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## DETAILED SITE PLAN

## DSP-92048/03

| Application   | General Data                           |
|---|--|
| <b>Project Name:</b><br>Bellefonte, Lot 37, Perfect Angels<br><br><b>Location:</b><br>Northeast side of Old Alexandria Ferry Road<br><br><b>Applicant/Address:</b><br>Progeny Enterprises, Inc.<br>1210 Adams Road<br>Waldorf, MD 20604 | Date Accepted: 2/10/226                |
|   | Planning Board Action Limit: 4/21/2006 |
|   | Plan Acreage: 2.15                     |
|   | Zone: I-1                              |
|   | Dwelling Units: NA                     |
|   | Square Footage: 2,800                  |
|   | Planning Area: 81A                     |
|   | Tier: Developing                       |
|   | Council District: 9                    |
|   | Municipality: NA                       |
| 200-Scale Base Map: 211SE07   |  |

| Purpose of Application            | Notice Dates  |
|-----------------------------------|---|
| Childcare Center for 112 Children | Adjoining Property Owners<br>Previous Parties of Record<br>Registered Associations: 12/5/2005<br>(CB-12-2003) |
|                                   | Sign(s) Posted on Site: 03/20/06  |

| Staff Recommendation |                          | Staff Reviewer: H. Zhang, AICP |            |
|----------------------|--------------------------|--------------------------------|------------|
| APPROVAL             | APPROVAL WITH CONDITIONS | DISAPPROVAL                    | DISCUSSION |
|                      |                          | X                              |            |

April 4, 2006

## MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Henry Zhang, Urban Design Section, Development Review Division

SUBJECT: Detailed Site Plan DSP-92048/03, Bellefonte, Lot 37  
Perfect Angels Childcare Center

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of DISAPPROVAL, as described in the recommendation section of this report.

## EVALUATION

This detailed site plan was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of Zoning Ordinance No. 18-1980 (A-8986-C);
- b. The requirements of the Zoning Ordinance in the I-1 Zone and the requirements of Section 27-475.02, Day Care Center for Children in the Industrial Zone;
- c. The requirements of the *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance;
- e. Referral comments.

## FINDINGS

Based upon the evaluation and analysis of the subject detailed site plan, the Urban Design review staff recommends the following findings:

1. **Request:** The subject detailed site plan application is for approval of a childcare center for 112 children in the I-1 Zone.

2. **Development Data Summary:**

|                             | <b>EXISTING</b>                       | <b>PROPOSED</b>                |
|-----------------------------|---------------------------------------|--------------------------------|
| Zone(s)                     | I-1                                   | I-1                            |
| Use(s)                      | Warehouse, auto body shop, and office | Addition of a childcare center |
| Acreage                     | 2,145                                 | 2,145                          |
| Lots                        | 1                                     | 1                              |
| Building square footage/GFA | 46,950                                | 46,950                         |
| Of which childcare center   | 2,800                                 | 2,800                          |

**OTHER DEVELOPMENT DATA**

|                             | <b>REQUIRED</b> | <b>PROPOSED</b> |
|-----------------------------|-----------------|-----------------|
| Total parking spaces        | 75              | 75              |
| Of which handicapped spaces | 3               | 6               |
| Loading spaces              | 1               | *               |

\*No information regarding loading spaces has been shown on the site plan.

3. **Location:** The subject property is located on the northeast side of Old Alexandria Ferry Road, in Planning Area 81A and Council District 9. The proposed childcare center would occupy the end unit of a 13-bay existing building abutting Old Alexandria Ferry Road.
4. **Surroundings and Use:** The larger site where the proposed childcare center is located is bounded to the southwest by the right-of-way of Old Alexandria Ferry Road. To the west, east and northwest are properties in the I-1 Zone under Zoning Map Amendment A-8986-C. To the northeast of the site is property in the I-1 Zone, which is covered by Zoning Map Amendment A-9847-C. The two tenants immediately adjacent to the proposed childcare center are a beauty shop and general office space. The rest of the tenants include a warehouse, an auto repair shop, an awning shop, and a soap manufacturing factory.
5. **Previous Approvals:** The subject site was originally improved as several single-family detached residences. In 1980, the property was rezoned from the R-R Zone to the I-1 Zone by Zoning Map Amendment application A-8986-C. (Zoning Ordinance 18-1980).
6. **Design Features:** The proposed childcare center would use one unit of an existing 13-bay building located almost perpendicular to Old Alexandria Ferry Road. The childcare center would be located in the end unit abutting the right-of-way of Old Alexandria Ferry Road. A two-part outdoor play area has been proposed pursuant to Section 27-475.02. One is an on-site play area of 2,048 square feet adjacent to the childcare center and the other, with an area of 7,454 square feet, is located at the other end of the existing building. The remote outdoor play area would be converted from half of an existing parking lot and would be enclosed by an eight-foot-high stockade fence. In addition, a row of boulders has been provided between the proposed outdoor play area and the rest of the parking lot. Seven benches, each with an umbrella, have been provided in the play area. A concrete-paver pedestrian path has been provided to connect the childcare facility to the 7,454-square-foot outdoor play area, which is almost 400 feet away from the facility. The proposed pedestrian path is located at the rear of the building in a 12-foot-wide setback area.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance No. 18-1980 (A-8986-C):** Zoning Ordinance 18-1980 was adopted by the District Council on February 25, 1980, to approve application A-8986-C to rezone approximately 2.1 acres of land, located on Old Alexandria Ferry Road, approximately 235 feet northwest of Bellefonte Lane, from the R-R Zone to the I-1 Zone with one condition as follows:

**This rezoning is expressly made subject to the condition that prior to the issuance of any building or use and occupancy permits a site plan of development be approved by the Planning Board. Before approving a proposed site plan, the Board shall determine that there is appropriate screening, landscaping, parking area, and siting of structure to protect adjacent and nearby residential areas from any potential adverse effects.**

**Comment:** The proposed childcare center is to use an existing building, which is currently occupied by various tenants. The childcare center will occupy the end unit abutting Old Alexandria Ferry Road. Except for certain improvements to accommodate the required outdoor play area, no construction has been proposed. The proposed use as a childcare center will not have potentially adverse effects on the adjacent and nearby residential areas. However, except for properties across Old Alexandria Ferry Road that are still in residential use, the sites immediately adjacent to the subject site have been converted into various industrial uses, including a contractor's office, which renders the proposed use incompatible. The proposed childcare center does not fit into the existing environment from the standpoint of protecting the health and safety of children.

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in general conformance with the requirements of Section 27-473 of the Zoning Ordinance, which governs development in the industrial zones. The proposed childcare center, if it is in accordance with Section 27-475.02, is a permitted use in the I-1 Zone.
  - b. The subject application complies with Section 27-474 Regulations regarding setbacks, net lot area, building coverage and green area because the proposed childcare center would rent space in an existing building and retrofit portion of the existing parking lot as outdoor play area, which would increase the existing green area coverage on the site.
  - c. Section 27-475.02, Day Care Center for Children, sets additional requirements for childcare center use in the industrial zones. The specific requirements that are applicable in this case are:
    - (1) **Requirements.**
      - (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 square feet of play space per child for fifty percent of the licensed capacity or seventy-five square feet per child for the total number of children to use the play area at one time, whichever is greater;**

**Comment:** The applicant uses the second method of outdoor play area calculation and provides 9,502 square feet of play area for a total of 112 children. However, the proposed outdoor play area consists of two parts. One is a toddler and infant play area of 2,048 square feet, which is a 12-foot-wide narrow land strip between the day care center building and the property line. The other is a 7,454-square-foot outdoor play area, which will be converted from an existing parking lot that is approximately 383 feet away from the location of the proposed day care center.

- (ii) All outdoor play areas shall be located at least twenty-five (25) feet from any dwelling on an adjacent lot, and shall be enclosed by a substantial wall or fence at least four (4) feet in height;**

**Comment:** As discussed previously, the proposed day care center is located in an industrially zoned area covered by a zoning map amendment and is surrounded by properties which were improved as residences and later converted to various industrial uses—such as a contractor’s office with outdoor storage yard—after the area was rezoned to the I-1 Zone. There are no dwellings on the adjacent lots. An eight-foot-high stockade fence has been shown on the site plan, which is two feet higher than the maximum height allowed by the Zoning Ordinance. The applicant has to either reduce the height of the proposed fence to six feet or to apply for a variance in order to install the proposed fence.

- (iii) A greater setback 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;**

**Comment:** The proposed childcare center is located in an existing building and would be one of the tenants among other existing uses such as a beauty shop, warehouse, and automobile repair shop. The childcare center would be located at one end of the existing building abutting Old Alexandria Ferry Road, while the major outdoor play area would be located at the other end of the building. As discussed previously, the entire Bellefonte area was rezoned from residential to industrial between the late 1980s and early 1990s. At present most of the uses are industrial in nature. The proposed childcare center is not compatible with many of the surrounding uses.

In addition, the area is within the Air Installations Compatible Use Zones (AICUZ) of Andrews Air Force Base. According to a memorandum from the Environmental Planning Section (Shoular to Zhang, March 20, 2006), the noise levels on this site are between 70-80 dBA Ldn. The Urban Design Section staff believes that elevated noise levels caused by overflights of aircraft going to and from Andrews Air Force Base raise serious questions about whether or not the location of the day care center will be conducive to the health and safety of children utilizing the play area.

- (iv) **An off-premises outdoor play area 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;**

**Comment:** As discussed previously, the proposed outdoor play area consists of two parts. The play area for toddlers and infants is not off-premises by definition. However, the area consists of the leftover, narrow strip of land between the building and adjacent properties. The other part of the proposed outdoor play area is, for all intents and purposes, off-site, because it is located more than 383 feet away from the facility. Children would have to walk in a 12-foot-wide strip of land between the rear of the building and the property line and pass behind the other tenants of the building in order to play in the activity area at the other end of the building. The play area is a retrofitted portion of the existing parking lot, surrounded on two sides by the existing parking lots and on the other two sides by two properties in industrial use. Given the long distance to the main “off-site” play area to which children would have to walk, the Urban Design staff does not believe that the play area fulfills the Zoning Ordinance requirement above that the outdoor play area be located “in proximity to the day care center.”

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

**Comment:** The applicant has proposed seven benches with umbrellas that would provide sufficient shade to protect children from the sun during the warmer months of the year.

- (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**

- (vii) **Outdoor play shall be limited to the hours between 7 a.m. and 9 p.m.**

**Comment:** According to the applicant, the outdoor play area would be used during daylight hours after 7:00 a.m. and before 7:00 p.m. Thus no lighting is necessary.

- 9. **Landscape Manual:** The proposed development is subject to the following sections of the Landscape Manual: Section 4.2, Commercial and Industrial Landscaped Strip Requirements; Section 4.3, Parking Lot Requirements; and Section 4.7, Buffering Incompatible Uses.
  - a. Section 4.2, Commercial and Industrial Landscaped Strip Requirements, requires that in the I-1 Zone a landscaped strip shall be provided on the property adjacent to all public rights-of-way. An existing landscape strip based on Option 1, which provides a minimum 10-foot-wide landscaped strip to be planted with a minimum of one shade tree and 10 shrubs per 35 linear feet of frontage, excluding driveway openings, has been shown on the site plan.

- b. The application is subject to Section 4.3(c), Interior Planting Requirements, because the existing parking lot is larger than 7,000 square feet. Since this application converts part of the parking lot into outdoor open space, the application should have no problem conforming to this requirement. The landscape plan should provide a 4.3(c) schedule to reflect the improvement.
  - c. Section 4.7, Buffering Incompatible Uses, requires a landscape buffer to be placed between two adjacent incompatible land uses in all conventional zones. In this case, the site plan shows a planting strip on the adjacent property without proper identification. According to the *Landscape Manual*, a childcare center is a low impact use and the adjacent contractor's office with outdoor storage is a high impact use. A Type C bufferyard is required. The landscape plan does not show the landscape strip and the corresponding schedule. The site plan is not consistent with the *Landscape Manual*.
10. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Woodland Conservation Ordinance because the lot is more than 40,000 square feet in area and there are previously approved tree conservation plans for this property. The proposal is for the existing property and building to be used as a childcare center and it is in conformance with the previously approved Type II tree conservation plan because no additional clearing is expected to occur. No new construction is involved. A standard exemption has been approved for this site and the exemption is valid through December 5, 2007.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. In a memorandum dated March 23, 2006, the Community Planning Division noted that the application is consistent with the Development Pattern policies for the Developing Tier contained in the 2002 *Prince George's County Approved General Plan*. But the application does not conform with the land use recommendations contained in the 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B*.  
  
The community planner also discussed the noise issue related to Andrews Air Force Base and pointed out that the 1998 AICUZ study analyzing noise impact and accident potential had indicated that the use category of "Educational Services" at the proposed location was "not compatible and should be prohibited." The planner further noted, however, that if this site plan was approved, stringent conditions for both development and use should be considered.
  - b. In a memorandum dated March 1, 2006, the Subdivision Section staff noted that additional information is needed in order to conduct the review. The applicant has not yet responded to the memorandum.
  - c. In a memorandum dated March 13, 2006, the Transportation Planning Section indicated that the use is far more intensive from the standpoint of trip generation than typical uses that would be anticipated within the I-1 Zone. The section also pointed out that the play area is not adjacent to the childcare facility. Prior to any approval, the Transportation Planner requires more information regarding on-site circulation for both vehicular traffic and pedestrian traffic, especially the pedestrian traffic between the childcare facility and the play area.

In a separate memorandum from the Transportation Planning Section dated March 21, 2006, on detailed site plan review for master plan trail compliance, the trails planner noted that the subject site is not impacted by master plan trails issues identified in the Subregion V master plan. The subject property includes an existing sidewalk along its frontage of Old Alexandria Ferry Road.

- d. The subject application was also referred to the Department of Environmental Resources (DER). In a memorandum dated February 21, 2006, staff noted that DER has no objection to this project.
  - e. In a memorandum dated March 20, 2006, the Environmental Planning Section indicated that the plans as submitted have not been found to address the environmental constraints for the site and the requirements of the Woodland Conservation Ordinance, specifically the aircraft-related noise. The staff noted that the noise levels on the subject site are between 70-80 dBA Ldn. Those noise levels are above the state noise standards for residential-type uses (65 dBA Ldn). The Environmental Planning Section recommends disapproval of this DSP.
  - f. In a memorandum dated February 14, 2006, Permit Section staff provided 12 comments and questions. Those comments and questions have not yet been fully addressed.
  - g. In a memorandum dated March 1, 2006, the Department of Public Works and Transportation (DPW&T) provided standard conditions on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting in order to be in accordance with both the requirements of DPW&T and the Department of Environmental Resources. Those conditions will be enforced at time of issuance of access permit.
12. Section 27-285(b) of the Zoning Ordinance states that the Planning Board may approve a detailed site plan if it finds that the 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. The subject application does not adequately fulfill the intent of the site design guidelines (27-274(a)(2)(C)) that "...pedestrian circulation on a site should be safe, efficient, and convenient for ... pedestrians..." to the extent that children using the day care center would be required to walk an unreasonably long distance behind the building to access the play area. The play area is required by Section 27-475.02(a)(1)(A)(iv) to be "in proximity" to the day care center and the proposed day care center is not in conformance with this regulation. The specific location of the childcare center is within the boundary of accident potential zones (APZ) of the 1998 Air Installation Compatible Use Zone (AICUZ) study. The aircraft-related noise level is much higher than the maximum recommended by AICUZ. The proposed improvements on the proposed outdoor play area are not sufficient to protect the health, safety and welfare of the prospective children. For all of the reasons set forth above, the Planning Board should not approve DSP-92048/03.

## **RECOMMENDATION**

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and DISAPPROVE Detailed Site Plan DSP-92048/03 for Bellefonte, Lot 37, Perfect Angels.