

## 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 April 27, 2000, regarding Detailed Site Plan 99021 for GICPD Academy, the Planning Board finds:

1. Location: The subject property is located on the north side of Suitland Road (MD 218), west of Huron Avenue. The 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.
2. The Proposed Development: The purpose of the subject application is for approval of a day care center facility for 75 children to be located in an existing shopping center in two existing buildings. One of the buildings is two stories, approximately 19,680 square feet, and is used as the structure for the church sanctuary; the other is a single-story structure of approximately 8,303 square feet. Both properties are zoned C-S-C, with the larger building proposed as dual usage for the church and day care, and with the smaller building proposed as day care use only. One outdoor play yard will be provided to accommodate the day care use.
3. Community Planning: The subject application was referred to the Community Planning Division and in a memorandum dated August 2, 1999 (Osei to Jordan), the following comments were provided:

■Not all locations and sites are suitable for day [care] centers. Sites within existing shopping centers require close scrutiny to ensure that floor space is sufficient, outdoor play areas are safe/available, parking arrangements are safe and adequate, dropping off and loading points are secure and that children's welfare is given primary consideration in layout of facility.●

It was also noted that sufficient shade in the play areas had not been provided, per the requirement of Section 27-464.02 (1)(A)(v), to afford protection from the sun.

Staff and the applicant have negotiated a compromise with respect to plan revisions that address the above-mentioned concerns in a manner that resolves the issues, while demonstrating conformance to the requirements of Section 27-464.02.

4. Neighborhood Revitalization: The subject application was referred to the Neighborhood Revitalization Division and in a memorandum dated August 10, 1999 (Libenstein to Jordan), the following comments were provided:

■From observation of the site and comments by local merchants it is clear that there is a need for a pick-up/drop-off lane in front of the school. The configuration of the driveway is such that cars waiting at the school block access to the entire shopping center.

■The space left unfenced behind Play Yard 1 is an indefensible space that is currently used for illegal vending and hanging out. It is also questionable what value this narrow space (play area 1) can have for play beyond providing access to natural light. Any equipment installed would not have adequate safety clearance for children to move around within the space.

■Merchants are already short of parking within the center, reduction by four spaces near the Church will only increase this problem. The parking space next to the pipe bollards should not be counted as it is not possible for a car to get out of this space if there are trucks in the loading zone. That space should instead be configured as back-up space for turning around.

■Trash is a major issue for all of the merchants along this alley. The community has been battling illegal dumping for years and much public money has been spent trying to curb this problem. Elimination of the Church's dumpster will only compound this problem by diminishing the proper disposal capacity yet farther. Is the school/day care not required to have a screened trash receptacle? Do they serve any meals or food? This is a very serious issue for the community and must be addressed immediately by the Church and Academy.

■The yew plants specified for outside the fence bear poisonous red berries generally not recommended for use in places with access by small children.●

Several issues raised in the Neighborhood Revitalization memorandum warrant further discussion.

1. A pick-up/drop-off lane in front of the school, specifically Day Care Center No. 1, would provide for a smoother transition from Huron Avenue to the site, and also would allow for clear-cut vehicular circulation within the shopping center parking compound, but the widths of the entrance at Huron Avenue (33 feet) and the drive aisle within the parking lot (23 feet) are such that access to, and egress from the parking lot should not be impeded based on the plan layout. Furthermore, an additional entrance exists from Suitland Road in proximity to Day Care Center No. 2.

2. Play yard no. 1 as noted, adjacent to the Huron Avenue right-of-way, has been deleted. All outdoor play area will be accommodated in the larger play area at the shopping center interior, adjacent to the church sanctuary building.
  3. Upon review of the subject application by the Permit Review Section it was found that based on when the shopping center was constructed, the current uses, and the requirements of the Zoning Ordinance, the number, location, and layout, of parking spaces provided on the proposed plan is acceptable.
  4. Staff has observed an existing dumpster located in the approximate location of the proposed play yard. Construction of the play yard will require the removal and relocation of the dumpster. The site plan does not indicate the future dumpster location, nor does it indicate if screening will be provided. It is recommended that the dumpster location be provided on the plan in a location that does not impede vehicular circulation, allows for access for trash removal service, and does not encroach on any drive aisle, parking, or loading space.
  5. Meals for the students will not be prepared at the Day Care Center location.
  6. All references to ■yew plants• have been removed from the plan.
5. The site development data are as follows:

Zone	C-S-C
Use	Day Care Center
Site Area	2.38 acres
Building Area	
Building No. 1	19,680 square feet
Building No. 2	8,303 square feet

Enrollment	75 children
Playground Area Required	2,813 square feet
Playground Area Provided	2,930 square feet
Parking Required (1 space per 8 children)	10 spaces
Parking Provided	10 spaces

6. Conformance to the Requirements of the Zoning Ordinance and *Landscape Manual* : The subject Detailed Site Plan is in general conformance with the requirements of the Zoning Ordinance for development in the C-S-C Zone. Section 27-464.02 of the Zoning Ordinance sets forth the requirements for Day Care Centers in commercial zones, and the proposed plan is in general conformance with those requirements.

The subject plan is exempt from the requirements of the *Landscape Manual*. The proposed addition of the day care center use to both the existing church and the vacant commercial building on the subject property does not involve an increase in gross floor area. The day care center use is categorized as a low impact, while the church and the former retail sales facility are considered medium impact uses.

7. Conformance to the Requirements of the Woodland Conservation Ordinance - The site is not subject to the provisions of the Woodland Conservation Ordinance. Although the site is more than 40,000 square feet , it contains less than 10,000 square feet of woodland. A Tree Conservation Plan is not required.

There are no environmental impacts for the subject development proposal.

8. The Office of Child Care Licensing had not responded to the referral request at the time the staff report was written.
9. The subject application was referred to all applicable agencies and divisions. The Permit Review Section raised several issues regarding revisions and additional information to be provided on the plans. The applicant has subsequently revised the plan and addressed the Permit Review comments. The Community Planning and Neighborhood Revitalization (Redevelopment Authority) Divisions both raised significant issues pertaining to the safety and welfare of the prospective enrollment (See Findings 3 and 4).

- 10 . 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 for the above-described land, subject to the following conditions:

1. Prior to certificate approval, the following modifications or revisions shall be made to the Detailed Site Plan:

1. Provide the location of the trash dumpster and any applicable screening.

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 Boone, seconded by Commissioner Brown, with Commissioners Boone, Brown, McNeill and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 27, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of May 2000.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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