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DEPARTURE FROM SIGN DESIGN STANDARDS

579

Application	General Data
Project Name Outback Steakhouse at Inglewood Restaurant Park	Date Accepted 9/10/01
	Planning Board Action Limit N/A
	Tax Map & Grid 060 E-4
Location Northwest quadrant of Landover Road (MD 202) and Lottsford Road	Plan Acreage 2.0 acres
	Zone I-3
	Dwelling Units N/A
Applicant/Address Mr. Jamie Butler Outback Steakhouse 2202 Westshore Boulevard, 5 th floor Tampa, FL 33607	Square Footage 6,726 sq. ft.
	Planning Area 73
	Council District 05 (New 06)
	Municipality N/A
	200-Scale Base Map 203NE8

Purpose of Application	Notice Dates
Departure from Sign Design Standards for two building signs extending above the lowest point of the roof line of the building to which they are attached, in the I-3 Zone—27-613(b)(2)	Adjoining Property Owners 9/14/01 (CB-15-1998)
	Previous Parties of Record 10/2/01 (CB-13-1997)
	Sign(s) Posted on Site 11/30/01
	Variance(s): Adjoining Property Owners N/A

Staff Recommendation			Staff Reviewer: Zhang
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

July 30, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Henry Zhang, Urban Design Section, Development Review Division

SUBJECT: Departure from Sign Design Standards, DSDS-579, Outback Steakhouse at Inglewood Restaurant Park

The Urban Design staff has reviewed the Departure from Sign Design Standards application for the subject property and presents the following findings leading to a recommendation of DISAPPROVAL as described in the Recommendation section of this report.

1. **Request:** The subject application is for the Departure of Sign Design Standards for two building signs which are above the lowest point of the roof line on an Outback Steakhouse Restaurant building in the I-3 Zone.
2. **Property and Location:** The subject property comprises approximately 16.67 acres and is within Planning Area 73, Council District 5 (new Council District 6). The property is part of the Inglewood Restaurant Park, and it is located at the southwest corner of the intersection of Landover Road (MD 202) and Lottsford Road. The property is owned by HRD Commercial properties, Inc., c/o The Rouse Company, which is the overall developer of the Inglewood Restaurant Park.

The property is surrounded on three sides by streets. The site is located on the west side of Lottsford Road, the north side of Lottsford Court, and the south side of Landover Road (MD 202). To the west is Jaspers Restaurant and an unoccupied lot.

3. **Background:** The Detailed Site Plan, DSP-01025, for Outback Steakhouse was approved by the Planning Board (PGCPB 01-133) on July 12, 2001, with three conditions. Condition 1 requires a Departure from Sign Design Standards (DSDS) prior to issuance of any sign permits. The subject application was filed with the Development Review Division on September 10, 2001.

Three sign permits (numbers 33679-2001, 33698-2001 and 3370-2001), which included the permits for the two building signs in the subject application and a freestanding sign, were issued on November 27, 2001. Although the departure had not yet been approved, a decision was made to release the permits because the Planning Board and the parties of record had seen the signs as part of the applicant's Detailed Site Plan. The signs were included on the architectural drawings that were part of the Detailed Site Plan and were part of the visual presentation during the hearing. The restaurant was scheduled to open before Christmas in 2001, and it was a restaurant that was welcomed by the elected officials and citizens of Prince George's County. Primarily because the

signs were part of an official public hearing, although it was not the required departure hearing, a decision was made to release the signs in time for the restaurant opening.

After the permits were released, an additional problem was discovered. One of the signs on the facade of the Outback building faces MD 202. Signs facing MD 202 are expressly prohibited in a condition of a previous approval for the overall restaurant park, which was approved as a separate Detailed Site Plan, SP-95102, in 1996. The owner of the restaurant was contacted numerous times, and he indicated that he would take down the offending sign. As of the writing of this report, the sign is still there. Because the sign was erected in violation of this condition, approval of the requested departure can be recommended only if the sign facing MD 202 is taken down prior to the hearing for the departure.

4. **Zoning Requirements:** Sign Design Standards in Section 27-613, Attached to a building or canopy, of the Zoning Ordinance prescribes specific requirements for sign design in the I-3 Zone as follows:

(a)(2) **In the I-3 Zone, the signs may be located anywhere on a building that the Planning Board deems appropriate, subject to the height limitations below.**

(b)(2) **In the I-3 Zone the sign shall not extend above the lowest point of the roof of the building to which it is attached (See Figure 65).**

Comment: The proposed building signs on the Outback Steakhouse Restaurant building do not comply with the above-mentioned provision (b)(2). Both signs are above the lowest point of the roofline and therefore necessitate an application for Departure from Sign Design Standards (DSDS).

5. **Required Findings:** Section 27-239.01(b)(9), Departures from Design Standards, of the Zoning Ordinance outlines the required findings for approval of a Departure from Design Standards:

(A) **In order for the Planning Board to grant the departure, it shall make the following findings:**

(i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

Comment: The purposes of the Zoning Ordinance set forth in Section 27-102 in general are to protect the health, safety and welfare of the general public and to encourage economic development activities in Prince George's County. In this instance, the sign will read "Outback Steakhouse" in red illuminated letters. The proposed sign style and location are typical to all Outback Steakhouse establishment and are for marketing and advertisement purposes. The sign itself is attractive and appropriate for the neighborhood. However, the location of one of the signs, on the façade facing MD 202, is in violation of a condition of a previous site plan, SP-95102. The location of this particular sign does not meet the purposes set forth in Section 27-102. One of the purposes is "To implement the General Plan, Area Master Plans, and Functional Master Plans." The MD 202 Corridor Study raises the issue of design criteria, and recommends that "special design attention should be focused on 'gateways' shown on the concept plan with respect to building design, landscaping, and signs." The condition of SP-05102 arose from the citizens' concerns about signage as raised in the MD 202 Corridor Study.

Section 27-102 further states another purpose which is “To promote the most beneficial relationship between the use of land and buildings and protect landowners from adverse impacts of adjoining development.” The sign facing MD 202 does not create a beneficial relationship between the use of land and buildings or protect the residential landowners across MD 202 from adverse impacts of the Outback development. However, if the sign facing MD 202 is removed prior to a hearing, this negative finding would become positive.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

Comment: The applicant considers the departure is necessary to provide for visibility of the signs on this site given the particular features of the Outback Steakhouse Restaurant building. The proposed restaurant is a single-story, steel frame building with decorative mansard and cross gables concealing its flat roof. The cross gables are located in the middle of each roof and are the focus of each façade. It should be noted that the restaurant is in the I-3 Zone, which is a zone intended primarily for office parks, not a commercial restaurant park, and the sign regulations reflect the intended primary use of the zone. Because the restaurant is a one-story building and the sign is entirely within the cross gable, the sign does not appear to be overly large or high, and is a sign that would be typical, if not understated, in a more typical commercial zone that allows restaurants. For these reasons, the departure is the minimum necessary given the specific circumstances of the request.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in the areas of the County developed prior to November 29, 1949;

Comment: The site has an unusual orientation to three streets: MD 202, Lottsford Road and the internal restaurant park road. The parcel has an unusual and irregular dog-legged shape. In addition, the restaurant is subject to signage requirements of the I-3 Zone, which is primarily an office park zone. This combination of circumstances is unique to the site.

(iv) The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood;

Comment: The proposed signs will not generally impair the visual, functional, or environmental quality of integrity of the site or of the surrounding neighborhood. However, the one sign that faces MD 202 does impair the visual quality and integrity of the surrounding neighborhood. The condition of SP-95102 that prohibits signs facing MD 202 was put in place expressly to protect the visual integrity of the residential neighborhoods on the other side of MD 202 and to create an appropriate gateway into the county. Unless the sign facing MD 202 is removed prior to a hearing, the proposed signs will not meet the required finding.

6. **Other Findings:** Two previous approvals contain the conditions that specifically govern the building signage on the site. The Detailed Site Plan, DSP-01025, for Outback Steakhouse at Inglewood Restaurant Park was approved by the Planning Board on July 12, 2001. The first condition attached to the approval requires a Departure from Sign Design Standards before the issuance of any sign permits for the subject site. Condition 1 reads:

1. **Prior to issuance of any sign permits, the applicant shall apply for a Departure from Sign Design Standards (SDSD) for the proposed building sign per**

Section 27-613(b)(2) of the Zoning Ordinance, as the entire sign is located above the lowest point of the roof to which it is attached.

Comment: The subject Departure from Sign Design Standards was filed according to the above condition. But the sign permits for Outback Steakhouse were issued on November 27, 2001, which included the permits for the subject building signs in this DSDS application. The Outback Steakhouse Restaurant was opened during the Christmas season in 2001. The two building signs, which are now on the restaurant building, are in violation of the approved Detailed Site Plan for Outback Steakhouse.

The Detailed Site Plan, SP-95102, for BET Soundstage (currently Jaspers Restaurant), Lot 3, at Inglewood Park was approved by the Planning Board on February 22, 1996, with four conditions. Condition 4 of the approval forbids any building signs facing Largo Road (MD 202).

- 4. Restaurant buildings to be located on *Lots 1 and 2* will face inward and will not face toward Landover Road. Building signage for those restaurant buildings will be erected so as not to be placed on the building elevation parallel to and directly facing Route 202.** [italics added for emphasis]

Comment: Lots 1, 2 and 3 are three out of five lots of an assemblage of land known as the Inglewood Restaurant Park. During the review of Lot 3, the residents in the adjacent neighborhoods expressed their strong concerns over the management of commercial signage along MD 202. The above Planning Board condition was a direct response to the requests of the local community. The Outback Steakhouse is located on Lot 1. One of the building signs in the application was put up on the side elevation of the restaurant facing Landover Road (MD 202). By orienting the building sign toward Landover Road, the application is in direct conflict with the previous Planning Board condition for Lot 3, SP-95102.

7. **Referral Comments:** The subject application was referred to concerned agencies and divisions. Major referral comments are summarized as follows:
 - a. The Community Planning Division, in a memorandum dated October 9, 2001, stated that there are no master plan issues raised by this application.
 - b. In a memorandum dated October 4, 2001, the Permit Review Section reiterated the necessity to file the subject Departure from Sign Design Standards application because the entire sign is located above the lowest point of the roof to which it is attached.
 - c. The Growth Policy and Public Facilities Planning Section, Countywide Planning Division, in a memorandum dated September 14, 2001, concluded that there are no APF findings necessary for this Departure from Sign Design Standards application.

RECOMMENDATION

Based on the preceding analysis and findings, the Urban Design staff recommends that the Planning Board adopt the findings for disapproval and DISAPPROVE Departure from Sign Design Standards DSDS-579 for the Outback Steakhouse at Inglewood Restaurant Park, if the illegal sign facing MD 202 is not removed prior to the hearing. If it has been removed prior to the hearing, the staff

recommends that the Planning Board adopt the findings for approval, and APPROVE Departure from Sign Design Standards DSDS-579.