TITLE: Krispy Kreme at Westview South MXD (Saul Center)

FILE NUMBER: SP-98-36, AP #16394, APFO #16395, FRO #16396

REQUEST: Site Development Plan
The Applicant is requesting Site Development Plan approval for a new 2,750 sf restaurant to be constructed on pad site #5 (Lot 100) of the Westview Village commercial center (Saul Center) in the Westview South MXD.

PROJECT INFORMATION:
LOCATION: Located on west side of Buckeystown Pike (MD 85), within the Westview Village commercial center; South of Shockley Dr./Crestwood Blvd.
TAX MAP/PARCEL: Tax Map 86, Parcel 269, Lot 100
COMP. PLAN/LAND USE: Office/Research/Industrial (ORI)
ZONE: Mixed Use Development (MXD)
REGION: Frederick
WATER/SEWER: W-3, S-3

APPLICANT/REPRESENTATIVES:
APPLICANT: Monument Restaurant VII, LLC
OWNER: Westview Village Center, LLC
ENGINEER: Terra Solutions Engineering, LLC
ARCHITECT: Not listed
ATTORNEY: Not Listed

STAFF: Denis Superczynski

RECOMMENDATION: Conditional Approval

Attachments:
Exhibit #1 - Site Plan - Rendering
Exhibit #2 – Krispy Kreme (Frederick) - Elevations & Building Rendering
Exhibit #3 – Modification Request
Exhibit #4 – Saul Center Signage Agreement
The Applicant is requesting Site Development Plan approval for a 2,750 sf Krispy Kreme restaurant to be constructed on pad site #5 in the Westview South MXD (Saul Center). The proposed development of this portion of the Westview Village commercial site would see the construction of a new restaurant building while maintaining or updating most of the surrounding site improvements including parking and vehicular access, pedestrian pathways, and landscaped areas.

With this proposal to build a slightly smaller structure than originally anticipated on this Site, most site plan standards are previously satisfied and the Applicant primarily seeks Planning Commission approval of the design of the structure and Site in compliance with the Mixed Use District rezoning conditions (#R-00-02; Ordinance # 01-15-289) as well as the standards established in the Zoning Ordinance for activity in the Mixed Use District.
BACKGROUND

Development History

The subject Site was originally rezoned to MXD by the BoCC in 1994 as the Westview MXD in adopted Ordinance # 94-14-109. A subsequent revision to the MXD, approved by the BoCC in June 2001 (Ordinance # 01-15-289) as the Westview South MXD split off a 200-acre portion of a the Westview MXD, with the most significant change being the removal of the residential land use component from the approved land use mixture. In 2013, another rezoning was approved by the Board of County Commissioners that resulted in the reintroduction of a residential land use component to the Westview South MXD.

While three commercial ‘pad’ sites remain undeveloped (one bank site and two restaurant sites shown as Buildings 4, 5, and 6 on the Overall Site Plan), the balance of the Westview Village commercial area has been approved and constructed.

The recently-constructed Silver Diner restaurant received site plan approval from the Planning Commission in September 2015, replacing a restaurant on pad site #3 (Mimi’s Café) that had received approval in 2005.
Existing Site Characteristics

The subject Site is vacant and is bound on all sides by previous site improvements (parking, landscaped areas), a primary entry drive into the Westview Village commercial/retail center, and the Buckeystown Pike (MD 85) corridor. (See Figures 1 & 2)

The existing Site is flat, having been prepared for development during the initial construction of the commercial center. No significant regrading of the Site is proposed. Much of the existing landscaping material in the immediate vicinity of the building site (areas along the MD 85 frontage) will remain after construction. A new landscape plan that identifies additional and replacement plantings is provided as sheet 6 of the plan set.

An existing network of sidewalks and crosswalks serve the Westview Village commercial center, however the only sidewalk link with existing direct access to the Site is the segment situated alongside Buckeystown Pike. The existing commercial and office areas developed as part of the Westview MXD projects are proposed to be connected to the Krispy Kreme site through modest improvements proposed in this site development plan application.

Surrounding land uses include:

- **North** – The area directly across the private entry drive is occupied by an undeveloped restaurant pad site (pad site #4), as well as the Silver Diner restaurant.

- **West** – The main structures comprising the Westview Village commercial center is situated to the west of the proposed Krispy Kreme restaurant.

- **South** – The remaining undeveloped commercial pad site of the Westview Village center (pad site #6) is located 325 feet south of the proposed restaurant.

- **East** – The eastern side of MD 85 includes the Maryland SHA District office complex and the Monocacy Business Center light industrial park.

Figure 1 - View of Westview Village from E/S MD 85

Land Use

The proposed construction of the Krispy Kreme restaurant – at 2,750 sf in size – represents a net decrease in the building area proposed for pad site #5 as well as the total originally approved for development on Lot 100. No change in the originally-approved use is proposed and Staff finds that the development activity will result in no intensification of land uses on Lot 100 or adjacent lands subject to the approved Site Plan (SP 98-36).

The proposed restaurant will continue to provide a land use consistent with the provision of a mix of lands uses as approved in the initial and subsequent rezonings of the property to MXD.
Frederick County Comprehensive Plan
The area is designated ‘Office Research Industrial (ORI)’ on the Comprehensive Plan Land Use Plan map and occurs within the Ballenger Creek Community Growth Area. No county, community, or corridor plan has been adopted for the Buckeystown Pike corridor or the growth areas south of Frederick. Generally, the proposal demonstrates adherence to the general principles for compact development outlined in the County’s Comprehensive Plan through the continuation of a mix and intensity of uses conducive to the continuing development of compact neighborhoods in areas served by public infrastructure and facilities.

Zoning
The Site is currently zoned ‘Mixed Use Development (MXD)’. Most land immediately surrounding the Site on the west and south is zoned Mixed Use Development (MXD), with the areas north and east zoned Office Research Industrial (ORI), General Commercial (GC), and Limited Industrial (LI). Uses in the vicinity remain primarily commercial or industrial with few residential structures in the immediate vicinity.

Conditions of Approval
Rezoning of the Westview South MXD (#R-00-02) occurred on June 28, 2001 and included conditions relevant to the review of architectural and site design elements of this Site Development Plan application. These conditions of approval can be found on Sheet 1 of the Plan set. Since the proposed development does not increase density or intensity when compared to the originally-approved development on pad site #5, the project remains subject to the MXD Code requirements and conditions in effect at the time of approval. Therefore, the project has been reviewed to ensure consistency with the MXD district provisions in section 1-19-324 of the Zoning Ordinance, the rezoning conditions of approval, and applicable design requirements.
Rezoning Conditions:

**Condition #4.** “The office/accessory retail area shown on the land use plan attached to Ordinance No. 94-14-109 as Exhibit A shall be developed so as to minimize strip commercial appearance on Maryland Route 85.”

Staff Finding: While the placement of commercial pad sites along Buckeystown Pike – without the density of building mass necessary to establish a more continuous building frontage along the west side of the corridor – may reflect some elements of ‘strip commercial appearance’, it is clear that the intention of the original layout for the Westview Village was to create a dual-layered and more internally-oriented commercial retail center than is typical for post-war commercial strip development in the region. The provision of a sidewalk along MD 85 helps to reduce the appearance of highway-oriented development at the center. The architectural form of the Krispy Kreme reflects elements and materials found in the existing structures of the commercial center and is oriented in such a way as to provide straightforward pedestrian access from within the development. Staff finds that the proposed site plan minimizes the strip commercial appearance on MD 85 as much as is possible given the existing arrangement of the commercial center. With a similar building footprint, location and layout there is no significant difference between the originally-approved generic structure and the proposed Krispy Kreme structure as they relate to strip commercial appearance along MD 85.

**Condition #7.** “Architectural review of the commercial office areas shall be required by the Planning Commission at the time of site plan approval. This architectural review shall be to ensure compatibility with the existing and surrounding neighborhood and for compliance with the purpose and objectives of this ordinance and mixed use development district as stated in Sec. 1-19-324 of the Frederick County Code.”

![Figure 3 - Westview Village Facades](image-url)
Staff Finding: Section 1-19-324 (2) (c) of the Mixed Use Development regulations, as it was stated in the pre-2008 County Code and referenced in the above rezoning condition, noted an objective of the MXD district to be: “Creating open spaces, civic buildings and/or architectural treatments that act as landmarks, symbols and activity centers that provide a strong sense of identity and uniqueness.” This language states clearly an intention that mixed use centers within the County provide unique design elements that will serve as visual catalysts for intensive levels of human activity best accommodated in visually interesting environments. The use of the Krispy Kreme ‘bowtie’ form as an architectural element in the proposed structure, will provide an easily recognizable visual landmark for drivers and pedestrians in the vicinity while maintaining an overall building massing that is consistent with other structures previously approved in both the Westview Village and Westview Promenade projects (see Figures 3 & 4).

![Figure 4 - North facade of Krispy Kreme featuring 'bowtie' architectural elements](image)

**Condition F.** “The Frederick County Planning Commission as part of the site plan approval in order to ensure that the objectives of the MXD zoning district are met must approve the type of commercial retail uses.”

Staff Finding: There is no change of use proposed as part of the development application. The restaurant use that is the subject of this Site Development Plan application has been approved previously by the Planning Commission.

**Condition G.** “The architectural design theme of the commercial retail area must be submitted to Frederick County Planning Commission for review and approval concurrent with any site plan approval.”

Staff Finding: The ‘architectural design theme’ of the commercial center was submitted to, and approved by, the Planning Commission in September 2005. (See Sheets 7 and 8). Architectural elevations for the free-standing structures were not provided at the time, presumably to allow for some flexibility in the development of autonomous restaurant sites. The Applicant has provided documentation (see Figures 4 & 6 - Krispy Kreme Building Rendering & Exterior Elevations below) that demonstrates use of a color and materials palette that is wholly consistent with the existing attached structures of the retail/office portion.
of the commercial center. Specifically, the masonry facing material represents a good visual match with the existing buildings (See Figure 5). The green ‘bowtie’ elements manage to reinforce the identity of the Krispy Kreme brand without resorting to large, out-of-scale, strip commercial signage, and, unintentionally offer a nod to the mid-century styling of the Silver Diner located on pad site #3.

Undifferentiated facades and long plain wall sections are not present in this design. The drive-through face of the building – parallel to, and facing MD 85 – features a few design elements that serve to break up what could be a plain façade. Four illustrative panels are deployed along the queuing wall - a device that seeks to mask the lack of windows on a portion of the building given to storage and preparation areas. Vertical downspouts treated in the architectural green of the bowtie elements, further break up this plain segment of masonry, while the drive-through service window is capped by one of three bowtie forms which pierce the horizontal lines of the cornice. The Applicant’s design for the restaurant successfully utilizes several features linking the building to the human scale not the least of which is the provision for outdoor seating and a prominent glassed entry which provides convenient access from three sides of the building.

Staff Finding: Through the replication of key palettes present in the existing commercial center at Westview Village, the proposal for the Krispy Kreme manages to establish an architectural form that complements the previous designs. The use of the bowtie element provides strong brand identification while also providing a subtle reference to the mid-century design theme of the Silver Diner, its closest free-standing neighbor. Staff finds that the architectural design of the proposed restaurant is compatible with the architectural theme of the existing center by borrowing elements of the color palette, building materials, and architectural elements used in the existing structures and by utilizing significant and recognizable components of traditional twentieth century commercial architecture and presenting them

Figure 5 - Westview Village (view to south from private entry drive)
within the contemporary context of this mixed use development (see rendering below and Figures 10, 11, 12, and 13).

Figure 6 - Rendering of finished building
ANALYSIS

Summary of Development Standards Findings and Conclusions

Key issues of the proposed development include:
- Compliance with the MXD rezoning conditions
- Continued compliance with general site plan standards in the Zoning Ordinance while acknowledging the status of the existing approved Site Plan # SP 98-36 (September 2015)
- Providing any necessary alterations or improvements to the Site due to its development

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in:

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Findings/Conclusions

1. Dimensional Requirements/Bulk Standards: The Planning Commission has previously established the setback and building height requirements in the Westview South MXD. These dimensional standards have been based upon building type, building density, surrounding development, topographical or other site constraints, and application of appropriate urban design

Figure 7 - Aerial View of Westview Village from the East
The Applicant is proposing to site the new building so as to meet the established setback requirements generally summarized as follows:

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<th>Required</th>
<th>Provided</th>
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<tr>
<td>Front Yards:</td>
<td>25'</td>
<td>26’-6”</td>
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<tr>
<td>Side Yards:</td>
<td>15’</td>
<td>309’-10”</td>
</tr>
<tr>
<td>Rear Yards:</td>
<td>N/A (no rear yard for Building 5)</td>
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Maximum Building Height (MXD): 60’
Maximum Building Height (Krispy Kreme): 20’-8”

The proposed Building Restriction Lines (BRL’s) generally allow for the proposed building to occupy the front portion of the Site along the entry drive and Buckeystown Pike frontages while maintaining vehicular and service areas to the rear and south side of the structure. The pattern previously established in the approval or development of the previous eleven (11) commercial pad sites along the perimeter of the Westview commercial centers is maintained by this approach.

2. **Signage §1-19-6.300:** The Applicant is proposing a signage as follows:
   
   Permitted signage (total for Bldg. 5/Krispy Kreme Site): 70.00 sf
   
   Permitted signage calculation: (Square Root of Bldg Frontage) x 10 = Sign area
   
   Buckeystown Pike Building Frontage: 75 feet
   
   \[(8.67) \times 10 = 86.70 \text{ sf typically permitted by code}\]

   Proposed signage (total for Krispy Kreme Site): <70.00 sf

   The existing approved Sign Allocation Table (Sheets 7 & 8) allowed for a combined total of 210 sf of signage for Buildings 3-5, with 110 sf (total) for the two remaining undeveloped commercial pad sites (pad sites #4 & #5). This represents only a portion of the total sign allotment for the Westview Village center. The Applicant, with the agreement of the property owner, seeks permission to maintain the original signage allotment for Building 5 (Krispy Kreme) of 70.00 sf. After accounting for the 99.59 sf of signage allocated to the Silver Diner restaurant on pad site #3, this calculation would leave approximately 40.51 sf for the last undeveloped commercial pad site (pad site #4) which is currently approved as a structure of 4,531 sf. The revised sign allocation table would reflect these new maximum allotments. A letter from the owners of the Westview Village commercial center that specifically grants permission for the Krispy Kreme project to utilize up to 70 sf of the remaining 110+ sf of signage is included as an attachment in this staff report.

   Due to the wide variance in the use of commercial signage, the reduction in signage allocated to the remaining commercial pad site does not appreciably diminish the ability of a future user to access full commercial use of that leased site. Staff has no objection to the Applicant’s revised signage proposal.
3. **Landscaping §1-19-6.400:** The landscaping plan contains a variety of plant species, which provides screening, shade, and a delineation of public and private spaces on the Site. Parking area landscaping/street tree requirements were met with the approval of the existing site plan, #SP 98-36 and those standards are maintained, and slightly enhanced, in this development of the Site. The planting schedule follows the standard plant varieties and sizes that have been previously approved by the Planning Commission. The Applicant has proposed additional vegetative screening of the building side facing Buckeystown Pike which feature the drive-through operations of the restaurant. Shade trees are placed in such a way as to shade parking spaces, the loading area, and the rear service areas of the building.

Staff finds the proposed landscape plan to be consistent with the maintenance of the existing approved landscape plan for the area immediately surrounding the building site as well as consistent with standards established in Section 1-19-6.400.

4. **Lighting §1-19-6.500:** The lighting plan previously approved for the Site has been slightly modified by the Applicant to demonstrate compliance with Frederick County lighting standards. The proposed lighting plan is used primarily to provide illumination of the internal pedestrian circulation network and service areas in this Site redevelopment proposal. As required in the Zoning Ordinance, proposed illumination levels at the property boundary will remain below the 0.5 fc level.

Staff finds the revised lighting plan to be consistent with the requirements of the Zoning Ordinance.

**Transportation and Parking §1-19-3.300.4 (B):** The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.

1. **Access/Circulation:** Access to and from the Krispy Kreme Site will remain mostly unchanged with the proposed development of the restaurant. Vehicular access will remain in place providing access on three sides of the building and will not significantly alter the parking arrangement. The location of the loading space and service area is shifted to the south side of the building in this proposal creating no special conditions needing resolution. Multiple access routes into the Westview Village development are available via Executive Way (south); MD 80 at Pegasus Court (north); MD 80 at Westview entry drive (immediately north of the Silver Diner restaurant); and through the Westview Promenade center via internal drive aisles (north and south).

2. **Public Transit:** The #10 Mall-to-Mall Connector TransIt bus route serves the adjacent Westview Promenade shopping area with a bus stop located less than 1,500 feet from the proposed Krispy Kreme restaurant. Buses serve the Westview location between the hours of 6:15AM and 9:25PM on weekdays, and between the hours of 8:00AM and 9:45PM on Saturdays. Should service be extended to the Westview Village area, this Site is well situated to take advantage of safe and convenient pedestrian access between the existing commercial buildings and the proposed restaurant.

3. **Parking:** The reduction in the size of the customer service area proposed for the restaurant structure effectively reduces the parking requirement for this redevelopment site (pad site #5). Due to the mixed use nature of the Westview Village center and the development of multiple structures on the single Lot 100, the parking requirements of SP 98-36 were aggregated and listed on Sheet 1 of the originally-approved – and subsequently revised - Site Plan. Despite the reduction in building size, there is a proposed modest increase in the number of proposed spaces.
and all existing spaces will remain after redevelopment of the Site. Similarly, the calculation of the number of required loading spaces was determined during the approval of the initial Site Plan. The originally-proposed loading space is being modified and relocated slightly to accommodate the use in this new structure. However the reconfigured loading space will continue to meet the original standard approved in 2001 and reiterated with the 2009 approval. A second ‘temporary’ large loading space is identified for those instances when a larger vehicle is necessary to serve the user of the building.

The Applicant is proposing modifications to the Parking Summary Table (Sheet 1) to reflect the proposed modest increase in the number of spaces provided (all shared spaces). The Applicant must also reflect the new parking standards established in Section 1-19-6.220 of the Zoning Ordinance by modifying the required number of spaces to a total consistent with the proposed development – approximately 600 spaces. Although the target parking requirement diminishes slightly to 600, the number of spaces actually provided will increase to 643.

While Staff generally urges Applicants to reduce unneeded parking spaces, the general arrangement and layout of this parking area serving the shared mixed use development at Westview Village is adequate as designed and built. Staff finds that the development standards for parking and loading spaces have been met with this proposal.

4. **Pedestrian Circulation and Safety §1-19-6.220 (G):** 5 ft. wide sidewalks (or larger) are proposed for those perimeter pedestrian routes along the perimeter of the proposed building. A demarcated pedestrian crossing area is provided to link the proposed perimeter sidewalk to the proposed sidewalk connection linking this Site to the existing commercial structures in Westview Village (see figure below). A sidewalk connection is proposed that will link pedestrians on Buckeystown Pike to the customer entrance on the building’s north side.

![Figure 8 - Existing site showing area proposed for pedestrian crossing to commercial center](image-url)
5. **Bicycle Parking §1-19-6.220 (H):** The Applicant has provided for bicycle parking as follows in accordance with the Zoning Ordinance:

- Commercial use: (1 rack per 20 required parking spaces)
- Required: 2 bike racks
- Provided: 2 bike racks (spaces for 4 bicycles)

**Public Utilities §1-19-3.300.4 (C):** Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.

### Findings/Conclusions

1. **Public Water and Sewer:** The Site is currently served by public water and sewer although it is classified W-3/S-3 in the Frederick County Water and Sewer Plan. Private utility lines are already in place on the Site. No new connections to the public systems are required as part of this Site Plan.

**Natural features §1-19-3.300.4 (D):** Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.

### Findings/Conclusions

1. **Natural Features:** This application is limited to an area that has been previously developed.

**Common Areas §1-19-3.300.4 (E):** If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.

### Findings/Conclusions

1. **Proposed Common Area/Open Space:** Open space requirements for the development of this existing MXD have been addressed in the previous Site Plan approvals.

   No changes are proposed other than the installation of the small outdoor seating area on the northeast corner of the restaurant near the main entrance to the building.

### Other Applicable Regulations

**Adequate Public Facilities Ordinance (APFO) – Chapter 1-20**

This section of the MXD is subject to LOU road improvement agreements that have been previously executed. No amendments to the existing APFO-LOU are required since the redevelopment represents no change, expansion, or intensification of the land use. An APFO exemption has been granted to this Krispy Kreme Restaurant at Westview South MXD (Saul Center) –Site Plan.
Applicant.

**Forest Resource Ordinance (FRO) – Chapter 1-21**  
A FRO exemption was granted for this previously developed Site.

**Stormwater Management (SWM) – Chapter 1-15**  
This Application includes an approved Concept Stormwater Management plan. Final construction details will be reviewed upon submission of improvement plans for the Site.

**Findings/Conclusions**  
Based upon the review and analysis as provided above, Staff finds that the proposed application meets the Site Plan review criteria as set forth in §1-19-3.300.4 including items related to site development, transportation, parking, public utilities, natural features, and common areas. Staff will continue to work with the Applicant as the project moves through the remainder of the development process.

**Summary of Agency Comments**

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<td>Development Review Planning:</td>
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**Findings/Conclusions**  
The Applicant must address these other applicable regulations as part of the standard approval process after this Site Plan has been approved with conditions.

**FINDINGS**

Based on the discussion in this report and with the conditions listed below, Staff finds that the application meets and/or will meet all applicable Zoning, APFO and FRO requirements once the conditions of approval have been met.

Staff has no objection to conditional approval of the site development plan if the Applicant can successfully address the recommended conditions listed below.

Staff notes that if the Planning Commission conditionally approves the site development plan, the plan will be valid for a period of three (3) years from the date of Planning Commission approval.
RECOMMENDATION

If the Planning Commission finds that the rezoning conditions have been met and conditionally approves this Site Development Plan SP-98-36 (AP #16394, APFO #16395, & FRO #16396) for the proposed Krispy Kreme Restaurant at Westview South MXD (Saul Center) Staff recommends the motion include the following items:

1. Site plan approval for a period of three (3) years from approval date.
2. Approval of the revised Sign Allocation Table (Sheet 18) reallocating permitted sign area for each of the two specified commercial pad sites (Buildings 4, and 5).
3. Approval of the revised Parking Summary Table (Sheet 1) indicating amended parking requirements for the Westview Village center.
4. Approval of the requested parking and loading modifications as listed in the staff report.
5. Address all agency comments as the plan proceeds through completion.

PLANNING COMMISSION ACTION

MOTION TO APPROVE WITH CONDITIONS

I move that the Planning Commission APPROVE Site Plan SP-98-36 (AP 16394) with modifications and conditions as listed in the staff report for the proposed Krispy Kreme Restaurant at Westview South MXD (Saul Center), based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
Figure 9 - West Elevation
Figure 12 - South Elevation
May 11, 2016

Mr. Denis Superczynski  
Frederick County Division of Permitting and Development Review (DPDR)  
30 North Market Street  
Frederick, MD 21701

Re: Westview South – Saul Center  
Krispy Kreme Site Plan  
Modification for Loading & Parking  
Tax Map 86, Parcel 269  
Situated along Buckeystown Pike  
File #: SP-98-36, Project No.: 16394

Dear Mr. Superczynski:

Pursuant to the requirements of Frederick County Zoning Ordinances (§ 1-19-6.210 & 1-19-6.220):

**Loading Space Modification (§ 1-19-6.210):**

["an applicant may request that the Planning Commission approve a modification to the requirements of § 1-19-6.200(B), § 1-19-6.210(A) or that the Zoning Administrator or Planning Commission authorized representative approve a modification to the requirements of § 1-19-6.210(B) of this section."]

This modification is for the oversizing of one small loading space to (12’ x 20’) and the use of a second “Temporary” large loading space (12’ x 50’) as illustrated on the Site Plan. Almost all deliveries anticipated at this facility will come in wider 24-foot long box trucks or standard tractor trailers. Most deliveries will arrive during the night hours between 12:00 AM and 6:00 AM for off-loading and storage within the new Krispy Kreme building storage room. Deliveries will typically be made between two and four times a week depending on the time of year and patron demand at the new facility.

**Parking Space Modification (§ 1-19-6.220):**

["an increase or reduction in the number of required parking spaces may be granted by the Planning Commission where the applicant or Planning Commission authorized representative can demonstrate need based on characteristics of the proposed use, hourly parking demand studies published by ITE or other documentation as approved by the Planning Commission."]

This modification request letter is being submitted for approval of an increase of two (2) parking spaces to serve the proposed Krispy Kreme Restaurant facility. We do not anticipate any problems being created by the addition of two (9’ x 20’) “Shared Parking” spaces (i.e., less than 1%) within a total parking lot for approximately 204 cars. The (9’ x 20’) spaces will match the existing parking lot sizing.
SAUL CENTERS, INC.
7501 Wisconsin Avenue, Suite 1500, Bethesda, Maryland 20814-6522
(301) 986-6200

June 9, 2016

VIA US MAIL

Dennis Superczynski
Department of Permits and Inspections
30 N. Market Street
Frederick, MD. 21701

Subject: Authorization for Krispy Kreme Donuts to File for signage Permit at Westview Village.

Dear Mr. Superczynski:

Westview Village Center LLC (the “Owner”) hereby grants permission to Krispy Kreme Donuts to file for a signage permit at Westview Village (5010-5120 Buckeystown Pike, Frederick MD 21704). It is also important to document the following:

At present, there is a total of 210 sf of sign area for Building Nos. 3, 4 and 5 in the approved site plan allocated as follows:

- Building No. 3 (Silver Diner) 100 sf
- Building No. 4 (undeveloped) 55 sf
- Building No. 5 (undeveloped) 55 sf
- Building No. 5 (undeveloped) 210 sf

The Owner agrees that this sign area can be reallocated in the approved site plan as follows for sign permits for a Krispy Kreme in Building No. 5:

- Building No. 3 (Silver Diner) 100 sf
- Building No. 4 (undeveloped) 40 sf
- Building No. 5 (Krispy Kreme) 70 sf
- Building No. 5 (Krispy Kreme) 210 sf

Please feel free to contact me directly at 301-986-6093 with any questions.

Sincerely,

Jacquelyn Trayers
New Lease/Construction Coordinator
Construction and Development Services
SAUL CENTERS, INC.
7501 Wisconsin Avenue, Suite 1500, Bethesda, Maryland 20814-6522
(301) 986-6200

STATE OF: [illegible]
COUNTY OF: [illegible]

On this, the 27th day of [illegible], 2016, before me, a notary public in and for the state and county aforesaid, personally appeared Jacquelyn Trayers, on behalf of Westview Village Center, LLC, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing letter, and acknowledges that Jacquelyn Trayers executed the same for the purposes therein contained as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

[Signature]
Notary Public
(SEAL)

My term expires: [Signature]
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 25, 2020