

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 February 1, 2001, regarding Detailed Site Plan 00035 for Ark of Safety Day Care Center, the Planning Board finds:

Based upon evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. Location: The subject property is located in the southwest quadrant of the intersection of Livingston Road and Oxon Hill Road (MD Rt. 414). The property is bounded to the south by existing commercial uses zoned C-S-C; to the west by an existing church, Oxon Hill Methodist, zoned I-3, and post office, zoned C-S-C; to the north by the Oxon Hill Road right-of-way; and to the east by the Livingston Road right-of-way.
2. The Proposed Development: The purpose of the subject application is for approval of a Day Care Center facility for 40 children to be located in an existing church, Ark of Safety, within the Oxon Hill Shopping Center. The subject church building in which the day care facility will be located is one story, approximately 19,726 square feet, and approximately 630 square feet of the total interior space will be used as day care. The shopping center is zoned C-S-C. One outdoor play yard will be provided directly adjacent to the building in which the day care will be housed to accommodate the day care use.
3. Background: The (1981) Approved Master Plan for Subregion VII, Henson Creek, South Potomac recommended that the subject property be designated a Major Community Activity Center. The Sectional Map Amendment (1984) identified the property to be zoned C-S-C. The subject application was referred to the Community Planning Division and in a memorandum dated December 27, 2000 (Rovelstad to Jordan) the following comments were provided:

AThe proposed day care center within an existing church building is consistent with master plan concepts for a mix of land uses in this commercial/major community activity center area.@

No master plan issues exist as part of this application.

4. The site development data are as follows:

Zone

C-S-C

Use	Day Care Center
Site Area	2.3 acres
Building Area	19,726 square feet
Day Care Area	630 square feet
Enrollment	40 children
Playground Area Required (75 sq. ft./child)	3,000 square feet
Playground Area Provided	3,000 square feet
Parking Required (1 space per 8 children)	5 spaces
Parking Provided (for day care use only)	5 spaces

5. Conformance to the Requirements of the Zoning Ordinance and *Landscape Manual*: The subject Detailed Site Plan is in general conformance with the requirements of the Zoning Ordinance for development in the C-S-C Zone. Section 27-464.02 of the Zoning Ordinance sets forth the requirements for Day Care Centers in commercial zones, and the proposed plan is in general conformance with those requirements with the following qualifications:

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

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

Comment : No landscaping is proposed at, or around, the proposed play area. Although the play area will be located at the north side of the existing building and might possibly receive some shade from the summer sun late in the day, staff is concerned that no landscaping is proposed in proximity to the outdoor play area. The midday summer sun will be directly above the outdoor play area, and thus staff believes that random placement of shade trees within the boundary of the play area will help break up this expanse of open area, provide variety, and much needed venues of cool shaded areas in the summer months. Therefore, it is recommended that landscaping, shade trees (minimum 3-3 2" caliper), be randomly located within the proposed play area.

The subject plan is exempt from the requirements of the *Landscape Manual*. The proposed addition of the day care center use to an existing church in a commercial shopping center on the subject property does not involve an increase in gross floor area, nor does it involve the provision of any additional parking. The day care center use is categorized as a low impact, while the commercial shopping center is considered a high

impact use.

1. Conformance to the Requirements of the Woodland Conservation Ordinance - The site is not subject to the provisions of the Woodland Conservation Ordinance. Although the site is more than 40,000 square feet, it contains less than 10,000 square feet of woodland. A Tree Conservation Plan is not required.
7. The Office of Child Care Licensing had not responded to the referral request at the time the staff report was written.
8. The subject application was referred to all applicable agencies and divisions, no significant issues were identified. The Permit Review Division provided several comments pertaining to additional information being provided on the plans, and condition 1.b.-g. reflects the Permit Review concerns.
9. The Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs 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 for the above-described land, subject to the following conditions:

1. Prior to certificate approval, the following modifications or revisions shall be made to the Detailed Site Plan:
 - a. Provide four (4) shade trees (minimum 3-3 2" caliper) randomly located within the outdoor play yard.
 - b. Provide a loading space schedule and one (1) loading space.
 - c. Provide dimensions and heights for all structures.
 - d. Provide a note that states that no building

addition has occurred that exceeds 10 percent of the existing structure=s gross floor area.

- e. Provide a note that states the hours of operation for the subject use.
- f. Provide the location of all proposed and existing exterior lighting on the subject property.
- g.
- h. Provide a note stating that the proposed and existing exterior lighting is adequate to support the day care center.

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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 1, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of February 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JJ:bj