

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 December 4, 2003, regarding Detailed Site Plan DSP-93022/02 for Just For Me Early Learning Center (John's Day Care), the Planning Board finds:

1. The proposed project is located at 6551-A Annapolis Road, which is located on its southern side approximately 700 feet southwest of its intersection with Cooper Lane.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Day Care	Day Care
Acreage	.8088 acres	.8088 acres
Lots	NA	NA
Parcels	Parcel E	Parcel E
Square Footage/GFA (Day Care)	1,980	3,562
Dwelling Units:	None	None

3. DSP-93022, approved in 1993 in conjunction with 4678-93-CU, permitted a day care center for 55 students on the site. Later, DSP-93022/01 was approved to reduce the number of children to 37 and reduce the size of the play area. The subject application proposes to expand the day care to include a total of 60 children and additional play area.

4. **Zoning Ordinance**—The requirements of Section 27-464.02 of the Zoning Ordinance have been met as indicated below:

Requirement	Compliance
Play area must be located at least 25 feet from the nearest residence.	Yes-There are no residences within 25 feet.
Play area must be enclosed by at least a four-foot-high wall or fence.	Yes-A four-foot, black vinyl-clad chain-link fence has been provided around the play area.
Sufficient shade during warmer months must be provided in the play area.	The play area contains a number of mature shade trees.
Sufficient lighting in play area must be used before or after daylight hours.	The outdoor play area will not be used after dark.
Outdoor play must be limited to 7:00 a.m. to 9:00 p.m.	Since the day care will only be open 7:00 a.m. to 6:30 p.m., this requirement will be complied with.
The Detailed Site Plan must show: <ul style="list-style-type: none"> Proposed enrollment Location and use of buildings on adjoining lots Location and size of outdoor play or activity areas Location and quantity of screening and landscaping 	Shown Shown Shown Shown
Play area must measure the greater of 75 square feet multiplied by 50 percent of the licensed capacity of the day care and 75 square feet multiplied by the number of children to use the play area at one time.	Play area measures 2,294 square feet, which is greater than 75 square feet multiplied by 30 students, the maximum number of students to utilize the play area at one time, meeting the requirement.

5. **Landscape Manual** —The subject property is in accordance with the requirements of the *Landscape Manual*. Please note that an Alternative Compliance application (AC-93040) was approved for the subject property in conjunction with SP-93022, the original detailed site plan application for the site. The previous Alternative Compliance approval is not being modified so no revision to it is needed.
6. **Woodland Conservation Ordinance**—The Environmental Planning Section stated that the subject site is exempt from the requirements of the Woodland Conservation Ordinance because the property is less than 40,000 square feet in size and does not have a previously approved Tree Conservation Plan. Furthermore, they stated that the site plan submitted and an examination of air photos confirmed that no classifiable forest exists on the property. Therefore, a Tree Conservation Plan will not be required.
7. **Referrals**

- a. **Community Planning**—The Community Planning Section stated that the proposed expansion of an existing day care is in conformance with the land use policy of the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg, New Carrollton and Vicinity*.
- b. **Transportation**—The Transportation Planning Section stated that the site plan is acceptable, that the underlying Parcel C along the frontage of the property is not an issue, and that they had no further comment on the proposed project.
- c. **Subdivision**—The Subdivision Section stated that the site plan should demonstrate the underlying Parcel C and suggested that the Transportation Planning Section comment on the reservation of Parcel C. Additionally, they stated that there are no subdivision issues associated with the application unless the applicant is proposing to construct additional gross floor area and that is not evidenced by the plans. Lastly, they stated that the plan correctly refers to final record plats.
- d. **Trails**—The Transportation Planning Division stated that there are no trail requirements for the subject project, and that any pedestrian and bicycle improvements to MD 450 would have to be addressed corridor-wide by the State Highway Administration.
- e. **Permits**—The Permits Section raised several concerns that have been addressed by revisions to the subject plan.
- f. **Environmental Planning**—The Environmental Planning Section suggested that, since a stormwater management concept approval letter and concept plan were not submitted with the application, a copy of same should be required and that the proposed stormwater management elements be shown on the Detailed Site Plan. Other than this concern, the Environmental Planning Section recommended approval of the revised Detailed Site Plan (DSP-93022/02). Further discussions with the Environmental Planning Section, however, have concluded that, since no new construction is contemplated by the subject application, the proposed stormwater management elements need not be shown on the detailed site plan.
- g. **Department of Environmental Resources**—The Department of Environmental Resources stated that they had no objection to the proposed project.
- h. **Fire Department**—The Prince George's County Fire Department offered comments regarding road design and the need for accessibility and adequate hydrants for the project.
- i. **Maryland Department of Human Resources, Child Care Licensing Office**—At the time of this writing, the Maryland Department of Human Resources, Child Care Licensing Office, had not offered comment on the project.

- j. **Maryland Department of Transportation, State Highway Administration (SHA)**—SHA stated that the proposed driveway along US 450 must be upgraded per SHA current standard 25-foot radii; that a permit consistent with SHA regulations and guidelines, together with SHA plan approvals and financial assurances guaranteeing construction of the improvements, is necessary for improvements to the state right-of-way; and the proposed plan is acceptable. However, the applicant must coordinate with the Maryland Department of Natural Resources' Southern Region Office in order to obtain a permit to plant within the right-of-way. Staff has conferred with SHA regarding the requirement that the driveway to US 450 be upgraded to a 25-foot radii design, pointing out that the project involves no new construction. SHA stated that they would revisit the site to determine if it is, in fact, necessary.
- 8. The reservation of Parcel C along the subject property's road frontage is not an issue nor should it prevent the development of the proposed project.
- 9. 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-93022/02, subject to the following conditions:

- 1. Prior to certification of the detailed site plan:
 - a. A copy of the stormwater management concept approval letter shall be provided to staff.
 - b. Should the State Highway Administration (SHA) require it, the proposed driveway along US 450 shall be upgraded to the current SHA 25-foot-wide radii standard.
 - c. Prior to signature approval, the site plan shall be revised to reflect a maximum licensed capacity for the daycare of 60 children.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, December 4, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of December 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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