



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Departure from Sign Design Standards

DSDS-633

Application	General Data
Project Name: Lanham Ford Location: West side of Lanham-Severn Road approximately 200 feet north of Princess Garden Parkway, known as 9020 Lanham-Severn Road. Applicant/Address: Darcars 9020 Lanham-Severn Road Lanham, Maryland 20706 ATTN: Mr. Gary Amey	Date Accepted: 10/24/05
	Planning Board Action Limit: N/A
	Plan Acreage: 2.50
	Zone: C-M
	Dwelling Units: N/A
	Square Footage: 71,003
	Planning Area: 70
	Tier: Developing
	Council District: 03
	Municipality: None
200-Scale Base Map: 207NE07	

Purpose of Application	Notice Dates
Height and setback of freestanding sign and setback of main building from street line	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003) 8/31/05
	Sign(s) Posted on Site and Notice of Hearing Mailed: 2/14/06

Staff Recommendation:	Staff Reviewer: Kendra Wright
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APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

March 3, 2006

TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Kendra Wright, Senior Planner

SUBJECT: **Departure from Sign Design Standards Application No. 633**

REQUEST: **Departure to increase the height and setback of a freestanding sign and setback of main building from street line.**

RECOMMENDATION: **DENIAL**

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 an irregularly shaped parcel located on the west side of the divide where MD 564 (Lanham-Severn Road) and MD 450 (Annapolis Road) separate. It stretches across approximately 2.5 acres of land sharing frontage along both Princess Garden Parkway and Lanham-Severn Road and extending as far as Naval Avenue. The majority of the frontage runs along Lanham-Severn Road approximately 200 feet north of Princess Garden Parkway, hence the property is known as 9020 Lanham-Severn Road. The property is developed with a 71,003-square-foot auto dealership facility (Darcars, Lanham Ford) and a vehicle sales lot with 291 parking spaces. Its frontage amounts to approximately 545 feet along Lanham-Severn Road, and it is zoned C-M. It has three driveway entrances—two on Lanham-Severn Road and one on Princess Garden Parkway.

B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-M	C-M
Use(s)	Auto Dealership	Auto Dealership
Acreage	2.50	2.50
Signs	1 freestanding	1 freestanding
Sign (1) Area	113 SF	130 SF
Sign (1) Height	25' 10"	26' 9"

C. **History:** The auto dealership, Darcars Lanham Ford, was originally constructed in 1972. The freestanding sign was erected in 1985. At the time of record plat, the state acquired 20 feet of road frontage along Lanham-Severn Road for use by the Maryland State Highway Administration for a service road. The possession reduced the building setback back by 20 feet, resulting in a 36.3-foot building setback from the property line. The reduced building setback also affected the requirements of the sign location. The sign is currently two feet in the right-of-way of Lanham-Severn Road and has been in its current location since 1985. The subject property has only undergone minor changes since its construction.

D. **Master Plan Recommendation:** The 1993 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Master Plan and Sectional Map Amendment* recommends the property as a location for miscellaneous commercial uses which may be disruptive to the harmonious development, compactness and homogeneity of retail areas. The 2002 General Plan places the subject site within the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, and medium-to-high-density neighborhoods.

E. **Request:** The applicant proposes to replace an existing freestanding sign on Lanham-Severn Road. Section 27-614(a)(1) establishes a minimum setback of 40 feet from the front street line for the main building associated with the sign. The main building associated with the sign is set back 36 feet, 3 inches from the street line. A departure of 3 feet, 9 inches is, therefore, required. In addition, the proposed sign extends into the right-of-way for Lanham-Severn Road. Section 27-614(a)(4) requires that freestanding signs to be located at least ten feet behind the ultimate right-of-way, which is the street line in this case). The proposed sign would extend into the right-of-way approximately two feet. A departure is required to waive the ten-foot setback and the applicant must also petition the District Council for permission to locate a structure within a right-of-way.

The proposed sign also exceeds the height requirements for freestanding signs. The new sign would be 26 feet, 9 inches high. Section 27-614(b)(1) establishes a maximum height of 25 feet for freestanding signs. A departure of 1 foot, 9 inches is, therefore, required.

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

North and Northwest: Residential development in the R-55 Zone.

West: Commercial development in the C-M Zone with one property zoned C-S-C.

South: Across Annapolis Road (MD 450), C-M and C-S-C Zones.

East: Across Annapolis Road (MD 450) and Lanham-Severn Road, commercial development in the C-M and C-S-C Zones as well as railroad property.

G. **Sign Requirements:**

1. **Section 27-614** provides the following design standards for freestanding signs in the C-M Zone:

(a) **Location**

Section 27-614(a)(1) provides that in all commercial and industrial zones (except I-3 and U-L-I Zones), signs shall only be located on property where the main building associated with the sign is located at least 40 feet behind the front street line.

At the time of record plat, the state acquired 20 feet of road frontage along Lanham-Severn Road for use by the Maryland State Highway Administration to construct a service road. This action reduced the building setback to 36.3 feet. The applicant is requesting a departure of 3.7 feet, which is the minimum necessary, given the above-mentioned circumstance that resulted in reduction of the building setback.

Section 27-614(a)(4) requires that freestanding signs shall be located at least ten feet behind the ultimate right-of-way line. Where the street line is situated behind the actual existing street right-of-way line, freestanding on-site signs may be temporarily located within the area between the street line and the existing street right-of-way line (the area of proposed future widening of an existing street).

The street line has encroached upon the subject property creating unique circumstances. There is no area between the street line and the right-of-way line.

The applicant is requesting a departure from the minimum ten-foot setback from the street line required for the proposed freestanding sign. The proposed sign will replace the existing freestanding sign located on Lanham-Severn Road. The departure is the minimum necessary to meet the requirement. However, the subject property contains other opportunities to relocate the sign in a manner that provides more setback.

(b) **Height**

Section 27-614(b)(1) specifies that the maximum height of signs in the C-M Zone shall be 25 feet, measured from the finished grade at the base of the sign to the top of the sign.

With an area of 130 square feet and a height of 26 feet, 9 inches the proposed freestanding sign exceeds the maximum allowable height by 1 foot, 9 inches. A departure of 1 foot, 9 inches is requested. The height of the freestanding sign does not have a negative impact on the surrounding properties. However, the amount of the request is minimal. The sign does not appear to be threatened by signs and structures on neighboring properties. The applicant did not provide any persuasive evidence to justify the request to exceed the required 25-foot height maximum.

c. **Area**

Section 27-614(c)(1): The area of freestanding on-site signs is in addition to that allowed for any other signs on a specific property.

There are no additional freestanding signs on the subject property.

Section 27-614(c)(3)(A) provides that in all commercial zones (except the C-O Zone) and all industrial zones (except the I-3 Zone), the area of the freestanding sign shall be not more than one square foot for each four linear feet of street frontage, to a maximum of 200 square feet for each sign, if the building is not located in an integrated shopping center; other commercial center with three or more businesses served by common and immediate off-street parking and loading facilities; industrial center; or office building complex. The street frontage shall be measured on the property occupied by the center or complex associated with the sign.

The frontage along Lanham-Severn Road amounts to approximately 545 feet, which would allow for a sign 136 square feet in area. The existing sign is 113 square feet. The proposed sign is 130 square feet. The proposed increase in area is within the allowed area and does not require a departure to meet the requirements of this section. It should be noted that the increase in height requires a departure.

d. **Quantity**

Section 27-614(d)(2) allows one freestanding sign for a property with street frontage of 40 to 1,100 feet, and one additional sign is permitted for each additional 1,000 feet or fraction thereof.

The applicant has requested only one sign based on 545 feet of frontage on Lanham-Severn Road.

2. **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.**

3. **Section 27-612 (b) of the Zoning Ordinance provides that no departures from design standards shall be permitted for any sign erected in violation of this subtitle and for which a sign permit was not obtained at the time the sign was erected.**

The record indicates that a permit was issued for a freestanding sign in December 1982.

H. Required Findings:

1. **Section 27-239.01(b)(7) 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.**

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.

As noted, the subject property has two frontages—545 feet on Lanham-Severn Road, a four- to six-lane arterial with a 100- to 120-foot right-of-way, from which it is primarily accessed, and 411 feet on Princess Garden Parkway, a four-lane collector with an 80-foot right-of-way, where access to the property is restricted. The proposed sign will be located on the Lanham-Severn frontage, replacing the existing sign currently standing in the right-of-way location.

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

The requested departure is not the minimum necessary. Given the adjustments made to the property by the state's construction of the service road, a departure may be

appropriate. However, staff believes the sign can be situated such that some of the required ten-foot setback could be provided. In addition, no justification is given for the increased height of the sign.

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 in order to alleviate circumstances that affect the sign's location due to the fact that the street line has encroached further onto the subject property. The location of the property along a major roadway constitutes unique circumstances, which may be alleviated by the departures. However, staff believes there are other opportunities to locate the sign in a manner that provides more setback than the proposed request. A field inspection of that has revealed that a second freestanding sign exists and does not appear to have a valid sign permit. The applicant must either provide a valid sign permit for the sign, or it must be removed.

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

The sign has been in the same location since 1985 and does not appear to impair the environmental integrity.

CONCLUSION:

The amount of increase in area that is proposed is, in fact, allowable under regulations. However, the increase in area will affect the height of the sign and cause a portion of the sign to be located in the right-of-way. Locating a sign in the right-of-way requires authorization from the District Council for a structure within the right-of-way. Exceeding the maximum 25-foot height requirement is an issue that requires a request for departures from sign design standards. The applicant did not provide any evidence to justify a need to exceed the maximum height requirement. Staff believes there are other opportunities to locate the sign on the site that would require fewer departures. Therefore, it is recommended that DSDS-633 be DENIED.