

Case No. DSDS 638

Applicant: Commerce Bank
(New Carrollton)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER APPROVING DEPARTURE FROM
SIGN DESIGN STANDARDS

IT IS HEREBY ORDERED, after review of the administrative record, and hearing oral argument from the applicant, that Application No. DSDS 638, for a departure from sign design standards for commercial freestanding signs on property described as approximately 3.88 acres of land in the C-S-C Zone, on the south side of Annapolis Road, at its intersection with Riverdale Road, with street address 8201 Annapolis Road, is hereby:

APPROVED, for the following reasons, which are hereby adopted as the findings of fact and conclusions of law of the District Council in this case:

A. The District Council agrees with the applicant that the circumstance presented in this case, where two different commercial establishments are to be constructed on one parcel, justifies the allowance of an additional freestanding sign, or one sign for each establishment. The sign regulations in the Zoning Ordinance are intended, in general to allow one freestanding sign to each separate commercial outlet on a street. In almost all cases, each lot or parcel has a single commercial building and use, and each will have one sign. Permitting two freestanding signs on the subject property is consistent with the intent of the Zoning Ordinance.

B. On Annapolis Road at the Riverdale Road intersection, drivers have significant distractions, creating difficulties seeing commercial businesses on either side of the road.

Approving the departure in this case will permit reasonable visibility for both the bank and the pharmacy, from both sides of Annapolis Road, and also for drivers approaching on Riverdale Road.

C. A small sign area departure will be permitted, in recognition of the practice of County and Planning Commission staff that all parts of a freestanding sign, other than the pole or other structure holding it up, will be included in the area calculation. The Council concludes that a 40-foot departure is justified in this case.

D. The District Council is satisfied that all standards in Section 27-239.01 (b) (8) have been met. The signs the applicant proposes meet the purpose and intent of the sign regulations, because of the unusual circumstance that a single large parcel will be used for more than one commercial use. The departure (two freestanding signs instead of one, with an additional 40 square feet of sign area) is the minimum necessary to alleviate the difficulties the applicant has, in identifying the businesses on the site. The unique circumstances, as stated, include the building of more than one commercial structure on a single large parcel, and the siting of the property, at a point on Annapolis Road where drivers are likely to have their attention diverted by traffic, vehicle speed, and other businesses at that busy intersection. Finally, the departure will not impair the visual or functional or environmental quality of the area, which is predominantly commercial and mostly retail, with no historic or natural viewsheds, and with a number of commercial and directional signs already in place along Annapolis Road.

Approval of a departure from sign design standards on the subject property is subject to the following conditions:

1. The applicant is permitted two freestanding signs on the subject property, one for the bank building and one for the pharmacy. The two signs must stand at least 100 feet apart, along an axis parallel to Annapolis Road.
2. A departure of 40 square feet from sign area requirements will be permitted, for both signs. The area of the two signs must not exceed 130 square feet.
3. Each sign shall be designed as a monument sign, and each shall carry the logo of the City of New Carrollton.
4. The design of each monument sign shall be consistent with the architectural style of the building it identifies.

Ordered this 16th day of October, 2006, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Harrington, Hendershot, Knotts and Peters

Opposed:

Abstained:

Absent: Council Member Exum

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council