

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DSDS-638 requesting a departure for 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 June 22, 2006, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The site is located on the south side of MD 450 (Annapolis Road) at its intersection with Riverdale Road, just inside the Beltway in the City of New Carrollton. The property is currently vacant although it was previously the site of a TOYS-R-US. The property has been cleared and graded in preparation for development.

B. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	C-S-C	C-S-C
Use(s)	Vacant	Bank and Pharmacy
Acreage	3.88	3.88
Parcels	1	1
Square Footage/GFA	17,100	17,100

- C. **History:** The 1994 Bladensburg-New Carrollton and vicinity sectional amendment map retained the C-S-C zoning for the site.
- D. **Master Plan Recommendation:** The 1994 approved master plan and sectional map amendment for Bladensburg-New Carrollton and vicinity (Planning Area 69) recommended retail commercial land use for this site.

The master plan also recommends that any renovation and redevelopment of commercial areas should be done in conformance with the guidelines specified in the Urban Design chapter. The Urban Design chapter contains a specific guideline on freestanding signs stating: "Integrated shopping centers and their pad sites should be limited to one freestanding sign." Thus, this application is not in conformance with the master plan recommendation on freestanding signs contained in Guideline 6 on page 114.

The site is located on the Annapolis Road corridor in the Developed Tier. The vision for corridors is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development. This development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or transit stops along the corridor.

The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

- E. **Request:** The applicant has submitted plans showing the construction of two new businesses, a

Commerce Bank and a CVS Pharmacy, on one parcel of land. The applicant is requesting that each business have its own sign, whereas the Zoning Ordinance permits only one coordinated sign to advertise all businesses per property. In addition, the applicant is requesting to exceed the allowed area for the face of the sign, which is 89.9 square feet. The area of the proposed Commerce Bank sign is 48 square feet and the CVS sign's face is 190 square feet in area, which is a total of 238 square feet (slightly smaller than the square footage noted in the applicant's application of 242.68 square feet).

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

North—Shell Gas Station in the C-S-C Zone.

West—Across MD 450 is a shopping center (The Shoppes of New Carrollton) in the C-S-C Zone and an automobile dealership (DarCars) in the C-2 Zone.

South—Saint Christopher's Episcopal Church in the C-S-C Zone.

East—Carrollan Gardens Condominium in the R-18 Zone.

G. **Sign Requirements:**

1. **Section 27-614(d)(2)** of the Zoning Ordinance allows **one freestanding sign for a property with street frontage of 40 to 1,100 feet, and one additional sign is permitted for each additional 1,000 feet or fraction thereof.**

The subject property has 359.61 linear feet of total street frontage on MD 450. Therefore, the site is allowed one freestanding sign.

2. **Section 27-614(c)(3)(B)** 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 (1) square foot for each (4) linear feet of street frontage, to a maximum of two hundred (200) square feet for each sign, if the building is not located in an integrated shopping center, other commercial center with three (3) or more businesses served by common and immediate off-street parking and loading facilities, industrial center, or office building complex. The street frontage shall be measured on the property occupied by the center or complex associated with the sign.**

The area of the sign would be limited to 89.9 square feet based on the property's 359.61 linear feet of frontage. The applicant is proposing a bank sign that has an area of 48 square feet and a pharmacy sign with an area of 190 square feet. The pharmacy sign by itself would exceed the standard by almost 100 percent.

3. **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.**

**H. 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.**

The applicant contends that the subtitle will be equally well or better served because separate signs will complement the different uses proposed for the subject property. The CVS sign will have essentially three parts: an identification sign, an electronic message center for advertisements, and the seal for the city of New Carrollton. The Commerce Bank sign will be separate and is a typical bank sign that conforms to the signage of other suburban Commerce Banks. Staff cannot find that the purposes of this subtitle will be equally well or better served by the applicant's proposal. The signs are not complementary and staff finds that the proposed two signs are actually detrimental to one of the main the purposes of the sign regulations:

“To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development.”

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

The applicant has stated that this departure is the minimum necessary in order to allow the bank to place its own freestanding pylon sign on the subject site. Staff cannot agree that this request is the minimum necessary since the applicant is requesting departures for both the number of the signs as well as the area of the sign face. The proposed signs exceed the allowed area by 148.1 square feet, or 160 percent over the maximum allowed area.

**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 applicant contends that this site has unique circumstances in that the property had one use before and will now have two distinct uses that will be operating in two separate buildings. Staff cannot agree that this is unique to this site. The Ordinance has purposely tried to limit the number of signs per property to reduce the number of signs on the county's commercial corridors regardless of the number of businesses. In fact the Ordinance recognizes that some properties will have numerous businesses and recommends using one sign to advertise the businesses in a coordinated and complementary manner.

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

The applicant lists a number of reasons that the proposed signs will meet this finding. Specifically, the Commerce Bank sign is compatible with the exterior of the bank building and the colors will match the red brick of the building. The applicant also states that the Commerce Bank sign will compliment the CVS sign while at the same time they are far enough apart as to not clash with each other. And lastly, that the variety of signs, CVS is a monumental sign while Commerce Banks will be a single pole pylon design, will not be monotonous.

Staff finds that the departure would impair the visual quality or integrity of the site or of the surrounding neighborhood. The proposed signs have not been designed to be complementary and no attempt has been made to coordinate the signage. Indeed, each business would like to keep their independent signage, which staff believes is contradictory to the purpose of the sign regulations. Staff believes that the two signs requested would continue to allow a proliferation of signage in an area of the county that already suffers from an over abundance of competing signage along a designated General Plan Corridor, MD 450.

**I. Municipal Comments:**

The City of New Carrollton has indicated their support of this departure request per a fax received March 20, 2006.

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 recommend DISAPPROVAL of the above-noted application.

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 Clark, seconded by Commissioner Squire, with Commissioners Clark, Squire, Eley, Vaughns and Parker voting in favor of 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

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