

May 17, 2000

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Elizabeth Whitmore, Urban Designer

SUBJECT: Early Learning Development Center  
Detailed Site Plan, SP-98043  
Departure from Design Standards, #512

The Urban Design staff has reviewed the Detailed Site Plan for the Early Learning Development Center. Based on that review and the findings in this report, the Development Review Division recommends Approval with conditions.

EVALUATION CRITERIA

This Detailed Site Plan was reviewed and evaluated for compliance with the following criteria:

1. Conformance with the Zoning Ordinance and *Landscape Manual* for a day care center in the C-S-C Zone.
2. Conformance with the site design guidelines as outlined in Part 3, Division 9, Subdivision 3, of the Prince George's County Zoning Ordinance.
3. Conformance with Special Exception 3278 and Departure from Design Standards 140.
4. Referrals.

FINDINGS

Based on the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. Detailed Site Plan SP-98043 is for an addition of a day care center in the Parkland Stop and Shop Shopping Center, located southeast of the intersection of MD 458 and Marlboro Pike.

The proposed day care center is located in the southeast corner of the shopping center. Sunny Surplus is attached to the proposed day care to the south. The children will have direct access to the play area by a door located at the rear of the day care center. This door should be used for entering and exiting the play area.

2. The site development data for SP-98043 is as follows:

Early Learning Development Center  
SP-98043

Zone	C-S-C
Area	5.23 acres
Use	Shopping Center
Proposed Use	Day Care
Proposed Enrollment	50 children
Playground area required (minimum)	1,875 square feet
Playground area provided	1,890 square feet
Parking required (day care only) (1 space per 8 children)	7 spaces
Parking required (for all uses)	183 spaces
Parking provided (for all uses)	*202 spaces
Loading required (for all uses)	3 spaces
Loading provided (for all uses)	*5 spaces

\*See Finding #3

3. The notes on the Detailed Site Plan indicate that 190 parking and 6 loading spaces are provided. The Urban Design Section counts 203 parking spaces and 6 loading spaces. The parking and loading spaces adjacent to the south side of the play area should be eliminated, thus leaving the applicant 202 parking spaces (an excess of 9 parking spaces) and 5 loading spaces (an excess of 2 loading spaces). The applicant should revise the note on the Detailed Site Plan to reflect the correct amount of parking being provided.
4. The applicant is proposing to excavate the existing macadam surface located in the proposed play area. The proposed play area will be approximately 50 percent lawn and 50 percent mulched area. Details of the substructure of the play area should be added to the plan. These include but are not limited to the following: the depth of the excavation, materials to be used for fill, such as gravel, sand, crusher run, soil, etc. Curbing should be installed on the perimeter of the play area to ensure retention of the surface materials. Details of the curbing should be added to the detail sheet which should include but not be limited to the height of the proposed curb and the location of curb cuts for drainage.

The applicant proposes to install steel bollards on the north and south perimeters of the proposed play area. These bollards should be spaced four feet on center and a detail should be added to the detail sheet of the Detailed Site Plans.

Play equipment (see attachment ■A●) is being proposed for the 26-foot x 30-foot play area. The Consumer Product Safety Commission's *Handbook for Public Playground Safety* dictates that the fall zone shall be covered with the appropriate resilient surface around any play equipment. This fall zone varies depending on the equipment, but is generally six feet wide and follows the contours of the piece of play equipment. No piece of equipment may intrude into another piece of equipment's fall zone. The applicant should provide the proper fall zones and resilient surface material as recommended by the Consumer Product Safety Commission's *Handbook for Public Playground Safety* (pub. #325). Staff believes resilient surfacing is more appropriate than mulch for the fall zone areas. The plans should be revised to indicate that resilient surface materials should be used in the areas where fall zones are required.

5. Special Exception #3278 (PGCPB No. 81-301) was approved on November 12, 1981. The subject special exception was for an approval of a Jiffy Lube. This approval predates the requirements of the *Landscape Manual*. At the time of approval of the special exception, the application was subject to the following sections of the Zoning Ordinance: Section 27-419 (a)(7)(A) requiring an automobile parking compound to be visually screened from adjoining residentially-zoned property, and such screening to be situated on the subject property; and Section 27-419(a)(7)(B) requiring a six-foot-wide landscaped strip to be located between any public street and an automobile parking compound that is situated in a yard that abuts a street. The contents of the two referenced sections have been modified; however, the plans should be in conformance with the approved special exception plans. The plans that were submitted at the time of application of the special exception (per the Notice of Decision, SE-3278, page 3, #10) indicated the following:

- . . a six foot wide planted strip at the property line adjoining the apartments. It appears that this strip exists now. White pines located eight feet off center are to be placed or are in this strip. Some of these trees appear to be off the property and within the R-18 Zone.●

Comment: Condition 1 of the special exception states the following:

- That an agreement be signed between the applicant and the adjoining R-18 zoned property owner, assuring the provision and maintenance of the landscape materials illustrated on the site plan...●

The applicant was then required to obtain a Departure from Design Standards due to the plant materials not being installed on the subject property. The Departure from Design Standards (DDS #140, PGCPB No. 82-70) was approved on April 29, 1982, and states the following pertaining to landscaping:

- ...the applicant has proposed to plant white pines, eight-feet on center straddling the common property line in some locations, and entirely upon the adjoining R-18 property in others and the provision of this screening provides an acceptable buffer...●

The applicant also entered into a perpetual maintenance agreement with the Parkland Village apartment complex for the care and maintenance of said plant materials (attachment ■A●).

At the time of submittal of the Detailed Site Plan for the day care, staff became aware that the site was not in conformance with the prior above-referenced approvals. Since the subject site was not in conformance with prior approvals, it became subject to the requirements of the *Landscape Manual*. The applicant applied for Alternative Compliance (AC 99024, attachment ■B●) to seek relief from Section 4.7 of the *Landscape Manual*. The request for alternative compliance was recommended for denial by the Planning Director; therefore, the applicant applied for a Departure from Design Standards from Section 4.7 of the *Landscape Manual*. (See companion DDS # 512.)

6. The two dumpsters behind building # 6023 that are presently in a required green area should be moved. This green area was used previously to calculate required green area. The Detailed Site Plan should be revised to relocate the two dumpsters in nongreen areas, and a note should be added to the plan calling out the calculations of green area for the site.
7. The Permit Review Section had several concerns which have been addressed except for one, concerning the height of all structures, as required by Section 27-254 of the Prince George's County Zoning Ordinance. The applicant should revise the plans to include the height of all structures on the site including the proposed canopy.
8. The plans were referred to the Bureau of Special Hazards, Prince George's County Fire Department, where they were found acceptable as submitted.
9. The Office of Child Care Licensing had not responded to the referral request at the time the staff report was written.
10. Section 27-464.02(a)(1)(A)(iv) of the Zoning Ordinance states:
  - Sufficient lighting shall be provided on the play area if it is to be used before or after daylight hours to insure safe operation of the area;●Lighting has not been provided for the play area to be operated safely before or after daylight hours. A note should be added to the plan stating that the play area will only be used during daylight hours. Alternatively, adequate lighting should be shown on the plan.
11. The plan will be in compliance with the Zoning Ordinance and the *Landscape Manual* for a day care center in the C-S-C Zone if the recommended revisions are made to the Detailed Site Plan and if companion Departure from Design Standards 512 is approved.
12. The plan will, if revised in accordance with the proposed conditions of approval, represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the proposed development for its intended use.

## RECOMMENDATION

Based upon the foregoing analysis the Urban Design staff recommends that the Planning Board adopt the findings of the report and APPROVE SP-98043 for Early Learning Development Center, subject to the following conditions:

1. Prior to certificate approval, the following revisions and/or notes shall be made or added to the Detailed Site Plan:
  - a. The two (2) trash dumpsters located behind building # 6023 shall be moved and relocated so as not to encroach into any designated green space.
  - b. The appropriate resilient surfacing materials shall be installed in the play area and fall zones shall be in conformance with the recommendations of the Consumer Product Safety Commission's *Handbook for Public Playground Safety*.
  - c. The children shall access the play area by the door located at the southeast corner of the day care center building.
  - d. A note stating that the play area will only be used during daylight hours shall be placed on the plan, or alternatively, the applicant shall revise the plans to indicate adequate lighting is being provided.
  - e. The applicant shall provide the Urban Design Section with a 20-scale detail of the proposed area outlined in red on the plan. This 20-scale detail shall include but not be limited to: the location of the steel bollards (installed 4 feet on center), the entrance and exit to the play area, the location of the gate, and the curbing and the steps leading to the play area.
  - g. The one (1) parking space and one (1) loading space abutting the south side of the play area shall be eliminated. The applicant shall place "No Parking" signs in these spaces. A detail of the signage shall be added to the detail sheet.
  - h. The plans shall be revised to include the height of all structures on the site including the proposed canopy.

### **Departure from Design Standards (DDS 512) Required Findings**

1. The site is located southeast of the intersection of MD 458 and Marlboro Pike in the Parkland Stop and Shop Shopping Center. The site is zone CSC and encompasses 5.23 acres. The applicant is providing the required amount of parking and loading spaces.

The requests of the applicant in Departure from Design Standards DDS-512 are as follows:

- a. Relief from the bufferyard requirements of Section 4.7 of the *Landscape Manual*.

- b. Reduction of the width of the required landscape yard from 40 feet to 0 feet.
  - c. Reduction of the required plant units from 1,528.88 plant units to 0 plant units.
  - d. To provide a six-foot-wide planting strip on the adjacent property providing 180 plant units.
2. Special Exception #3278 (PGCPB No. 81-301) was approved on November 12, 1981. This special exception was for an approval of a Jiffy Lube. This approval predates the requirements of the Landscape Manual. At the time of the approval the applicant was required to provide a six-foot-wide landscaped strip to be located on both properties. This landscape strip was permitted by the applicant obtaining a Departure from Design Standards # 140 (PGCPB No.82-70) due to the plant materials not being installed on the subject property. A perpetual maintenance agreement was also required to ensure that this landscape strip would remain in perpetuity. At the time of the submittal of Detailed Site Plan SP-98043, staff became aware that the site was not in conformance with the prior above-referenced approvals. Since the site was not in conformance with prior approvals, it became subject to the requirements of the *Landscape Manual*. The applicant was required to seek relief from Section 4.7 of the of the Landscape Manual. The request for alternative compliance was recommended for denial by the Planning Director.

**3. Section 27-239.01(b)(9) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

- a. **The purposes of this Subtitle will be equally well or better served by the applicant's proposal.**

The purposes of the Zoning Ordinance are set forth in Section 27-102. They are varied in nature, but in general, are to protect the health, safety and welfare of the residents and workers in Prince George's County. In this instance, the facts establish that granting the requested departure will in no way jeopardize these purposes. The subject property is located in an older area outside the Beltway that was developed before most of current zoning and development standards came into effect. The current condition of the immediate area can be described as an older shopping center with low-rise apartments to the southwest. While the shopping center has had a face-lift, several vacancies remain. The proposed application of the subject property will create an environment and related amenities that will enhance and revitalize the shopping center as well as provide a service to the residents who live in the area.

- b. **The departure is the minimum necessary, given the specific circumstances of the request.**

The departure is the minimum necessary because the applicant has prior approvals allowing them to provide a landscape buffer strip on the adjacent property. Also, for the applicant to be required to conform with current standards, the required parking that now exists along the joint property lines would have to be eliminated, thus requiring the applicant to apply for a Departure from Parking and Loading Spaces as well as the subject DDS.

- c. **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949.**

The departure is necessary to alleviate circumstances which are unique to the site. The subject application is part of the shopping center which predates the current requirements of the *Landscape Manual*. The subject shopping center has been subject to several previous applications (Special Exception #3278 (PGCPB No.81-301), Departure from Design Standards #140 (PGCPB No. 82-70), and Alternative Compliance #99024 (refer to Finding 6 of Technical Staff Report for SP-98043)) which have allowed the planting normally required on the shopping center property to be located on the adjacent property of the multifamily housing complex.

- d. **The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. Staff believes that allowing the applicant to reduce the required landscaped yard from 40 feet to 0 feet, reduce plant materials from 1,528.88 plant units to 0 plant units, and provide a six-foot-wide landscape strip and 180 plant units on the adjoining property, will be a visual improvement for both the Parkland Village apartment complex and the Parkland Stop and Shop Shopping Center. This reduction in plant materials will allow for a safe corridor between these two properties.

- e. **For a departure from a standard contained in the *Landscape Manual*, the Planning Board shall find, in addition to the requirements above, that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.**

The applicant applied for alternative compliance which was denied by the Planning Director, therefore, the applicant applied for the above-referenced Departure from Design Standards.

#### **CONCLUSION:**

Based on the preceding analysis and findings, it is recommended that DDS-512 be APPROVED, subject to the following condition:

1. The site plan shall be revised to reflect the split-rail fence along the entire length of the common property line.