Sidewalk/specialty paving extends along the periphery of the building. A dumpster enclosure accommodating two dumpsters is to be located at the far western end of the front façade. Stormwater management for the site is provided in two "best management practices" gravel wetlands located along the eastern side of the project's southern boundary.

**Architecture**

The building design is primarily distinguished by the sloping asymmetric roofline that frames the front glazed façade. The roofline slopes from 17 to almost 30 feet in height at its apex and is to be constructed of thermoplastic. The eastern façade consists primarily of a large glazed window treatment with brick watertable and a cast stone sill wrapping around the building on one side. All other façades of the building are clad with a combination of brick and stucco in a complementary color scheme. On both the northern and southern elevations, clerestories provide natural light into the building's interior. Brick panels are provided at the ends of the eastern façade and periodically on the northern façade. A brick watertable is consistent on the northern elevation and appears on more limited portions on the other façades. A series of stucco panels of a light color provides contrast with the red brick on the northern façade. The southern façade wraps brick around the most visible eastern end and is detailed with a stretch of clerestory windows just below the roofline. As the southern façade will be mostly obscured by a combination of existing trees and new trees to be planted as part of the site's landscaping, the Planning Board finds the architecture of the southern façade acceptable.

**Lighting**

The applicant is specifying standard downward-facing light for the approximately four single and two double light poles to be provided in the parking lot. The applicant's proposed lighting is consistent with other recently-approved DSPs throughout Prince George's County, and will reduce

light pollution through the use of full cut-off optic lighting features. The wall-mounted lights are also of a very utilitarian design.

#### **Sign and Dumpster Enclosure**

Two 67.4-square-foot building-mounted signs are herein approved for the project bearing the company's blue, red, and yellow logo; one on the northern façade and one on the eastern façade of the building. A single, ground-mounted, 19-foot-tall, freestanding sign is herein approved for the DSP at the intersection of Cadillac Drive and Robert S. Crain Highway (US 301/MD 5). A detail of the sign has been provided on Sheet 8 of the plan set. Like the wall mounted-sign, the freestanding sign bears the company's blue, red, and yellow logo.

A double dumpster enclosure is located at the northwestern corner of the building, proximate to the two loading spaces herein approved for the project. A detail for the dumpster enclosure is provided on Sheet 8 of the plan set. The dumpster enclosure will be constructed of brick to match the building's architecture. The gates of the dumpster enclosure are to be composed of painted corrugated metal panels.

#### **Electric Vehicle Charging Station and Bike Rack**

Three electric vehicle charging stations are herein approved for the project on the eastern side of the building, opposite the handicapped parking. A bicycle rack is herein approved at the eastern end of the front façade of the building. A detail for the bicycle rack approved on Sheet 8 of the DSP plan set shall provide parking for a minimum of five bicycles.

#### **Green Building Techniques**

Green building techniques to be incorporated in the subject project include the following:

- Possible use of high efficiency plumbing fixtures to reduce water usage;
- Heating, Ventilating and Air Conditioning (HVAC) system will be Seasonal Energy Efficiency Ratio (SEER) 13 and above;
- Collection of recyclables with a goal for zero waste;
- Low Volatile Organic Compounds (VOC) materials (i.e., adhesives, sealants and carpet);
- Upgraded thermal insulation;
- Low Emission glazing and upgraded performance windows;
- Light Emitting Diode (LED) EcoForm Lighting; and
- Parking for bicycle, electric cars and charging stations.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject approval is in compliance with the following requirements of the Zoning Ordinance:
- a. **Section 27-461, Uses in Commercial Zones**—As modified by County Council Bill CB-23-2016, the food and beverage store herein approved is a permitted use in the C-M Zone.
  - b. **Section 27-462 Regulations in Commercial Zones**—The subject DSP is in conformance with the applicable regulations of Section 27-462, Regulations in Commercial Zones.
  - c. **Section 27-274, Site Design Guidelines, as cross-referenced in Section 27-283**—The subject DSP is in general conformance with the site design guidelines in Section 27-283, which further cross references the same guidelines in Section 27-274 of the Zoning Ordinance.

Generally, Section 27-274 provides design guidelines regarding parking, loading, and circulation; lighting; views; green area; site and streetscape amenities; grading; service areas; public spaces; and architecture. Section 27-274(a) uses the word “should” when describing each of the guidelines. Thus, none of the design guidelines are mandatory; instead, they are as guidelines used to promote the purposes of the zone. Consequently, the Planning Board is authorized to approve a DSP so long as the plan represents a reasonable alternative to satisfying the guidelines, without requiring unreasonable costs or detracting substantially from the utility of the proposed development for its intended and permitted use. The subject approval is in conformance with the relevant design guidelines to the fullest extent practical. More particularly:

- The parking lot has been designed to provide safe and efficient vehicular and pedestrian circulation within the site;
- Parking spaces have been designed to be located near the use that it serves;
- Parking aisles have been oriented and designed to minimize the number of parking lanes crossed by pedestrians;
- Plant materials have been added to the parking lot to avoid large expanses of pavement;
- The loading space has been located to avoid conflicts with vehicles or pedestrians;
- The loading area has been clearly marked and separated from parking areas;

- Luminosity and location of exterior fixtures enhance user safety and minimize vehicular pedestrian conflicts;
- Lighting is designed to enhance the building entrances and pedestrian pathways;
- The pattern of light pooling is directed to the site;
- The site complies with the 2010 *Prince George's County Landscape Manual*;
- Public amenities including outdoor seating, bike racks, benches, etc. are herein approved; and
- Building architecture and materials are high quality and visually interesting.

Conformance with each relevant design guideline is discussed as follows:

**Section 27-274 Design Guidelines.**

**(1) General.**

**(A) The Plan should promote the purposes of the Conceptual Site Plan.**

As a CSP was not required for the subject project, this normally required finding need not be made.

This DSP promotes the purposes found in Section 27-281. Specifically, this approval helps to fulfill the purposes of the C-M Zone where the subject property is located. The development of a food and beverage store is permitted in the zone via the adoption of Council Bill CB 23-2016. The site plan gives an illustration as to the location and delineation of the food/beverage store, parking, green areas, and other similar physical features and land use approved for the site.

In addition to the purposes set forth in Section 27-281, Section 27-274 further requires the applicant demonstrate the following:

**(2) Parking, loading, and circulation**

**(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.**

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.**

This DSP illustrates that all parking and loading areas are generally located and designed to provide safe and efficient vehicular and pedestrian circulation within the site. All drive aisles are wide enough to provide safe, efficient, and convenient circulation and loading within the site. Two hundred sixty-one parking spaces are herein approved to include six handicapped spaces. Three spaces on the eastern portion of the site are designated as electric vehicle charging stations. Two loading spaces have been provided for the project. The parking has been placed along the northern and eastern façades of the proposed building. Crosswalks will be provided at all ingress/egress points into the parking lot and across the loading spaces. These design elements ensure a safe circulation pattern for both vehicles and pedestrians and open views from the building out onto the property frontage.

**(3) Lighting.**

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character.**

This DSP complies with the above design guideline of the Zoning Ordinance. Adequate lighting will be provided to illuminate entrances and parking throughout the site. Site lighting will include pole-mounted lighting within the parking lot and wall-mounted sconces along the sides and rear of the building herein approved. The lighting will provide patrons with a bright safe atmosphere, while not causing a glare or light spilling onto adjoining properties. A photometric plan is included with the DSP.

**(4) Views.**

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

This DSP complies with the above design guideline. This plan is designed to preserve, create, or emphasize views from the public roads and the adjoining property. The building herein approved has been designed to provide a modern, clean, and strong street presence along both Cadillac Drive and Robert S. Crain Highway (US 301/MD 5). The modern architectural design includes a gently curving asymmetric roofline, which frames the fully-glazed front façade. The building materials include a combination of brick and articulated stucco in a complimentary multicolor scheme to ensure that all views are attractive and the building is of high quality. The applicant has prepared a landscape plan showing the landscaping associated with the development. This design will further

promote pedestrian connectivity, while not sacrificing the needed visibility of the site to the traveling public and without jeopardizing the health, safety, and general welfare of the public due to on-site constraints that other designs would create. The site layout also adheres to acceptable crime prevention through environmental design (CPTED) practices.

**(5) Green Area.**

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.**

This DSP complies with the above design guideline. The on-site green area is mainly at the periphery of the parking area, framing it aesthetically and assisting in relief from the heat-island effect.

**(6) Site and streetscape amenities.**

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.**

The DSP and landscape plan herein approved comply with the above design guideline. The site and streetscape amenities herein approved will contribute to an attractive coordinated development. The landscape plan meets the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) and will contribute to an attractive coordinated development, which will enhance the use and enjoyment of the site.

**(7) Grading.**

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.**

This DSP complies with the above design guideline. The project has been evaluated for environmental, stormwater management, historic, and archeological impacts, and the results of those reviews have been incorporated into this approval.

**(8) Service Areas.**

- (A) Service areas should be accessible, but unobtrusive.**

This DSP complies with the above design guideline. The loading and the dumpster enclosure are located near each other at the rear of the site. The dumpster enclosure is herein approved to be finished in the same brick veneer as the building. The service area is easily accessed through the parking lot and is unobtrusive because of its design and placement.

**(9) Public Spaces.**

- (A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

As there is no public space included in this development, this guideline is inapplicable to the subject development.

**(10) Architecture.**

- (A) When architectural considerations are references for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) These guidelines may be modified in accordance with section 27-277.**

This DSP complies with the design guidelines outlined above. As illustrated on the architectural plans, the exterior and architectural façade of the building are herein approved to be comprised of high-quality and attractive materials that include a fully-glazed front façade and a combination of brick and articulated stucco, in a complimentary multicolor scheme, to ensure that all views are attractive. The building herein approved has been designed to provide a modern, clean, and strong architecture, visible from both Robert S. Crain Highway (US 301/MD 5) and Cadillac Drive, with a gently curving asymmetric roofline, which frames the fully-glazed front façade. The building design and enhanced details of all the building materials will provide a variety of building forms, with unified harmonious use of materials and styles.

8. **Preliminary Plan of Subdivision 4-11013:** Preliminary Plan of Subdivision 4-11013 was approved by the Planning Board on October 4, 2012 and formalized in the Planning Board's adoption of PGCPB Resolution No. 12-94 on October 18, 2012, with 25 conditions. The relevant conditions of that approval are included in **boldface** type below, followed by Planning Board comment:

2. **Prior to approval of building permits for each site, the permit plan shall include bicycle racks. The racks shall be located in areas that are convenient to the building entrances, while not obstructing the pedestrian zone around the buildings. The rack at each building should accommodate a minimum of five bicycles.**

A bicycle rack is approved herein. The placement of the bicycle rack is appropriate for the development.

3. **The record plat shall note a denial of access along the site's entire frontage of Robert Crain Highway/Branch Avenue (US 301/MD 5).**

The required denial of access along the site's entire frontage of US 301/MD 5 is correctly reflected on the plat, as required by this condition, and the denial of access would not apply to a dedicated public street. Further, the subject approval has no driveway access to US 301/MD 5 and the only access is via the dedicated public street, Cadillac Drive. Therefore, the subject approval is in conformance with this condition.

4. **The final plat shall reflect that direct vehicular access to Berry Street from Parcels 2 and 4 is denied until such time as the entrance from Robert Crain Highway (US 301) onto Berry Street is permanently closed by the upgrade of US 301/MD 5 to its planned freeway functionality.**

The DSP herein approved provides two vehicular access points to Parcel 7 which includes land area that was previously platted as Parcel 3 and part of Parcels 2 and 4, as referenced by this condition. A reconsideration of the preliminary plan, which was heard by the Planning Board on May 11, 2017, removed this condition, which includes a denial of access for Parcel 7.

8. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-004-12). The following note shall be placed on the Final Plat of Subdivision:**

**“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-004-12 or most recent revision), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”**

A Type 2 Tree Conservation Plan, TCP2-009-13-01, has been approved together with this DSP in accordance with this requirement.

**9. Development of this subdivision shall be in conformance with an approved Type 2 Tree Conservation Plan. The following note shall be placed on the Final Plat of Subdivision:**

**“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan when approved.”**

This condition has been met and the note shall be placed, as required, at the time of final plat.

**13. Total development of the overall site shall be limited to uses that generate no more than 380 AM and 481 PM weekday peak-hour vehicle trips. Any development generating an impact greater than that identified herein-above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This condition places a trip cap of 380 AM and 481 PM weekday peak-hour vehicle trips. The proposed retail use will generate 123 and 367 vehicle trips during the AM and PM peak hours, respectively. Per the “Transportation Review Guidelines,” 40 percent of these trips can be considered as pass-by trips (pass-by trips to a commercial use – in this case a grocery store – are considered to be already on the adjacent roadway). Therefore, the net trip generation is 74 and 220 vehicle trips during the AM and PM peak hours, respectively. It is concluded that the trip generation for the proposed use conforms to the trip cap.

**9. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the site has a previously approved tree conservation plan. The Planning Board has reviewed the project and finds the project in conformance with the requirements of the Woodland and Wildlife Habitat Conservation Ordinance.

**10. Prince George’s County Tree Canopy Coverage Ordinance:** The project is subject to the requirements of the Tree Canopy Coverage Ordinance, as it involves the disturbance of more than 5,000 square feet of land area. As the project is located in the C-M Zone, 10 percent of the 4-acre land area (or 0.4 acre or 17,424 square feet) is required in tree canopy coverage (TCC). The applicant has met the requirement with 14,656 square feet of landscape trees to be provided on-site and 0.81 acre (or 35,283.60 square feet) of existing trees, for a total of 49,929 square feet of tree canopy.

**11. 2010 Prince George’s County Landscape Manual:** The project is subject to the requirements of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). The site’s conformance with the requirements of the Landscape Manual was evaluated only for the subject

Parcel 7 at this time. Landscape Manual conformance for Parcel 8 will be evaluated when a DSP is submitted for the balance of the integrated shopping center. If the requirements cannot be met at that time, the applicant will have to apply for alternative compliance pursuant to Section 1.3 of the Landscape Manual. Each applicable section of the Landscape Manual is listed below, followed by a discussion of how the subject DSP meets those requirements.

- a. **Section 4.2, Requirements for Landscape Strips Along Streets**—This section of the Landscape Manual requires that, for all nonresidential uses in any zone and for all parking lots, a landscape strip (as described in Section 4.2(c)(3)–(5)) be provided on the property abutting all public and private streets. The landscape plan has provided the required schedules for a 124-foot landscape strip along Cadillac Drive and a 124-foot strip along Robert S. Crain Highway (US 301). The schedules demonstrate conformance with the requirements of Section 4.2 of the Landscape Manual.
- b. **Section 4.3, Parking Lot Requirements**—This section of the Landscape Manual requires that perimeter landscape strips be provided for parking and that parking lots measuring greater than 7,000 square feet provide planting in the interior of the parking lot. The correct schedule has been provided for one of the two required perimeter strips (that for Robert S. Crain Highway (US 301/MD 5)), and a condition of this approval requires that, prior to certificate approval, a Section 4.3 landscape strip be provided for along Cadillac Drive where the parking lot is adjacent to it, and a Section 4.3 schedule shall be provided on the landscape plan. The square footage of interior parking lot landscaping has been provided at 7,297, meeting and exceeding the required 10 percent, or 7,137 square feet. A note inadvertently left on the Section 4.3.2 schedule on page DSP-4 of the plan set, which stated that alternative compliance is required, shall be removed prior to certificate approval of the plans, by condition of this approval.
- c. **Section 4.4, Screening Requirements**—This section of the Landscape Manual requires that loading and trash facilities be screened from public views, either through the planting of vegetation, or through the use of man-made screens and fencing. The loading facility for the site will be screened by a double row of evergreen trees. A condition of this approval requires that the double row of trees screening the loading space on the western end of the building be made continuous to ensure proper screening. The dumpsters (two) to be provided for the site shall be screened from public views by a dumpster enclosure, which will have finish material that will match the architectural materials utilized on the building.
- d. **Section 4.9, Sustainable Landscaping Requirements**—This section of the Landscape Manual requires that a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) be native species (or the cultivars of native species). The minimum percentage of each plant type required to be native species and/or native species cultivars is specified below:

Shade trees	50%
Ornamental trees	50%
Evergreen trees,	30%
Shrubs	30%

The landscape plan provides 100 percent native shade trees and 87 percent native shrubs. There are no ornamental or evergreen trees included in the plant list. The subject project has met and exceeded the requirements of Section 4.9 of the Landscape Manual.

12. **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. **Historic Preservation and Archeology—**

**Background**

The subject property is currently developed with the Cadillac Motel, a low-scale, nine-building motel complex built in approximately 1954. The design of the Cadillac Motel is consistent with the property type that developed in the post-World War II period that was defined by location, ease of road access, and integrated operations incorporating ranges of individual rooms with adjacent parking, central motel offices, restaurant service, on-site operational services, and on-site management. The Cadillac Motel represents a type of commercial construction that emerged along transportation routes. Travelers, who had more time and financial resources than previous generations, were anxious to explore the country. New highways, easy access to affordable automobiles, and an end to the Depression-era and wartime rationing resulted in an increase in leisure travel. These travelers wanted clean and affordable accommodations that offered a number of amenities, including dining and recreational facilities (from MIHP form 85A-81).

See Finding 9 for a discussion of historic preservation-related Preliminary Plan of Subdivision 4-11013, Condition 11.

- b. **Community Planning—**The proposed development is consistent with the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA), which recommends future commercial development in the MD 5/US 301 corridor in Brandywine. The subject project is covered by the Subregion 5 Master Plan and SMA, pursuant to County Council Resolution CR-80-2013, which retained the subject property in the Commercial Miscellaneous (C-M) Zone.

The subject DSP is located in the Brandywine Community Center Edges, addressed on page 47 of the master plan as follows: “Community center edges to the west of MD 5/US 301 should contain a mix of residential and commercial land uses, although these areas are not expected to develop the high-density mix envisioned for the community center core. Commercial uses may be clustered in pods, rather than mixed among

residential uses, and residential densities would range from 4–20 dwelling units per acre. See Map IV-5 of the Subregion 5 Master Plan regarding Brandywine Community Center Core and Edges. Commercial land use is recommended and the proposed grocery store is consistent with the description of commercial land use in Table IV-1 (page 31) of the Subregion 5 Master Plan which states: ‘Retail and business areas, including employment uses such as office and service uses.’ Regarding urban design, the Subregion 5 Master Plan provides the following general guidance (page 51): ‘Urban design considerations such as architectural scale, bulk, and style, street and sidewalk widths, vegetation, and building materials are crucial details that make a place attractive, livable and establish a community’s unique character. Guidelines regarding such elements can help to reinforce community character, while allowing appropriate design flexibility.’”

- c. **Transportation Planning Section**—The site is Parcel 7 of Cadillac Crossing, Preliminary Plan of Subdivision 4-11013. The DSP site plan is being done pursuant to County Council Bill CB-23-2016, which allows the use in the C-M Zone under certain conditions, upon approval of a DSP. The site meets the conditions for this use as listed in Footnote 62 of the Table of Uses in Section 27-461 of the Zoning Ordinance. The plan is otherwise subject to the general requirements of site plan review, which include attention to parking, loading, on-site circulation, etc. No traffic-related findings are required.

Parcel 7 is located at the southern end of Cadillac Crossing, and the use will replace a longstanding motel that is currently on the site. The site is proposed to be served by two driveways from Cadillac Drive, including an easement, which crosses Parcel 8 of Cadillac Crossing. This is acceptable.

There are several conditions on Preliminary Plan 4-11013 regarding access and circulation, specifically, Conditions 3, 4, 7, 22, and 25, along with certain findings. A reconsideration was heard and approved at the same Planning Board hearing as the subject DSP.

For further discussion of transportation-related findings and Conditions 3, 4, 22, and 25 of the approval of Preliminary Plan 4-11013, see Finding 8 of this approval.

The subdivision includes a trip cap of 380 AM and 481 PM weekday peak-hour vehicle trips. The retail use herein approved will generate 123 and 367 vehicle trips during the AM and PM peak hours, respectively. Per the “Transportation Review Guidelines,” 40 percent of these trips can be considered as “pass-by” trips (pass-by trips to a commercial use – in this case a grocery store – are considered to be already on the adjacent roadway). Therefore, the net trip generation is 74 and 220 vehicle trips during the AM and PM peak hours, respectively. The trip generation for the use herein approved conforms to the trip cap.

The site plan depicts two other retail buildings on Parcel 8. These buildings are not the subject of the site plan. Nevertheless, it shall be noted that these two buildings, as depicted, can be accommodated within the trip cap. The site plan depicts circulation across Parcels 7 and 8, even though the site plan is only approving the use within Parcel 7. Access and circulation are acceptable.

The site is adjacent to Robert S. Crain Highway (US 301/MD 5), a master plan freeway. With regard to the master plan for the site, the site is affected by the F-9 facility (the plan designation for the existing US 301/MD 5 roadway). F-9 is a planned freeway facility within a 300-foot-wide right-of-way. The applicant demonstrated adequate right-of-way dedication of 140 feet from the baseline of the existing roadway during the review of the preliminary plan. This was adequate and consistent with other dedications along this section of F-9.

The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* reflects a future transit facility between Charles County and the Branch Avenue Metrorail Station. The facility has a typical section requiring 70 feet from edge of roadway, as noted in the August 2010 report for the Southern Maryland Transit Corridor Preservation Study (Maryland Transit Administration). This right-of-way is adjacent to and parallel to US 301/MD 5 along the east side of US 301/MD 5. Therefore, it was determined that this future transit facility has no impact on this site.

No traffic-related (or adequacy-related) findings are associated with DSP review. The site plan is acceptable, as per the reconsideration of Preliminary Plan of Subdivision 4-11013.

- d. **Subdivision Section**—For a discussion of the subdivision-related Preliminary Plan of Subdivision 4-11013 Conditions 2, 4, 13, and 25, see Finding 9 of this approval.

A condition of this approval requires the applicant to show access to Parcel 7, in accordance with the approved Preliminary Plan of Subdivision (4-11013) and any amendments thereto, including those pursuant to a reconsideration of the preliminary plan.

- e. **Trails**—The subject property is located on the west side of Robert S. Crain Highway (MD 5/US 301), just south of Cadillac Drive. No master plan trails issues impact the subject site. A proposed stream valley trail along Timothy Branch is located to the south of the site on the adjacent property.

The Complete Streets element of the 2009 *Approved Countywide Masterplan of Transportation* (MPOT), reinforces the importance of incorporating sidewalks into new developments and includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

**POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The plans herein approved include sidewalks/walkways around the entire perimeter of the proposed grocery store. Bicycle parking is also indicated on the plans. The location indicated on the plans for the bicycle parking is acceptable. A minimum of five bicycle parking spaces is required. Sidewalk access to the Lidl and surrounding pad sites also need to be accommodated. The Planning Board has evaluated potential pedestrian routes into the site, including the Lidl and the surrounding pad sites. The necessary sidewalk connections, including the sidewalk along Cadillac Drive and the sidewalks from Cadillac Drive to the entrances to the Lidl and surrounding pad sites, will largely have to be provided off-site and are beyond the limits of the subject approval. Sidewalk access will be evaluated as part of each subsequent DSP, and the appropriate sidewalk connections will be made through the development of nearby parcels to serve the Lidl and adjacent businesses.

For a discussion of Preliminary Plan of Subdivision 4-11013 (PGCPB Resolution No. 12-94) pedestrian access-related Condition 19, see Finding 8 of this approval. Note that the layout of the uses has changed from the preliminary plan and some of the specific connections noted below are no longer necessary or are being addressed in a different configuration.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—DPR stated that the subject project would have no impact on existing or future parkland.
- g. **Permit Review Section**—Numerous permit review comments have been addressed by conditions of this approval.
- h. **Environmental Planning Section**—

**Background**

The Planning Board previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-11013	TCP1-002-12	Planning Board	Approved	10/4/2012	PGCPB No. 12-94
N/A	TCP2-009-13	Planning Board	Approved	5/21/2013	N/A
DSP-16035	TCP2-009-13-01	Planning Board	Pending	Pending	Pending
NRI-046-11	N/A	Planning Board	Approved	3/12/12	N/A

### **Activity Herein Approved**

The DSP approval is for the removal of a motel building on a four-acre site in the C-M Zone on Parcel 7 (previously Parcels 2 and 3) for a grocery store. The Type 2 tree conservation plan (TCP2) shows the entire 14.62-acre site with the new grocery store location.

### **Grandfathering**

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012, thereby, the project is required to have a new DSP approval.

### **Site Description**

The DSP is only for 4 acres of the 14.62-acre site. The TCP covers the entire 14.62-acre site that includes the area of the DSP. The site is zoned C-M and is located in the southwest quadrant of Robert S. Crain Highway (US 301) and Albert Road. According to mapping research and as documented on the approved NRI, stream buffers, wetlands, 100-year floodplain, and steep slopes are found to occur on the property. A perennial stream, Timothy Branch, is located just off-site of the southern boundary line. This site is within the Mattawoman Creek watershed, which flows into the Potomac River basin. Several steep slope areas are found on-site adjacent to the Timothy Branch floodplain and along the western property line. The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include the Croom gravelly sandy loam, Downer-Hamonton complex, Issue-Urban land complex, Potobac-Issue complex, Udorthents, and Woodstown sandy loam. According to available information, Marlboro clay and Christiana complexes are not found to occur on this property. According to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species mapped to occur on, or in the vicinity of, this property. The site has frontage from US 301 and Albert Road. Albert Road is a master-planned collector road that does not generate enough traffic to produce noise. Robert S. Crain Highway (US 301) is identified as a freeway and produces noise levels above 65 dBA Ldn. Both roadways are not designated scenic or historic roads along the access portions of the subject site. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). According to the 2005 *Approved Countywide Green Infrastructure Plan*, the entire property is within regulated areas, evaluation area and network gap areas.

### **Review of Previously Approved Conditions**

For a discussion of relevant environmental-related Conditions 1, 2, and 3 of Preliminary Plan 4-11013, which was approved by the Planning Board on October 4, 2012, which was formalized in PGCPB Resolution No. 12-94, see Finding 9 of this approval.

## **Environmental Review**

### **Natural Resources Inventory/Environmental Features**

An approved Natural Resources Inventory (NRI-046-11) was submitted with the review package, which was approved on March 12, 2012. The NRI shows regulated environmental features on the subject property. The forest stand delineation indicates the presence of 3 forested stands totaling 4.78 acres and 9 specimen trees on-site. The project area has regulated environmental features in the southern portion of the site. No impacts are proposed to these areas or buffers according to the TCP2. Timothy Branch is located off-site along the southern boundary line. The TCP shows a stream buffer of 75 feet along the entire Timothy Branch system.

### **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance**

The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the site has a previously approved TCP. The overall Cadillac Crossing subdivision was reviewed for a proposed hotel located on Parcel 5. Impacts to all the on-site woodlands were addressed with Type 2 Tree Conservation TCP2-009-13 and the woodlands to remain were placed in a woodland and wildlife conservation easement. A revised Type 2 Tree Conservation Plan (TCP2-009-13-01) was submitted with the review package. The submitted TCP2 shows the grocery store approved herein.

The overall subject site has a total woodland conservation requirement of 2.94 acres. The plan shows proposed clearing of 2.23 acres on the net tract, 0.0 acres of forest within the floodplain, and 0.00 acres of off-site woodland clearing. The TCP2 plan proposes to meet the woodland conservation requirement with 1.61 acres of woodland preservation on the net tract, 0.16 acre of on-site plantings, 0.45 acre of natural regeneration, and 0.72 acre of off-site woodland conservation. No clearing will occur as part of this phase of the overall project. All of the utility connections and stormwater management outfall locations are shown on the TCP2. No specimen trees are proposed for removal.

### **Regulated Environmental Features/Primary Management Area**

The site contains regulated environmental features (floodplain, stream buffers, wetlands and wetland buffers) associated with the adjacent Timothy Branch stream system. No impacts to regulated environmental features are approved with this DSP.

### **Stormwater Management**

A stormwater management concept approval letter and associated plan were submitted for this site (39365-2016-00). The approval letter was issued on October 11, 2016 and states that the project will pay a fee of \$12,907.00 in lieu of providing on-site attenuation /quality control measures. The submitted concept plan and letter show the approval of one gravel wetland, and two micro-bioretenion ponds for infiltration purposes. No outfall structures are required for these structures because they drain to a piped outfall system directed towards Robert S. Crain Highway (US 301). The TCP2 shows the

above-mentioned stormwater facilities located throughout the development on the subject property. The overall development Stormwater Management Concept Approval Letter (9998-2012-00) and associated plan were submitted with the approved Preliminary Plan of Subdivision (4-11013) application for this site. This approval letter was issued on June 11, 2010 and states that the project will pay a fee of \$42,346.67 in lieu of providing on-site attenuation/quality control measures. This approval has expired and future developments within the Cadillac Crossing development will be required to revise the stormwater concept plan as necessary.

### **Soils**

According to the USDA NRCS WSS, the predominant soils found to occur on the overall Cadillac Crossing development include the Croom gravelly sandy loam, Downer-Hamonton complex, Issue-Urban land complex, Potobac-Issue complex, Udorthents, and Woodstown sandy loam. According to available information, Marlboro clay and Christiana complexes are not found to occur on this property.

This information is provided for the applicant's benefit. The County may require a soils report in conformance with Council Bill CB-94-2004 during the building permit review process.

### **Noise**

The site has frontage from Robert S. Crain Highway (US 301) and Albert Road. Albert Road is a master-planned collector road that does not generate enough traffic to produce noise. Robert S. Crain Highway (US 301) is identified as a freeway and produces noise levels above 65 dBA Ldn. This DSP proposes no residential use.

- i. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comment on the subject project.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated April 6, 2017, DPIE offered comments regarding the project that will be addressed through their separate permitting process. With respect to stormwater management, DPIE stated that the DSP is consistent with approved Stormwater Management Concept Plan 39365-2016 dated October 11, 2016.
- k. **Prince George's County Police Department**—The Police Department did not offer comment on the subject project.
- l. **Prince George's County Health Department**—In a memorandum dated April 18, 2017, the Health Department offered the following comments. Each comment is included in **boldface** type below, followed by Planning Board comment:

**Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide for safe pedestrian and bicycle access to the site by residents of the surrounding community.**

The subject project has been reviewed by the Planning Board for conformance with the MPOT to ensure safe pedestrian and bicycle access to the site by residents of the surrounding community, in conformance with this comment.

**The applicant must submit plans for the proposed food facility and apply to obtain a Health Department Food Service Facility permit through the Department of Permitting, Inspections and Enforcement.**

This comment has been transmitted to the applicant and will be addressed through the Health Department and DPIE's separate permitting processes.

**A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity. It is observed that this supermarket can have a positive impact on the health of the local community.**

This comment has been transmitted to the applicant.

**During the grading/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.**

A condition of this approval requires that, prior to certificate approval, a note to this effect be placed in general notes of the project plans.

**During the grading/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.**

A condition of this approval requires that, prior to certificate approval, a note to this effect be placed in general notes of the project plans.

- m. **Maryland State Highway Administration (SHA)**—In an e-mail dated March 15, 2017, SHA stated that a traffic impact study was approved for the site on March 24, 2016, that comments were provided on the road improvements plans on February 15, 2017, and that SHA is awaiting a resubmittal addressing SHA's comments.

SHA's comments will be addressed through their separate permitting process.

- n. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum received April 17, 2017, WSSC offered numerous comments that will be addressed through their separate permitting process.
  - o. **Verizon**—Verizon did not offer comment on the subject project.
  - p. **Potomac Power Electric Company (PEPCO)**—PEPCO did not offer comment on the subject project.
13. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines of the Zoning Ordinance without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. Section 27-276(b)(4) of the Zoning Ordinance provides the following required findings for approval of a DSP:
- (4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

In a memorandum dated April 18, 2017, the Environmental Planning Section stated that, although the site contains many regulated environmental features (floodplain, stream buffers, wetlands and wetland buffers associated with the adjacent Timothy Branch stream system), the project will not impact them. Therefore, it may be said that, in accordance with Section 27-276(b)(4) of the Zoning Ordinance, the project preserves and/or restores the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

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 Type 2 Tree Conservation Plan (TCP2-009-13-01) and further APPROVED Detailed Site Plan DSP-16035 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of the detailed site plan (DSP), the applicant shall submit additional documentation and revise the plans as follows:
  - a. Access to Parcel 7 shall be in accordance with the approved reconsideration of Preliminary Plan of Subdivision 4-11013.

- b. The coversheet shall be revised to include the gross floor area for all proposed uses, including the three pad sites to be located on Parcel 8.
- c. The parking schedule on the coversheet shall be revised to include the square footage of the proposed food and beverage store building and those to be placed on the three pad sites on Parcel 8.
- d. The DSP shall be revised to clearly label and dimension the required loading space(s).
- e. A crosswalk shall be provided across the loading spaces between the building and the dumpster enclosure.
- f. The labeling of the three electric charging stations on the eastern side of the subject food and beverage store shall be changed to delete the word “potential,” a detail of same shall be added to the plan set and the three electric charging stations shall be provided as part of the subject project.
- g. Provide Americans with Disabilities Act (ADA) curb cuts and ramps at all appropriate/applicable sidewalk locations along the subject site’s frontage of Cadillac Drive, subject to the approval of the Department of Public Works and Transportation for any crosswalks in the right-of-way.
- h. The screening of the loading spaces shall be revised to include a double row of staggered evergreen trees.
- i. The applicant shall place the following notes in the general notes of the DSP:
  - “During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
  - “During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”
- j. The applicant shall remove the note from the Section 4.3-2 schedule on page DSP-4 of the plan set, which states that alternative compliance 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.

\* \* \* \* \*

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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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, May 11, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of June 2017.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator

PCB:JJ:RG:rpg