

RESOLUTION

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Sign Design Standards DSDS-691 requesting relief from Section 27 614(a)(1) of the Zoning Ordinance for freestanding signage for the car wash where the main building is located less than 40 feet behind the front street line, 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 June 29, 2017, the Prince George’s County Planning Board finds:

1. **Request:** The subject departure from sign design standards application is for the purpose of seeking relief from Section 27 614(a)(1) of the Zoning Ordinance for freestanding signage for the car wash where the main building is located less than 40 feet behind the front street line. This case is companion to Detailed Site Plan DSP-16032, which is for a proposed 3,400-square-foot food and beverage store, eight multi-product dispenser gas station, and a 2,926-square-foot car wash.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zones	C-M/ M-I-O	C-M/M-I-O
Uses	Food and Beverage Store/ Service Station/Dry Cleaner	Food and Beverage Store/ Gas Station/Car Wash
Acreage	1.56	1.43
Parcel	2	2
Total Gross Floor Area (GFA)	9,009 sq. ft.	6,326 sq. ft.

OTHER DEVELOPMENT DATA

<b>Total Parking Spaces Required</b>	<b>31 spaces</b>
Food and Beverage Store	
3,000 GFA @ 1 space per 150 GFA	20 spaces
400 + GFA @ 1 space per 200 GFA	2 spaces
Gas Station	
2 Employees @ 1 space per Employee	2 spaces
Car Wash	
2,926 GFA @ 1 space per 500 GFA	6 spaces

<b>Total Parking Spaces Provided</b>	<b>33 Spaces</b>
Regular Spaces (9.5 ft. x 19 ft.)	29 spaces
Compact Spaces (8 ft. x 16.5 ft.)	2 spaces
ADA Spaces (8 ft. x 19 ft.)	2 spaces
<b>Loading Spaces Required</b>	<b>1 space</b>
<b>Loading Spaces Provided</b>	<b>1 space*</b>

Note: \* On the submitted DSP, the provided loading space is shown to be located within 50 feet of the residentially-zoned property to the west. This is not allowed per Section 27-579(b) of the Zoning Ordinance. The applicant has indicated that they can redesign the loading space to move it more than 50 feet from the adjacent property. Therefore, a condition was included in DSP-16032 requiring this revision.

3. **Location:** The subject site is located on the west side of Old Branch Avenue between Kirby Road and Arbutus Lane, in Planning Area 81A and Council District 9. More specifically, the property is located at 7505 and 7509 Old Branch Avenue in Clinton, Maryland
4. **Surrounding Uses:** The property is currently developed with a food and beverage store, vehicle service facility, and dry cleaner, and is bounded on the east side by the public right-of-way of Old Branch Avenue, a designated historic road, and beyond by a vacant building in the C-M Zone. To the west is a vacant One-Family Detached Residential (R-80) zoned property. The site is bounded to the north by the public right-of-way of Kirby Road, with a bank in the C-M Zone beyond, and to the south by the public right-of-way of Arbutus Lane, with a food and beverage store in the C-M Zone beyond.
5. **Previous Approvals:** The subject property is a part of the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (Central Branch Avenue Corridor Sector Plan and SMA), which retained the site in the C-M Zone. The site was developed with a gas station and retail uses in the 1960s. The site also has a Stormwater Management Concept Plan (37816-2016-00), which was approved on March 1, 2017 and is valid through March 1, 2020.
6. **Design Features:** The subject site is roughly rectangular in shape, with the west side adjacent to vacant residentially-zoned property. The site fronts on Kirby Road to the north with one proposed vehicular access point, Old Branch Avenue to the east with a second vehicular access point, and Arbutus Lane to the south with a third vehicular access point, which will be 'exit-only.'

The applicant proposes a one-story, 23-foot-high, 3,400-square-foot food and beverage store, located along the northwestern edge of the property and facing east. Two surface parking areas are located along the east and north sides of the building, with a loading space and trash enclosure along the south side. The applicant also proposes a gas station with eight multi-product dispensers under an 18-foot-high canopy located to the east of the food and beverage store. Finally, the applicant proposes a 2,926-square-foot, approximately 26-foot-high car wash along the southern

edge of the property. Parking is provided along the north side of the car wash with self-serve vacuum cleaners. Adequate handicapped parking has been provided for the project. Stormwater management is being accommodated by on-site underground storage and treatment.

### **Architecture**

The building design for the food and beverage store is rectangular with a flat roof. The exterior finish is brick with a stone veneer or decorative concrete block water table rising to three feet in height around all sides of the building. Dark grey fiber cement panels accent all sides of the building and storefront windows and double door are provided along the eastern elevation. Fabric awnings are located on the front and sides of the building. The building is attractive and uses high quality materials. In front of the food and beverage store is the gas station dispenser area, covered with an 18-foot-high canopy. The color of the canopy is white with an internally illuminated red bar light. The canopy is supported by a pole system, covered in the same brick veneer featured on the main building.

The building design for the car wash is roughly rectangular with four curved roofs at varying heights and angles. The exterior finish is predominately a “wood-look” fiber cement siding with a stone veneer water table rising to three feet in height around all sides of the building and matching stone veneer accent columns. The building is attractive, uses high-quality materials, and provides a significant amount of windows on all elevations. Overhead doors providing access to the drive-through car wash are located along the western and eastern elevations.

### **Signage**

Two freestanding signs are proposed on the site. The first sign, located at the northeast corner of the property, adjacent to the Kirby Road and Old Branch Avenue intersection, is a 25-foot-high, internally-illuminated, white and red, ground-mounted sign, with three digital displays for the gasoline prices. The second sign, located to the south of the driveway entrance from Old Branch Avenue is a 25-foot-high, internally-illuminated, white, blue and green, ground-mounted sign, with a digital display and stone columns and base. Two additional menu-board signs and two directional signs for the car wash are also proposed.

Two 48-inch-tall, internally illuminated building-mounted signs are located on the east and north elevations of the food and beverage store totaling 70.95 square feet. Two 24-inch tall, internally illuminated signs are located on the east and north elevations of the gas station canopy totaling 69.5 square feet. Three channel-letter building-mounted signs are located on the car wash totaling 78.1 square-feet. All signs are consistent with applicable sign regulations, except as discussed in Finding 7 below.

### **Site Details**

**Light Fixtures**—Details of the downward light fixtures, canopy lights, wall-mounted lights and the light bollards to be located proximate to the car wash parking area have been provided and the Planning Board found them acceptable.

**Dumpster Enclosure**—The dumpster enclosure will be composed of concrete masonry unit (CMU), precast concrete and brick. The CMU is located on the watertable and a precast concrete band provides division between the wall and the watertable. Brick is to be utilized above the precast concrete. A variety of light and dark brown colors are coordinated in the dumpster design and match those colors of the food and beverage store. Double gates, finished in composite wood supported by painted steel posts, provide access to the enclosure.

**Hardscape**—A five-space bicycle parking rack has been provided on the north side of the food and beverage store.

**Wall/Fence**—A three-foot-high decorative wall is proposed along the Old Branch Avenue frontage. This wall is composed of brick, which matches the food and beverage store, with a pre-cast concrete cap.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-M Zone, Military Installation Overlay Zone (M-I-O) and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in general conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in commercial zones. The proposed food and beverage store, a gas station, and a car wash are permitted uses in the C-M Zone, subject to DSP review.

A gas station is permitted in the C-M Zone, subject to DSP review, and the requirements of Section 27-358(a)(1), (2) and (4) through (10), which are as follows:

(a) **A gas station may be permitted, subject to the following:**

- (1) **The subject property shall have at least one hundred fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet.**

The above criterion has been met. The subject property is a through-lot that has direct vehicular access and over 322 feet of frontage along Old Branch Avenue, which has an ultimate right-of-way of 80 feet and has direct vehicular access and over 202 feet of frontage along Kirby Road, which has an ultimate right-of-way of 80 feet.

- (2) **The subject property shall be located at least three hundred (300) feet from any lot on which a school, playground, library or hospital is located.**

The above criterion has been met. The subject property is not located within 300 feet of any school, playground, library or hospital.

- (4) The storage or junking of wrecked motor vehicles (whether capable of moving or not) is prohibited.**

The above criterion has been met. The applicant indicates that they will not store motor vehicles at the subject property.

- (5) Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Permitting, Inspections, and Enforcement, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;**

The above criterion has been met. The proposal provides for a 35-foot-wide full access driveway off Kirby Road, which is located more than 20 feet from the point of curvature of the curb return and more than 12 feet from the rear lot line. The proposal also provides for a 47-foot-wide full access driveway off Old Branch Avenue, which is located more than 20 feet from the point of curvature of the curb return and is not along the same frontage as a rear or side lot.

- (6) Access driveways shall be defined by curbing.**

The above criterion has been met. The proposed access driveways are defined by concrete curbing.

- (7) A sidewalk at least five feet wide shall be provided in the area between the building line and the curb to those areas serving pedestrian traffic.**

The above criterion has been met. A five-foot-wide sidewalk is proposed along Kirby Road, Old Branch Avenue, and Arbutus Lane. In addition, sidewalks have been provided on three sides of the food and beverage store. A sidewalk

connection should be provided to connect the food and beverage store with the sidewalks within the rights-of-way.

- (8) Gasoline pumps and other service appliances shall be located at least twenty-five (25) feet behind the street line.**

The above requirement has been met. All gasoline pumps and service appliances are located more than 25 feet behind the street line.

- (9) Repair service shall be completed within forty-eight (48) hours after the vehicle is left for service. Discarded parts resulting from any work shall be removed promptly from the premises. Automotive replacement parts and accessories shall be stored either inside the main structure or in an accessory building used solely for the storage. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or other building material similar in appearance to the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least as high as the accessory building. The type of screening shall be shown on the site plan.**

The above criterion has been met. No repair facility is proposed for the gas station.

- (10) Details on architectural elements such as elevation depictions of each façade, schedule of exterior finishes, and description of architectural character of the proposed buildings shall demonstrate compatibility with existing and proposed surrounding development.**

The above criterion has been met. The proposed gas station has been designed to not only be consistent with, but to be an attractive addition to, the existing surrounding development.

- b. The DSP shows a site layout that is consistent with Section 27-462 Regulations regarding building setbacks.
- c. The DSP was found to be in general conformance with the applicable site design guidelines as referenced in Section 27-283, and contained in Section 27-274, of the Zoning Ordinance. For instance, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers. Streetscape amenities, such as the brick wall, contribute to an attractive, coordinated development that is appropriately scaled for user comfort. Additionally, the light fixtures are durable and compatible with the architecture.

One of the site design guidelines says that pedestrian access should be provided into the site; however, no sidewalk connections to the sidewalks within the right-of-way were shown on the DSP. Therefore, a condition has been included in the DSP approval requiring the addition of one such connection prior to certification.

- d. **Military Installation Overlay (M-I-O) Zone:** Part 10(c) of the Zoning Ordinance sets forth criteria for the M-I-O Zone. The subject property is located within the Joint Base Andrews M-I-O Zone area, within Height Surface 'E,' establishing a height limit of approximately 500 feet above the runway surface, which should be noted in the general notes and on any other future development plans. All the proposed buildings are no more than 26 feet in height and, therefore, meet the requirements of the M-I-O Zone.
- e. Proposed building-mounted and freestanding signage are proposed with the DSP and it appears that they generally conform to the Zoning Ordinance standards in Section 27-613, which governs signs attached to a building or canopy and Section 27-614, Freestanding Signs. However, the site is proposing two freestanding signs, as allowed due to the site's frontage on two parallel (or approximately parallel) streets, Kirby Road and Arbutus Lane. However, in order for this to be applicable, the signs need to be located so as to be fronting on those streets. The gas station freestanding sign location is acceptable at the corner of the intersection of Kirby Road and Old Branch Avenue. However, the car wash freestanding sign needs to be moved from the current location along Old Branch Avenue to along the Arbutus Lane frontage. A condition requiring this revision has been included in the DSP approval.
- f. **Departure from Sign Design Standards (DSDS-691):** The DSP proposes freestanding signage for the car wash where the main building is located less than 40 feet behind the front street line. The applicant has requested a departure from sign design standards (DSDS-691) with this application. The specific sign design standard in Section 27-614(a)(1) is as follows:

(a) **Location.**

- (1) **In all Commercial and Industrial Zones (except the 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 forty (40) feet behind the front street line. This shall not apply to integrated shopping centers, other commercial centers with three (3) or more businesses served by common and immediate off-street parking and loading facilities, industrial centers, or office building complexes.**

The proposed car wash building is located approximately 21 feet behind the front street line along Old Branch Avenue. The applicant is requiring a 19-foot departure.

Section 27-239.01(b)(7) of the Zoning Ordinance sets forth the required findings for a departure from sign design standards as follows:

**(A) In order for the Planning Board to grant the departure, it shall make 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 set forth in Section 27-589, in general, are to protect the health, safety, and welfare of the general public and to encourage economic development activities in Prince George's County. Old Branch Avenue is a four-lane roadway and the site is also visible from Branch Avenue to the east. While the proposed car wash building is only 21 feet behind the right-of-way, a building-mounted sign would not adequately identify the site from these major roadways. The signage will support the Subtitle purposes by adequately identifying the proposed on-site business, while also allowing for adequate identification for safe vehicular operation.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request;**

The applicant considers the departure to be the minimum necessary as the car wash cannot be located in another area of the site without comprising setbacks and drive aisle widths. For these reasons, it is reasonable to conclude that the departure is the minimum necessary given the specific circumstances of the request.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in the areas of the County developed prior to November 29, 1949;**

The existing site, which consists of two legal parcels, is wide with long street frontages, but shallow. Relief is also being sought from Landscape Manual requirements due to this property configuration. This combination of circumstances is unique to the site and justifies approval of the decrease in the building setback behind the front street line.

**(iv) The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood;**



The requested departure assists in the overall effort to provide safe attractive signage for this vehicular-related use. The departure will not impair the visual, functional, or environmental quality or integrity of the surrounding neighborhood and nearby community. By contrast, it fits in with the overall commercial character of the immediate neighborhood.

In summary, the Planning Board found to approve DSDS-691 to allow for a freestanding sign to be located on a property where the main building associated with the sign is located 21 feet behind the front street line.

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 to allow for a freestanding sign to be located on a property where the main building associated with the sign is located 21 feet behind the front street line.

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.

\* \* \* \* \*

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, June 29, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of July 2017.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator