

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DSDS-634 requesting two departures from sign design standards: 1) 328 square feet above the maximum area for a freestanding sign, and 2) 15 feet above the maximum height of 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 June 22, 2006, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property contains approximately 101 acres and is located in the southwest quadrant of the interchange formed by Ritchie-Marlboro Road and the Capital Beltway (I-495/I-95). The undeveloped and largely cleared site will have access from Ritchie-Marlboro Road via Ritchie Station Court.

- B. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Use(s)	Undeveloped	40-foot-high freestanding sign
Acreage	101	0.0001 (sign base).
Freestanding Sign Area	0.0	528 square feet

- C. **History:** The 1984 sectional map amendment (SMA) for Suitland-District Heights and vicinity placed the property in the I-3 Zone and retained a small portion in the R-R Zone. The property is subject to Council Bill CB-65-2003, which allows the I-3- and R-R-zoned site to be developed as a commercial shopping center pursuant to criteria of the C-S-C Zone and Preliminary Plan 4-004184. A stormwater concept plan was approved on July 22, 2004. The Planning Board approved a detailed site plan for Sam's Club on the 101-acre property on April 20, 2006 (DSP-04080/01). Condition 5 of that approval states: "Signage for the subject property shall be limited to signage approved herewith, *as potentially modified by Departure from Design Standards, DSDS-634*" (emphasis added).

- D. **Master Plan Recommendation:** The 2002 General Plan shows the site in the Developed Tier. The 1985 approved Suitland-District Heights and vicinity master plan recommends employment land use for the gross tract. The 1986 SMA placed the majority of the gross tract in the I-3 Zone, including the area proposed for the freestanding sign. The R-R Zone was retained for a small portion of the larger property. The I-3 and R-R Zones were amended by CB-65-2003 to permit retail uses that are generally permitted in the C-S-C Zone on certain properties meeting specific criterion. The subject property meets this criterion.

The Community Planning Division staff indicates (March 2, 2006, memorandum) that the request is not inconsistent with the Development Pattern policies of the Developed Tier. Staff points out that although the request is not in conformance with the land use recommendations of the master plan (employment), the proposed retail use is permitted by CB-65-2003.

- E. **Request:** The applicant proposes to construct and erect a freestanding sign to identify the

forthcoming Ritchie Marlboro Marketplace shopping center and business tenants (Exhibit 1). Exhibit 2 illustrates the sign details and dimensions. The proposed sign measures 18 feet in width at the base, 40 feet in height, and has a sign display area of 370 square feet. With decorative portions of the sign frame, the total area of the sign increases to 528 square feet. Exhibit 3 illustrates the landscaping at the base of the sign. In order to construct the sign, the applicant is requesting a departure from sign design standards for a commercial zone (i.e., C-S-C Zone) per Section 27-614(b) and (c). Although the portion of the property containing the proposed sign is in the I-3 Zone, CB-65-2003 provides that the overall development of this site be in accordance with the design criteria for the C-S-C Zone. The commercial zone design criteria allow a maximum sign height of 25 feet and maximum sign area of 200 square feet. Thus, a departure of 15 feet in height and 328 square feet in sign area is requested. The applicant believes that the size of the future shopping center and its location with over 2,400 feet of Beltway frontage supports the justification for and requires a larger than standard sign in order to effectively provide better and safer visual identity of the site to Beltway motorists.

The proposed sign contains a total of eight individual sign panels arrayed in two adjoining vertical columns to display tenant store names. There are four individual signs measuring 18 square feet each located between two brick and cast columns that form part of the sign base. The columns and sign base total 17 feet-8 inches in height. Above the two brick sign base columns are four horizontal tenant signs measuring 60 square feet each. These four larger sign panels extend 17 feet-8 inches above the two columns. The sign panels are contained within six-inch by six-inch painted steel tubes. A decorative tubular steel painted pediment caps the top of the sign and measures approximately 18 feet in width by 4 feet-8 inches in height.

- F. **Surrounding Uses:** The proposed sign would be placed on the eastern edge of the 101-acre Ritchie Station Market shopping center site, approximately 1,600 feet south of the interchange of Ritchie-Marlboro Road and the Capital Beltway. The nearest adjoining residential development to the 101 acres is approximately 1,100 feet to the west. Surrounding the 101-acre tract are the following:

**North:** Ritchie-Marlboro Road and undeveloped land to the north in the I-1 Zone

**East:** Capital Beltway (I-495/I-95)

**South:** Industrial uses in the I-2 Zone

**West:** Townhouse development in the R-T Zone

- G. **Zoning Ordinance Sign Requirements:**

1. **Section 27-589** provides the following purposes of the sign ordinance. In staff's opinion, four of those purposes (depicted in italics) pertain to the subject departure request and are discussed in Section H of this staff report

- *To promote the health, safety, and welfare of the present and future inhabitants of the Regional District*

- *To encourage and protect the appropriate use of land, buildings, and structures*
- **To regulate unsightly and detrimental signs which could depreciate the value of property and discourage quality development in the Regional District**
- **To regulate signs which are a hazard to safe motor-vehicle operation**
- **To eliminate structurally unsafe signs which endanger a building, structure, or the public**
- *To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development*
- *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*

2. **Section 27-614** provides the following freestanding sign regulations that pertain to the subject application:

- a. **Section 27-614(a)(4)** requires that freestanding signs shall be located at least 10 feet behind the ultimate right-of-way line in all commercial zones (except the I-3 Zone).

**Staff Comment:** The proposed sign conforms to this requirement with a setback of 58 feet from the Capital Beltway right-of-way. The nearest Beltway travel lane is approximately 125 feet from the sign. CB-65-2003 permits retail uses and signs in the I-3 Zone. Signs are a permitted use in the C-S-C Zone, subject to a height and area requirements.

- b. **Section 27-614(b)(1)** limits the maximum height of a sign to 25 feet from finished grade to sign top in commercial zones (except the C-O Zone).

**Staff Comment:** Sign height in the C-S-C Zone cannot exceed 25 feet. The proposed sign is 40 feet in height and requires a departure of 15 feet (60 percent) above the maximum height requirement. It is noted that the base of the proposed sign is at an elevation of approximately 222 feet. Travel lanes on the Capital Beltway in the vicinity of the sign are at approximately the same elevation.

- c. **Section 27-614(c)(3)(A)** provides that in all Commercial Zones (except the C-O Zone) and all Industrial Zones (except the I-3 Zone), the area of the freestanding sign shall be not more than one square foot for each two linear feet of street frontage, to a maximum of 200 square feet for each sign, if the building is located in an integrated shopping center.... The street frontage shall be measured on the property occupied by the center or complex associated with the sign.

**Staff Comment:** The subject sign will contain a total of 528 square feet inclusive of display area, base and decorative architectural elements. Thus, a 328-square-foot departure above the maximum 200 square feet area standard is required (a 164 percent increase). However, the actual sign panel display area is 370 square feet, representing an 85 percent increase above the maximum 200 square feet permitted.

H. **Required Findings:**

**Section 27-612** authorizes the Planning Board to approve departures from sign design standards under the procedures and requirements of Part 3, Division 5 of the Zoning Ordinance; specifically Section 27-239.01(a)(1).

**Section 27-239.01(b)(7)(A) – In order for the Planning Board to grant the departure, it shall make the following findings.** The required findings are below in bold italics, followed by a summary of the applicant’s position and staff comments. Pertinent “purposes” of the sign ordinance in Section 27-589 are referenced as appropriate.

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

**Section 27-102** contains the general purposes of the Subtitle (Zoning Ordinance). The applicant addresses all 15 general purposes in the justification statement (attached), of which staff finds only four directly applicable to this requested departure. Also, Section 27-589 provides seven general purposes of the sign regulations; of which staff finds four applicable herein. The following are the pertinent purposes from both Sections 27-102 and 27-589:

- a. **Section 27-102(a)(1) – To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County**
- b. **Section 27-589(a)(1) - To promote the health, safety, and welfare of the present and future inhabitants of the Regional District**

**Applicant’s Position:** “The approval of the subject application would better serve public safety and convenience by more visibly identifying the commercial use on the subject property to passing motorists at a further site distance, thereby enabling those whose destination is the subject property to avoid sudden or hurried moves in traffic which may result in potential traffic accidents. The ‘...comfort, convenience and (economic) welfare of the current and future inhabitants...’ will certainly be better served by the larger, attractive signage design and materials that will provide more visibility for the site adding to the comfort and convenience of County residents. The proposed signage will economically enhance the retail businesses occupying the subject property and in turn increasing the tax base and overall economic welfare of the County.”

**Staff Comment:** The technical staff finds that the requested departure will not impede protecting or promoting the public health, safety, convenience and welfare. Technical staff reviewed additional information submitted by the applicant with a letter dated May 24, 2006 (attached), in response to Urban Design Section comments dated March 28, 2006, and concur with the applicant that a larger than standard sign is appropriate along the Beltway to help identify the

future integrated shopping center on the subject property. In submitting the additional information, the applicant worked with the technical staff to reduce the number of sign panels from 14 to 8 and to increase the size of four panels in order to promote safer visibility for Beltway drivers. It is not unreasonable to assume that a larger sign with fewer sign panels will more safely convey information to Beltway drivers than would a standard sized sign.

- c. **Section 27-102(a)(2) – To implement the General Plan and Area Master Plans**
- d. **Section 27-589(a)(2) – To encourage and protect the appropriate use of land, buildings, and structures**

**Applicant's Position:** The applicant asserts that development of a shopping center on the subject property is consistent with master plan recommendations as affected by CB-65-2003, General Plan policies for corridors, and previous Planning Board detailed site plan approvals. They believe the "...proposed sign will best enhance the utility of the subject property for use by retail businesses that occupy the site..." thereby implementing General Plan and master plan recommendations. They believe the proposed sign will be less intrusive on neighboring properties given its distance from adjacent land uses. The sign will be constructed with the highest quality materials to complement the retail uses on site.

**Staff Comment:** The technical staff finds that the proposed sign conforms to appropriate master plan guidelines and will not impair the appropriate use of land, buildings or structures on site or in the neighborhood. The master plan guidelines for commercial areas (page 170) encourage high standards for site design (Guideline 3), as well as aesthetic and functional design review criteria (Guideline 6). Given the isolated location of the sign on the subject property, away from residential uses and along the Beltway, the proposed sign design is both functional in serving the needs of motorists as well as tenants, and is aesthetically well sited (see Exhibits 1 and 4a-4d). Master plan guidelines for transportation (Guideline 10) encourage freestanding signs adjacent to major highways to be consolidated. The proposed sign is the only sign for the shopping center located along the Beltway and it reflects this guideline by consolidating individual store advertising signs into one sign.

In responding to staff comments, the applicant submitted supplemental exhibits and comparative data that help illustrate how the proposed sign height and area is appropriate in the context of functional design criteria related to the size of the subject property, the size of the approved shopping center, the number of major tenants, and its location along the Beltway. Exhibit 5 illustrates that the proposed sign is substantially smaller than two other large site identification signs located along the Beltway (Ikea at US 1 and the Boulevard at Capital Centre at Arena Drive). The Ikea sign is pictured on Exhibit 6. The Boulevard at Capital Centre sign is pictured on Exhibit 7. Exhibit 8 is a table comparing the subject property with the Ikea and Boulevard at Capital Centre properties. In reviewing the supplemental information, the technical staff finds that the requested sign departure is in accordance with the master plan and will not erode the purpose of the sign regulations to encourage appropriate use of land, buildings and structures.

The county enacted CB-65-2003 to specifically allow a shopping center on the subject property and thereby implement development in accordance with General Plan policies to strengthen existing neighborhoods and encourage appropriate infill. A Developed Tier strategy seeks to

improve the image and mix of uses along major roadways not designated as corridors (page 33). Although it may seem that a larger than standard sign contradicts this strategy, staff finds, based on the supplemental evidence submitted, that the proposed sign represents the minimum departure necessary to both satisfy business advertising needs and enhance the site's image along the Beltway. Given the location of the site and proposed sign, including its design, the technical staff believes the General Plan's image improvement strategy is met.

- e. **Section 27-102(a)(4) – To guide the orderly growth and development of the County, while recognizing the needs of...business**
- f. **Section 27-102(a)(6) – To promote the most beneficial relationship between uses of land and buildings while protecting landowners from adverse impacts of adjoining development**

Sections 27-102(a)(4) and 27-102(a)(6) above are similar to or promote the following purposes contained in Sections 27-589:

- **Section 27-589(a)(6) – To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development**
- **Section 27-589(a)(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**

**Applicant's Position:** The applicant believes that the proposed sign better serves and recognizes the advertising needs of center businesses to identify the site to motorists. They believe that the location, height and area of the sign will also "...better promote a beneficial relationship between the uses of land and buildings of neighboring property owners by being less intrusive given the fact that the proposed sign will be located adjacent to I-495 and far away as possible from any neighboring properties." They contend the proposed sign will prevent sign proliferation by allowing major tenants to erect their placards on one sign base for the entire center, rather than on individual pedestal signs. Moreover, the applicant states that the requested sign is consistent with other retail signage approved along the Beltway (Ikea and Boulevard at Capital Centre).

**Staff Comment:** Technical staff find that the selected sign location and size is appropriate in the context of ensuring orderly development and compatibility of the site with the commercial use and business advertising needs of retail businesses to market their location in accordance with Section 27-102(a)(4). Staff also concurs that the proposed sign location and size promotes the most beneficial relationship between the commercial marketing needs of major tenants to identify their location within the center while reducing impacts to Beltway drivers in accordance with the spirit of Section 27-102(a)(6).

A larger sign at this Beltway location will provide better driver visibility than could be possible with a standard-sized sign. It is noted that the applicant has reduced the number of individual sign panels from 14 to 8 in response to staff comments, while doubling the size of four primary advertising panels in order to provide better driver visibility. Also, adjacent residential areas

should be protected from any adverse impacts because the sign is approximately 1,100 feet away from the nearest townhouse located to the southwest of the future shopping center. The sign should not be visible from the residential neighborhood.

Staff also finds that the proposed sign, though larger than standard, is attractive and is in proportion to the size of the property and frontage along the Beltway. The sign is attractively designed and will not detract from the appearance of the landscape or shopping center.

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

**Applicant's Position:** The applicant emphasizes that the subject property's longest road frontage is along the Beltway. They assert that a larger than standard sign along this major highway frontage is necessary to enhance driver visibility at a further distance from the site. Exhibits 4a to 4e are photos superimposed with the proposed sign that illustrates how the sign will appear to motorists at various distances. By so enhancing visibility, the applicant believes drivers will have more time to maneuver in traffic to reach the site.

**Staff Comment:** Technical staff finds that the departure is the minimum necessary in recognition of the specific circumstances facing the applicant—namely the unique marketing requirements of major tenants and the location of this large shopping center site adjacent to the Beltway. Exhibit 8 compares the subject property with the size and number of tenants in two existing shopping centers containing larger than standard identification signs at locations along the Beltway (Ikea and Boulevard at Capital Centre). Also, Exhibit 5 illustrates that the proposed sign is substantially lower in height and total sign area than signs at these other sites.

**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.***

**Applicant's Position:** The applicant indicates that the property's longest frontage is along the Beltway and therefore justifies a sign that is larger than standard in order to advertise the location of the shopping center and its major tenants. They contend the economic viability of the retail stores and benefit to the county's tax base depends on the ability of drivers and residents to easily locate the subject property and make appropriate driver decisions to access the site.

**Staff Comment:** The departure is the minimum 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. The longest road frontage for the subject property is along the Beltway, a roadway carrying motorists at higher speeds. Because the sign is located along this highway, it is necessary to consider sign size in the context of enhancing driver visibility of the site and its major tenants, along with the need for businesses to effectively advertise their location to motorists. In this context, staff believes a larger than standard sign is appropriate for the subject property.

The subject property is in the Developed Tier, where General Plan goals seek to strengthen existing neighborhoods and encourage appropriate infill. The county approved a zoning text amendment (CB-65-2003) to specifically allow a shopping center on the subject property and thereby implement development in accordance with General Plan policies. A stated General Plan strategy is to "Improve the image and mix of uses along major roadways not designated as

Corridors.” The Beltway is not a designated corridor. Although it may seem that a larger than standard sign contradicts the General Plan strategy, we agree with the applicant that the proposed sign represents the minimum departure necessary to both satisfy business-advertising needs and enhance the site’s image along the Beltway. Given the location of the site and proposed sign, including its design, the technical staff believe the General Plan’s image improvement strategy is met.

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

**Applicant’s Position:** The applicant believes the proposed sign will not impair the visual integrity of the site and surrounding neighborhoods. They support this with evidence submitted with a May 24, 2006, letter (Exhibit 9) that demonstrates that the Planning Board and the Urban Design Section have approved larger and taller signs at two other shopping centers located along the Beltway. The applicant contends that it would therefore be inconsistent for the subject departure to be denied when larger signs have been approved for retail centers that are less than half the size of the approved Ritchie Station Marketplace. Also, the applicant believes that the proposed sign will create no discernable difference in environmental quality than would occur with a standard-sized sign.

**Staff Comment:** The technical staff concurs with the applicant that the departure and proposed sign will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. Although the technical staff requested information similar to that contained in Exhibit 9 earlier in the processing of the application, we believe the applicant has responded with exhibits and supporting documentation that substantially demonstrate compliance with the above findings pertaining to Section 27-102 and the purpose of sign regulations contained in Section 27-589. This new information has convinced the technical staff that the requested departure is appropriate.

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 APPROVE the above-noted application, subject to the following conditions:

1.     A note shall be added to the site plan stating that “Prior to issuance of sign permits for the subject freestanding sign, a detailed site plan shall be submitted for at least one other store in the subject property that measures a minimum of 100,000 square feet, pursuant to criteria in CB-65-2003 and Condition 1(h) in DSP-04080/01 (PGCPB No. 06-76).
2.     On either face of the sign, there shall be no more than one business advertised on each of eight individual sign panels.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark and Parker voting in favor of the motion, and with Commissioners Vaughns and Eley opposing the motion at its regular meeting held on Thursday, June 22, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of July 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:RB:bjs