

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed 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 October 27, 2005, regarding Detailed Site Plan DSP-03040/01 for The Child Center at Watkins Park Plaza, the Planning Board finds:

1. **Request:** The subject application requests approval of a private school for 43 students and a decrease in enrollment in a day care from 150 to 56 children in the Commercial Shopping Center (C-S- C) Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	C-S-C	C-S-C
Use(s)	Day Care	Day Care and Private School
Acreage	12.7921	12.7921
Parcels	One	One
Building Square Footage/GFA	8,471	8,471

3. **Location:** The site is in Planning Area 74A, Council District 6. More specifically, it is located in the southeasterly quadrant of the intersection of Central Avenue and Watkins Park Drive.
4. **Surroundings and Use:** The subject property is bounded to the north by Central Avenue and undeveloped land beyond; to the east by single-family detached homes; to the south and west by residential condominiums. The surrounding properties are zoned C-S-C, R-80 (One Family Detached Residential), R-18 (Medium Density Multifamily Residential) and R-R (Rural Residential).
5. **Design Features:** The private school and day care are proposed to occupy an end unit of an existing shopping center on its easterly side, most proximate to Watkins Park Drive. The day care center and private school measures 8,471 square feet and the play area to its rear will measure 6,400 square feet. Part of the play area exists and the remainder is to be constructed to meet the increased requirements for the private school. Plans for the project indicate that existing grass in the play area will remain as will a concrete pad as a base for the proposed 24-foot by 24-foot shade structure. Additional play area for the facility will be created by removing 3,000 square feet of asphalt and replacing it with Hardwood shredded mulch. A single white pine tree will remain in one of the two grassed areas of the play area, offering additional shade. A proposed six-foot high vinyl sight-tight tan colored fence will enclose the play area. Please note that

because the play area is immediately adjacent to a travelway for an active parking lot, staff has recommended below that additional concrete traffic barriers, no less than three feet in height be provided to enclose the entire perimeter of the outdoor play area.

6. **Previous Approvals:** The site of the proposed project is subject to the requirements of Preliminary Plan of Subdivision 4-72209, recorded in land records in 1973 (WWW83@46) and corrected by WWW100@51 and NLP 125@19, and Detailed Site Plan DSP-03040, as formalized in PGCPB Resolution #03-267, which approved the site for a day care with a maximum enrollment of 150 students.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-S-C Zone, the site plan design guidelines and the additional requirements for private schools in commercial zones of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-461, which governs permitted uses in commercial zones. The proposed day care and private school are permitted uses in the C-S-C Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-462, Regulations, regarding additional regulations for development in commercial zones.
 - c. The subject application is also in conformance with the requirements of Section 27-463, regarding additional requirements for private schools in commercial zones.

DEVELOPMENT DATA DEMONSTRATING COMPLIANCE WITH SECTION 27-463 OF THE ZONING ORDINANCE, PRIVATE SCHOOL.

REQUIRED	PROVIDED
Private school shall be located on a parcel of at least 5 acres.	Parcel measures 12.7921, which is 7.7921 acres in excess of the required 5-acre maximum.
Maximum enrollment shall be 400 students.	The maximum enrollment at the school is proposed at 43 students, well within the required maximum enrollment.
The property shall have frontage on, and direct vehicular access to, a street having a paved surface at least 36 feet wide.	The shopping center, in which the school is located, has frontage on Watkins Park Drive, an existing and proposed 120-foot-right-of-way, and MD 214, an existing and proposed 200-foot right-of-way, thereby fulfilling this requirement.
An outdoor playground or activity area shall be provided.	Such outdoor playground or activity area has been provided.
Outdoor playground or activity area	Applicant has provided a play area measuring

shall measure at least 100 square feet of usable space per student.	6,400 square feet, which is in excess of this requirement (4,300 square feet for the private school).
The playground/activity area shall be located at least 25 feet from any dwelling on an adjoining lot.	The playground/activity area is located 50 and 85 feet from the surrounding property lines, so it is clearly at least 25 feet from any dwelling on an adjoining lot.
The playground or activity area must be buffered from adjoining uses in accordance with the provisions of the <i>Landscape Manual</i> .	The application is exempt from the requirements of the <i>Landscape Manual</i> , as the project involves no addition of gross floor area.
The area shall be enclosed by a substantial wall or fence at least three feet high for grades six and below, and at least five feet high for other grades.	The playground/activity area is proposed to be surrounded by a six-foot vinyl sight-tight fence.
A detailed site plan shall be approved for all private schools, in accordance with Part 3, Division 9, of this Subtitle.	If the proposed detailed site plan is approved for the site, the applicant will have complied with this requirement.

- d. The subject application is also in conformance with the requirements of Section 27-464.02 regarding day care centers for children in commercial zones.

DEVELOPMENT DATA DEMONSTRATING COMPLIANCE WITH SECTION 27-464.02 OF THE ZONING ORDINANCE FOR A DAY CARE

REQUIRED	PROVIDED
Size of play area—1,875 square feet (the greater of 75 square feet of play space per child for 50 percent of the licensed capacity or 75 square feet per child for the total number of children to use the play area at one time.)	6,400 square feet (4,300 square feet for the private school and 2,100 square feet for the day care). A recommended condition below requires that only 28 children enrolled in the day care may use the playground activity area at one time.
Location of play area (safely accessible from the day care and at least 25 feet from any dwelling on an adjoining lot).	The play area is safely accessible from the day care and at least 25 feet from any dwelling on an adjoining lot.
Substantial wall or fence around play area at least four feet in height.	The play area is proposed to be fenced with a tan colored six-foot-high vinyl sight-tight fence.
Sufficient shade in play area.	A recommended condition below ensures that sufficient shade will be provided in the play area.
Lighting in play area if it is to be used after	Outdoor play will occur only during

dark.	daylight hours
Outdoor play limited to 7 a.m. to 9 p.m.	Applicant agrees to restrict outdoor play to the hours between 7 a.m. to 9 p.m.
Site plan shall show proposed enrollment, location and use of all buildings on adjoining lots, location and size of outdoor play or activity areas and the location, quantity, and type of screening and landscaping.	The proposed enrollment, location and size of the outdoor play area and the location, quantity and type of screening and landscaping have been shown on the plans. A recommended condition requires that either the applicant indicate the location and use of all buildings on adjoining lots or add a note to the plans that the playground/activity area is not located within 25 feet of any dwelling on any adjacent lot.

8. **Landscape Manual:** The proposed project is exempt from Section 4.2 (Commercial and Industrial Landscaped Strip Requirements) because the project does not involve an increase in gross floor area. Further, it is exempt from the requirements of Section 4.3 (Parking Lot Requirements) because it does not necessitate an increase in the number of parking or loading spaces beyond the number currently existing. The subject project is exempt from the requirements of 4.7 (Buffering Incompatible Uses) when they involve no increase in gross floor area.

9. **Woodland Conservation Ordinance:** The Environmental Planning Section has issued a letter of exemption, dated July 14, 2005, granting a standard exemption for the site from the Prince George’s County Woodland Conservation Ordinance. The letter of exemption will remain effective for two years or until July 13, 2007. It states that the standard exemption is based on information obtained from aerial photography, the PGAtlas.com environmental layer and the Log Book maintained in the Environmental Planning Section. It further states that the site is exempt from the Ordinance because there is no woodland associated with it. The subject property contains 12.79 acres, is zoned commercial and developed as a shopping center. The proprietor of the C.H.I.L.D. Center intends to convert a portion of tenant space from the existing day care center to include a private school. Also used in determining the site’s status as to woodland conservation requirements was a site development plan prepared by Ben Dyer and Associates, Inc. of Mitchellville, Maryland. The original development plan was prepared in June 1984. In closing, the Environmental Planning Section stated that a copy of the letter of exemption must be submitted at time of permit application.

10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - **Historic Preservation**—In an e-mail dated September 6, 2005, the Historic Preservation Planning Section stated that the proposed project would have no effect on historic resources.

- **Archeological Review**—In a memorandum dated September 6, 2005, the Archeology Consultant stated that a Phase I archeological survey would not be recommended by the county on the above-referenced property. However, the applicant should be aware that three prehistoric archeological sites are within ½ mile of the property (one of these is approximately ½ mile from the property, and the 1861 Martenet map shows the Marsham residence (no longer standing) as located within the property. Further, she stated that in accordance with Section 106 review, state or federal agencies might require an archeological survey.
- **Community Planning**—As of this writing, comment has not been received from the Community Planning Section.
- **Transportation**—In comments dated August 29, 2005, the Transportation Planning Section stated that since the use is being developed within an existing building, no new construction is planned and no previous applications appear to restrict the trip generation of the uses of the site. They found the site plan acceptable. They also noted that Watkins Park Drive is an existing and proposed 120-foot right-of-way and that MD 214 is an existing and proposed 200-foot right-of-way.
- **Subdivision**—In a memorandum dated September 6, 2005, the Subdivision Section stated the property is known as Parcel A and B, and is the subject of Preliminary Plan 4-72209, recorded in land records in 1973 (WWW83@46). The original plat recorded Parcels A-C and two plats have been recorded [WWW100@51](#) to delete the 10-foot-wide non-access easement strip shown on the original record plat, and NLP 125@19, which consolidated Parcels A and C. Parcel B (WWW83@46) was placed in reservation for the future widening of Central Avenue. The Subdivision Section stated that it appeared that the state never purchased that parcel for right-of-way and suggested that the Transportation Planning Section should comment on that reservation. Further, the Subdivision Section stated that the site plan as prepared is for Parcels A (NLP@19) and B (WWW83@46), and proposes no new development. In conclusion, they stated that there are no other subdivision issues connected with the proposed project.
- **Trails**—In a memorandum dated September 8, 2005, the senior trails planner stated that there are no master trails issues identified in the 1991 Approved Bowie-Collington-Mitchellville and Vicinity Master Plan for the subject site. In addition, they mentioned:
 - That the proposed day care center utilizes existing space within the Watkins Park Plaza
 - That the proposed play area is completely separated from the roadway and parking areas by a sight-tight vinyl clad fence
 - That a traffic barrier is proposed along the portions of the play area abutting the

parking area and asphalt drive

- That an existing speed hump in the parking lot immediately in front of the day care serves to calm traffic and improve pedestrian safety at the entrance to the proposed day care.
 - **Permits**—In comments dated September 1, 2005, the Permit Review Section stated that the proposed site plan meets all relevant requirements.
 - **Environmental Planning**—In comments dated August 25, 2005, the Environmental Planning Section stated that the site is exempt from the Woodland Conservation Ordinance and that no environmental issues had been identified in connection with the project.
 - **Department of Environmental Resources (DER)**—In comments dated September 6, 2005, DER stated that the site plan for the C.H.I.L.D. Center at Watkins Park, DSP-03040/01 is consistent with approved stormwater concept #25814-2003.
 - **Prince George’s County Fire Department**—In a memorandum dated September 19, 2005, the Prince George’s County Fire Department offered comments regarding access for fire apparatuses, road design and the location and performance of fire hydrants.
 - **Department of Public Works & Transportation (DPW&T)**—In a memorandum dated September 8, 2005, DPW&T deferred to the Maryland State Highway Administration regarding the proposed project as the adjacent roadways, MD 214 and MD 556 are state-maintained.
 - **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated September 6, 2005, WSSC stated that an existing on-site system serves the subject property as part of Watkins Park Plaza. They suggested that the applicant apply for a plumbing permit if adding additional plumbing fixtures.
 - **Maryland State Highway Administration (SHA)**—In a letter dated September 13, 2005, SHA stated that they had reviewed the site plan and had no objection to Detailed Site Plan DSP-03040/01 approval.
11. As required by Section 27-285(b), the Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George’s County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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 Detailed Site Plan

DSP-03040/01, subject to the following conditions:

1. Prior to signature approval, the applicant shall revise the site plan as follows:
 - a. The applicant shall correct the parcel square footage and acreage listed in the general notes.
 - b. The applicant shall revise the site plan to reflect the “as built” situation with respect to the following site features:
 - (i) the play surface
 - (ii) the shade structure
 - (iii) the six-foot tan-colored sight tight fence
 - (iv) the concrete traffic barriers
 - (v) curb, gutter, pavement
 - (vi) landscaping (lawn seeding)
 - (vii) means of ingress/egress to the playground/activity area.

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.

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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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, October 27, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of November 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator