

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 17, 2003, regarding Detailed Site Plan DSP-02061 for Shell Gas Station, Lot 1, Queens Chapel Triangle, the Planning Board finds:

1. The subject property is located at the intersection of Queens Chapel Road and Hamilton Street, within the City of Hyattsville. The property is zoned M-X-T and is within the West Hyattsville Transit District Overlay Zone (TDOZ) and is identified as being within Subarea 5A. The property consists of Lot 1 of Queens Chapel Triangle and is located at 5398 Queens Chapel Road.

The applicant has submitted plans for minor renovations for improvement to the gas station including replacement of the existing canopy, minor repairs and improvements to the building façade, painting and replacing the building sign fascia, and upgrading the freestanding sign.

2. Development Data Summary

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	Gas Station and food and beverage	Gas Station and food and beverage
Acreage	0.41 acres	0.41acres
Lots	1	1
Parcels	0	0
Square Footage/GFA	890 square feet	890 square feet
Floor Area Ratio (FAR)	0.05	0.05

3. The Detailed Site Plan includes the site plan and the proposal for new signage.
4. This Detailed Site Plan is required because of an increase in the size of the freestanding sign and not for the rehabilitation of the existing structure. The Applicability Section of the Transit

District Development Regulations for West Hyattsville indicates that the rehabilitation of the existing structure is exempt from the requirements of the TDOZ, as stated in the following excerpt:

Redevelopment, rehabilitation and renovation of existing structures are all forms of development. Any form of these types of development may be exempt from the requirements of this TDDP, provided that all aspects of the proposed development meet the following provisions:

3. **Permits for interior alteration, exterior rehabilitation of an existing building that does not include an increase in gross floor area, canopies, fences, ordinary maintenance or changes in occupancy may be obtained if the existing or proposed use:**
 - a. **Is permitted by the TDDP.**
 - b. **Has adequate numbers of existing parking and loading spaces that meet or exceed the maximum parking ratio as set forth by this TDDP or meet or exceed the parking ratios of Part 11 of the Zoning Ordinance, whichever parking ratio results in less required parking.**

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7. **Permits for refacing an existing sign are exempt from the requirements of this TDDP.**

The exemption clauses above are applicable to the subject application. The use is permitted by the TDDP (per Table 16 of the TDDP) and the parking proposes the same number and location of spaces as are currently on-site. In regard to Exemption 7 above, the applicant does not propose to only reface the existing sign; it is proposing to increase the size of the sign. Because of the increase in size of the existing sign, the exemption clause of Number 7 above for the sign does not apply.

Required findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ) as stated in the Transit District Development Plan

3. **The Transit District Site Plan is in strict conformance with any Mandatory Development Requirements of the Transit District Development Plan;**

The Detailed Site Plan is in strict conformance with the applicable Mandatory Development Requirements, which in this case are only the sign regulations.

4. **The Transit District Site Plan is consistent with, and reflects the guidelines and criteria contained in the Transit District Development Plan;**

The Detailed Site Plan is in strict conformance with the applicable Mandatory Development Requirements, which in this case are only the sign regulations. The following requirement applies to the freestanding sign:

P2 All development/redevelopment shall have a sign plan approved by the Planning Board at the time of the Detailed Site Plan. This plan shall provide the sign location(s), size, color, lettering style, construction details and the material specifications including the method of illumination.

The Detailed Site Plan shows all of the proposed signage for the site. The freestanding sign proposes to use the existing poles in the same location and will replace the existing panels with new, larger panels. The sign height is 20 feet. The existing sign is 79.6 square feet in area; the proposed sign is 102.9 square feet in area. The sign has the typical Shell logo in yellow with a red outline and a white background. A grey panel separates the logo from the gasoline pricing information. A "Food Mart" panel is located near the base of the sign.

5. The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone and applicable regulations of the underlying zones;

The Detailed Site Plan meets all the requirements of the Transit District Overlay Zone and the underlying M-X-T Zone. The approved Transit District Development Plan includes a discussion of the signage regulations for the district as follows:

Zoning Ordinance Sections 27-613 and 27-614 shall regulate the design of all private signs within the transit district, in accordance with the underlying zone.

Comment: The underlying zone in this case is the M-X-T Zone. Section 27-614(e), Mixed-Use Zones, states the following:

(1) In the Mixed Use Zones, the Design Standards for freestanding on-site signs shall be determined by the Planning Board for each development at the time of Detailed Site Plan review. Each Detailed Site Plan shall be accompanied by plans, sketches, or photographs indicating the design, size, methods of sign support, and other information the Planning Board requires. In approving these signs, the Planning Board shall find that the proposed signs are appropriate in size, type, and design, given the proposed location and the use to be served, and are in keeping with the remainder of the Mixed Use Zone development and, in the M-X-C Zone....

Comment: The language above allows flexibility in the review of the sign in the M-X-T Zone. In order to determine the acceptability of the proposed sign, the staff compared the proposal to the requirements of a comparable zone, in this case the C-S-C Zone. This zone was selected because it was the zoning of the property prior to the adoption of the current M-X-T/Transit District Overlay Zone. Review of the regulations governing the C-S-C Zone indicates that the allowable sign area for a freestanding sign is 91.2 square feet of area. The applicant is proposing 102.9 square feet of sign area, 11.7 square feet larger than allowed in the C-S-C Zone. Compared to the

existing sign on the property, the new sign is proposed to be 23.3 square feet larger. However, it should be noted that the new proposed sign does include a blank panel that is 17.1 square feet in size that acts to separate the logo area of the sign from the pricing area of the sign. Considering that without the blank panel, the sign measurement would be 85.8 square feet, smaller than the permitted sign area in the C-S-C Zone, this request is reasonable. The staff recommends approval of the new freestanding sign.

6. **Each structure and use, in the manner proposed, is compatible with other structures in the Transit District and with existing and proposed adjacent development.**

This finding is not applicable to this case because the Detailed Site Plan is only for a freestanding sign.

7. The Detailed Site Plan is in conformance with the Conceptual Site Plan, CSP-03002.

Required Findings for Detailed Site Plans in the M-X-T Zone

8. **The proposed development is in conformance with the purposes and other provisions of this Division;**

The Detailed Site Plan promotes the rehabilitation of the property within walking distance of the West Hyattsville transit stop. The rehabilitation of this site will enhance the economic status of the county and provide visually for a more desirable area. The upgrade of the site will encourage activity in the area beyond the workday hours among those who work, live in and visit the area.

9. **The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The plan provides for an outward orientation that is visually integrated with existing development in the area. It is anticipated that the rehabilitation of the site included in this application will act as a catalyst to spur other improvements in the immediate area.

10. **The proposed development is compatible with existing and proposed development in the vicinity;**

The proposed rehabilitation is compatible with development in the surrounding area in that the existing use will serve the immediate neighborhood and the surrounding area.

11. **The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

This existing use and the proposed rehabilitation of the building and improved signage reflect a cohesive development capable of sustaining an independent environment enhanced by significant

improvements to the site.

12. **If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

No staging is proposed for the proposed improvements; everything will be completed in one phase.

13. **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

The existing pedestrian system will remain.

14. The plan is exempt from the requirements of the Woodland Conservation Ordinance and the *Landscape Manual*.

15. The City of Hyattsville reviewed the application and provided a letter dated February 25, 2003, from Mayor Robert W. Armentrout to Susan Lareuse, stating that the city had no objection to the proposed redevelopment of the Shell gas station.

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 APPROVED the Detailed Site Plan DSP-02061.

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 Lowe, seconded by Commissioner Scott, with Commissioners Lowe, Scott, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 17, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of September 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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