

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/21/2009
Reference No.: CB-015-2009
Draft No.: 2
Proposer(s): Olson
Sponsor(s): Olson, Harrison
Item Title: An Ordinance providing regulations for gateway signs in an integrated shopping center.

Drafter: Jackie Brown, Director, PZED Committee
Resource Personnel: Dannielle M. Glaros, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	5/19/2009	Executive Action:	
Committee Referral:	5/19/2009 - PZED	Effective Date:	9/7/2009
Committee Action:	6/17/2009 - FAV(A)		
Date Introduced:	6/23/2009		
Public Hearing:	7/21/2009 - 10:00 AM		
Council Action (1)	7/21/2009 - ENACTED		
Council Votes:	MB:A, WC:A, SHD:A, TD:A, CE:-, AH:A, TK:A, EO:A, IT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-593, 27-624.02

COMMITTEE REPORTS:

PZED Committee Report

Date 6/19/2009

REPORT:

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Dean, Olson, Dernoga and Exum)

Staff presented a Proposed Draft-2A (DR-2A) prepared at the request of the committee to address concerns raised by the Peoples Zoning Counsel during the June 3rd meeting. The following language was added in Proposed DR-2A on page 3, lines 6 through 9, "Any such gateway sign shall only identify the adjoining Integrated Shopping Center and/or the businesses within the adjoining Integrated Shopping Center, and the location of said sign shall have been noted upon a special exception site plan approval approved prior to 1986."

Stan Brown, Peoples Zoning Counsel, informed Council staff that the revisions in Proposed DR2-A resolve the concerns that he expressed at the June 3rd meeting and that he no longer has any objections to CB-15-2009 in its current format.

James Rosentock, representing the National Park Service (managing agency for the Baltimore Washington Parkway), addressed the committee in opposition to the legislation and submitted a letter dated June 16, 2009 from Ms. Gayle

Hazelwood, Superintendent, which details the Agency's opposition.

In response to Mr. Rosenstock's testimony and the Agency's letter, Council Member Dernoga commented that CB-15-2009 requires approval of a limited Detailed Site Plan (DSP) prior to issuance of permits for the gateway sign. The DSP provides an opportunity for public participation and comment.

The following individuals addressed the committee speaking in support of the legislation: Lawrence Taub, representing the Nellis Corporation; Mayor Lee Walker, Town of Bladensburg; Council Member Walter George, Town of Bladensburg; Ms. Clareen Heikal, representing Progressive Cheverly. Mayor Walker and Ms. Heikal also submitted additional written testimony in support of the legislation.

The committee voted favorably on Proposed DR-2A.

6/3/2009

Held in committee.

Staff summarized the purpose of the legislation and informed the committee of referral comments that were received. It was also noted that the committee previously considered legislation concerning gateway signs, CB-71-2008, which was held in committee in October 2008 for further study. Staff provided a comparison document for the committee members' use in understanding changes that have been made in CB-15-2009 to address concerns raised during the discussion of CB-71-2008.

CB-15-2009 amends the Zoning Ordinance to provide regulations for gateway signs in an integrated shopping center including the requirement for a limited Detailed Site Plan for the renovation and improvement of a freestanding sign if the sign was approved as part of a Special Exception approved prior to 1986.

Council Member Olson, the bills sponsor, requested the committee's support of the legislation indicating that it will assist with the process of updating the Capital Plaza sign and will be instrumental in revitalization efforts in the community surrounding Capital Plaza.

Staff presented a Proposed Draft-2 (DR-2) prepared at the request of the sponsor to clarify language related to concerns raised by the City of Greenbelt and the Planning Board regarding location of the sign and the ability to obtain departures or variances from the gateway sign regulations. On page 2, line 25, after "Integrated Shopping Center", the words "whether located on or off the subject property of the Integrated Shopping Center" were deleted in Proposed DR-2. On page 2, lines 29 and 30, the first sentence was changed from "The sign may be located (a) on the Integrated Shopping Center, or (b) on an adjoining property other than that of an Integrated Shopping Center, if the sign:" to "The sign may be located on property adjoining an Integrated Shopping Center, if the sign:" Also in Proposed DR-2, on page 3, beginning on line 7, the following sentence was deleted: "Any future changes to the gateway sign that would change the location of the sign (unless to a location that is otherwise permissible), or would exceed the height of area as set forth within this Section of the Ordinance would be subject to Planning Board approval."

The Office of Law and Legislative Officer reviewed CB-15-2009 and found it to be in proper legislative form noting some minor technical amendments that should be made prior to introduction of the bill.

The Planning Board supports CB-15-2009 with an amendment to delete the language on page 3, lines 7 through 10. This language conflicts with the language on lines 30 and 31. The Planning Board believes it was never the intent of this bill to permit departures or variances from the gateway sign regulations.

Lawrence Taub, representing the Nellis Corporation, spoke in support of CB-15-2009 indicating that the bill is a key element of the revitalization of Capital Plaza. The following individuals also spoke in support of the legislation: Council Member Walter George, Town of Bladensburg; Clareen Heikal, Progressive Cheverly; and Mayor Lee

Walker, Town of Landover Hills. Mayor Walker and Ms. Heikal also submitted written testimony in support of the legislation.

The Peoples Zoning Counsel, addressed the committee expressing concerns that CB-15-2009 may conflict with a Court decision regulating billboards. The Legislative Officer agreed that it would not be detrimental to the legislation to declare legislative intent to distinguish the provisions concerning gateway signs from billboards.

The committee held the legislation to allow staff time to draft language to address Mr. Brown's concerns associated with potential conflicts with billboard regulations.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation amends the Zoning Ordinance concerning signs to provide regulations for gateway signs which identify integrated shopping centers.

CODE INDEX TOPICS:

INCLUSION FILES:
