

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 April 17, 2003, regarding Detailed Site Plan DSP-03003 for It's a Family Affair Childcare, LLC, the Planning Board finds:

1. **Request:** The request is to establish a childcare center for 45 children in an existing structure on the subject property.
2. **Site Plan Data:**

	Existing	Proposed
Zone(s)	C-O	C-O
Use(s)	Commercial/Office	Childcare Center
Acreage	Approximately 1.72	Approximately 1.72
Lots	Lot 1	Lot 1
Square footage/GFA	2,298	2,298
Dwelling Units:	None	None

Other Development Data:

	Required	Provided
Parking Spaces	5	5
Loading Spaces	1	1
Parking Lot Green Space	2,305 square feet	2,376 square feet
Size of outdoor play area	1,725 square feet	2,451 square feet

3. **Location:** The project is located at 96 Harry S Truman Drive, Upper Marlboro, in the 6th Councilmanic District and in Planning Area 73.
4. **Surroundings and Use:** The project is located in an area of mixed land use, which is predominantly residential. The site is immediately surrounded with undeveloped land and the common area of an adjacent townhouse development.

COMPLIANCE WITH EVALUATION CRITERIA

5. **The Requirements of the Prince George's County Zoning Ordinance:**

The project has been reviewed against the Prince George's County Zoning Ordinance and found

substantially to be in compliance. The proposed use fits within the stated purposes of the C-0 Zone included in Section 27-453 of the Prince George's County Zoning Ordinance, which includes providing locations for predominately nonretail commercial uses. Further, the use conforms to the specific regulations of Section 27-464.02, Day care center for children, except as follows:

- It must be noted on the Detailed Site Plan that because of its size the play area may be utilized by no more than 50 percent of the licensed capacity, or 23 children, at one time.
6. **Landscape Manual:** Section 1.1(c) of the *Landscape Manual* states, "Permits for interior or exterior rehabilitation of an existing building which do not involve any change of use or increase in the gross floor area (GFA) of the building are exempt from the requirements of Sections 4.1, 4.2, 4.3, 4.6 and 4.7 of this Manual." This section applies to the subject site, which is exempt from the above sections of the *Landscape Manual*.
 7. **Woodland Conservation Ordinance:** The Environmental Planning Section deemed the site exempt from the requirements of the Woodland Conservation Ordinance because the subject property is less than 40,000 square feet in size, contains less than 10,000 square feet of woodland, does not have a previously approved tree conservation plan, and contains no classifiable forest.
 8. **Referral Comments:** The subject application was referred to all concerned agencies and divisions. Major referral comments are summarized as follows:
 - a. Community Planning—The Community Planning Section stated that the case raised no *Largo-Lottsford and Vicinity Master Plan* (1990) issues. Additionally, they mentioned that the subject property is located in Employment Area 2 as designated in the master plan and that a master plan guideline encourages day care centers within large employment areas.
 - b. Transportation—The Transportation Planning Section stated that Harry S Truman Drive is an existing 120-foot right-of-way. Regarding the site plan, they said it has adequate access and circulation. Lastly, they stated that since the use is proposed within an existing building, with no development proposed, they found the site plan acceptable.
 - c. Subdivision—The Subdivision Section noted that the proposed site plan is consistent with Plat #104-26 for Parcel-1. Further, they mentioned that the development is subject to covenants recorded in 4924/390 and an agreement recorded in 4378/392.
 - d. Permits—The Permits Section noted an updated parking and loading schedule must be submitted showing 82 parking spaces, a 16- by 19-foot van space for the physically handicapped, and spaces for compact cars, if any, so labeled and designed in accordance with the requirements of the Zoning Ordinance.

They also noted that no sign is to be approved as part of this application.

- e. Environmental—The Environmental Planning Section reviewed the proposed project and found no streams, wetlands, 100-year floodplain, or areas of steep and severe slopes on the property, nor any transportation-related noise generators in the vicinity of the subject property. Regarding soils, they said that while the site had problematic Adelphia fine sandy loam and Aura gravelly loam (no Marlboro clay), the soils on the site would currently be classified as some type of urban land complex due to the development present. They noted that the sewer and water service categories are S-3 and W-3 and that there are no rare, threatened or endangered species found nor any designated scenic and historic roads in the vicinity of the property. Lastly, they noted that the subject property is located in the Southwest Branch watershed of the Patuxent River Basin and in the Developing Tier as reflected in the adopted General Plan.
- f. The Department of Environmental Resources^{3/4} The Department of Environmental Resources reviewed the project with regard to stormwater management and stated that they had no objections.
- g. The Department of Public Works and Transportation (DPW&T)^{3/4} Although a referral was sent to DPW&T, no response has been received from that agency at the time of the writing of this staff report.
- h. The Washington Suburban Sanitary Commission (WSSC) – WSSC noted that the subject property has existing service and that the applicant need only apply to Permit Services for a Plumbing Permit for any water and sewer upgrades on site.
- i. The Office of Child Care Licensing—The Office of Child Care Licensing offered no comments on the site plan.

Conditions are proposed below to bring the project into compliance with the Zoning Ordinance and address comments offered by the Permits Section.

- 9. The Detailed Site Plan, if revised in accordance with the proposed conditions, will represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development from its intended uses.

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-03003, subject to the following conditions:

- 1. Prior to certificate approval, the plan shall be revised to include a 16 by 19 foot van space for the

physically handicapped

2. The outdoor play area shall only be utilized by a maximum of 23 children at any one given time.

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 Scott, seconded by Commissioner Lowe, with Commissioners Scott, Lowe, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 17, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of May 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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