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Departure from Design Standards Application Departure from Sign Design Standards

DDS-561
DSDS-626

Application	General Data
Project Name: Rite Aid (Laurel) Location: East side of Laurel-Bowie Road, north of Baltimore-Washington Parkway, known as 12621 Laurel-Bowie Road. Applicant/Address: Crystal Plaza, L.L.C. 5600 Baltimore National Pike c/o William Tan, Ste. 400 Baltimore, Maryland 21228	Date Accepted: 7/7/2005
	Planning Board Action Limit: NA
	Plan Acreage: 20.1
	Zone: C-S-C
	Dwelling Units: NA
	Square Footage: 172,762
	Planning Area: 62
	Tier: Developing
	Council District: 01
	Municipality: N/A
	200-Scale Base Map: 216NE09

Purpose of Application	Notice Dates
DDS-561 - Bufferyard setback DSDDS-626 – Quantity of Freestanding signs	Adjoining Property Owners Previous Parties of Record Registered Associations: 6/6/05 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 09/06/05

Staff Recommendation		Staff Reviewer: Laxmi Srinivas	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

September 21, 2005

TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Laxmi Srinivas, Senior Planner

SUBJECT: **Departure from Design Standards DDS-561**
Departure from Sign Design Standards DSDS-626

REQUEST: **Departure from the *Landscape Manual* requirements for bufferyards and setbacks.**
Departure from the requirements of Section 27-614, Freestanding Signs, of the Zoning Ordinance

RECOMMENDATION: **APPROVAL with Conditions**

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.

FINDINGS:

- A. **Location and Field Inspection:** The subject property is located on the east side of Laurel-Bowie Road, north of Baltimore-Washington Parkway, known as 12621 Laurel-Bowie Road. The property has 469 feet of frontage on Laurel-Bowie Road. Vehicular access to the property is from Laurel-Bowie Road. There is an existing shopping center (Crystal Plaza Shopping Center) on the subject property. The applicant is proposing a new 11,180-square-foot building for the Rite-Aid pharmacy in the existing shopping center. A new freestanding sign is also proposed to identify the Rite-Aid pharmacy.

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Shopping Center	Shopping Center with a Rite-Aid pharmacy building
Acreage	20.10	20.10
Lots	NA	NA
Parcels	1	1
Square Footage/GFA	161,582	172,762

- C. **Master Plan Recommendation:** The 1990 Master Plan for Subregion I recommends commercial uses for the subject property and retains the property in the C-S-C Zone.
- D. **Request:** The applicant is proposing an 11,180- square-foot building for the Rite-Aid pharmacy in the existing shopping center. Since the gross floor area of the addition is greater than ten percent of the existing shopping center, the proposal was subject to the following requirements of the *Landscape Manual*:

Section 4.7 (Buffering Incompatible Uses) along the southern and northern property lines
Section 4.2 (Commercial and Industrial Landscape Strip) along US 50

The applicant has filed the subject departure from design standards application DDS-561 for relief from the requirements of Section 4.7 along the southern and northern property lines. On June 1, 2005, the Planning Director granted a waiver of the alternative compliance procedure for the proposed landscaping. Therefore, the applicant filed a departure from design standards application for relief from the requirements of the *Landscape Manual* without obtaining a decision from the alternative compliance committee.

The applicant is proposing an additional sign to identify the proposed Rite-Aid pharmacy. Section 27.614, Freestanding Signs, of the Zoning Ordinance allows one freestanding sign for integrated shopping centers with 100 to 1,100 feet of frontage on all streets. There is an existing freestanding sign on the property. Therefore, the applicant has filed a departure from sign design standards application DSDS-626 for relief from the requirements of Section 27.614, Freestanding Signs, of the Zoning Ordinance.

- E. **History:** The Planning Board approved Departure from Sign Design Standards DSDS-334 (PGCPB No.88-528) for additional square footage (from 200 square feet to 393.39 square feet) for the existing identification sign. The Planning Board approved Departure from Design Standards DDS-310 (PGCPB No.88-527) for waiving the required landscaping to screen the adjacent residentially

zoned property. A variance was granted (8669) to construct a black vinyl six-foot-high fence along the northern property line.

F. **Surrounding Uses:** The property is surrounded with the following uses:

North: Montpelier Manor, zoned O-S

East: Open space in the O-S Zone

South: Hotel in the C-S-C Zone

West: Laurel-Bowie Road and single-family residential in the R-18 Zone across from Laurel-Bowie Road in the R-18 Zone

G. **Neighborhood Boundaries:** The neighborhood boundaries are as follows:

North: Montpelier Drive

South and East: Laurel-Bowie Road and Baltimore-Washington Parkway

West: Laurel-Bowie Road and single-family residences in the R-18 Zone across from Laurel-Bowie Road

H. **Landscape Manual Requirements:** The property is subject to the requirements of Section 4.2 and Section 4.7 of the *Landscape Manual*. The proposed landscape plan falls short of the required minimum building setback, minimum landscape yard, and minimum planting unit requirements along the northern and southern property lines.

I. **Signs:** The proposed freestanding sign will be located along the southern entrance to the shopping center. The sign will be located in the landscaped area on the north side of the entrance and will be set back 35 feet from the curb along Laurel-Bowie Road. The proposed Rite-Aid sign will be 87 square feet in area. It will be square-shaped and will be supported by two structural steel pylons painted blue. It will display the Rite-Aid logo in red and blue colors. It will display specials of the week and various messages in black changeable letters with a white background.

J. **Other Issues:**

- a. The Permit Review Section (memorandum dated July 28, 2005) has requested the addition of notes regarding the previous approvals, the proposed landscaping, and the existing and proposed signs. Conditions of approval have been added to require the same.
- b. The Environmental Planning Section (memorandum dated September 2, 2005) has stated that there are no impacts to the currently approved Type II Tree Conservation Plan (TCPII-36-94).
- c. The Historic Preservation and Public Facilities Planning Section (memorandum dated September 1, 2005) has stated that the proposed development will be within adequate coverage of the nearest fire and rescue facility and within the service area for the Police District.

- d. The Historic Preservation Section (memorandum dated August 16, 2005) has stated that a Phase I archeological survey is not recommended by the Planning Department on the above-referenced property.
- e. The Transportation Planning Section (memorandum dated August 26, 2005) has no comments regarding the proposed departures.

K. **Required Findings:**

Departure from Design Standards

(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.

The purposes of the Zoning Ordinance are set forth in Section 27-102. They are varied in nature, but in general are to protect the health, safety and welfare of the residents and workers in Prince George's County. In this instance, the facts establish that granting the requested departures will in no way jeopardize these purposes.

The subject property is developed with an existing shopping center. The proposed Rite-Aid building will be replacing an existing building. Except for the northern and southern property lines, the existing and proposed landscaping is consistent with the *Landscape Manual*. There is no landscaping proposed along the southern property line. The adjacent hotel has a view of the loading areas along the southern property line. In order to screen the loading areas, a six-foot-high, sight-tight fence and landscaping consisting of evergreen trees 30 feet apart is recommended. A condition of approval has been added to require the same along the southern property line adjacent to the hotel. Evergreen trees 20 feet apart are also recommended along the parking areas adjacent to the Baltimore-Washington Parkway for enhancing the appearance of the shopping center from Baltimore-Washington Parkway. Additional evergreen trees (wherever feasible) are also recommended along the northern property line to better screen the shopping center. Conditions of approval have been added to require the same.

With the proposed conditions, the existing landscaping and screening enhance the visual quality of the site and project an aesthetically pleasing appearance. An attempt to achieve full compliance with the *Landscape Manual* would be virtually impossible because the additional landscaping would encroach into areas utilized by the existing retail uses.

Given all of the above, the purposes of this Subtitle will be equally or better served by the applicant's proposal.

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

The requested departure is the minimum necessary. Strict compliance with the *Landscape*

Manual would require the creation of additional landscape bufferyards that would encroach into areas utilized by the existing retail uses. Providing additional landscaping would create an economic hardship on the shopping center. With the proposed conditions, the existing and proposed landscaping is adequate to screen the subject property from the adjacent properties and provide an aesthetically pleasing appearance.

3. The departure is necessary in order to alleviate circumstances that are unique to the site or prevalent in areas of the County developed prior to November 29, 1949.

The departure is necessary to alleviate circumstances that are commonly found in existing shopping centers and older developments. A shopping center is a permitted use in the C-S-C Zone. Compliance with the current landscaping standards will require encroachment into areas that accommodate the existing retail uses. Therefore, the departure is necessary to alleviate circumstances that are unique to the site and unique to the use of the property as a shopping center.

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

The departure, with the existing, proposed and recommended landscaping, will maintain the visual, functional and environmental quality or integrity of the site and the surrounding neighborhood by providing an aesthetically pleasing appearance and screening the buildings on the property. Granting of the departure will ensure the use of the property as a shopping center that would serve as an amenity to the surrounding neighborhood.

(B) For a departure from a standard contained in the *Landscape Manual*, the Planning Board shall find, in addition to the requirements in paragraph (A) above, that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.

Installation of landscaping according to the requirements of the *Landscape Manual* is not practical. These requirements cannot be provided without encroaching into the existing retail areas. There is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, that would exhibit equal or better design characteristics.

L. Sign Requirements:

Section 27-614(C)(3)(a), Freestanding Signs, allows a sign area of one square foot for each two (2) lineal feet of street frontage, to a maximum of two hundred (200) square feet for each sign, if the business is located in an integrated shopping center. The street frontage will be measured on the property by the use associated with the sign.

The Rite-Aid sign will be 7 feet 3 inches wide and 7 feet high (50.75 square feet). The advertisement and daily special sign will be located below the Rite-Aid sign and will be 7 feet 3 inches wide and 5 feet high (36.25 square feet). The total area of the proposed sign will be 87 square feet. The proposed sign complies with the above requirements because the property has 469 feet of frontage on Laurel-Bowie Road and the maximum allowable sign area for that frontage is 200 square feet. The proposed sign area of 87 square feet is less than the maximum allowable sign area of 200 square

feet.

Section 27-614(D), Freestanding Signs, allows one sign for a total frontage of 100 to 1,100 feet on all streets.

The existing shopping center has 469 feet of frontage on Laurel-Bowie Road. Therefore, only one sign is allowed for the shopping center. There is an existing freestanding sign along the northern entrance of the property. The subject departure is to allow an additional sign.

Section 27-614(b), Freestanding Signs, states that the maximum height of freestanding signs in the commercial zones is 25 feet.

The proposed sign is 20 feet 4 inches high and complies with the above requirement.

Section 27-589 contains the following purposes for regulating signs:

- (1) To promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**
- (2) To encourage and protect the appropriate use of land, buildings, and structures.**
- (3) To regulate unsightly and detrimental signs which could depreciate the value of property and discourage quality development in the Regional District.**
- (4) To regulate signs which are a hazard to safe motor-vehicle operation.**
- (5) To eliminate structurally unsafe signs which endanger a building, structure, or the public.**
- (6) To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development.**
- (7) To control the location and size of signs, so as to provide for adequate identification and advertisement in a manner that is compatible with land uses in the Regional District.**

The proposed freestanding sign will have the corporate logo for Rite-Aid. The sign will be supported on steel columns painted blue. The Rite-Aid sign will be blue and red in color and the advertisement and daily specials sign will be on a white background with black letters. The sign will be internally illuminated. The overall design of the sign will be subdued and compatible with the commercial use of the property. The sign will not attract undue attention, will provide for adequate identification and advertisement, and will be compatible with the overall streetscape along Laurel-Bowie Road. A condition of approval has also been added to require adequate landscaping along the base of the sign to enhance the appearance of the sign along the street.

M. Required Findings:

Departure from Sign Design Standards

- (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.

The applicant is requesting relief from the quantity of signs requirement of the Zoning Ordinance. The Zoning Ordinance allows only one sign for street frontages less than 1,100 feet. An additional sign along the southern entrance in the landscaped area adjacent to the proposed Rite-Aid building is necessary for easily identifying the Rite-Aid pharmacy along the busy Laurel-Bowie Road. The pharmacy provides additional services like a drive-through area and easy identification of the pharmacy is necessary to direct vehicles into the drive-through area. Including the Rite-Aid sign on the existing freestanding sign will not help easily identify the pharmacy building. Therefore, the applicant is requesting a separate sign for the Rite-Aid pharmacy. The proposed sign will include the corporate logo for Rite-Aid and it will not attract undue attention to itself. It will be of adequate size for easy identification and will be set back 35 feet from the curb along Laurel-Bowie Road. A condition of approval has been added to require the applicant to provide the setback for the sign from the property line.

In general, the purposes of the sign 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. The location, size and design of the proposed 87-square-foot sign area will provide adequate identification and advertisement for the Rite-Aid pharmacy along Laurel-Bowie Road. It will easily identify the southern entrance to the shopping center and the Rite-Aid pharmacy for the eastbound traffic on Laurel-Bowie Road. The existing sign along the northern entrance will not help identify the southern entrance to the shopping center.

With the proposed conditions, 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.

The applicant is requesting a departure for an additional sign to identify the proposed Rite-Aid pharmacy. The additional sign is necessary to provide adequate identification and advertisement for the property along a busy street like Laurel-Bowie Road. Therefore, the departure is the minimum necessary, given the specific circumstances of the request.

3. The departure is necessary in order to alleviate circumstances that are unique to the site or prevalent in areas of the county developed prior to November 29, 1949.

Laurel-Bowie Road is a busy street. The proposed departure for an additional sign is necessary to provide a sign that is easily visible for adequate identification of the proposed pharmacy. The sign will also help identify the entrance to the Rite-Aid pharmacy and the drive-through along Laurel-Bowie Road and ensure the safety of the motorists on the road.

Therefore, the departure is necessary in order to alleviate circumstances that are unique to the site.

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

The proposed freestanding sign will have the corporate logo for Rite-Aid. The sign will be supported on steel columns painted blue. The Rite-Aid sign will be blue and red in color and the advertisement and daily specials sign will be on a white background with black letters. The sign will be internally illuminated. The overall design of the sign will be subdued and compatible with the commercial use of the property. The sign will not attract undue attention, will provide for adequate identification and advertisement, and will be compatible with the overall streetscape along Laurel-Bowie Road. A condition of approval has also been added to require adequate landscaping along the base of the sign to enhance the appearance of the sign along the street.

CONCLUSION:

Based on the preceding analysis and findings, it is recommended that DDS-561 and DSDS-626 be APPROVED, subject to the following conditions:

1. Prior to certification of the departure from design standards application, the site plan shall be revised to show the following:
 - a. A six-foot-high, sight-tight fence and evergreen trees planted 30 feet apart along the southern property line adjacent to the hotel.
 - b. Evergreen trees planted 20 feet apart along the parking areas adjacent to the Baltimore-Washington Parkway
 - c. Additional evergreen trees (wherever feasible) along the northern property line
 - d. Adequate landscaping along the base of the proposed sign to enhance the appearance of the sign
 - e. Setback for the sign from the property line along Laurel-Bowie Road
 - f. Location of all existing signs on the property
 - g. A parking schedule consisting of required and proposed parking spaces.