

January 27, 1999

TECHNICAL STAFF REPORT:

TO: The Prince Georges County Planning Board

VIA: Arie Stouten, Zoning Supervisor

FROM: Tom Lockard, Senior Planner

SUBJECT: **Departure from Sign Design Standards Application No. 557**

REQUEST: **Departure of ten feet from the ten-foot setback for freestanding signs in accordance with Section 27-239.01**

RECOMMENDATION: **APPROVAL**, subject to a condition

NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3280 for additional information.

SKETCH MAP

APPLICATION DATA:

- A. Premise Address: 15701 Annapolis Road
- B. Municipality: City of Bowie. Staff has not yet received a referral response from the City, but will provide one, if received, prior to the public hearing.
- C. Area: 0.67 ∇ acre
- D. Zone: C-S-C
- E. Zoning Map: 209NE 14L
- F. History: The District Council approved Special Exception No. 1527 on May 17, 1967, for a gas station on the subject property. There will be a major revision to this special exception filed on this property in the near future.
- G. Subdivision: Not required.
- H. Master Plan Recommendation: The *1991 Master Plan for Bowie-Collington-Mitchellville and Vicinity* recommends this property for retail-commercial use.
- I. Council District: 4
- J. Applicant: Exxon Corporation, Owner
- K. Correspondent: Michele LaRocca

FINDINGS:

- A. Location and Field Inspection: The subject property is a rectangularly-shaped parcel at the southeast quadrant of the intersection of Superior Lane and Annapolis Road (MD 450). It is developed with a gas station, which has been operating at this site for more than 30 years. The adjoining property is developed with a Taco Bell restaurant, which would be removed in order to expand onto the adjoining property.
- B. Request: The applicant seeks permission to have a freestanding sign less than ten feet behind the ultimate right-of-way for Annapolis Road.
- C. Neighborhood and Surrounding Uses: The neighborhood is characterized as commercial in nature with strip-commercial uses predominating along both sides of Superior Lane and Annapolis Road. A mix of residential types are found within the interior portions of the surrounding area.

The property is surrounded by the following uses:

<u>North</u> -	Across Annapolis Road is the Freestate Mall shopping center in the C-S-C Zone and an undeveloped site in the O-S Zone.
<u>East</u> -	Townhouses in the R-T Zone.
<u>South</u> -	Along Superior Lane are strip-commercial uses in the C-S-C Zone.
<u>West</u> -	Across Superior Lane is the Market Place shopping center in the C-S-C Zone.

- D. **Section 27-614(a)(4) of the Zoning Ordinance requires freestanding signs to be set back at least ten feet from the streetline.**

Comment: The applicant seeks to place the sign at the streetline. Thus, a 10-foot departure is requested.

- E. **Section 27-614(c)(3)(B) of the Zoning Ordinance allows for one square foot of sign area per four feet of linear street frontage for sites in commercial zones.**

Comment: The subject property has 509 ∇ feet of street frontage, which would permit 127.6 square feet of sign area for the freestanding sign. The applicant claims the proposed sign would contain 81.4 square feet, but this would only be true if the empty panels shown on the sign schematic were removed. If they are included, the sign would be counted at 160 ∇ square feet in area, well in excess of that which would be permitted. These additional blank panels should be removed, and the base of the sign planted with landscape materials.

- E. **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.**
2. **The departure is the minimum necessary, given the specific circumstances of the request.**
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.**
4. **The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

Discussion:

The applicant's gas station is a long-existing use that is proposed for a modernization to meet the needs of its customers. Part of this plan would be to expand onto the adjoining Taco Bell property to the west. The existing freestanding sign has provided adequate identification and advertisement of the subject use at its present location, where it has existed for over 30 years. However, the sign would be relocated onto the adjoining property closer to the intersection of Annapolis Road and Superior Lane. It is only the imposition of a 150-foot-wide, unused right-of-way that makes this departure necessary. In reality, the sign would be some 40 feet behind the actual edge of pavement, four times the required setback. Thus, the proposal will equally well or better serve the purposes of the Zoning Ordinance. This apparent setback would exceed that required by the Code by a factor of four. In addition, it should be noted that if the companion site plan revision is approved, this one sign will take the place of two existing freestanding signs, one for Exxon and one for Taco Bell. Even if the existing signs were retained, they too would need an identical departure.

The applicant is unable to meet the ten-foot setback requirement because of the way these narrow lots were built more than 30 years ago, prior to the widening of the right-of-way. This results in unique difficulties when rehabilitating the site. As previously noted, the apparent setback will be 40 feet. This is the setback required of buildings to be identified by freestanding signs, much less the signs themselves. In order to meet this requirement, the sign would have to be placed in such a location that it would be partially obscured by the canopy, some 50 feet from the existing paving along Annapolis Road. Thus, the request is the minimum necessary.

The departure will not impair the visual integrity of the site or surrounding area and will actually improve it. The existing sign is similarly located, as is the Taco Bell sign, which would be removed. The use has served the subject property and the surrounding community for many years. The applicant's proposal will bring substantial aesthetic and operational improvements to a site which has begun to show its age.

CONCLUSION:

We conclude that the applicant has met their burden of proof in this instance and therefore recommend APPROVAL of DSDS-557, subject to the condition that the two lowest blank panels be removed and the base of the sign be planted with landscape materials.