

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 September 22, 2005, regarding Detailed Site Plan DSP-05045 for Tree of Life Academy, the Planning Board finds:

1. **Request:** The applicant requests approval of a day care center for 30 children in an existing church. The site consists of 4.5 acres in the R-E Zone. The proposed day care facility does not require an addition to the existing church structure. An outdoor play area has been provided for the day care facility.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-E	R-E
Use(s)	Church	Church, Day Care
Acreage	4.5	4.5
Lots	1	1
Parcels	N/A	N/A
Square Footage/GFA	N/A	N/A
Dwelling Units:	N/A	N/A
Parking Required:		
Church:	65 seats @ 1 space/4 seats=	17 spaces
Day Care:	30 children @ 1 space/8 children=	4 spaces
Total		21 spaces
Parking Provided:		69 spaces
Play Area Required:	75 SF x 30 children x50%=	1,125 SF
Play Area Provided:	37 feet x 35feet=	1,295 SF

3. **Location:** The site is located at the southeast corner of the intersection of Town Farm Road and Largo Road (MD 202), approximately three miles north of the Town of Upper Marlboro.
4. The detailed site plan for day care in an existing church meets the requirements of Section 27-445.03 of the Zoning Ordinance. Ample outdoor play area has been provided and is enclosed by a four-foot-high chain-link fence. The play area is adequately shaded by existing trees. The proposed hours of operation for the day care are 7:00 A.M. to 6:00 P.M., Monday through Friday.
5. The detailed site plan is exempt from the requirements of the *Landscape Manual*. No building addition is proposed and no additional parking spaces are required. The proposed day care use is a

less intense use than the church use; therefore Section 4.7 does not apply.

6. The site is exempt from the requirements of the Woodland Conservation Ordinance. A letter of exemption (Exemption No. E-01905) was issued to the applicant on May 26, 2005, with an expiration date of May 26, 2007.
7. In a memorandum dated August 26, 2005 (Masog to Wagner), the Transportation Section indicated that there are no prior approvals that would restrict the day care use and that access to the site is good.
8. In a memorandum dated July 13, 2005 (Thompson to Wagner), the Subdivision Section indicated that the development is exempt from the requirements of filing for a preliminary plan because the proposed development does not exceed 5,000 square feet of gross floor area.
9. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site Plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost 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-05045.

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 Squire, seconded by Commissioner Eley, with Commissioners Squire, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 22, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of September 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin

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Planning Board Administrator

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