

R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed DSDS-626 requesting departure from sign design standards 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 December 22, 2005, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is located on the east side of Laurel-Bowie Road, north of Baltimore-Washington Parkway, known as 12621 Laurel-Bowie Road. The property has 469 feet of frontage on Laurel-Bowie Road. Vehicular access to the property is from Laurel-Bowie Road. There is an existing shopping center (Crystal Plaza Shopping Center) on the subject property. The applicant is proposing a new 11,180-square-foot building for the Rite-Aid pharmacy in the existing shopping center. A new freestanding sign is also proposed to identify the Rite-Aid pharmacy.

- B. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	C-S-C	C-S-C
Use(s)	Shopping Center	Shopping Center with a Rite-Aid pharmacy building
Acreage	20.10	20.10
Lots	NA	NA
Parcels	1	1
Square Footage/GFA	161,582	172,762

- C. **Master Plan Recommendation:** The 1990 Master Plan for Subregion I recommends commercial uses for the subject property and retains the property in the C-S-C Zone.
- D. **Request:** The applicant is proposing an 11,180- square-foot building for the Rite-Aid pharmacy in the existing shopping center. Since the gross floor area of the addition is greater than ten percent of the existing shopping center, the proposal was subject to the following requirements of the *Landscape Manual*:

Section 4.7 (Buffering Incompatible Uses) along the southern and northern property lines  
Section 4.2 (Commercial and Industrial Landscape Strip) along US 50

The applicant has filed the subject departure from design standards application DDS-561 for relief from the requirements of Section 4.7 along the southern and northern property lines. On June 1, 2005, the Planning Director granted a waiver of the alternative compliance procedure for the proposed landscaping. Therefore, the applicant filed a departure from design standards application for relief from the requirements of the *Landscape Manual* without obtaining a decision from the alternative compliance committee.

The applicant is proposing an additional sign to identify the proposed Rite-Aid pharmacy. Section 27.614, Freestanding Signs, of the Zoning Ordinance allows one freestanding sign for integrated shopping centers with 100 to 1,100 feet of frontage on all streets. There is an existing freestanding sign on the property. Therefore, the applicant has filed a departure from sign design standards application DSDS-626 for relief from the requirements of Section 27.614, Freestanding Signs, of the Zoning Ordinance.

- E. **History:** The Planning Board approved Departure from Sign Design Standards DSDS-334 (PGCPB No.88-528) for additional square footage (from 200 square feet to 393.39 square feet) for the existing identification sign. The Planning Board approved Departure from Design Standards DDS-310 (PGCPB No.88-527) for waiving the required landscaping to screen the adjacent residentially zoned property. A variance was granted (8669) to construct a black vinyl six-foot-high fence along the northern property line.
- F. **Surrounding Uses:** The property is surrounded with the following uses:
- North: Montpelier Manor, zoned O-S
- East: Open space in the O-S Zone
- South: Hotel in the C-S-C Zone
- West: Laurel-Bowie Road and single-family residential in the R-18 Zone across from Laurel-Bowie Road in the R-18 Zone
- G. **Neighborhood Boundaries:** The neighborhood boundaries are as follows:
- North: Montpelier Drive
- South and East: Laurel-Bowie Road and Baltimore-Washington Parkway
- West: Laurel-Bowie Road and single-family residences in the R-18 Zone across from Laurel-Bowie Road
- H. **Landscape Manual Requirements:** The property is subject to the requirements of Section 4.2 and Section 4.7 of the *Landscape Manual*. The proposed landscape plan falls

short of the required minimum building setback, minimum landscape yard, and minimum planting unit requirements along the northern and southern property lines.

- I. **Signs:** The proposed freestanding sign will be located along the southern entrance to the shopping center. The sign will be located in the landscaped area on the north side of the entrance and will be set back 35 feet from the curb along Laurel-Bowie Road. The applicant originally proposed an 87 square foot sign. In response to the Planning Board's concern regarding the size of the sign, the applicant reduced the sign area to 25 square feet and the height from 20 feet to 12 feet. It will display the Rite-Aid logo in red and blue colors. The applicant also eliminated the display feature of the sign which showed specials of the week and various messages in black changeable letters with a white background.

J. **Other Issues:**

- a. The Permit Review Section (memorandum dated July 28, 2005) has requested the addition of notes regarding the previous approvals, the proposed landscaping, and the existing and proposed signs. Conditions of approval have been added to require the same.
- b. The Environmental Planning Section (memorandum dated September 2, 2005) has stated that there are no impacts to the currently approved Type II Tree Conservation Plan (TCPH-36-94).
- c. The Historic Preservation and Public Facilities Planning Section (memorandum dated September 1, 2005) has stated that the proposed development will be within adequate coverage of the nearest fire and rescue facility and within the service area for the Police District.
- d. The Historic Preservation Section (memorandum dated August 16, 2005) has stated that a Phase I archeological survey is not recommended by the Planning Department on the above-referenced property.
- e. The Transportation Planning Section (memorandum dated August 26, 2005) has no comments regarding the proposed departures.

K. **Sign Requirements:**

**Section 27-614(c)(3)(A), Freestanding Signs, allows a sign area of one square foot for each two (2) lineal feet of street frontage, to a maximum of two hundred (200) square feet for each sign, if the business is located in an integrated shopping center. The street frontage will be measured on the property by the use associated with the sign.**

The Rite-Aid sign will have 25 square feet of sign area and be 12 feet high. The proposed sign complies with the above requirements because the property has 469 feet of frontage on Laurel-Bowie Road and the maximum allowable sign area for that frontage is 200 square feet. The proposed sign area of 25 square feet is less than the

maximum allowable sign area of 200 square feet.

**Section 27-614(d), Freestanding Signs, allows one sign for a total frontage of 100 to 1,100 feet on all streets.**

The existing shopping center has 469 feet of frontage on Laurel-Bowie Road. Therefore, only one sign is allowed for the shopping center. There is an existing freestanding sign along the northern entrance of the property. The subject departure is to allow an additional sign.

**Section 27-614(b), Freestanding Signs, states that the maximum height of freestanding signs in the commercial zones is 25 feet.**

The proposed sign is 12 feet high and complies with the above requirement.

**Section 27-589 contains the following purposes for regulating signs:**

- (1) To promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**
- (2) To encourage and protect the appropriate use of land, buildings, and structures.**
- (3) To regulate unsightly and detrimental signs which could depreciate the value of property and discourage quality development in the Regional District.**
- (4) To regulate signs which are a hazard to safe motor-vehicle operation.**
- (5) To eliminate structurally unsafe signs which endanger a building, structure, or the public.**
- (6) To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development.**
- (7) To control the location and size of signs, so as to provide for adequate identification and advertisement in a manner that is compatible with land uses in the Regional District.**

The proposed freestanding sign will have the corporate logo for Rite-Aid. The sign has been revised from a height of 20 feet and supported on steel columns to a 12-foot-high double-faced monument sign on a brick base. The Rite-Aid sign will be blue and red in color. The sign will be internally illuminated. The overall design of the sign will be subdued and compatible with the commercial use of the property. The sign will not attract undue attention, will provide for adequate identification and advertisement, and will be compatible with the overall streetscape along Laurel-Bowie Road. A condition of approval has also been added to require adequate landscaping along the base of the sign to enhance the appearance of the sign along the street.

**L. Required Findings:**

**Departure from Sign Design Standards**

(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.**

The applicant is requesting relief from the quantity of signs requirement of the Zoning Ordinance. The Zoning Ordinance allows only one sign for street frontages less than 1,100 feet. An additional sign along the southern entrance in the landscaped area adjacent to the proposed Rite-Aid building is necessary for easily identifying the Rite-Aid pharmacy along the busy Laurel-Bowie Road. The pharmacy provides additional services like a drive-through area and easy identification of the pharmacy is necessary to direct vehicles into the drive-through area. Including the Rite-Aid sign on the existing freestanding sign will not help easily identify the pharmacy building. Therefore, the applicant is requesting a separate sign for the Rite-Aid pharmacy. The proposed sign will include the corporate logo for Rite-Aid and it will not attract undue attention to itself. It will be of adequate size for easy identification and will be set back 35 feet from the curb along Laurel-Bowie Road. A condition of approval has been added to require the applicant to provide the setback for the sign from the property line.

In general, the purposes of the sign 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 location, size and design of the proposed 25-square-foot sign area will provide adequate identification and advertisement for the Rite-Aid pharmacy along Laurel-Bowie Road. It will easily identify the southern entrance to the shopping center and the Rite-Aid pharmacy for the eastbound traffic on Laurel-Bowie Road. The existing sign along the northern entrance will not help identify the southern entrance to the shopping center.

With the proposed conditions, the purposes of this Subtitle will be equally well or better served by the applicant's proposal.

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

The applicant is requesting a departure for an additional sign to identify the proposed Rite-Aid pharmacy. The additional sign is necessary to

provide adequate identification and advertisement for the property along a busy street like Laurel-Bowie Road. Therefore, the departure is the minimum necessary, given the specific circumstances of the request.

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

Laurel-Bowie Road is a busy street. The proposed departure for an additional sign is necessary to provide a sign that is easily visible for adequate identification of the proposed pharmacy. The sign will also help identify the entrance to the Rite-Aid pharmacy and the drive-through along Laurel-Bowie Road and ensure the safety of the motorists on the road. Therefore, the departure is necessary in order to alleviate circumstances that are unique to the site.

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

The proposed freestanding sign will have the corporate logo for Rite-Aid. The sign will be mounted on a brick base with landscaping around the base. The Rite-Aid sign will be blue and red in color and the advertisement. The sign will be internally illuminated. The overall design of the sign will be subdued and compatible with the commercial use of the property. The sign will not attract undue attention, will provide for adequate identification and advertisement, and will be compatible with the overall streetscape along Laurel-Bowie Road. A condition of approval has also been added to require adequate landscaping along the base of the sign to enhance the appearance of the sign along the street.

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 following conditions:

1. Prior to certification of the departure from design standards application, the site plan shall be revised to show the following:
  - a. Adequate landscaping along the base of the proposed sign to enhance the appearance of the sign.
  - b. Setback for the sign from the property line along Laurel-Bowie Road.
  - c. Location of all existing signs on the property.

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.

\* \* \* \* \*

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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns and Hewlett voting in favor of the motion, and with Squire absent at its regular meeting held on Thursday, December 22, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of January 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:JJ:rmk

(Revised 8/9/01)