

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 15, 2014, regarding Conceptual Site Plan CSP-13009 for Chillum Road Shopping Center, the Planning Board finds:

1. **Request:** The subject conceptual site plan (CSP) proposes to amend the sign requirements of the 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone (West Hyattsville TDDP) exclusively for the Chillum Road Shopping Center.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/T-D-O	M-X-T/T-D-O
Use(s)	Integrated Shopping Center	Integrated Shopping Center
Acreage	6.94	6.94
Parcels	2	2
Lots	N/A	N/A
Gross Floor Area	78,887	78,887

3. **Location:** The subject property is located on the south side of Chillum Road (MD 501), approximately 320 feet west of its intersection with Queens Chapel Road. The property is also located in Planning Area 68, Council District 2, and in the Developed Tier.
4. **Surrounding Uses:** The site is bounded on the northeast by Chillum Road (MD 501); to the northwest by a Washington Metropolitan Area Transit Authority (WMATA) Metro use in the Mixed Use–Transportation Oriented and Transit District Overlay (M-X-T/T-D-O) Zones; to the southwest by a WMATA Metro use and a self-storage facility in the M-X-T/T-D-O Zone; and to the southeast by the Chillum Shopping Center in the M-X-T/T-D-O Zone.
5. **Previous Approvals:** The site is subject to the requirements of Final Plat WWW 39-42.
6. **Justification for the Approval:** The Planning Board hereby approves, in accordance with the West Hyattsville TDDP, an amendment through a CSP for the subject property to amend the sign regulations of the West Hyattsville TDDP. DSP-13041 is being approved together with the CSP because it is required in the M-X-T Zone. The Planning Board hereby approves a global amendment to the sign standards for the shopping center that will allow future tenants to obtain

sign permits for signs that deviate from the architectural standards without requiring them to obtain a departure pursuant to the provision in the West Hyattsville TDDP, which provides at page 39 that departures for signs that do not comply with the TDDP standards and that do not otherwise require a DSP will be reviewed in the site plan process. More specifically, the Planning Board hereby approves that only signs that comply with the following standard be allowed in the Chillum Road Shopping Center, and that this standard replaces the provisions of the West Hyattsville TDDP regarding lighting, and the sign specifications regarding type of building signage, cornice and parapet signage, and lettering:

“Existing building mounted signage may be replaced with internally illuminated signage until such time as the property is comprehensively redeveloped per the TDDP. Cloud signs and other signage incorporating attractive design shall not exceed 200 square feet for no more than three anchor tenants. Signage shall be limited to 125 square feet per sign for each of the other tenants in the main building of the center and 60 square feet for each building occupying a pad site. Flashing, travelling, animated or intermittent signage shall be prohibited. All signage shall be approved by the Planning Board or its designee, which may include the Permit Review Division of the Development Review Division within the Maryland-National Capital Park and Planning Commission.”

More particularly, the Planning Board offers the following discussion of each requested modification of the TDDP standards.

- a. **Configuration and Techniques #1 (part), (Page 108 of the TDDP) Sign Lighting:** Building signs shall be illuminated with external lighting only. Lighting shall provide full cut-off fixtures to reduce sky glow and glare. Flashing, travelling, animated, or intermittent lighting shall be prohibited on the exterior of any building, or building sign, whether such lighting is temporary or long-term duration.

The amendment approved herein does not meet this standard since it allows internally-illuminated signage. The Planning Board found in DSP-08067 (The Shops at Queens Chillum) that the standard for externally-illuminated signage was written into the TDDP for transit-oriented development that is close to the street and pedestrian friendly and finds the same in this case. This is an existing center that is suburban in nature and vehicle-oriented, thus necessitating externally-illuminated signage that is visible to vehicles travelling on Chillum Road.

- b. **Configuration and Techniques #2 (part), (Page 108 of the TDDP) Sign Specifications:** Building signage shall be permitted as board signs, cornice signs, blade signs, and window signs only. All other signage, including freestanding signs, shall be prohibited.

The amendment approved herein does not meet this standard since it allows signs other than board signs, cornice signs, blade signs, and window signs. This is an existing center that is suburban in nature and compliance with this standard is neither feasible nor practical. Such signage would not be visible to vehicles travelling on Chillum Road.

- c. **Configuration and Techniques #2 (part), (Page 108 of the TDDP) Sign**
Specifications: Cornice/parapet signs shall be permitted using a masonry or bronze plaque bearing an owner or building's name.

The amendment approved herein does not meet this standard since it allows signs located on the cornice or parapet that are not masonry or bronze plaques bearing the owner or building's name. Given the design of this existing building and its location on the property, the only visible location for the building-mounted signage is on the cornice or parapet and in order for the signage to be visible from Chillum Road, it must be more substantial than a bronze plaque or masonry sign.

- d. **Configuration and Techniques #2 (part), (Bullet 7, Page 108 of the TDDP) Sign**
Specifications: Lettering for all signage shall not exceed 18 inches in height or width and three inches in relief.

The amendment approved herein does not meet this standard since it allows lettering that exceeds 18 inches in height or width and three inches in relief. The existing building is perpendicular to Chillum Road and, as a result, building-mounted signage is difficult to see from Chillum Road. Larger letters will allow the signs to be more visible to vehicles travelling along that roadway.

7. **The requirements of the Zoning Ordinance:** The subject CSP has been reviewed for compliance with the relevant requirements of the Zoning Ordinance in the M-X-T and T-D-O Zones. More particularly, the application conforms to the requirements of the Zoning Ordinance for approval in a T-D-O Zone, as follows:

- (A) **The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The purpose of this CSP is to request amendments to the West Hyattsville TDDP and the Planning Board, under Section 27-538.08(c)(2) of the Zoning Ordinance, has the authority to approve such amendments. Since the applicant is not proposing any additional development on the subject property, it is otherwise exempt from the TDDP standards.

- (B) **The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;**

The purpose of this CSP is to request amendments to the TDDP and the Planning Board, under Section 27-538.08(c)(2), has the authority to approve such amendments. The applicant is proposing to maintain the existing shopping center on this subject property, and the guidelines and criteria for development are not applicable at this time.

- (C) **The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones;**

The applicant is not proposing any new development as part of this CSP. The sole purpose of this site plan is to request an amendment to the sign regulations contained in the TDDP in accordance with Section 27-538.08(c)(2).

- (D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;**

The applicant is not proposing any new development as part of this CSP. The sole purpose of this site plan is to request an amendment to the sign regulations contained in the TDDP in accordance with Section 27-538.08(c)(2).

- (E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development.**

The applicant is not proposing any new development as part of this CSP. The sole purpose of this site plan is to request an amendment to the sign regulations contained in the TDDP in accordance with Section 27-538.08(c)(2).

Section 27-548.08(c)(2) states that the Planning Board may apply development standards which differ from the mandatory requirements in the TDDP, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1, of the Prince George's County Code. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.

The subject approval also conforms to the requirements of Section 27-547(d) of the Zoning Ordinance, which governs uses in mixed-use zones. The relevant section of the M-X-T Zone requirements is included in **boldface** type below followed by Planning Board comment:

- (d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) Retail businesses;**

- (2) **Office, research, or industrial uses;**
- (3) **Dwellings, hotel, or motel.**

The subject shopping center contains two (retail and office) out of three of these categories of use and, therefore, meets this requirement.

8. **Final Plat WWW 39-42:** Final Plat WWW 39-42 was approved for the site on November 20, 1960 for a resubdivision of Parcel K for the Chillum Road Shopping Center. The plat contains no notes relevant to the subject application.
9. **2010 Prince George's County Landscape Manual:** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). A condition of this approval ensures that the applicable Landscape Manual requirements will be met.
10. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This property is exempt from the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the property does not contain more than 10,000 square feet of existing woodland.
11. **Prince George's County Tree Canopy Coverage Ordinance:** The subject project is exempt from the requirements of the Prince George's County Tree Canopy Coverage Ordinance per Council Bill CB-2013-19, as it had a site plan approved prior to 2010 and because the subject project does not involve land disturbance greater than 5,000 square feet. In fact, the project does not involve any land disturbance at all.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The comments are summarized as follows:

- a. **Community Planning**

General Plan: This approval is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developed Tier. The vision for the Developed Tier is to maintain a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

Transit District Development Plan: This approval conforms with the retail/commercial land use recommendation of the West Hyattsville TDDP.

The Planning Board hereby approves the amendment request with additional conditions that require complementary signage that helps brand and enhance the image of the shopping center. In addition, any improvements to signage in the Chillum Road Shopping

Center should serve to give an updated modern design to the property to meet the intent of the TDDP.

Aviation: The subject properties are not located in a Joint Base Andrews Interim Land Use Control (ILUC) impact area.

SMA/Zoning: The West Hyattsville TDDP rezoned this property from the Commercial Shopping Center Zone (C-S-C) to the M-X-T Zone to allow for redevelopment of these properties with mixed-use offices or residential uses above the ground floor, consistent with the vision of the Queenstown neighborhood. The subject property is located in the M-X-T Zone.

Per the West Hyattsville TDDP, the Chillum Road Shopping Center is located in the Queenstown neighborhood, which is envisioned as a lively live/work mixed-use district. Active commercial centers would be located within the Queenstown neighborhood. The preferred land use plan in the TDDP recommends that this property be retail/commercial use in the future. The existing property is commercial and the use is in conformance with the land use intent of the TDDP.

The TDDP states (p. 39) that “new and replacement signs are subject to the TDDP standards.” The signage standards in the TDDP are intended to accommodate pedestrian-scale activity that is compatible with the proposed land uses and prohibits signage that is viewed as incompatible with the objectives including internally-lit signage. As stated on page 103 of the TDDP, an important general design principle and intent is “to enhance the visual environment of activity centers.” Promoting a strong visual environment through signage helps to brand and enhance activity centers and promotes strong pedestrian and automobile access to a site.

The Planning Board reviewed the findings of a previous similar amendment request case to approve internally-lit signage for a commercial shopping center in the M-X-T Zone located in the West Hyattsville TDDP. The Planning Board approved the applicant’s amendment request to the TDDP with stipulated conditions.

The TDDP stipulates that an important intent of the architectural standards is to enhance the visual environment of activity centers such as the Chillum Road Shopping Center. Since this site is not being redeveloped and the buildings are set back and designed for a suburban layout that would not achieve the TDDP standards at this time, the Planning Board hereby approves the applicant’s amendment request for this site only with conditions to support complementary and enhanced signage on the property. The Planning Board hereby conditions the following:

- Existing building-mounted signage may be replaced with internally-illuminated signage until such time as the property is comprehensively redeveloped per the TDDP.

- Cloud signs and other signage incorporating an attractive design shall not exceed 200 square feet for no more than three anchor tenants. Signage shall be limited to 125 square feet per sign for each of the other tenants in the main building of the center and 60 square feet for each building occupying a pad site.
 - All new or replaced signage in the shopping center shall maintain a complementary signage design (including colors, materials, and design details) that help brand enhance the image of the property, and any improvements should give an updated modern design for the existing property until such time as it is comprehensively redeveloped per the TDDP.
 - All signage shall be approved by the Planning Board or its designee, which may include the Permit Review Division of the Development Review Division within the Maryland-National Capital Park and Planning Commission.
- b. **Prince George’s County Police Department**—In comments dated March 28, 2014, the Police Department stated that, after reviewing the plans and visiting the site, they found no crime prevention through environmental design (CPTED) issues to be concerned with at the present time.
- c. **Prince George’s County Health Department**—In a memorandum dated April 3, 2014, the Health Department, specifying that their comments are based on their understanding that the request in the case is limited to the amendment of sign standards, stated that they had completed a desktop health impact assessment review of the subject project and have no comments to offer relative to the submitted plans.
- d. **The Town of Brentwood, the Town of North Brentwood, and the City of Mount Rainer**—Representatives of the three above-mentioned municipalities, each located within one mile of the subject site, each indicated to staff that they had no comment on the subject project.
- e. **The City of Hyattsville**—In a letter dated April 23, 2014, Mayor Tartaro of the City of Hyattsville, offered the following comments regarding the project:

“I am writing to reaffirm the City of Hyattsville's position with respect to amendments to the sign standards for the West Hyattsville Transit District Development Plan (TDDP). The intent of the West Hyattsville Transit District Development Plan is to facilitate pedestrian-oriented development that utilizes Smart Growth principles and we continue to be opposed to requests that are in direct conflict with these principles. The City of Hyattsville does not support design and uses that are inconsistent and in direct conflict with TDOZ principles, as evident by the need to amend the permitted lettering size intended for motorized vehicles, not pedestrians. The City remains concerned that the approval

of amendments to the signage standard will subjugating pedestrian-oriented design standards and prioritizing motorized vehicular design throughout the entire West Hyattsville TDOZ. We appreciate your consideration of the City's position with respect to your review of the requested signage amendment for the Chillum Road Shopping Center. If you have any questions or concerns, please feel free to contact my staff.”

The Planning Board acknowledges the City of Hyattsville’s comments, but concludes that the West Hyattsville TDDP and the Zoning Ordinance support the applicant’s request, and that approval of the request is justified by the particular circumstances on the subject site.

13. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the subject CSP represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding (in part) for approval of a conceptual site plan, as follows:
 - (4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible...**

As the subject project is limited to consideration of a request to amend the sign requirements of the West Hyattsville TDDP, this normally required finding need not be made.

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 Conceptual Site Plan CSP-13009, subject to the following conditions:

1. Prior to signature approval of the project, the applicant shall add the following notes to the plans:
 - a. “Existing building-mounted signage may be replaced with internally-illuminated signage until such time as the property is comprehensively redeveloped per the TDDP.”
 - b. “Cloud signs and other signage incorporating attractive design shall not exceed 200 square feet for more than three anchor tenants. Signage shall be limited to 125 square feet per sign for each of the other tenants in the main building of the center and 60 square feet for each building occupying a pad site.”
 - c. “All new or replaced signage in the shopping center shall maintain a complementary signage design (including colors, materials, and design details) that helps brand and enhance the image of the property, and any improvements shall consider an updated modern design for the existing property until such time as it is comprehensively

redeveloped per the 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone.”

- d. “All signage shall be approved by the Planning Board or its designee, which may include the Permit Review Section of the Development Review Division within the Maryland-National Capital Park and Planning Commission.”
- 2. The applicant shall prior to the issuance of the next building permit ensure that landscaping is included on the site in accordance with the applicable Landscape Manual requirements.

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

* * * * *

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 Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Bailey and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, May 15, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of June 2014.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator