

Prince George's County DSDS-570

Applicant: Suburban Federal Savings Bank

Location: Located on the north side of Woodyard Road and the west side of Clinton Street

Request: Departure from Sign Design Standards

R E S O L U T I O N

WHEREAS, the applicant is requesting permission to erect a freestanding sign to serve a use where the main building is set back less than 40 feet from the street line; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released September 6, 2000, recommends APPROVAL, with conditions; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on September 14, 2000, the Prince George's County Planning Board agreed with the staff's recommendation; and

WHEREAS, the Prince George's County Planning Board's decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

- A. Location and Field Inspection: The subject property is located at the northwest quadrant of the intersection of Woodyard Road and Clinton Street. The site is developed with a one-story brick bank building with one drive-through lane and associated parking. To the rear of the lot is a grassy area with several large, mature trees.
- B. History: The *1993 Subregion V Sectional Map Amendment* retained the site in the C-S-C Zone.
- C. Master Plan Recommendation: The *1993 Subregion V Master Plan* recommends retail-commercial use for the subject property. The Master Plan contains guidelines for commercial areas, including:

A Business proprietors and property owners should be encouraged to make necessary improvements to their properties to maintain an aesthetically pleasing environment@ (Master Plan, p.63))
- D. Request: The applicant requests permission to erect a freestanding sign to serve a use whose building is set back less than 40 feet from the street line. In this case, the renovated bank building the sign is to serve is located only 25.5 feet behind the existing right-of-way and two feet behind the ultimate right-of-way for Woodyard Road. Thus, this departure request is for 38 feet.

E. Surrounding Uses: The site is surrounded by the following uses:

North: Several warehouse and distribution businesses in the I-1 Zone

East: Strip commercial uses in the C-S-C and C-M Zones

South: Strip commercial uses and residences in the C-S-C Zone

West: The Clinton VFD in the C-S-C Zone

F. Design Requirements for Signs:

1. **Section 27-614(a)(1) of the Zoning Ordinance allows a freestanding sign on properties where the main building associated with the sign is located at least forty (40) feet behind the front street line.**

Finding: The site plan shows a bank with one drive-through lane. Because the front portico of the building is only two feet behind the ultimate right-of-way for Woodyard Road, a departure of 38 feet is necessary.

2. **Section 27-614(a)(4) of the Zoning Ordinance provides that signs need only be located ten (10) feet behind the street line. Where the street line is situated behind the actual existing street right-of-way line, freestanding on-site signs may be temporarily located within the area between the street line and the existing street right-of-way line (the area of proposed future widening of an existing street), provided that:**

(A) The land area involved has not been, and is not in the process of being acquired for street purposes;

(B) The sign is located at least ten (10) feet behind the existing street right-of-way line; and

(C) A written agreement between the owner and the Department of Environmental Resources (DER) assures that the sign will be

removed, at the owner's expense, at the time of acquisition of that area for street purposes.

Finding: As shown on the site plan, the proposed sign is located ten feet behind the existing right-of-way lines for Woodyard Road and Clinton Street, but within the area of future widening. This right-of-way is not in the process of being acquired. Thus, the applicant should enter into a written agreement with DER to remove the sign, at the owner=s expense, at the time of acquisition of that area for street purposes. The applicant notes in the Statement of Justification that this has been done. A note should be placed on the site plan indicating this fact, and a copy of the agreement submitted prior to a sign permit being issued.

G. Required Findings:

(A) Section 27-239.01(b)(9) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

- 1. The purposes of this Subtitle will be equally well or better served by the applicant=s proposal.**

Finding: In general, the purposes of Part 12 (Signs) of the Zoning Ordinance are to regulate unsightly and hazardous signs, to provide adequate identification and advertisement, to promote the general welfare of the residents of the County and to foster the appropriate use of land, buildings and structures.

The requested departure will allow the applicant to complete the on-going renovation of this site, in conformance with the 1993 Master Plan=s recommendation for improvements to commercial

properties in Subregion V. The proposed sign, at 11 feet in height and 60 square feet in area, is substantially smaller than would be otherwise permitted. It is recommended, however, that the sign be buffered by the planting of a minimum combination of 20 shrubs and annuals at its base (e.g., 4 shrubs and 16 annuals). The resulting landscaped, reduced-sized sign will serve the purposes of Part 12 well by providing adequate identification of the newly renovated bank, while at the same time providing an aesthetic amenity to the site.

2. The departure is the minimum necessary, given the specific circumstances of the request.

Finding: A departure of 38 feet is the minimum necessary. The building in question is existing and could not easily be relocated.

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

Finding: Although the bank building in question is located almost 40 feet from the existing pavement for Woodyard Road, this site is hampered by an extremely wide ultimate right-of-way which comes to within two feet of the front of the building. Because of this wide ultimate right-of-way, it would be virtually impossible for a building to meet the 40-foot setback on this particular property unless the entire site were paved for the necessary parking spaces and drive aisles.

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

Finding: The proposed sign placement is consistent with the other freestanding signs along this section of Woodyard Road. The scale of the sign appears proportional to the building it represents and is compatible with others in the area (e.g., Foot Locker, Amoco). The proposed sign seems to incorporate quality design and lettering that will not negatively impact the area nor obstruct the view of motorists.

(B) Not applicable to this application

NOW, THEREFORE, BE IT RESOLVED, that Departure from Sign Design Standards DSDS-570 is hereby APPROVED, subject to the following conditions:

1. The applicant shall enter into a written agreement with DER to remove the sign, at the owner=s expense, at the time of acquisition of that area for street purposes. A note shall be placed on the site plan indicating this fact, and a copy of the agreement submitted prior to a sign permit being issued.
2. The applicant shall place a minimum combination of 20 shrubs and annuals at the base of the sign.

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 Brown, seconded by Commissioner Lowe, with Commissioners Lowe, Eley, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 14, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of October 2000.

Trudye Morgan Johnson
Executive Director

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By Frances J. Guertin
Planning Board Administrator

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