

Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm

Comment [COMMENT1]: WHEN INSERTING
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Revision of Site Plan - Special Exception Application No. 2836/01

Application	General Data
Project Name Addison Road Day Care Center	Date Accepted 11/8/01
	Planning Board Action Limit N/A
	Tax Map & Grid 066 C-4
Location Northeast side of Addison Road approximately 205 feet north of Baltic Street, known as 6116 Addison Road.	Plan Acreage 2.37
	Zone R-55
	Dwelling Units N/A
Applicant Bettye A. Magee 6200 Addison Road Seat Pleasant, Maryland 20743	Square Footage N/A
	Planning Area 72
	Council District 07
	Municipality Seat Pleasant
	200-Scale Base Map 201NE6

Purpose of Application		Notice Dates	
Revision of Site Plan for freestanding sign● 27-317, 27-325 & 27-348.01		Adjoining Property Owners (CB-15-1998)	11/12/01
		Previous Parties of Record (CB-13-1997)	N/A
		Sign(s) Posted on Site	07/05/02
		Variance(s): Adjoining Property Owners	N/A
Staff Recommendation		Staff Reviewer: Tom Lockard	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
X			

July 10, 2002

Comment [COMMENT2]: WHEN INSERTING
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TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board

VIA: Arie Stouten, Zoning Supervisor

FROM: Tom Lockard, Senior Planner

SUBJECT: **Revision of Site Plan (Minor Change) Special Exception Application No. 2836/1**

REQUEST: **Relocation of freestanding signs**

RECOMMENDATION: **APPROVAL**

NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

FINDINGS:

- A. Location and Field Inspection: The subject property is located at the northeast side of Addison Road, 205 $\frac{1}{2}$ feet northwest of its intersection with Baltic Street. It is developed with a day care center. The day care building sits more than 200 feet back from Addison Road. There is one freestanding sign; it is located within the undeveloped right-of-way of Addison Road, 15 feet from the existing paving.
- B. History: The 1993 *Sectional Map Amendment for Landover and Vicinity* retained the site in the R-55 Zone. On October 16, 1974, the District Council approved Special Exception No. 2836 to allow a day care center for 57 children on the subject property. The center has operated in the same configuration since it was approved in 1974.
- C. Master Plan Recommendation: The 1993 *Master Plan for Landover and Vicinity* recommends a public/quasi-public use for the site, in recognition of this property's long history as a day care center use.
- D. Request: The applicant wishes to relocate the existing freestanding sign from out of the right-of-way, moving it ten feet behind the right-of-way.
- E. Neighborhood and Surrounding Uses: The site is surrounded by single-family residences in the R-55 Zone on all sides, with the exception of undeveloped land in the R-55 Zone to the northeast.

The neighborhood is defined by the following boundaries:

North: Martin Luther King, Jr. Highway/Seat Pleasant Drive
East: Cabin Branch
South: Central Avenue
West: Addison Road

The subject neighborhood is the same as that accepted in the original application for SE-2836, with the exception of the western boundary. The western boundary in that case referenced a railroad spur several blocks west of Addison Road which is no longer used. The neighborhood is residential in character, with single-family residences predominating.

- F. Minor Change Provisions: Section 27-325(b) Minor Changes to Special Exception Site Plans:
 - (1) **Changes of site plans for property of less than five (5) acres may be permitted by the Planning Board, provided that either of the following two (2) situations exist:**
 - (A) **Situation No. 1**
 - (i) **There is a proposed increase in gross floor area of a building (over that approved on the original site plan) which is not greater than ten percent (10%) of the gross floor area or covered land area or five hundred (500) square feet, whichever is less; or**
 - (ii) **There is a proposed relocation (in any direction) of any improvement (approved on the original site plan) which is not greater than ten**

percent (10%) of the distance to the boundary line of the Special Exception property or twenty (20) feet, whichever is less.

(B) Situation No. 2

- (i) There is a proposed change in the design of a parking lot or loading area; or**
- (ii) There is a proposed change in a landscaped plan.**

Finding: In this instance, Section 27-325(b)(1)(A)(ii) applies since the existing freestanding sign is being moved 20 feet to the east. This will place the sign ten feet behind the right-of-way.

G. Specific Special Exception Requirements: Section 27-348.01 Day Care Center for Children:

(a) A day care center for children may be permitted, subject to the following:

- (1) The District Council may specify the maximum number of children to be enrolled, which may not be increased by State or local health, education, or fire regulations;**

Finding: The District Council approved a maximum of 57 children for this day care. The applicant is not proposing any change to that number.

- (2) An ample outdoor play or activity area shall be provided, in accordance with the following:**

- (A) All outdoor play areas shall have at least seventy-five (75) square feet of play space per child for fifty percent (50%) of the licensed capacity or seventy-five (75) square feet per child for the total number of children to use the play area at one (1) time, whichever is greater;**

Finding: The existing 40,000-square-foot play area far exceeds this requirement.

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

Finding: The site plan shows conformance with these requirements.

- (C) A greater set back from adjacent properties or uses or a higher fence may be required by the District Council if it determines that it is needed to protect the health and safety of the children utilizing the play area;**

Finding: There is nothing in the record to indicate that a higher fence should be required.

- (D) **Any off-premises outdoor play 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;**

Finding: The play area is contiguous to the day care building and can be accessed directly from there.

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

Finding: The play area contains more than a dozen large shade trees.

- (F) **Sufficient lighting shall be provided on the play area if it is used before or after daylight hours to insure safe operation of the area; and**

Finding: The play area is not used after daylight hours.

- (G) **Outdoor play shall be limited to the hours between 7 A.M. and 9 P.M.;**

Finding: Outdoor play is conducted within these hours.

- (3) **In the C-W, C-M, I-1, I-2, and I-4 Zones, a Special Exception for a day care center for children shall be allowed only if the Council finds that existing development and uses in the neighborhood (particularly on adjacent properties) will not adversely affect the proposed use.**

Finding: This site is in the R-55 Zone, thus this section is not applicable.

- (b) **In addition to the requirements of Section 27-296(c), the site plan shall show:**

- (1) **The proposed enrollment;**
- (2) **The location and use of all buildings located on adjoining lots; and**
- (3) **The location and size of outdoor play or activity areas.**

Finding: The site plan shows this information.

H. Parking Regulations: A total of eight parking spaces are required and ten are provided.

I. Landscape Manual Requirements: Because the applicant is making no changes to the existing buildings or parking spaces, this site is exempt from the requirements of the *Landscape Manual*.

J. Zone Standards: The proposed development conforms to the standards of the R-55 Zone.

K. Sign Regulations: The site plan shows the freestanding sign to be relocated ten feet behind the street right-of-way. The sign is in conformance with all requirements of Section 27-617(a) (Institutional Signs Other Than Temporary) including height, area and setback.

L. Required Findings:

Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

- (1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**
- (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**
- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**
- (4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.**
- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**
- (6) The proposed site plan is in conformance with an approved Tree Conservation Plan.**

Finding: The District Council, in its October 1974 special exception approval, found the use and site plan met all the requirements of the Zoning Ordinance. The applicant's proposed sign relocation falls within the scope of revisions permitted by the Planning Board and do not increase the intensity of the use. It is therefore reasonable to conclude that the proposed use will continue to be in harmony with the purposes of the Zoning Ordinance.

In addition, the proposed revision conforms with all the applicable requirements and regulations of the Zoning Ordinance. The use and the proposed relocated sign will not impair the integrity of the 1993 *Master Plan for Landover and Vicinity* which recommends a public/quasi-public use for this site. The day care use has existed at this site for almost 30 years without causing any apparent adverse impact on the health, safety or welfare of residents or workers in the area. The proposed relocated sign will enhance the operation of the day care center and make the use more visually attractive. The proposed changes will not be detrimental to the use or development of adjacent properties, most of which are currently improved with single-family residences. Finally, the site is exempt from the requirement to file a tree conservation plan.

CONCLUSION:

The applicant has met its burden of proof in this case. Therefore, staff recommends APPROVAL of ROSP-SE-2836/01.