

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DSDS-648 requesting a departure of 571.44 square feet from the maximum permitted sign area of building-mounted signage for a Lowe's Home Improvement Store in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on September 11, 2008, the Prince George's County Planning Board finds:

1. **Location:** The subject parcel is located southwest of the interchange of Pennsylvania Avenue and the Capital Beltway. The site is accessed from Forestville Road.
2. **Surroundings and Uses:** To the west of the subject property is the remainder of the Jemal's Post Subdivision. It is currently vacant in the I-1 Zone, but the applicant intends that it will be developed with industrial and retail uses. To the north, the property has frontage along the exit ramp from Pennsylvania Avenue to the Capital Beltway. The Maryland State Police, Barrack L, is located on the parcel immediately to the north, between Pennsylvania Avenue and the subject property. To the east, the property has frontage on the Capital Beltway. On the south, the property borders several parcels in the I-1 Zone which are used for storage and construction or contractor offices. Penn-Belt Place runs through the neighboring parcels on the south and currently dead ends at the southern property line.
3. **Previous Approvals:** On October 11, 2007, the Planning Board approved Preliminary Plan of Subdivision 4-06145 for the Jemal's Post Subdivision, including the subject property. This plan is still in the process of certification as of this writing.
4. **Design Features:** The applicant proposes the construction of a Lowe's Home Improvement Store. This would constitute a large building on the eastern portion of the site, with a surface parking lot on the western portion of the site. Access to the site is from Forestville Road by two driveways across the remainder of the Jemal's Post property to the west. When the property to the west is developed, the access routes into the Lowe's parking lot would be integrated into the new development. Penn-Belt Place, which currently reaches a dead end at the southern property line, would be extended into the property to provide a cul-de-sac turnaround area at the southwestern corner of the Lowe's parking lot.
5. **Signage:** The detailed site plan application proposes both freestanding and building-mounted signage. The proposed freestanding signage consists of a pair of multi-tenant signs at the site's two entrances along Forestville Road. As the site's street frontage along Forestville Road is only long enough to permit a single freestanding sign, staff has recommended that the applicant should remove one of the signs.

The proposed building and canopy-mounted signage consists of 947.44 total square feet of signage distributed on five signs. There are three signs featuring the Lowe's name in internally illuminated white letters mounted on a blue exterior insulation and finishing system (EIFS)

background. One “Lowe’s” sign of 348.44 square feet is located above the main entrance to the store on the west side of the building, facing toward the store parking lot. A “Lowe’s” sign of 245 square feet is located above the entrance to the garden center on the north side of the building, facing toward the state police barracks in the direction of Pennsylvania Avenue. A third “Lowe’s” sign of 245 square feet is located roughly in the center of the rear east side of the building, facing toward the entry ramp from Pennsylvania Avenue onto the Capital Beltway. An 80-square-foot sign reading “Indoor Lumber Yard” is mounted on the canopy above the customer loading area at the southwest corner of the building, facing toward the parking lot. The fifth sign, a 53-square-foot sign reading “Garden Center” is mounted on a canopy above the garden center at the northwest corner of the building, also facing toward the parking lot.

Under the regulations of Section 27-613(c)(3)(C)(i) of the Zoning Ordinance, the building-mounted signage permitted for the Lowe’s building is no more than two square feet for each one lineal foot of width along the front of the building, to a maximum of 400 square feet. As the width of the building front is 456 feet, the building is permitted the maximum of 400 square feet of signage. The applicant proposes 947.44 square feet of signage and has requested a departure to allow the additional area.

The proposed building-mounted signage does not appear to be out of proportion to the size of the building.

It should be noted that the applicant also requested approval of a departure for the height of a freestanding pylon sign in the southwest corner of the site. The maximum height of a freestanding sign for this use in the I-1 Zone is 25 feet, while the applicant proposed a 40-foot-tall sign. However, the applicant agreed to remove the pylon sign from the application when it became clear that the 40-foot-tall sign would be only minimally visible from the Capital Beltway.

As set forth in Section 27-239.01(b)(7)(A) of the Zoning Ordinance, the Planning Board may grant a departure if it makes the following findings:

i. The purposes of this subtitle will be equally well or better served by the applicant’s proposal.

The purposes of the Zoning Ordinance are laid out in Section 27-102. These include the following purposes which are relevant to the subject application:

(1) To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;

The proposed sign departure will contribute to the convenience of county inhabitants by making the Lowe’s building easily identifiable and visible to potential customers. The Lowe’s building will be visible from public roads to the north and east of the property, but without signage on those sides the building would not be clearly identifiable to passersby.

- (6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;**

The proposed departure would result in larger signs on the subject property, which could be seen as an adverse impact on adjoining properties. However, the proposed signage does not appear to be excessive, unattractive, or out of scale with the building.

- (9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;**

The provision of the requested signage will help to make the Lowe's a viable project on this location, providing for expansion of the county's employment and tax base.

The purposes specific to the regulation of signage are found in 27-589 of the Zoning Ordinance:

- (a) The purposes of regulating signs are:**
- (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 that are a hazard to safe motor vehicle operation;**
 - (5) To eliminate structurally unsafe signs that 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; and**
 - (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 applicant's statement of justification provides the following argument regarding the purposes of sign regulation:

"These purposes speak to preventing unsightly and hazardous signs which could detract from the scenic qualities of the landscape and attractiveness of development. On the other hand, Purpose 7,

above, also recognizes the need to adequately identify uses in a manner compatible with land uses in the County. The Lowe's signs are necessary to adequately identify the use on the property, given its surrounding major roadways. Only one sign will be seen from any adjacent roadway from any given point. This will certainly not be seen by motorists as a 'proliferation of signs' that would detract from the landscape."

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

The applicant's statement of justification notes that the size of the Lowe's building necessitates signs commensurate with its scale. The proposed building is a large structure with large façades, and it is located some distance away from the nearby roads from which the signs are intended to be visible. As the statement of justification states that "the signs are located 279 feet away from the Pennsylvania Avenue right of way and approximately 940 feet from where they would be seen at the Capital Beltway and 1700 feet from the off-ramp of the southbound lanes [of the Beltway]. Given these distances, larger signs are required simply to be visible to motorists in sufficient time to safely exit the adjoining streets in search of the Lowe's store. The applicant is requesting the minimum departure necessary to permit the sufficient identification of the business."

iii. 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.

The site's location is somewhat unique in that it is located adjacent to the major highway interchange of Pennsylvania Avenue and the Capital Beltway, while the main portion of the Lowe's site is set back from Forestville Road, denying the building visual frontage on the main street from which it will be accessed. Lowe's will have some identification along Forestville Road in the form of the proposed freestanding signage there, but the building will likely be no more than minimally visible from Forestville Road. Allowing signage along three sides of the building is necessary in order to allow for the site's visual identification from the nearby roads.

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

Because the requested additional sign area is to be distributed among five separate signs located on three different sides of the building, the signs will not be out of proportion to the size of the building and do not result in an overwhelming amount of visible sign area when viewed from any one direction. Staff agrees with the applicant that the larger sign area proposed will not impair the visual, functional, or environmental quality or integrity of the site or surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application, subject to the following condition:

1. Prior to signature approval, the following revisions shall be made to the plans:

- a. Remove the freestanding pylon sign from the plans.
- b. Remove one of the two proposed freestanding monument signs along Forestville Road.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Vaughns, seconded by Commissioner Cavitt, with Commissioners Vaughns, Cavitt, Clark and Parker voting in favor of the motion and with Commissioner Squire absent at its regular meeting held on Thursday, September 11, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of September 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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