

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 November 20, 2003, regarding Detailed Site Plan DSP-03044 for Little Imaginations Child Development Center, L.L.C., the Planning Board finds:

1. Detailed Site Plan DSP-03044 was submitted in accordance with Section 27-464.02(a)(2), which requires a Detailed Site Plan for all day care centers in commercial zones. The subject property is zoned C-S-C (commercial shopping center), in which a day care center for children is a permitted use according to Section 27-461 of the Zoning Ordinance.

2. **Development Data Summary**

| | EXISTING | PROPOSED |
|---------------------|-----------------|---|
| Zone(s) | C-S-C | C-S-C |
| Use(s) | Shopping Center | Shopping Center and Day Care Center |
| Acreage | 2.95 | 2.95 acres |
| Lots | 1 | 1 |
| Parcels | NA | NA |
| Square Footage/ GFA | 27,200 | 27,200 including 10,800 sq.ft. for the proposed day care center |

3. The subject property, consisting of 2.95 acres, is located at 3908 Bexley Place in Suitland at the southeast corner of St.Barnabas Road and Bedford Way. The property has access on Bexley Place and Old Branch Avenue. The adjacent properties are as follows:

| | |
|--------|-------------------|
| North— | Bedford Way |
| South— | Bexley Place |
| East— | Old Branch Avenue |
| West— | St.Barnabas Road |

The subject property is currently developed with a 27,200-square-foot shopping center. Parking for the shopping center is on the south side of the building. The day care center is in the existing shopping center.

The details of the proposal are as follows:

- Proposed enrollment: 224 students.

- Parking required by Section 27-582 for a day care center: 1 per 8 children=28 spaces.
- Parking provided for 224 children: 28
- Play area required by Section 27-464.02: 75 square feet of play space per child for 50 percent of the licensed capacity or 75 square feet per child for the total number of children to use the play area at one time, whichever is greater.
- Number of children to use the play area at one time: 30
- 50 percent of the licensed capacity: 112
- Area of play area required: $224 \times 75 \times 0.5 = 8,400$ square feet.
- Area of play area provided: approximately 2,310 square feet.
- Outdoor play hours allowed by Section 27-464.02: 7.00 a.m. to 9.00 p.m.

The applicant has not provided the hours of operation of the day care center and the proposed play hours. The total area of the play area does not meet the requirements of the Zoning Ordinance. Conditions of approval have been added to require the applicant to provide the hours of operation, the proposed play hours, and a play area of 8,400 square feet. With the proposed conditions, the proposed parking, square footage of the play area, and hours of outdoor play will be consistent with the requirements of Section 27-464.02, day care center for children, of the Zoning Ordinance.

4. Section 27-464.02, day care center for children, states (in part):

(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;*

Conditions of approval have been added to provide a play area of 8,400 square feet.

(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;*

(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 play area will not be located within 25 feet from any dwelling on an adjoining lot. The applicant has not indicated a fence for the play area. A condition of approval has been added to require a four-foot-high fence with a gate for the play area. The recommended fence will be sufficient to completely enclose the play area to ensure safety of the children utilizing it and prevent the children from wandering into the service driveway. The purpose of the gate is to ensure the safety of the children by preventing them from wandering into the parking lot while going in and out of the day care center and the play area. The gate must be open when the children are being taken to the play area from the day care center and vice versa. The gate must be closed when the children are in the play area to ensure their safety. The gate must have a latch that is located at a minimum height of four feet from the finished surface of the walkway so that the children cannot access it. The gate must not be locked but the latch must be designed in such a way that it can be easily operated by adults. A condition of approval has been added to ensure these safety requirements.

- (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 play area is proposed in the rear of the shopping center. The children have to cross an existing driveway in the rear of the shopping center to access the play area. Safety cones placed at six-foot intervals will also be helpful in ensuring the safety of the play area. The crossing of the driveway to enter the play area must also be supervised to further ensure the safety of the children. A condition of approval has been added to require the same.

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

The fence and the existing trees around the play area are not sufficient to shade it. A condition of approval has been added to require either three shade trees sized 2.5- to 3-inch caliper or an outdoor shade structure for the play area to provide sufficient shade during the warmer months.

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

A condition of approval has been added to require the applicant to provide information regarding the proposed lighting for the play area.

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

A condition of approval has been added to require the applicant to provide information regarding the outdoor play hours.

With the proposed conditions, the proposal is consistent with the requirements of Section

27-464.02 regarding screening and safety and shade requirements of the play areas.

5. The proposed parking is consistent with the following requirements of Sections 27-568 and 27-582, Off-street Parking and Loading, of the Zoning Ordinance:

| Required Parking | | Proposed Parking |
|--|------------|-------------------------|
| Thrift Store 1 space for 150 sq.ft. for the first 3,000 sq.ft. of gross floor area plus one for every 200 sq.ft. over the first 3000 sq.ft. for 9,500 sq.ft. | 53 | 53 |
| Day Care Center 1 space for 8 children for 224 children | 28 | 28 |
| Hair Retail 1 space for 150 sq.ft. for 2,500 sq.ft. | 17 | 1 |
| Enterprise Rental Car 1 space per 250 sq.ft. of indoor space for 1,600 sq.ft. (7 spaces) for outdoor display area 1 space for 1,000 sq.ft. for 7,000 sq.ft. (7 spaces) | 14 | 3 |
| TOTAL | 112 | 133 |
| Required Loading | | Proposed Loading |
| Integrated shopping centers having gross floor area of 25,000 sq.ft. and less than 100,000 sq.ft. of gross floor area | 3 | 3 |
| TOTAL | 3 | 3 |

A condition of approval has been added to require three loading spaces.

6. The District Council approved a Special Exception for the Enterprise Rent-a-Car rental agency on March 17, 1994. The proposed use does not alter the existing buildings, add new structures, add new parking, or alter the intensity of the proposed use. Therefore, the proposal is exempt from the requirements of the *Landscape Manual*.
7. The Permits Review Section (Gallagher to Srinivas, October 16, 2003) has requested minor revisions to the site/grading plans. Conditions of approval have been added to require the minor changes.
8. The Subdivision Section (Del Balzo to Srinivas, October 31, 2003) has stated that the subject property is platted as NLP96@86. There are no subdivision issues associated with this proposal but the plat book and number must be added to the site plan. A condition of approval has been added to require the same.
9. The Community Planning Division (Fields to Srinivas, October 6, 2003) has stated that there are no master plan issues associated with this proposal.

10. The Transportation Planning Section (Masog to Srinivas, October 2, 2003) has stated that the site plan is acceptable.
11. The Department of Environmental Resources (De Guzman to Srinivas, October 8, 2003) has stated that they have no objections to the proposal.
12. The Washington Suburban Sanitary Commission (Thacker to Srinivas, October 10, 2003) has stated that water and sewer facilities are available on site.
13. The Environmental Planning Section (Markovich to Srinivas, July 9, 2003) has issued a letter of exemption for the subject property because it has less than 10,000 square feet of existing woodland and there are no previously approved Tree Conservation Plans.
14. A referral was sent to the Office of Child Care Licensing. No comments have been received as of this date.
15. The proposal will not alter the existing intensity of the use on the subject property. The proposal will not have any significant adverse impacts on the subject property or the surrounding properties. Therefore, Detailed Site Plan DSP-03044 is found to 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 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-03044, subject to the following conditions:

1. Hours of operation for the day care center.
2. Play area hours.
3. A minimum 8,400 square feet of play area..
4. A four-foot-high fence with a gate for the play area.
5. A note stating that the gate shall be closed when the play area is being used. The gate shall only be open when the children are being taken in and out of the play area. It shall have a latch that is located at least four feet from finished grade in the play area and easily operated by adults.
6. A note stating that safety cones will be placed at six-foot intervals when the children are crossing the driveway to ensure the safety of the children. The note will also state that the children crossing the driveway will be supervised.

7. Three shade trees, sized a minimum of 2.5- to 3-inch caliper, or a shade structures. If a shade structure is proposed, then details and specifications shall be added to the plans.
8. Notes regarding the proposed lighting for the day care center.
9. Three loading spaces.
10. Parking schedule reflecting the correct number of required and proposed parking spaces and loading spaces.
11. Square footage of the existing Enterprise Rent-a-Car rental agency.
12. Dimensions of the proposed loading spaces.
13. A minimum access of 22 feet wide to the loading spaces.
14. The plat book and number.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 20, 2003 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of December 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:LS:rmk