

R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed DSDS-595 requesting a departure from setback and area requirements for a freestanding sign in accordance with Subtitle 27 of the Prince George=s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on May 22, 2003, the Prince George's County Planning Board finds:

- A. Location and Field Inspection:** The subject property is a triangularly shaped parcel located on the north side of Piscataway Road (MD 223) between Absher Lane to the west and Old Branch Avenue to the east. The property is developed with a one-story glass and block building and asphalt parking area.

B. Development Data Summary:

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Vehicle rental or repair	Vehicle rental or repair
Acreage	.46	.46
Lots	1	1
Parcels	1	1
Square Footage/GFA	3,023	3,023
Dwelling Units:	N/A	N/A

- C. History:** In 1966, District Council approved a special exception for a gas station (SE-1368) on the subject property. The gas station was abandoned in 1992. In 2001, the applicant filed two special exception applications for the subject property. One of the applications was for a vehicle rental business (SE-4416) and the other was for a vehicle repair shop (SE-4417). The District Council approved both applications in June 2002. One of the conditions of approval was that the special exception uses could not be operated in conjunction with each other, or that only one use is permitted at any one time.
- D. Master Plan Recommendation:** The 1993 Subregion V Master Plan recommends commercial land use for the subject property.
- E. Request:** The applicant seeks a departure from the setback requirement for freestanding signs. Section 27-614(a)(4) of the Zoning Ordinance provides that the location of a freestanding sign may not be less than ten feet behind the street line. The distance between the existing freestanding sign and the street line for Piscataway Road is four feet. A second departure is requested for the area of the sign. The subject site has a total of 179.3 linear feet of street frontage along Piscataway Road. Based on the standard in Section 27-614(c)(3)(B) of one square foot of sign area per four linear feet of street frontage, the

maximum size for a freestanding sign on the subject property is 44.83 square feet. The existing freestanding sign on the property, however, has 48 square feet of sign area; thus, a departure of approximately 3.17 square feet of sign area is required.

F. Surrounding Uses: The property is surrounded by the following uses:

North–	Parking lot for an adjacent office building in the C-S-C Zone, water tower and townhouses in the R-T Zone.
East–	Laundromat, gas station, church and 7-Eleven store in the C-S-C Zone.
South–	Across Piscataway Road, American Legion Post 259, Miller’s Athletic Field, and a fitness center in the C-S-C Zone.
West–	Office buildings in the C-S-C Zone and townhouses farther west in the R-T Zone.

G. Required Findings:

Section 27-239.01(b)(9)(A) 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.

With the recommended condition of approval, the purposes of the Sign Regulations will be equally well or better served by the applicant’s proposal. The subject departure request is associated with a recently approved special exception for a vehicle repair or rental business. This new business will put a site that has been abandoned and run down for over ten years back into service. The applicant, with this departure, proposes to reface the subject sign that has served the property for almost 40 years. Although the sign is only four feet from the street line, the sign is set back 18 feet from the actual paved street. Piscataway Road (A-54) is identified in the Subregion V Master Plan as a four- to six-lane arterial highway. There are, however, no immediate plans to widen this road.

The Community Planning Division, in a memo dated January 29, 2003, calls attention to the need for a unified landscape treatment as expressed in the master plan. In approving the special exception for the vehicle repair or rental facility, The District Council approved a revised site plan with additional landscaping in the right-of-way. Staff believes it is appropriate to require that the base of the sign be landscaped attractively as well. With this condition, the sign would not detract from the scenic qualities of the landscape nor be unsightly or detrimental to property values.

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

The applicant is requesting departures of six feet from the ten-foot street line setback requirement for freestanding signs and 3.17 square feet from the maximum permitted sign area. The Permit Review Section, in a memo dated December 31, 2002, suggests that the applicant has miscalculated the required sign area. Section 27-614(c)(3)(B) provides a standard of one square foot of sign area per four linear feet of street frontage. The applicant applied this standard along the ultimate right-of-way for Piscataway Road, which measures 179.3 linear feet and would permit a maximum sign area of 44.83 square feet. The existing sign however, has 48 square feet of sign area. Fortunately for the applicant, the sign area calculations are taken from the existing street line, which measures 200 linear feet. The correct maximum sign area is, therefore, 50 square feet. The six-foot departure from the street line setback is the minimum necessary.

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.

The departure is necessary in order to alleviate circumstances that are unique to the site. The subject sign was approved and erected nearly 40 years ago in conjunction with a gas station. The subject gas station ceased operations over ten years ago and the property has deteriorated. The applicant proposes to renovate the site and wishes to validate the location of the existing sign. Strict compliance with the setback requirements would move the sign farther back on the property. The location of commercial structures on adjacent properties would significantly reduce the visibility of the sign.

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

The departure will not impair the visual integrity of the site or surrounding neighborhood. The applicant will reface the sign and place attractive landscaping at its base.

(B) For a departure from a standard contained in the *Landscape Manual*, the Planning Board shall find, in addition to the requirements in paragraph (A) above, that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.

The subject departure does not involve standards contained in the *Landscape Manual*.

H. Conclusion:

The subject departure is associated with a recently approved special exception that will permit a vehicle repair or rental facility. The new use will facilitate the rehabilitation of a property that has stood vacant and deteriorating over the last decade. Approval of this departure will validate the location of a sign that has served the property for over 40 years.

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 recommends APPROVAL the above-noted application, subject to the condition that prior to the issuance of permits, the site plan shall be revised to include landscaping around the base of the sign with a combination of evergreen and flowering shrubs.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council for Prince George=s County, Maryland within thirty (30) days of 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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Scott, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 22, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of June 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk

(Revised 8/9/01)