

RESOLUTION

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 February 14, 2008, regarding Detailed Site Plan DSP-85077/01 for Sense of a Child Development Center, Inc., the Planning Board finds:

1. **Request:** The subject application is for approval of a daycare center facility for 40 children to be located in one of the units in an existing building in the C-O Zone.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	C-O	C-O
Use(s)	Commercial/Office	Commercial/Office/Day Care for Children
Acreage	2.01	2.01
Total Square Footage/GFA	29,840	29,840
The Proposed Day Care Center	3,160	3,160

OTHER DEVELOPMENT DATA

	<b>EXISTING</b>	<b>PROPOSED</b>
Enrollment number	N/A	40 children
Playground area required	N/A	1,500 square feet
Playground area provided	N/A	1,600 square feet
Total parking space*	111 spaces (110 spaces required)	111 spaces
Of which daycare center	-	5 spaces

Note: The existing number of parking spaces on the site is the same number as approved in DSP-85077. There was no loading space approved in DSP-85077. No loading space is required for the proposed daycare center for 40 children.

3. **Location:** The subject property is located on the north side of Allentown Road, approximately 350 feet west of its intersection with Temple Hill Road with a street address at 7111 Allentown Road, in Planning Area 76B and Council District 8.
4. **Surrounding Uses:** The subject site is bounded to the south by the right-of-way of Allentown Road. To the north of the property is Camp Springs Area High School in the R-R Zone; to the west of the property is an existing building in the C-S-C (Commercial Shopping Center) Zone; and to the east of the property is an undeveloped strip of land in the R-R (Rural Residential) Zone, owned by Prince George's County. Further to the east of the R-R zoned land strip are existing single-family detached houses in the R-80 (One-Family Detached Residential) Zone.
5. **Previous Approvals:** The subject site was zoned R-R and was recorded on February 14, 1962, on record Plat WWW 46@49. In 1981, the site was rezoned from the R-R Zone to the C-O (Commercial Office) Zone by Zoning Map Amendment A-9358 (Zoning Ordinance No. 15-1981). A detailed site plan (DSP-85077) was approved (PGCPB No. 85-293) for a commercial office complex including medical offices and general offices with three buildings in 1985 for the entire site. The subject DSP maintains the same site layout as approved in DSP-85077. The site also has a stormwater management concept approval, which exempts the site from stormwater management requirements because the site has been fully improved and no new building is proposed with this application.
6. **Design Features:** The subject site is in a roughly rectangular shape and has been improved with three buildings. The two buildings located along the west side of the site are two-story buildings and the one along the east side is a two-story building with two one-story wings. The site has two vehicular accesses off Allentown Road. The on-site circulation follows a U-shape route ending at the two access points onto Allentown Road. The proposed day care center will utilize the internal one-story wing and has an outdoor play area located to the north end of the two-story building along the east side of the property. A 3-foot-wide walkway with brick pavers will link the outdoor play area on the east side to the daycare facility on the west side of the property. A protective fence will be provided to enclose both the outdoor playground and the walkway. Staff has concerns about the width of the proposed walkway and believes it is too narrow to accommodate an adult with a child. A minimum 4-foot-wide walkway is recommended. A condition to that effect has been proposed in the recommendation section of this report.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment Application A-9358:** Zoning Map Amendment Application A-9358 was approved by the District Council with one condition that requires a detailed site plan approval for this site prior to issuance of any building permits. That condition had been fulfilled by the approval of DSP-85077.
8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-O Zone and the site plan design guidelines of the Zoning Ordinance.

- a. The subject application is in conformance with the use requirements of Section 27-461, which governs permitted uses in the commercial zone. The proposed day care center for children is a permitted use in the C-O Zone.
- b. The subject application is also in conformance with the additional requirements of Section 27-464.02, for a day care center for children regarding size, location, screening and operation of the outdoor playground as follows:

**(1) Requirements.**

**(A) An ample outdoor play or activity area shall be provided, in accordance with the following:**

- (i) All outdoor play areas shall have at least seventy-five (75) square feet of play space per child for fifty percent (50%) of the licensed capacity or seventy-five (75) square feet per child for the total number of children to use the play area at one (1) time, whichever is greater;**

**Comment:** The enrollment number for the proposed daycare facility is 40 children. The required outdoor playground is 1,500 square feet and the provided amount is 1,600 square feet. The DSP meets this condition.

- (ii) All outdoor play areas shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot, and shall be enclosed by a substantial wall or fence at least four (4) feet in height;**

**Comment:** There is no dwelling unit immediately adjacent to the subject site.

- (iii) A greater set back from adjacent properties or uses or a higher fence may be required by the Planning Board if it determines that it is needed to protect the health and safety of the children utilizing the play area;**

**Comment:** The entire larger property where the proposed daycare facility is located is enclosed with an existing six-foot-high chain-link fence. The proposed outdoor playground is further surrounded by a proposed 4-foot-high chain-link fence on the west side and the existing six-foot-high chain-link fence on the other sides. The fencing is acceptable. However, a segment of the existing chain-link fence along the driveway is dilapidated and should be replaced. A condition has

been proposed in the recommendation section to require the applicant to provide a new six-foot-high chain-link fence for that segment.

- (iv) An off-premises outdoor play or activity area shall be located in proximity to the day care center, and shall be safely accessible without crossing (at grade) any hazardous area, such as a street or driveway;**

**Comment:** The outdoor playground provided with this DSP is not located immediately adjacent to the child care facility, but it is located on the same property. Specifically, the outdoor play area is situated about 180 feet away at the other end of the larger property. A 3-foot-wide walkway has been provided to connect the facility with the outdoor play area. The walkway is enclosed at the driveway side with a chain-link fence. A row of concrete bollards placed approximately 5 feet from center to center is also shown along the driveway side of the walkway to protect children from vehicles visiting the larger site. The arrangement of the walkway leading to the outdoor play area is acceptable except for the width, because the children can easily walk to the outdoor play area without crossing (at grade) any hazardous area, such as a street or driveway. As discussed previously, a four-foot-wide walkway is recommended.

During the public hearing for this DSP, the Planning Board required an additional four-foot-high vinyl fence to be provided to enclose the other side of the walkway. A condition has been proposed to require the applicant to provide a four-foot-high vinyl fence on the other side of the walkpath leading from the daycare facility to the outdoor playground.

- (v) The play area shall contain sufficient shade during the warmer months to afford protection from the sun;**

**Comment:** According to the applicant, during the public hearing for this DSP, shade will be provided by the existing mature shade trees surrounding the play area. The Planning Board and staff believe that sufficient shade will be provided by the existing shade trees during the warmer months to afford protection from the sun.

- (iv) Sufficient lighting shall be provided on the play area if it is used before or after daylight hours to insure safe operation of the area; and**

**Comment:** The outdoor play area will not be used after sunset in accordance with the information provided by the applicant. Therefore no light is needed.

**(vii) Outdoor play shall be limited to the hours between 7 A.M. and 9 P.M.**

**Comment:** The DSP complies with this requirement.

9. **Detailed Site Plan DSP-85077:** DSP-85077 for the entire site was approved without any conditions. The proposed daycare facility will use one of the units in one of the existing buildings without any physical alterations to the exterior.
10. **Landscape Manual:** The original detailed site plan for the larger property predates the *Landscape Manual*. Since the subject revision to the previously approved detailed site plan does not involve an increment of either building gross floor area or parking area, the requirements of the *Landscape Manual* are not applicable to this DSP.
11. **Woodland Conservation Ordinance:** This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because even though the gross tract area of the larger site is in excess of 40,000 square feet, there is less than 10,000 square feet of existing woodland on site and there is no previously approved Tree Conservation Plan.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. In a memorandum dated January 4, 2008, the Community Planning Division noted that the application is consistent with the 2002 General Plan Development Pattern policies for Centers and conforms to the land use policy of the 2006 Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment.
  - b. The Transportation Planning Section, in a memorandum dated December 12, 2007, noted that the approved Henson Creek-South Potomac Master Plan has expanded the planned right-of-way of Allentown Road to 50 feet from centerline. The plan should be revised to reflect the new right-of-way width. A condition has been proposed in the recommendation section of this report.

In a separate memorandum from the Transportation Planning Section dated January 17, 2008, on detailed site plan review for master plan trail compliance, the Trails Planner stated that the 2006 Approved Henson Creek-South Potomac Master Plan designates Allentown Road as a Master Plan pedestrian/bike corridor. Staff recommends a financial contribution of \$210 to the Department of Public Works & Transportation for the placement of one "Share the Road with a Bike" sign. A condition has been included in the recommendation section of this report..

- c. The Subdivision Section in a memorandum dated December 27, 2007, indicated that the DSP is consistent with the record plat.
  - d. The Permit Section, in a memorandum dated December 12, 2007, provided five comments and questions on the site plan regarding compliance with the approved DSP, the parking, lighting and shade requirements for outdoor play area in accordance with the Zoning Ordinance. The one unresolved concern regarding parking calculation has been included in the conditions of approval recommended for this DSP. The proposed condition requires the applicant to revise the parking calculation table to reflect the correct parking ratio at one parking space for every 200 square feet of gross floor area for the existing dental office.
13. 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-85077/01, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall
  - a. Obtain a standard letter of exemption from the Environmental Planning Section, Countywide Planning Division, to be included in the detailed site plan file.
  - b. Provide a minimum four foot-wide walkway that links the daycare facility to the proposed outdoor playground.
  - c. Provide a new six-foot-high chain-link fence to replace the existing segment along the driveway.
  - d. Revise the parking calculation table to reflect the correct parking ratio.
  - e. Show the ultimate right-of-way of Allentown Road on the site plan.
  - f. Provide an additional four-foot-high vinyl fence to enclose the other side of the walkpath leading from the daycare facility to the outdoor play area.
2. Prior to issuance of the first building permit, the applicant's heirs, successors and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of one "Share the Road with a Bike" sign.

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.

\* \* \* \* \*

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 Cavitt, with Commissioners Squire, Vaughns and Clark voting in favor of the motion, with Commissioner Cavitt opposing the motion, and with Commissioner Parker absent at its regular meeting held on Thursday, February 14, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of March 2008.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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