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## Departure from Sign Design Standards No. 597

Application	General Data
<b>Project Name:</b> Shell Gas Station (Silver Hill Road)  <b>Location:</b> Southeast quadrant of Marlboro Pike and Silver Hill Road known as 5921 Silver Hill Road.  <b>Applicant/Address:</b> Motiva Enterprises L.L.C. 3800 Pickett Road Fairfax, VA 22031	Date Accepted: 12/12/02
	Planning Board Action Limit: N/A
	Plan Acreage: 0.54
	Zone: C-S-C
	Dwelling Units: N/A
	Square Footage: N/A
	Planning Area: 75A
	Council District: 07
	Municipality: None
	200-Scale Base Map: 204SE05

Purpose of Application	Notice Dates
Departure to increase the area for a freestanding sign.	Adjoining Property Owners: (CB-15-1998) 12/19/02
	Previous Parties of Record: (CB-13-1997) 12/27/02
	Sign(s) Posted on Site: 01/21/03
	Variance(s): Adjoining Property Owners: N/A

Staff Recommendation		Staff Reviewer: Tom Lockard	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

February 5, 2003

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board

VIA: Arie Stouten, Zoning Supervisor

FROM: Tom Lockard, Senior Planner

SUBJECT: **Departure from Sign Design Standards Application No. 597**

REQUEST: **Departure to Increase the Area for a Freestanding Sign**

RECOMMENDATION: **DENIAL**

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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 301-952-3530 for additional information.

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## FINDINGS:

- A. **Location and Field Inspection:** The site is located at the southeast quadrant of the intersection of Silver Hill Road and Marlboro Pike. The site comprises approximately 23,460 square feet and is improved with a gas station constructed in the 1960s. A one-story building houses a gas station with three service bays and a small food mart. The site has 220± feet of frontage on New Silver Hill Road, which it accesses via a pair of 30-foot-wide driveways. Along Marlboro Pike, the site has 117± feet of frontage, with one 25-foot-wide entrance drive.

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Use(s)	Gas Station Food & Beverage Store	Gas Station Food & Beverage Store
Acreage	0.54± acre	0.54± acre
Square Footage/GFA	1,844 square feet	1,844 square feet
Freestanding Sign Area	79.6 square feet	137.07 square feet

- C. **History:** The District Council approved a special exception for a gas station on the subject property in 1966. In 1980, the applicant sought and received variances from many of the provisions of the Zoning Ordinance including driveway widths, landscaping and the 25-foot setback requirement for gasoline pumps. This special exception has been revised on three occasions, the most recent being in 1997. At that time, the applicant applied for a departure to replace and relocate a freestanding sign one foot from the proposed right-of-way for Silver Hill Road (DSDS-542). That departure was approved by the Planning Board, subject to a condition that the resulting sign area not exceed 84.34 square feet, the maximum sign area permitted by the Ordinance.
- D. **Master Plan Recommendation:** The 1985 *Suitland-District Heights and Vicinity Master Plan* recommends retail-commercial use for the property.
- E. **Request:** Shell proposes to increase the size of their freestanding sign from an existing 79.6 square feet to 137.07 square feet as part of a nationwide color-scheme and architecture program (“Retail Visual Identity” or “RVI”) to make their stations more visually identifiable. Because the maximum allowable sign area for this site is 84.34 square feet, a departure of 52.73 square feet is requested.
- F. **Surrounding Uses:** The site is surrounded on all sides by strip commercial uses in the C-S-C and C-O Zones.
- G. **Parking and Loading Regulations:** The use requires 8 parking spaces; 17 are shown.
- H. **Sign Regulations:**
- (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.**

**Finding:** In general, the purposes of Part 12 (Signs) of the Zoning Ordinance are to regulate unsightly and hazardous signs, to provide adequate identification and advertisement, to promote the general welfare of the residents of the county, and to foster the appropriate use of land, buildings and structures. This gas station has existed at this location for more than 36 years. During this time, the site has seemingly been well served by the existing freestanding sign (79.6 square feet), as well as the old revolving sign it replaced in 1997.

It is difficult to understand how increasing the size of the freestanding sign to this degree (72 percent larger than the existing sign and 62 percent larger than the maximum allowed). will better serve the purposes espoused above, especially considering that the current sign location represents a 90 percent reduction in the setback requirement. Furthermore, the applicant's argument that the combined overall sign area for the site (building, canopy and freestanding signs) is less than permitted, and that this alone should constitute adequate justification for the request is not persuasive. The difference between a 25-foot-high freestanding sign set back 1 foot from the right-of-way versus a small building-mounted sign set back 40 feet is apparent. One catches the eye of the driver along the road, the other advertises goods and services available to the customer already on the site. Not to mention that the information contained in the building signs ("Food Mart" and "Service Center") are also advertised on the freestanding sign.

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

**Finding:** The applicant argues that the larger sign is the minimum necessary "...to provide proper and easy identification of the Shell station for motorists traveling along Marlboro Pike and Silver Hill Road, both heavily traveled commercial corridors. Motiva submits that the slightly larger sign will enable motorists to readily decide whether or not to enter the site without adding to the congestion on Marlboro Pike and Silver Hill Road due to the numerous ingress and egress points along these streets. Further, the main building signage is not readily visible from automobiles approaching along Silver Hill Road and Marlboro Pike." (Statement of Justification, p. 12)

Absent any evidence to the contrary, it must be concluded that the current sign area has been adequate to provide this identification for the 36 years the station has been at this site. This site sits at a traffic signal-controlled intersection of two commercial corridors. The existing freestanding sign can be easily seen from each approach; it was moved in 1997 with a 90 percent departure from the setback requirement to ensure it could be seen. The proposed canopy signs will provide additional identification, particularly since the canopy fascia will be painted and a lighted band added. Furthermore, the canopy sign along Silver Hill Road currently has a departure of 22 percent from its setback requirement. The building signs are not designed to be seen from a distance.

The applicant could easily bring the proposed freestanding sign into compliance by simply removing some of the extraneous panels, for example, the blank gray panels above and below the price information as well as the “Food Mart” and “Service Center” panels.

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.**

**Finding:** There are no circumstances unique to this site, which would necessitate such an increase in sign area. The applicant argues that the site is small compared to modern gas station locations. While it is true that this gas station sits on a relatively small site, that is true for most gas stations developed in the 1960s. While this may be justification for some of the numerous variances this site has received, it does not explain why a much larger sign is necessary.

Additionally, when reviewing this special exception site plan and its companion sign departure request back in 1997 (ROSP-SE-1456/03 and DSDS-542), there were no special circumstances associated with this site that would support the approval of a larger sign. As a result, DSDS-542 was approved by the Planning Board, subject to a condition that the resulting sign area not exceed 84.34 square feet, the maximum sign area permitted by the Ordinance.

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

**Finding:** Allowing for an unnecessarily large freestanding sign at this location would impair the visual integrity of the site. In addition, allowing for this type of departure would set a precedent for every other gasoline company to come in with their own “Retail Visual Identity” program, leading to a proliferation of additional large freestanding signs along this and other commercial corridors.

**(B) Not applicable to this application**

## **CONCLUSION:**

Based on the preceding analysis and findings, staff recommends **DENIAL** of Departure from Sign Design Standards Application No. 597.