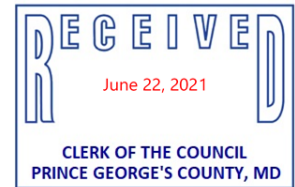


June 22, 2021

Dugoff Properties LLC
7106 Ridgewood Ave.
Chevy Chase, MD 20815



Re: Notification of Planning Board Action on
Departure from Sign Design Standards DSDS-711
College Park Car Wash

Dear Applicant:

This is to advise you that, on **June 17, 2021**, the above-referenced application was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-228.01 of the Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Thomas Sievers Digitally signed by Thomas Sievers
Date: 2021.06.17 18:13:17 -0400
Reviewer

Attachment: PGCPB Resolution No. **2021-66**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

RESOLUTION

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Sign Design Standards Application No. DSDS-711, College Park Car Wash, requesting approval 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 May 20, 2021, the Prince George’s County Planning Board finds:

1. **Request:** The application is for the construction of one additional freestanding sign for a building located less than 40 feet from the street line. The lot consists of two light industrial uses for which only one sign is present. An existing sign serves a consolidated storage facility, and the proposed sign will serve as identification for the car wash. The proposed sign is to be located in the southwest corner of the property at Sunnyside Avenue and Rhode Island Avenue, and will be made of a masonry base with a routed aluminum cabinet and push through plex letters. The sign is proposed to be approximately 47.22 square feet, which is below the 48-square-foot maximum. In addition, the car wash itself is located 33 feet from its nearest corner to the front street line of Sunnyside Avenue, which is less than the required 40-foot minimum. Therefore, the applicant requested a departure from the sign design standards (DSDS) of Section 27-614(a)(1) and Section 27-614(d) of the Prince George’s County Zoning Ordinance.
2. **Development Data Summary:** The following chart summarizes the approved development for the overall Sunnyside subdivision, which remains unchanged by this application.

	EXISTING
Zone	I-1
Use(s)	Light Industrial
Total Acreage	2.96
Number of Lots	1
Parcels	0
Outlots	0

3. **Location:** The subject property considered in this DSDS is located on Tax Map 18 in Grid F-3 and is known as Lot 15, Block C, Section 1 of Sunnyside, recorded in the Prince George’s County Land Records, in Plat Book WWW 87 page 7, dated December 11, 1973. The subject site is 2.96 acres and is zoned Light Industrial (I-1). The site currently contains a car wash and self-storage facility.
4. **Surrounding Uses:** The subject site is surrounded by commercial, industrial, and open space uses. The subject lot is bound by Rhode Island Avenue to the west with lots in the Commercial Shopping Center Zone beyond. Industrial lots in the Heavy Industrial Zone abuts the site to the

north. Light Industrial (I-L) property is to the east. Sunnyside Avenue bounds the lot to the south with properties in the Reserved Open-Space and I-1 Zones beyond.

5. **Previous Approvals:** Lot 15 was created via resubdivision of Lots 4 through 14, Block C, Section 1 of Sunnyside recorded in Plat Book SDH 3 page 32. The subject property also includes the area of Libbie Drive located to the east of the property, which was vacated in May 1986 by Vacation Petition V-86058. Lot 15 is subject to Preliminary Plan of Subdivision (PPS) 12-3011, which was approved prior to 1973. The resolution of approval and other documents from the approval of PPS 12-3011 are no longer available. The final plat does not have any conditions of approval attached to it. This DSDS includes Lot 15 as depicted on record plat 87-7 in its entirety, and the part of Libbie Drive vacated under V-86058, with the correct bearings and distances. A new final plat should be filed to incorporate the part of Libbie Drive vacated by V-86058 to complete the vacation process.

The existing development on the site is subject to a Detailed Site Plan (DSP-98022). The existing development on the subject site was constructed in accordance with DSP-98022 and is presumed compliant with the underlying subdivision approvals. The scale and nature of the DSDS proposal would not represent a substantial revision to the mix of uses that affect Subtitle 24 adequacy findings nor would it be expected to impact the current development entitlement for the subject property.

6. **Master Plan Recommendation:** The subject property is located in Planning Area 61 and is within the limits of the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1 (Planning Areas 60, 61, 62, and 64)*. The master plan recommendation is for industrial land uses. The subject lot was approved and platted for light industrial use and are, therefore, consistent with the land use recommendation of the master plan. The addition of signage has no effect on this finding of conformance. The Subregion 1 Master Plan retained the property in the I-1 Zone.
7. **Zoning Ordinance Requirements for Freestanding Signs:** Section 27-614 of the Zoning Ordinance provides the following freestanding sign regulations that pertain to the departure request:

Section 27-614

(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 subject property is not within a center or complex and therefore, is subject to this provision. In this case, the main building associated with the sign is the car wash. However, the car wash is not more than 40 feet behind the front street line.

The car wash is oriented toward Rhode Island Avenue and set back more than 40 feet behind the street line. The Zoning Ordinance provides that the term 'front street line' is synonymous with 'front lot line,' which is defined as "the line running along the 'front of the lot' and separating it from the 'street.'" For corner lots such as the subject property, the Zoning Ordinance defines 'front of the lot' as "the shortest lot line that abuts the street." Given the orientation of the building, the 'front street line' extends along Sunnyside Avenue, which is approximately 175 feet. The end wall of the car wash drive-through is 33 feet behind the street line for Sunnyside Avenue. Due to the physical characteristics of the existing site, visibility is limited to the southwest corner of the property, rendering a building mounted signage ineffective.

As a result, in order to construct a freestanding sign for the car wash, the applicant has submitted the DSDS request to allow one additional sign that is less than 40 feet from the front street line.

- (4) **Notwithstanding any other provisions of this Subtitle addressing setbacks and yards, in all Commercial and Industrial Zones (except the I-3 Zone), signs need only be located ten (10) feet behind the street 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), provided that:**
- (A) **The land area involved has not been, and is not in the process of being, acquired for street purposes;**
 - (B) **The sign is located at least ten (10) feet behind the existing street right-of-way line; and**
 - (C) **A written agreement between the owner and the Department of Permitting, Inspections, and Enforcement assures that the sign will be removed, at the owner's expense, at the time of acquisition of that area for street purposes.**

Per the DSDS site plan, the sign will be located at least 10 feet behind the street line, satisfying Part B of this requirement. Part A does not apply because the street is not in the process of, nor has it been, acquired for street purposes. Finally, Part C is not applicable because the street line is not situated behind the existing street right-of-way line.

(b) Height.

- (1) The maximum height of signs shall be as shown in the following table. Measurements are from the finished grade at the base of the sign to the top of the sign.**

ZONE	MAXIMUM HEIGHT (IN FEET)
C-O	8
Commercial Zones (except C-O)	25
Industrial Zones (except I-3)	25
I-3 Zone	Not greater than the lowest point of the roof of any building in the employment park

The subject property is in the I-1 Zone, so it may have a sign up to 25 feet high. The proposed sign is approximately 11 feet high, which is in conformance with this requirement.

(c) Area.

- (3) In all Commercial Zones (except the C-O Zone) and all Industrial Zones (except the I-3 Zone), the area of the sign shall be not more than either:**

- (A) One (1) square foot for each two (2) lineal feet of street frontage, to a maximum of two hundred (200) square feet for each sign, if the building is located in an integrated shopping center, other commercial center with three (3) 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; or**
- (B) One (1) square foot for each four (4) lineal feet of street frontage, to a maximum of two hundred (200) square feet for each sign, if the business is not located in an integrated shopping center, other commercial center with three (3) 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 use associated with the sign.**

The subject site is not located within an industrial center; therefore, Subsection (c)(3)(B) applies to the site. The property contains approximately 620 feet of lineal street frontage. Based on the calculation provided in this section, the site may have up to 155 square feet of signage. The existing self-storage sign comprises 48 square feet, leaving 107 square feet available for further signage. The proposed sign is approximately 47.22 square feet in area. Therefore, the total amount of signage on the site will not exceed the allotted amount and is in conformance with the standard.

(d) Quantity.

- (2) In all Commercial Zones (except the C-O Zone) and all Industrial Zones (except the I-3 Zone), there are two (2) options (subparagraphs (A) and (B), below) which may be used to calculate the number of signs allowed. Option One can be used for any property which has the specified minimum frontage on one (1) or more streets. Option Two may be used only for property which has the specified minimum frontage on each of two (2) parallel (or approximately parallel) streets. Both options can apply to either a business located within an integrated shopping center, other commercial center with three (3) or more businesses served by common and immediate off-street parking and loading facilities, industrial center, or office building complex, or a business not located in a center or complex. In the case of a center or complex, the street frontage is that which the entire center or complex has, and the number of signs permitted are the total number for the entire center or complex.**

The applicant provided analysis for Option One per the submitted statement of justification (SOJ). Option One details that for properties located within an industrial zone, and that have 100 to 1,100 feet of lineal street frontage, one (1) freestanding sign is permitted. The site, overall, has 620 feet of lineal frontage and therefore, is permitted to have one (1) sign. The applicant has submitted the subject DSDS to allow departure from this standard for one (1) additional sign to serve the car wash.

Section 27-239.01(b)(7)(A) of the Zoning Ordinance provides that, in order for the Planning Board to grant the departure, it shall make the following findings:

- (i) The purpose of this Subtitle will be equally well or better served by the applicant's proposal.**

Section 27-589(a) of the Zoning Ordinance 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; 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.**

In general, the purposes of the sign regulations are to promote the health, safety, and welfare of residents, workers, and motorists by increasing and enhancing sign visibility and readability, to regulate unsightly and detrimental signs which could depreciate the value of the property, to prevent the proliferation of signs that could detract from the attractiveness of development, and to control scale, consistent with the intended advertising purposes.

The proposed sign is sufficiently sized and located so motorists can easily identify the car wash. The proposed sign will not impede visibility for drivers entering or exiting the business. The placement of the sign on the southwest corner of the lot will provide adequate identification and will not create an appearance of proliferation. The sign will promote the use of enduring, high-quality materials, which will benefit present and future patrons of the site.

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

As has been previously detailed above, the subject site is comprised of two uses on one condominium lot. This specific circumstance is unique. A sign exists for the consolidated storage facility, which is differentiated from the car wash by a masonry wall that physically separates the two uses. As such, the site does not appear or function as two uses on a single lot. The applicant's SOJ provides that the additional freestanding sign is necessary to ensure sufficient visibility and identification of the car wash use, while respecting the overall appearance of the site and surrounding uses. Given the specific circumstances of this request, the departure is the minimum necessary.

- (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.**

This criterion is not applicable in this instance.

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

The placement of the sign will not impair the visual or functional integrity of the surrounding neighborhood. The use of gray split face concrete block, similar to the material used in the construction of the car wash, compatible color-scheme, and durable aluminum sign cabinet, promote the environmental quality and integrity of the surrounding neighborhood and the visibility of the car wash.

8. **Referrals:** No referral agencies provided any comments or concerns that would affect the recommendation of approval for this application. The relevant comments submitted for this application were included in this technical staff report. The following referral memorandums were received, are included as back-up to this technical staff report, and adopted by reference herein:

- Transportation Planning Section, dated March 29, 2021 (Masog to Sievers)
- Transportation Planning Section-Trails, dated April 5, 2021 (Ryan to Sievers)
- Environmental Planning Section, dated April 19, 2021 (Juba to Sievers)
- Urban Design Section, dated April 19, 2021 (Bossi to Sievers)
- Community Planning Section, dated March 10, 2021 (Luckin to Sievers)
- Historic Preservation Section, dated December 27, 2019 (Stabler to Sievers)
- Subdivision Planning Section, dated April 2, 2021 (DiCristina to Sievers)
- Prince George's County Department of Permitting, Inspections and Enforcement Site/Road Review Division, dated April 15, 2021 (Giles to Sievers)

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 correction shall be made:
 - a. On the property survey/condominium boundary detail, label the record plat reference for Lot 15.


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 Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, May 20, 2021, in Upper Marlboro, Maryland.

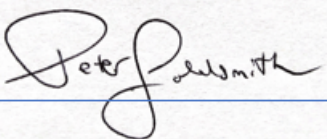
Adopted by the Prince George's County Planning Board this 17th day of June 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:TS:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: May 27, 2021