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## DEPARTURE FROM SIGN DESIGN STANDARDS

**DSDS-592**

Application	General Data
Project Name  RUBY TUESDAY AT INGLEWOOD RESTAURANT PARK  Location  Southwest corner of the intersection of Landover Road (MD 202) and Lottsford Road.  Applicant/Address  Ruby Tuesday, Inc. 10560 Main Street, Suite 511 Fairfax, VA 22301	Date Accepted 10/08/2002
	Planning Board Action Limit NA
	Plan Acreage 2.51
	Zone I-3
	Dwelling Units NA
	Square Footage 6,578
	Planning Area 73
	Council District 5
	Municipality NA
	200-Scale Base Map 203NE09

Purpose of Application	Notice Dates
Departure pursuant to Section 27-613(b)(2) for two building-mounted signs	Adjoining Property Owners (CB-15-1998) 10/04/2002
	Previous Parties of Record (CB-13-1997) 11/20/2002
	Sign(s) Posted on Site 11/27/2002
	Variance(s): Adjoining Property Owners NA

Staff Recommendation			Staff Reviewer: H. 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-592, Ruby Tuesday 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 APPROVAL 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 that are above the lowest point of the roofline on an Ruby Tuesday Restaurant building in the I-3 Zone.
2. **Property and Location:** The subject property comprises approximately 2.51 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 site is located on the south side of Landover Road (MD 202). To the east is the property of the Outback Steakhouse Restaurant, to the south are the properties of the Jasper Restaurant and the rest of the Outback Steakhouse, and to the west is Lot 35 in Section Five of Inglewood Business Park.

3. **Background:** Detailed Site Plan DSP-02020 for Ruby Tuesday was approved by the Planning Board (PGCPB 02-145) on July 18, 2002, with three conditions. Condition 1 requires a Departure from Sign Design Standards (DSDS) prior to issuance of any sign permits because the proposed building signs on the entrance tower are above the lowest point of the roof of the building, to which it is attached. The subject application was filed with the Development Review Division on October 8, 2002.
4. **Zoning Requirements:** Sign Design Standards in Section 27-613, "Attached to a Building or Canopy," of the Zoning Ordinance prescribe specific requirements for sign design in the I-3 Zone as follows:

**"...(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 entrance tower of the Ruby Tuesday 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, granting the requested departure will in no way jeopardize these purposes. The applicant requests that a corporate trademark "Ruby Tuesday" sign be placed above the main entrance tower of the restaurant building which is oriented toward both the Jasper's and Outback Steakhouse restaurants. The sign will read "Ruby Tuesday." The proposed sign style and location are typical to all Ruby Tuesday establishments and are for marketing and advertisement purposes. By granting this departure, the purposes of this Subtitle will be equally well served by the applicant's proposal.

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

*Comment:* The departure is the minimum necessary to provide for reasonable visibility of the signs on this site given the particular features of the Ruby Tuesday building. The sign in question consists of 24-inch-high channel letters with double-stroke neon lights, which project approximately two feet above the lowest roofline of the structure. Building-mounted signs in commercial and industrial zones in general allow two square feet for each foot of building width, up to a maximum of 400 square feet. The maximum allowable building-mounted sign on each elevation in this case is between 160 to 180 square feet. The proposed sign is less than 32 square feet, which is well within the allowed square footage and meets all other applicable regulations. The minor deviation from the allowable sign height is the minimum necessary, given the specific circumstances of this application.

(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 departure is necessary to alleviate circumstances that are unique to the site. The subject property is part of Inglewood Restaurant Park in the I-3 Zone. A restaurant is a somewhat uncommon use in the I-3 Zone, allowed by CB-57-1994 in an industrial park under certain conditions. It should be noted that the sign design regulations for the I-3 Zone are quite different from those in other commercial and industrial zones. For example, in all other commercial and industrial zones, a building-mounted sign would be allowed as long as it did not extend more than 12 feet above the roofline or parapet wall (whichever is higher) of that part of the building to which it is attached. But in the I-3 Zone, the sign is not allowed to extend above the lowest point of the roof. Therefore, the proposed Ruby Tuesday signs are subject to more stringent regulations than would

normally be required because the restaurant is seeking to locate in the I-3-zoned Inglewood Restaurant Park.

The design of the restaurant building is another important factor that makes this application unique. The sign design regulations for the I-3 Zone, **Planned Industrial/Employment Park**, were envisioned for office and warehouse buildings, where the roofline is normally the top of the building. In this instance, the proposed restaurant is a single-story steel frame building with an accented entrance tower. This building design is also the standard architectural format of Ruby Tuesday establishments. The elaborate vertical entrance tower is the focus of the elevations and therefore the ideal places to put the proposed signage specifically to enhance recognition and advertisement of corporate logos.

(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 or integrity of the site or of the surrounding neighborhood. The subject site is located in an interior lot of the Inglewood Restaurant Park with only one street frontage along Landover Road. The two signs will be put on the elevations that are oriented toward the existing Jasper's and Outback Steakhouse Restaurant properties because no sign will be allowed facing Landover Road. The proposed sign is the standard corporate logo of Ruby Tuesday. The visual, functional and environmental impact of the proposed departures on the site and adjacent neighborhood is minimal.

6. **Other Findings:** Two previous approvals contain the conditions that specifically govern the building signage on the site. Detailed Site Plan DSP-02020 for Ruby Tuesday at Inglewood Restaurant Park was approved by the Planning Board on July 18, 2002. 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 (DSDS) 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. Detailed Site Plan DSP-95102 for BET Soundstage (currently Jasper's 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

Ruby Tuesday is located on Lot 2. No signs are proposed on the elevation facing Landover Road. The subject application complies with the above-noted condition.

7. **Referral Comments:** The subject application was referred to concerned agencies and divisions. Major referral comments are summarized as follows:
- a. In a memorandum dated October 21, 2002, 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. The staff also noted that the area of the proposed signs is well below what is required by the Zoning Ordinance.
  - b. In a memorandum dated November 6, 2002, the Community Planning Division indicated that there are no *Largo-Lottsford Master Plan* issues with this application.
  - c. In a memorandum dated November 14, 2002, the Department of Public Works and Transportation (DPW&T), Prince George's County, stated that a DPW&T restoration permit will be required as a part of the building permit for the subject signs.
  - d. The Department of Environmental Resources, Prince George's County, had not responded to the referral request at the time the staff report was written.
  - e. The City of Glenarden had not responded to the referral request at the time the staff report was written.
  - f. Property Standards, Prince George's County, had not responded to the referral request at the time the staff report was written.

## RECOMMENDATION

Based on the preceding analysis and findings, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Departure from Sign Design Standards, DSDS-592, for Ruby Tuesday Restaurant at the Inglewood Restaurant Park.