

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 May 4, 2017, regarding Detailed Site Plan DSP-16033 for Stimulating Minds Child Development Center, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for a day care for 20 children in an existing building.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	C-S-C/T-D-O	C-S-C/T-D-O
Use(s)	Single-family Detached	Day Care
Acreage	0.19	0.19
Total Gross Floor Area (sq. ft.)	2,036	2,036

**OTHER DEVELOPMENT DATA:**

<b>Parking Spaces Required</b>	
Day Care for Children (1.0/8 children) *	3
<b>Total Parking Required</b>	<b>3</b>
<b>Parking Spaces Provided</b>	
Standard Spaces	2
ADA Space	1
<b>Loading Spaces Required</b>	
Institution less than 10,000 square feet	<b>0</b>
<b>Loading Spaces Provided</b>	<b>0</b>
<b>Bicycle Spaces per the TDDP</b>	
Required (1 space per 20 parking spaces)	<b>1</b>
<b>Provided</b>	<b>0**</b>

**Notes:** \*The Capitol Heights Transit District Overlay (T-D-O) Zone does not have minimum parking requirements, but rather a maximum parking ratio on page 97 of the Transit District Development Plan. However, this table does not include a requirement for an institutional use, such as a day care. Therefore, the parking requirement from Section 27-568(a) of the Zoning Ordinance applies.

\*\*A condition has been included in this approval requiring the addition of the one required bicycle parking space.

3. **Location:** The subject property is located on the north side of Central Avenue (MD 332), between its intersections with Akin Avenue and Bayou Avenue, in Planning Area 72, Council District 7. More specifically, it is located at 5922 Central Avenue in Capitol Heights, Maryland.
4. **Surrounding Uses:** The subject property is bounded to the south by the public right-of-way of Central Avenue, with a variety of vacant residentially- and commercially-developed land in the Light Industrial (I-1) and Commercial Miscellaneous (C-M) Zones beyond; to the west by vacant land in the Commercial Shopping Center (C-S-C) Zone, with the public right-of-way of Akin Avenue beyond; and to the east and north by single-family residential properties in the C-S-C Zone. All surrounding properties are also in the Transit District Overlay (T-D-O) Zone.
5. **Previous Approvals:** The structure on the property was built in approximately 1914. The 2008 *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zone Sectional Map Amendment* (Capitol Heights TDDP/TDOZ SMA) retained the subject property in the C-S-C Zone and placed a T-D-O Zone on it.

The subject application did not include documentation of an approved stormwater management concept plan, as required by Section 27-282(e)(11) of the Prince George's County Zoning Ordinance. Therefore, a condition has been included in this approval requiring this prior to certification of the plans. Since no substantial development is proposed at this time, this is not anticipated to affect the proposed DSP.

6. **Design Features:** The subject application is to use the existing 2,036-square-foot, two-story, single-family detached home as a day care center for 20 children. No exterior construction is proposed or required for the new use, except for a partially covered play area enclosed with a four-foot-high fence, a handicapped ramp, and gravel being added to create new parking spaces.

The building sits within the central southern portion of the property, facing Central Avenue. Access to the property is provided via a 12-foot-wide driveway connecting to Akin Avenue in the northwest corner of the property. The proposed parking sits behind the building and the proposed play area is located to the east of it.

### **Signage**

One freestanding sign is proposed in the southwest corner of the site along Central Avenue. The overall sign is 6.7 feet high, 8 feet wide, and measures 32 square feet in area. No specifications were provided for the material or color of the sign. Therefore, a condition has been included in this approval requiring this information.

The intent of the Capitol Heights TDDP signage standards is to create a positive image with attractive and well-maintained signs within the T-D-O Zone that enhance and contribute to the architectural character of the buildings. No specific sign dimensional requirements are included in the sign design standards; therefore, conformance with Sections 27-613 and 27-614 of the Zoning Ordinance is required (see Finding 8 for further discussion of signage).

## COMPLIANCE WITH EVALUATION CRITERIA

- 7. 2008 Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zone Sectional Map Amendment:** The Capitol Heights TDDP/TDOZ SMA amends the 2002 *Prince George's County Approved General Plan*, the 1993 Approved Master Plan and Sectional Map Amendment for Landover and Vicinity (Planning Area 72), and the 1986 Approved Master Plan for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B. The TDDP covers portions of Planning Areas 72 (Landover), 75A (Suitland-District Heights), and 75B (Town of Capitol Heights) in western Prince George's County, inside the Capital Beltway (I-95/495) and immediately adjacent to the District of Columbia. The purpose of the Capitol Heights TDDP/TDOZ SMA is to increase transit use and decrease automobile dependency by locating homes, jobs, and shopping closer to transit services; locating the mix of critical land uses (live/work/shop) in closer proximity to one another; and establishing land use/transit linkages that make it easier to use transit (rail and bus). The TDDP envisions the Town of Capitol Heights with a new mixed-use center at the Capitol Heights Metro Station and a revitalized business district along Central Avenue.

The TDDP sets forth goals, concepts, guidelines, recommendations, and design standards to achieve the development character desired for future development within the Metro station area. The TDDP contains a comprehensive rezoning element known as the TDOZ SMA intended to implement the land use recommendations of the development plan for the foreseeable future. On December 6, 2007, the Prince George's County Planning Board approved the preliminary TDDP and the proposed TDOZ sectional map amendment (PGCPB Resolution No. 07-219). On July 1, 2008, the Prince George's County District Council, by adopting County Council Resolution CR-66-2008, approved the TDDP and TDOZ sectional map amendment for Capitol Heights. All page numbers reference the final approved TDDP document.

The TDDP/TDOZ SMA superimposed a T-D-O Zone over six designated character areas to ensure that the development of land meets the TDDP goals. The transit district standards follow and implement the recommendations in the TDDP. The transit district standards are organized into four parts, including building envelope and site standards and guidelines, open space and streetscape

standards and guidelines, parking facilities and guidelines, and architectural standards and guidelines for development within the district. The subject property is located within the Main Street character area of the plan. Specifically, regarding this area, the TDDP states:

**This area will feature the Old Central Avenue (MD 332) corridor as Capitol Heights' revitalized main commercial street and civic center. It generally includes properties fronting and/or within 100 feet of MD 332 between Southern Avenue/District Line and Suffolk Avenue.** (page 17)

The TDDP envisions a pedestrian-friendly main street with a single travel lane in each direction, on-street parking on both sides of the street, and a bicycle lane on the south side of Central Avenue. Buildings along the street will house ground floor retail with commercial or residential uses above. The predominant uses within the Main Street character area will be neighborhood-serving commercial businesses. In addition to the character area definitions, development standards are established in the T-D-O Zone to help realize the density and quality of development envisioned within this character area.

However, this application is adding a day care use to an existing single-family dwelling without an increase to the building footprint or building bulk. The Applicability of Site Plan Requirements on page 39 of the Capitol Heights TDDP/TDOZ SMA states, "New development in the TDOZ is subject to detailed site plan review. New development must show compliance with TDDP standards in the site plan review process." It further defines development to include, "A change from lower intensity to a higher intensity use, as indicated in Table II in Section 4.7 of the Landscape Manual, is also a form of development."

Although day care for children is consistent with the character area neighborhood-serving commercial businesses envisioned along Central Avenue, it does not provide the mix of uses envisioned by the TDDP. However, the property is zoned C-S-C and a day care use is permitted by-right, and no increase in the square footage of an existing building is proposed. Therefore, the site plan should address the applicable T-D-O Zone standards that improve the functionality and aesthetics of the subject property.

Section 27-548.08(c) of the Zoning Ordinance requires that the Planning Board find that the site plan meets the applicable transit district standards, in order to approve it. However, in accordance with the T-D-O Zone review process, modification of the transit district standards is also permitted. In order to allow the plan to deviate from the transit district standards, Section 27-548.08(c)(3) of the Zoning Ordinance requires that, in approving the DSP, the Planning Board shall find that the mandatory requirement, as amended, will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board shall then find that the site plan meets all mandatory requirements which apply.

### **Requested amendments to the T-D-O Zone Standards**

In general, there are only a few applicable transit district overlay zone standards due to the scope of the subject DSP, which involves only a change of use and minor site improvements. The following standards warrant discussion at this time:

- a. **Open Space and Streetscape, 3. General Open Space Standards and Guidelines, 3.2 Ground Cover** (page 80)

#### **Standards**

- (5) **Irrigation: All sod and groundcover areas shall include an automated irrigation system to maintain the health and vigor of the sod and groundcover.**

Due to the scope of the DSP, the applicant does not propose to add an automated irrigation system to the sod areas. The Planning Board found that this would be an unreasonable cost based on the proposal. Therefore, the Planning Board approved the requested deviation from the transit district standard, as it will not substantially impair the implementation of the Capitol Heights TDDP.

- b. **Open Space and Streetscape, 4. Streetscapes, 4.7 Buffers and Screening** (page 90)

#### **Standards**

- (3) **Minimum Buffer Requirements: The minimum bufferyard requirements (landscape yard) for incompatible uses in the Landscape Manual (Section 4.7) shall be reduced by 50 percent. The plant units required per 100 percent of the property line or right-of-way shall also be reduced by 50 percent. Alternative compliance shall not be required for these reductions.**

The DSP as submitted does not provide the required bufferyard adjacent to the existing single-family detached homes to the north and east. With the allowed 50 percent reduction, this would require a 15-foot building setback and a 10-foot landscape yard planted with 40 plant units per 100 linear feet. The Planning Board found that the proposed use change will have minimal impact on the adjacent properties. Additionally, the existing fencing on the adjacent properties, as well as the existing setbacks and trees on the subject property and adjacent properties, provides a sufficient bufferyard between these uses. Therefore, the Planning Board approved the requested deviation from the transit district standard, as it will not substantially impair the implementation of the Capitol Heights TDDP.

- c. **Parking Facilities, 5. General Parking Facilities Standards and Guidelines** (pages 92 and 93)

**Standards**

- (5) **Parking Landscaping: Landscaping shall be provided for surface parking and parking structures as follows:**

(b) **Off-Street Surface Parking:**

- i. **Parking perimeters shall screen views of cars from the public realm with both a three-foot high solid masonry wall and evergreen shrub landscaping.**

The submitted DSP did not provide this along the western edge of the parking area where it would be visible from Akin Avenue. Therefore, a condition has been included in this approval requiring this. If this is done, the DSP will be in conformance with this standard.

- iii. **Landscaped parking islands shall be provided as a break in parking areas for every 20 cars, dimensioned at a minimum of 10 feet in width and minimum 20 feet in length, planted with a 2½-inch caliper shade tree, and shall provide ground cover or shrubs within the island.**

The proposed parking lot has only three spaces and, therefore, not subject to this requirement. However, due to the lack of existing plants in this area, the Planning Board found that one shade tree should be added in the vicinity of the parking lot to enhance the site and reduce the heat island effect.

8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance as follows:

- a. The subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs permitted uses in all commercial zones. The proposed day care center for children is permitted in the C-S-C Zone, subject to Section 27-464.02, which includes the following site design requirements for day care uses:

- (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.**

The applicant is proposing an enrollment capacity of 20 children, requiring a minimum 750-square-foot play area. The proposed play area on the eastern side of the property will be 756 square feet. This requirement is met.

- (ii) **All outdoor play areas shall be located on the same lot as the center 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.**

The proposed outdoor play area is located on the same lot as the center and will be enclosed with a four-foot-high wood fence. The site plan does not clarify that the play area is more than 25 feet, at its closest distance, from any dwelling on the adjoining lots. Therefore, a condition has been included in this approval requiring the distance in feet to be added.

- (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.**

The location of the proposed play area, adjacent to the building and enclosed by a fence, does not necessitate a greater setback or higher fence.

- (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;**

The proposed play area is located on the premises; therefore, this is not applicable.

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

The play area is proposed to include a wooden canopy along the entire eastern edge. This, combined with the existing two-story building immediately to the west, should provide sufficient shade for the play area.

**(vi) 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**

Some existing lighting is shown on the plans; however, it does not appear to be sufficient to light the play area. Therefore, a condition has been included in this approval requiring that a note be added that the play area will not be used before or after daylight hours.

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

The submitted plan does not provide a general note indicating that the hours of outdoor play will be limited to the hours between 7:00 a.m. and 9:00 p.m. Therefore, a condition has been included in this approval requiring this to be added.

- b. The DSP is in general conformance to the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, the subject development provides all of the parking to the rear of the structure and pedestrian access is provided into the site from the public right-of-way.
  - c. Per Section 27-563 of the Zoning Ordinance, every parking lot shall be connected to a street by means of a driveway that provides 11 feet in width for each lane. The existing driveway for this site is 12 feet wide, which would only allow for one-way traffic, and cannot be widened due to the existing lot lines. Per Section 27-548.08(c)(3) of the Zoning Ordinance, the Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking lots if they find that they will benefit the proposed development and the transit district, and will not substantially impair implementation of the transit district development. The Planning Board approved this change in the dimension of the driveway. Given the low volume of vehicles using this driveway, its short length, and the existing site conditions, the modification will benefit the development and the transit district and will not substantially impair implementation of the transit district development.
  - d. The site plan is in conformance with Section 27-617 of the Zoning Ordinance, which governs institutional signs. The one proposed freestanding sign is 32 square feet, a maximum of 6.7 feet above grade, and is located more than 15 feet from adjoining land in a residential zone. Conditions have been included in this approval requiring clarification of the orientation, materials, and colors proposed for the sign.
9. **2010 Prince George's County Landscape Manual:** The proposed development is within the Capitol Heights TDDP/TDOZ SMA and is technically subject to the T-D-O Zone standards, as contained under the Open Space and Streetscape guidelines and standards. However, for those



landscaping requirements not amended by the T-D-O Zone standards, the applicable 2010 *Prince George's County Landscape Manual* (Landscape Manual) regulations govern. The site is subject to Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. However, the DSP, as submitted, does not propose any landscaping. However, conditions of approval require plantings to beautify the site. Therefore, the requirements of this section will be applicable to those plants. A condition has been included in this approval requiring that information regarding Section 4.9 be added.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property has no previous tree conservation plan approvals and is less than 40,000 square feet in size. An approved Woodland Conservation Standard Letter of Exemption, S-146-2016, was issued on August 17, 2016, and submitted with this application.
11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. The day care facility will be located in an existing structure and the outdoor play area does not require a grading permit; therefore, the application is exempt from TCC requirements.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Historic Preservation**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey is not recommended on the subject property. This proposal will not impact any historic sites, historic resources, or known archeological sites.
  - b. **Community Planning**—The Planning Board reviewed a discussion of the transit district development standards that are incorporated into Finding 7 above, as well as the following comments on the subject application:

The *Plan Prince George's 2035 Approved General Plan* designates this area in Capitol Heights as a Local Center, characterized as a focal point for development and civic activity based on access to transit, with medium- to medium-high residential development, along with limited commercial uses. Local Centers are envisioned as supporting walkability, especially in their cores and where transit service is available.
  - c. **Transportation**—The site plan has no specific transportation requirements. The standards of the T-D-O Zone within the 2008 Capitol Heights TDDP/TDOZ SMA will affect the active transportation review. There are no underlying development cases that have related transportation conditions.

The day care center, which will be in an existing single family residence, is expected to generate 16 AM and 16 PM peak-hour trips. A portion of these, 65 percent, are assumed to be pass-by trips (vehicles already using the adjacent streets). With pass-by trips factored in, the site would generate 6 AM and 6 PM new peak-hour trips.

Access to the site will be provided by a single driveway from Akin Avenue. This is acceptable given the site trip generation. The driveway is shown to be 12 feet in width, which is substandard for a two-way driveway, according to Section 27-560 of the Zoning Ordinance. The statement of justification refers to a possible departure request and, given the low volume of vehicles using this driveway and its short length, the departure would be supportable.

The site is adjacent to Central Avenue (MD 332), which is a master plan collector roadway with an ultimate right-of-way of 80 feet, which is consistent with the street section shown on page 86 of the TDDP. Given that the existing right-of-way is 55 feet, the ultimate planned right-of-way line would be 12.5 feet beyond the existing right-of-way line. Neither existing structures nor the proposed play area extend into this ultimate right-of-way; however, the proposed sign is within the ultimate right-of-way, and should be moved back appropriately. Akin Avenue is a non-designated secondary residential roadway within a nonstandard right-of-way. The existing right-of-way is 30 feet.

The main roadway serving this site is MD 332. Addresses along this roadway are shown alternatively as Central Avenue and Old Central Avenue. The Maryland State Highway Administration's "Highway Location Reference" shows the street name for MD 332 as Central Avenue (MD 214 between the District of Columbia and its junction with MD 332 is called East Capitol Street). It is requested for the sake of consistency that all references to Old Central Avenue on the plans and on the case description be modified to utilize Central Avenue (or alternatively MD 332) as the street name.

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP as, described in the Zoning Ordinance. From the standpoint of non-motorized transportation, the Planning Board found that this plan is acceptable.

The three transportation conditions have been included in this approval, as appropriate.

- d. **Subdivision**—The year of construction of the existing dwelling and gross floor area should be added to the DSP. A condition has been included in this approval requiring this.
- e. **Trails**—The site plan was reviewed for conformance with the Capitol Heights TDDP/TDOZ SMA, along with the 2009 *Approved Countywide Master Plan of Transportation*, in terms of master plan trails and bikeways. Since the site does not require a preliminary plan of subdivision, it is not subject to Section 24-124.01 of the Subdivision

Regulations or the “Transportation Review Guidelines – Part 2,” which are used for evaluating the adequacy of bicycle and pedestrian facilities.

The TDDP includes the following:

- (1) Item 4.3, Sidewalks, states that sidewalks “are required for all street frontages along which occupied structures occur.” There is an existing five-foot-wide sidewalk along the eastern side of Akin Avenue (the site’s frontage), but none on the western side. There are no sidewalks along Central Avenue (MD 332).
- (2) The TDDP envisions bicycle lanes along Central Avenue (MD 332). This is incorporated into the streetscape plan on page 86, and would be implemented at such time as the roadway is reconstructed or restriped.

Due to the scope of the DSP, which involves just a change of use, it would be an unreasonable cost to require the applicant to build sidewalks along the frontages. These improvements can be implemented in the future when a more comprehensive redevelopment of the site is proposed.

- f. **Permits**—Permit review comments have either been addressed through revisions to the plans or through conditions included in this approval.
- g. **Prince George’s County Fire/EMS Department**—In a memorandum dated March 23, 2017, the Office of the Fire Marshal provided standard comments regarding fire apparatus, fire hydrants, and lane requirements. These issues will be enforced by the Fire/EMS Department through their separate permitting process.
- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not provide comments on the subject application. However, no development is proposed with this DSP; its sole purpose is for a day care use within the existing building.
- i. **Prince George’s County Police Department**—The Police Department did not provide comments on the subject application.
- j. **Prince George’s County Health Department**—In a memorandum dated March 10, 2017, the Environmental Engineering Program of the Health Department provided the following comments on the subject application:
  - (1) The child daycare center must submit a request with the Maryland State Department of Education (MSDE) to obtain a license through the Office of Child Care (OCC) to operate as a child care facility.

The applicant should note the required process and this information has been transmitted to the applicant.

- (2) The facility must meet all applicable building, health and sanitation requirements under the Code of Maryland Regulations (COMAR) 13A.16 and/or COMAR 13A.17.

This requirement will be enforced at the time of permit.

- (3) The facility must undergo a lead assessment and all child care areas are to be cleared as “Lead Safe” by a Lead Inspector licensed by the State of Maryland.

This requirement will be enforced at the time of permit.

- (4) There are no existing carry-out/convenience store food facilities or grocery stores or markets within a one-half mile radius of this site. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity. The applicant would be encouraged to prepare nutritional menus for her clients that help fill the gap in access to healthy food choices and to help reduce the prevalence of obesity in the community.

The applicant should take note of this suggestion and this information has been transmitted to the applicant.

- k. **Maryland Department of Human Resources**—The Department of Human Resources did not provide comments on the subject application.
- l. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not provide comments on the subject application.
- m. **Verizon**—Verizon did not provide comments on the subject application.
- n. **Potomac Electric Power Company (PEPCO)**—PEPCO did not provide comments on the subject application.
- o. **Town of Capitol Heights**—The Town of Capitol Heights did not provide comments on the subject application.
- p. **Town of Fairmount Heights**—The Town of Fairmount Heights did not provide comments on the subject application.
- q. **City of Seat Pleasant**—The City of Seat Pleasant did not provide comments on the subject application.

13. Section 27-548.08(c)(2) of the Zoning Ordinance requires that the Planning Board must make the following findings in order to approve a DSP in a T-D-O Zone:

**(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The application is in general compliance with the applicable T-D-O Zone standards. Where strict compliance is not possible or practical, an amendment was requested in accordance with the Zoning Ordinance. The Planning Board approved the amendments. See Finding 7 above.

**(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;**

As noted above, the submitted plan meets this criterion, except where an amendment has been requested.

**(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;**

The DSP meets most of the requirements of the T-D-O Zone, except for amendments which the Planning Board approved.

**(D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;**

The DSP, as proposed, maximizes safety and efficiency and meets the purposes of the T-D-O Zone.

**(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and**

The structure is existing and the proposed use is compatible with the vision, guidelines, and standards of the TDDP. Existing uses in the immediate vicinity of the subject property are not in conformance with the TDDP; therefore, the proposed development is not necessarily compatible with other uses in the district. This proposal is one of the first in the vicinity to apply the transit district standards. The Planning Board found that the proposed development, as presented in Detailed Site Plan DSP-16033, meets all of the above required findings for approval.

14. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

**(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

There are no regulated environmental features located on the subject site. Therefore, this requirement does not apply.

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:

- A. APPROVED the alternative transit district standards for:

1. **Open Space and Streetscape, 3. General Open Space Standards and Guidelines, 3.2 Ground Cover, Standard (5), Irrigation**—To allow for no irrigation system to be provided for all sod and groundcover areas.
2. **Open Space and Streetscape, 4. Streetscapes, 4.7 Buffers and Screening, Standard (3), Minimum Buffer Requirements**—To allow the applicant to not provide a bufferyard adjacent to the existing single-family detached homes.

- B. APPROVED Detailed Site Plan DSP-16033 for Stimulating Minds Child Development Center, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
  - a. Clarify or provide the following information on the site plan:
    - (1) Dimension the distance between the proposed play area and the nearest dwellings on adjacent lots.
    - (2) Proposed and existing fence lines and types.
    - (3) For the freestanding sign, label proposed materials and colors, if it is single or two-sided, and that it faces the street frontage.
    - (4) The acreage of the DSP, which should include Lots 42–45 and 48–50.
    - (5) Dimension setbacks from the proposed canopy to the front and side lot lines.

- (6) Add the total height of the proposed canopy, including the gable roof.
  - (7) Ensure all line work and labeling is legible.
  - (8) Add the width of the paved area in front of the parking spaces.
  - (9) Add the dimensions of the existing building.
  - (10) Indicate the walkway connection from the building to the right-of-way and the parking lot.
- b. Add site plan notes as follows:
- (1) The hours of outdoor play will be limited to the hours between 7:00 a.m. and 9:00 p.m.
  - (2) The play area will not be used before or after daylight hours.
  - (3) The year of construction and height of the existing dwelling.
  - (4) Enrollment: 20 children; between the ages of 6 weeks – 5 years of age.
- c. Move the proposed freestanding sign outside of the ultimate planned right-of-way line, which is 12.5 feet behind the existing right-of-way line.
- d. Revise all references and labels for Old Central Avenue on the plans to Central Avenue (or alternatively MD 332), per Maryland State Highway Administration's references.
- e. Provide evergreen shrubs along the western edge of the parking lot to screen it from Akin Avenue.
- f. Provide one proposed shade tree adjacent to the proposed parking area.
- g. Provide a Section 4.9, Sustainable Landscaping Requirements, schedule demonstrating conformance to all requirements.
- h. Add a minimum of one bicycle parking space close to the main entrance of the building.
- i. Provide an approved stormwater management concept plan and revise the DSP, if necessary.

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 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 4, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of May 2017.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator