

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 March 13, 2003, regarding Detailed Site Plan DSP-02062 for God's Church International Day Care, the Planning Board finds:

1. **Request:** The subject application is for approval of a day care center facility for 32 children to be located in an existing shopping center in the C-S-C Zone.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Retail	Daycare
Acreage	2.38	2.38
Total Square Footage/GFA	43,370	43,370
The Proposed Day Care Center Building	3,200	3,200

## OTHER DEVELOPMENT DATA

	EXISTING	PROPOSED
Enrollment number	N/A	32 children
Playground area required	N/A	1,200 square feet
Playground area provided	N/A	1,302 square feet
Total parking space	79 spaces (79 spaces required)	79 spaces
Loading space	3 spaces (3 spaces required)	3 spaces

3. **Location:** The site is located in Planning Area 75A, Council District 7. More specifically, it is situated on the north side of Suitland Road (MD 218), west of Huron Avenue.

4. **Surroundings and Use:** The subject property is bounded to the north by a 20-foot-wide public alley; to the east by the Huron Avenue right-of-way; to the west by additional commercial property zoned C-S-C; and to the south by the Suitland Road right-of-way.
5. **Previous Approvals:** The subject site consists of Parcels I and II and is improved as the Suitland Shopping Center. Parcel I was constructed circa 1954 and Parcel II was developed prior to 1949. In 1999, a Detailed Site Plan (SP-99021) application for approval of a daycare facility for 75 children in two existing buildings of the shopping center was filed and approved by the Planning Board (Resolution PGCPB No.00-57) with one condition. No facility has commenced operation since the approval of the Detailed Site Plan, SP-99021, for the proposed day care facility. One of the buildings in the application is currently used as an entertainment center, known as Elements of Entertainment, hosting activities such as banquets, meetings, theater shows, etc., and the other building is vacant. In 2002, Visions II Child Development Center filed an application (DSP-02030) to use the above-mentioned vacant building for a day care center of 85 children. On January 9, 2003, the Planning Board approved a Detailed Site Plan for Visions II Child Development Center, DSP-02030 (Resolution PGCPB No. 02-252), subject to two conditions.
6. **Design Features:** The proposed day care facility is located within the same shopping center as that of the Detailed Site Plans, SP-99021 and DSP-02030. The subject application proposes an enrollment of 32 children in a 3,200-square-foot building, which is adjacent to the Elements of Entertainment building with a street address at 4650 Suitland Road, and proposes an outdoor play area right in front of the building. The proposed outdoor play yard is currently improved as a sidewalk. In order to keep the continuity of the existing sidewalk, a five-foot-wide space has been allocated between the boundary of the play area and the existing parking lot. The conversion of a portion of the existing wide sidewalk into the proposed outdoor play area use will not result in any change of the existing parking and loading situations. The application meets the parking and loading requirements and does not modify the general layout of the existing shopping center.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed against the requirements in the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in general conformance with the use requirements of Section 27-461, which governs the development of a day care center in a commercial zone. The proposed day care center for children is a permitted use in the C-S-C Zone.
  - b. The subject application is also in general conformance with the additional requirements of Section 27-464.02, for a day care center for children.
8. **Landscape Manual:** The proposed day care center is generally exempt from the requirements of the applicable sections of the *Landscape Manual* because the proposed day care is part of the shopping center and does not involve any increase in gross floor area. The day care center use is

categorized as a low impact use, while the former retail facility is considered a medium impact use according to the *Landscape Manual*.

9. **Woodland Conservation Ordinance:** The property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance. Even though the site is more than 40,000 square feet in area, it contains less than 10,000 square feet of woodland and does not have a previously approved Tree Conservation Plan. A Tree Conservation Plan is not required.
10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. Major referral comments are summarized as follows:
  - a. The State Highway Administration has no objection to the approval of Detailed Site Plan DSP-02062 for God's Church International Daycare. SHA stated in a memorandum dated January 27, 2003, that adequate existing site access and frontage improvements consistent with State Highway Administration guidelines are correctly reflected on the plan.
  - b. The Permit Review Section provided several technical questions concerning compliance with the applicable zoning regulations in a memorandum dated January 27, 2003.

**Staff Comment:** The applicant will retain the pre-1970 standard parking space size and will make full use of the leftover parking capacity of the center. This application will use four existing parking spaces and does not propose any parking lot restriping.

- c. The subject application was referred to the Environmental Planning Section and in a memorandum dated February 7, 2003, the staff finds that there are no streams, wetlands, wetland buffers, 100-year floodplain, or severe and steep slopes with highly erodible soils found to occur on the subject parcel. There are no noise issues either with this application. The staff recommends approval of the Detailed Site Plan with one condition that has been incorporated into the Recommendation section of this report.
- d. In a memorandum dated January 16, 2003, the Subdivision Section staff indicated that there are no subdivision issues with this application.
- e. The subject application was also referred to the Department of Environmental Resources/Concept. In a memorandum dated January 31, 2003, the staff noted that this office has no objection to this project.
- f. The Transportation Planning Section, in a memorandum dated February 19, 2003, indicated that access to the site and circulation within the site are acceptable. But staff also noted that the existing parking spaces are within the ultimate right-of-way of Suitland Road.

**Staff Comment:** The subject site plan proposes no change to existing driveways or parking. The

day care center will use four existing parking spaces available on the site and therefore meet the parking and loading requirements in a manner that is identical to that of Detailed Site Plan DSP-02030, which was approved by the Planning Board on January 9, 2003 (Resolution PGCPB No. 02-252).

In a separate memorandum from the Transportation Planning Section dated March 3, 2003, on Detailed Site Plan Review for Master Plan Trail Compliance, the Trails Planner noted that:

*“ There are no master plan trails issues identified in the Adopted and Approved Suitland-District Heights Master Plan. The existing sidewalk reflected on the submitted plan will accommodate pedestrians.”*

- g. In a memorandum dated February 5, 2003, the Community Planning Division found no master plan issues with this application. The Community Planner, however, expressed a concern for the safety of children in the proposed day care center because the playground is located in front of the existing parking lot. The planner also noted:

*“The location of the playground facing the parking lot may pose safety issues. However, to protect the children from the public and enhance the appearance of the building within the commercial strip, the proposed six-foot fence should be wood and not chain link.”*

**Staff Comment:** The safety of the children and the aesthetic impact of the proposed playground on the image of the existing shopping center are also the foci of the review. Two mitigation measures (protective bollards and fence) have been proposed as conditions to be attached to the approval of this site plan.

- h. The Child Care Administration of the State of Maryland had not responded to the referral request at the time the staff report was written.
  - i. The Special Hazards Section, Bureau of Fire Prevention, Prince George's County Fire Department, in a memorandum dated January 10, 2003, listed the applicable regulations concerning the fire prevention and access on the site. The applicant has been fully informed about those regulations during the review process.
11. 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 DSP-02062, subject to the following conditions:

1. Prior to certificate approval of this Detailed Site Plan, the applicant shall make the following revisions:
  - a. Indicate the previously approved outdoor play area on the site plan serving DSP-02030.
  - b. Provide typical bollards at an interval of four feet from center to center on the south side of the proposed outdoor play area that will protect children from traffic in the existing parking lot.
  - c. Provide a playground detail drawing to show the surfacing material of the outdoor play area to be a resilient rubber surface or equivalent in compliance with CPSC and ASTM standards.
  - d. Provide a shade structure in the play area.
  - e. Replace the proposed chain link fence with an attractive aluminum or vinyl fence or equivalent.
2. Prior to certificate approval of this Detailed Site Plan, the applicant shall submit a copy of the Stormwater Management Concept Approval letter to the Urban Design Section.

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 Eley, seconded by Commissioner Scott, with Commissioners Eley, Scott, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 13, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17<sup>th</sup> day of April 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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