

The 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.

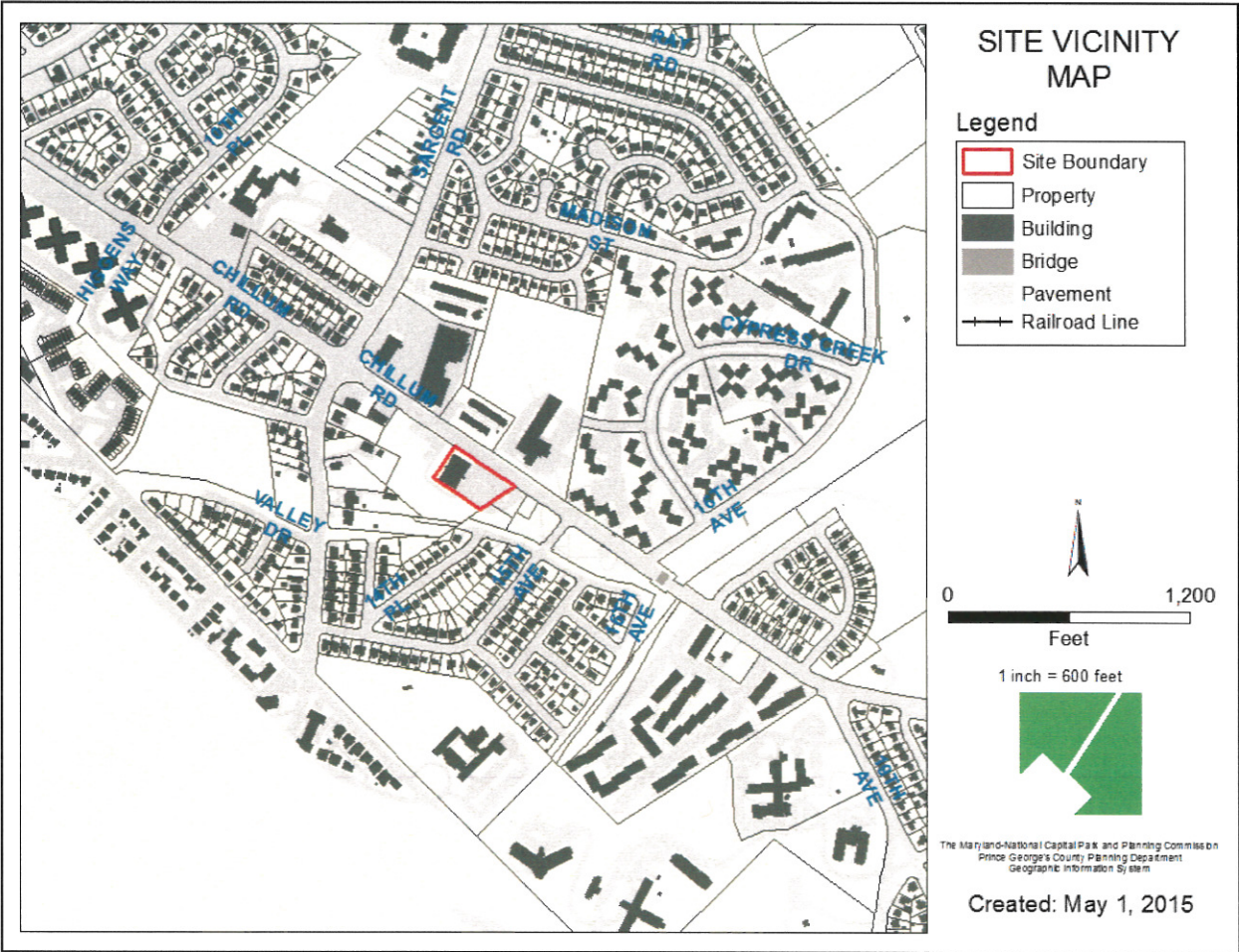
Detailed Site Plan

DSP-15010

Application	General Data	
Project Name: Living God Christian Academy (dba Shining Star Academy) Location: On the south side of Chillum Road, approximately 62 feet east of Sargent Road. Applicant/Address: Church of the Living God 1417 Chillum Road Hyattsville, MD 20782	Planning Board Hearing Date:	11/03/16
	Staff Report Date:	10/10/16
	Date Accepted:	07/27/16
	Planning Board Action Limit:	11/07/16
	Plan Acreage:	5.16
	Zone:	R-55
	Dwelling Units:	N/A
	Gross Floor Area:	13,164 sq. ft.
	Planning Area:	65
	Council District:	02
	Election District:	17
	Municipality:	N/A
200-Scale Base Map:	207NE02	

Purpose of Application	Notice Dates	
Approval of a day care center, with a maximum enrollment of 80 children, in the One-Family Detached Residential (R-55) Zone.	Informational Mailing:	07/07/15
	Acceptance Mailing:	07/05/16
	Sign Posting Deadline:	10/03/16

Staff Recommendation		Staff Reviewer: Ivy R. Thompson Phone Number: 301-952-4326 E-mail: Ivy.Thompson@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-15010
Living God Christian Academy (dba Shining Star Academy)

The Zoning staff has completed its review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, 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 the following sections of the Prince George's County Zoning Ordinance:
 - (1) Section 27-430, Purposes of the One-family Detached Residential (R-55) Zone;
 - (2) Section 27-441, Uses Permitted in residential zones;
 - (3) Section 27-442, Regulations in residential zones; and
 - (4) Section 27-445.03, Additional requirements for a day care center for children in residential zones.
- b. The requirements of the 2010 *Prince George's County Landscape Manual*;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- e. Referral comments.

FINDINGS

Based upon the analysis of the subject application, the Development Review staff recommends the following findings:

1. **Request:** The subject application is a request for approval of a day care center, with a maximum enrollment of 80 children, in the One-Family Detached Residential (R-55) Zone.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-55	R-55
Use(s)	Church	Church and Day Care Center
Acreage	5.16	5.16
Parcels/Lots	5	5
Enrollment	0	80 children

Parking Required:

Church (One parking space per 4 seats or 154 spaces for 615 seats)	154
Day Care Center (One parking space per 8 children or 10 spaces for 80 children)	10
Total Parking Required	164
Total Parking Provided:	164

Loading Spaces Required: 1

(one space for 10,000–100,000 square feet of GFA)

Loading Spaces Provided: 1

Minimum Outdoor Play Area Required per Section 27-464.02 of the Zoning Ordinance:

80 children x 75 square feet = 6,000 square feet* at 50%

Enclosed Play Area Provided: 4,225 square feet

*The Prince George’s County Zoning Ordinance requires that all outdoor play areas for day care centers for children in residentially-zoned areas have at least 75 square feet of play space per child for 50 percent of the licensed capacity, or 75 square feet per child for the total number of children to use the play area at one time, whichever is greater. The applicant has stated that a maximum of 50 children will be permitted to utilize the play area at one time. Therefore, the total required outdoor play area is 75 times 40 (half of the enrollment, rounded up), or 3,000 square feet. The applicant has met and exceeded this requirement by providing a play area measuring 4,225 square feet.

3. **Location:** The subject property is located on the south side of Chillum Road, approximately 62 feet east of Sargent Road.
4. **Surrounding Uses:** The subject site is bounded to the north by Chillum Road, to the west by Sargent Road, to the east by Kennedy Street and 15th Avenue to the South. Across Chillum Road are multifamily properties zoned Multifamily Low Density Residential (R-30) and R-55. East of the subject site is M-NCPPC property zoned Open Space (O-S). West, adjacent to the subject site, is a 7-11 zoned Commercial Shopping Center (C-S-C). All of the surrounding land uses south of the subject site are located in the R-55 Zone.
5. **Previous Approvals:** The site has a previously approved Departure from Parking and Loading Standards, DPLS-17, for a waiver of 44 required parking spaces (PGCPB Resolution No. 86-287).

6. **Design Features:** The property is a trapezoid-shaped parcel and is accessed directly from Chillum Road. The property is currently developed with a single-story 13,164 gross floor area church, of which 3,611 square feet is to house the proposed day care operation and a 164-space parking lot. A 4,225-square-foot play area surrounded by a four-foot-tall fence is proposed to be located on the western part of the property. A four-foot-wide walk is proposed to connect to a rear exit to provide safe passage for the children to the play area.
7. **Conformance to the applicable sections of the Zoning Ordinance:** Staff has reviewed the subject project against the relevant requirements of the Zoning Ordinance and finds it in compliance. More particularly, with respect to Section 27-441(b), Table of Uses, the proposed day care center for children is a permitted use in the R-55 Zone.

Each other relevant requirement of Section 27-445.03(a), Day care center for children, and Section 27-441, Table of Uses, Footnote 34, is included in **boldface** type below and is followed by staff comment:

(a) **A day care center for children permitted (P) in the Table of Uses shall be subject to the following:**

(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 (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;**

Comment: The proposed maximum enrollment for the Living God Christian Academy (dba Shining Star Academy) is 80. Therefore, the required play area for 50 percent of the licensed capacity is 3,000 square feet. As the outdoor play area indicated on the DSP measures 4,225 square feet, it meets and exceeds the size required by the Zoning Ordinance.

(ii) **All outdoor play areas shall be located on the same lot as the center 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;**

Comment: The subject outdoor play area, located on Lot 100, west of Lot 102, which houses the day care center, is at least 25 feet from any dwelling unit, and is to be enclosed by a four-foot-tall chain-link fence. Given that there is no curbing for the parking areas that surround the proposed play area, staff is recommending the installation of both guard rail and wheel stops for the adjacent parking area.

- (iii) **A greater set back 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: A portion of the proposed play area will be located within an existing parking area. Parking barriers should be added around the parking areas adjacent to the play area.

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

Comment: The applicant has proposed to plant shade trees and install shade structures around the outdoor playground area which should provide sufficient shade for the children playing in the designated area during the warmer months of the year, in accordance with this requirement. The type of shade trees should be provided on the landscape plan.

- (v) **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;**

Comment: The site plan indicates that outdoor play is limited to daylight hours, this requirement is not required.

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

Comment: A note on the DSP indicates that the hours of operation for the outdoor play area will be between the hours of 7:00 a.m. and 7:00 p.m. in conformance to this requirement.

In addition, per Section 27-445.03, a site plan prepared in accordance with the following is required for the day care center. Each requirement is included in **boldface** type followed by staff comment.

(2) **Site plan.**

- (A) **A Detailed Site Plan shall be approved for the center, in accordance with Part 3, Division 9, of this Subtitle to insure compliance with the provisions of the Section.**

Comment: Should the subject site plan be approved as recommended and in accordance with this requirement, it may be said that the subject applicant has conformed to this requirement.

- (B) **In addition to the submittal requirements of Part 3, Division 9, the Detailed Site Plan shall show:**

- (i) **The proposed enrollment;**

- (ii) **The location and use of all buildings located on adjoining lots;**
- (iii) **The location and size of outdoor play or activity areas; and**
- (iv) **The location, quantity, and type of screening and landscaping.**

Comment: General Note 16(b) indicates that the maximum number of children to be included in the day care will be 80, in accordance with Subpart (i) of the above requirement. The site plan indicates the building uses on the adjacent lots. The location and size of the outdoor play area are indicated as required by Subpart (iii) of the above requirement, and the location, quantity, and type of screening are located in accordance with Subpart (iv) of the above requirement. Therefore, it may be said that the applicant has conformed to this requirement.

8. **2010 Prince George’s County Landscape Manual:** Per Section 1.1 of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual) the subject project is exempt from the requirements of the Landscape Manual because there is not an increase of gross floor area, it is not a change of use from a lower to higher intensity, and there is no increase in impervious surface. However, the subject site and project is subject to Sections 4.2, 4.3, 4.7, and 4.9 of the Landscape Manual.
9. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The subject project is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance as it does not involve in excess of 5,000 square feet of land disturbance.
10. **Prince George’s County Tree Canopy Coverage Ordinance:** The subject project is exempt from the requirements of the Tree Canopy Coverage Ordinance.
11. **Referrals:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Zoning**—Staff has a concern regarding the safety and accessibility of the playground. The applicant responded by proffering the creation of a buffer between the children’s playground route and the parking lot by either adding fence/landscaping elements or armadillo-type wheel stops along the southern portion of the route. Placing wheel stops along the parking lot bordering the fenced in play area would reduce the chance of future damage to the fence and provide additional barriers to the play area. At present, there are no wheel stops utilized in this area of the parking lot. This recommendation is reflected as a proposed condition. There is a shed that is located opposite the storage containers that should be noted and dimensioned on the site plan. The landscape plan must show conformance to the 1990 Prince George’s County Landscape Manual, Section 4.2, for the southeast parking lot, which addresses landscaping for parking lots. Any landscaping not existing must be replaced. The site plan must show conformance to 2010 Landscape Manual, Section 4.3-2, specifically along the southwest section of the property. Any landscaping not existing must be replaced. There are two spaces located in front of the dumpsters that should be removed. The area located in front of the dumpster cannot be counted as parking. The shade structures must be shown on the site plan.

- b. **Community Planning Division**—The Community Planning Division indicated that the proposed development is located in the Established Communities area of the Prince George’s County Growth Policy Map in the *Plan Prince George’s 2035 Approved General Plan* (Plan Prince George’s 2035). The vision for Established Communities in Prince George’s County is to have context-sensitive infill and low- to medium-density development.
 - c. **Permit Review Section**—In a memorandum dated August 22, 2016, the Permit Review Section offered information regarding the site plan that included the need to provide its tax-exempt identification number when applying for a DSP; the provision of a tree conservation plan or exemption letter; the removal of storage containers from the rear of the site which are not permitted in the R-55 Zone; the identification of the type of shade trees being provided for the play area; and a correction in the number of handicap spaces provided and shown on the plan. The structure labeled existing sign on the site plan does not appear to be in the same location identified on the 2016 Color Imagery Layer aerial view of PGAtlas.com. Verify the location of the sign. If revising the sign location, provide the necessary information for a sign package pursuant to Section 27-596 and Section 27-617 of the Zoning Ordinance. Also, if the sign on the plan is in the correct location, a departure from sign design standards will be needed pursuant to Section 27-612 of the Zoning Ordinance because the sign, as shown on the site plan, does not appear to meet the minimum setback requirements.
 - d. **Prince George’s County Police Department**—As of the writing of this staff report, the Police Department offered no response to the DSP-15010 referral.
 - e. **Environmental Planning Section**—As of the writing of this staff report, the Environmental Planning Section had not offered any comments to the subject project.
 - f. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—As of the writing of this staff report, DPIE offered no response to the DSP-15010 referral.
 - g. **Prince George’s County Health Department**—As of the writing of this staff report, the Health Department offered no response to the DSP-15010 referral.
12. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP 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.
13. Section 27-285(b)(4) of the Zoning Ordinance requires that a DSP demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible if environmental features exist.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-15010, Living God Christian Academy (dba Shining Star Academy), subject to the following conditions:

1. Prior to certification, the applicant shall make the following revisions to the plans and submit the following documentation:
 - a. Provide a tree conservation plan or exemption letter.
 - b. Provide the tax-exempt identification number per Section 27-441(b)(2), Footnote 34, of the Prince George's County Zoning Ordinance as part of the detailed site plan application package.
 - c. Add a note on the site plan indicating a limit of no more than 40 children permitted in the play area at one time.
 - d. Revise the parking schedule to correctly indicate the total number of parking spaces required and provided. Remove the two parking spaces located in front of the dumpster. Clearly identify and illustrate the six required handicap spaces, one of which is a handicap van space, on the site plan.
 - e. Show and dimension the existing shed located at the rear of the church.
 - f. Remove the storage containers shown on the site plan.
2. Prior to certification of approval, the following changes shall be made to the landscape plan:
 - a. Identify the location and type of shade trees being provided.
 - b. Identify the location and type of shade structures.
 - c. The applicant must include the previously approved landscape plan (2010) to demonstrate conformance to the 1990 Prince George's County Landscape Manual, Sections 1.7(a) and 4.2, for the southeast parking lot.
 - d. The site plan must show conformance to the 2010 *Prince George's County Landscape Manual*, Section 4.3-2. Any landscaping not existing must be replaced.
3. Verify the location of the sign on the site plan. If revising the sign location, provide the necessary information for a sign package pursuant to Sections 27-596 and 27-617 of the Prince George's County Zoning Ordinance. If the sign on the plan is in the correct location, a departure from sign design standards will be needed pursuant to Section 27-612 of the Zoning Ordinance.
4. Prior to issuance of a use and occupancy permit for the project:
 - a. The applicant shall design and create of a buffer between the children's playground route and the parking lot by either adding fence/landscaping elements or armadillo-type wheel stops along the north and east portion of the route. Place wheel stops in the parking spaces bordering the fenced in play area.
 - b. Remove the three storage containers located at the rear of the church on the subject property.

ITEM:

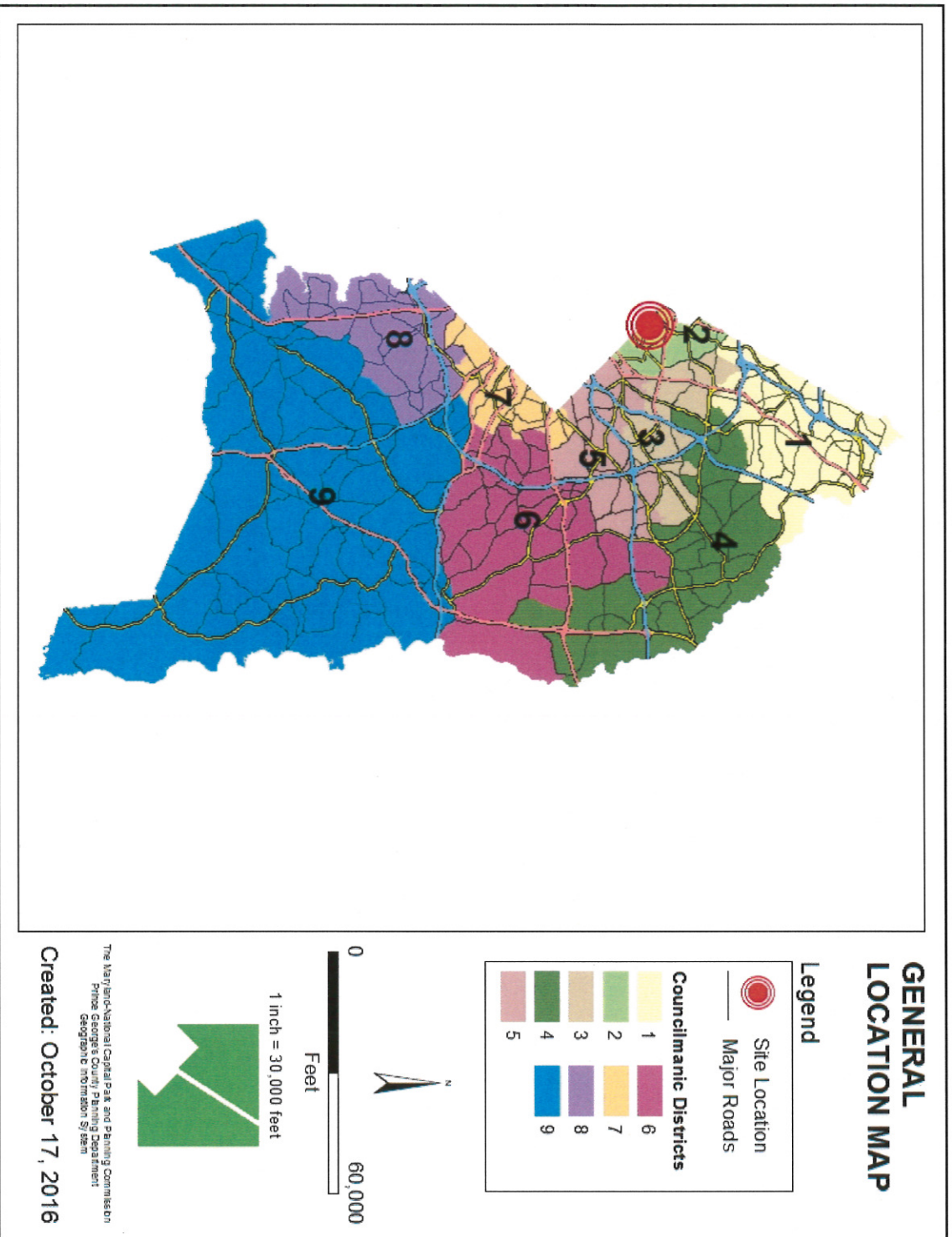
CASE: DSP-15010

LIVING GOD CHRISTIAN ACADEMY

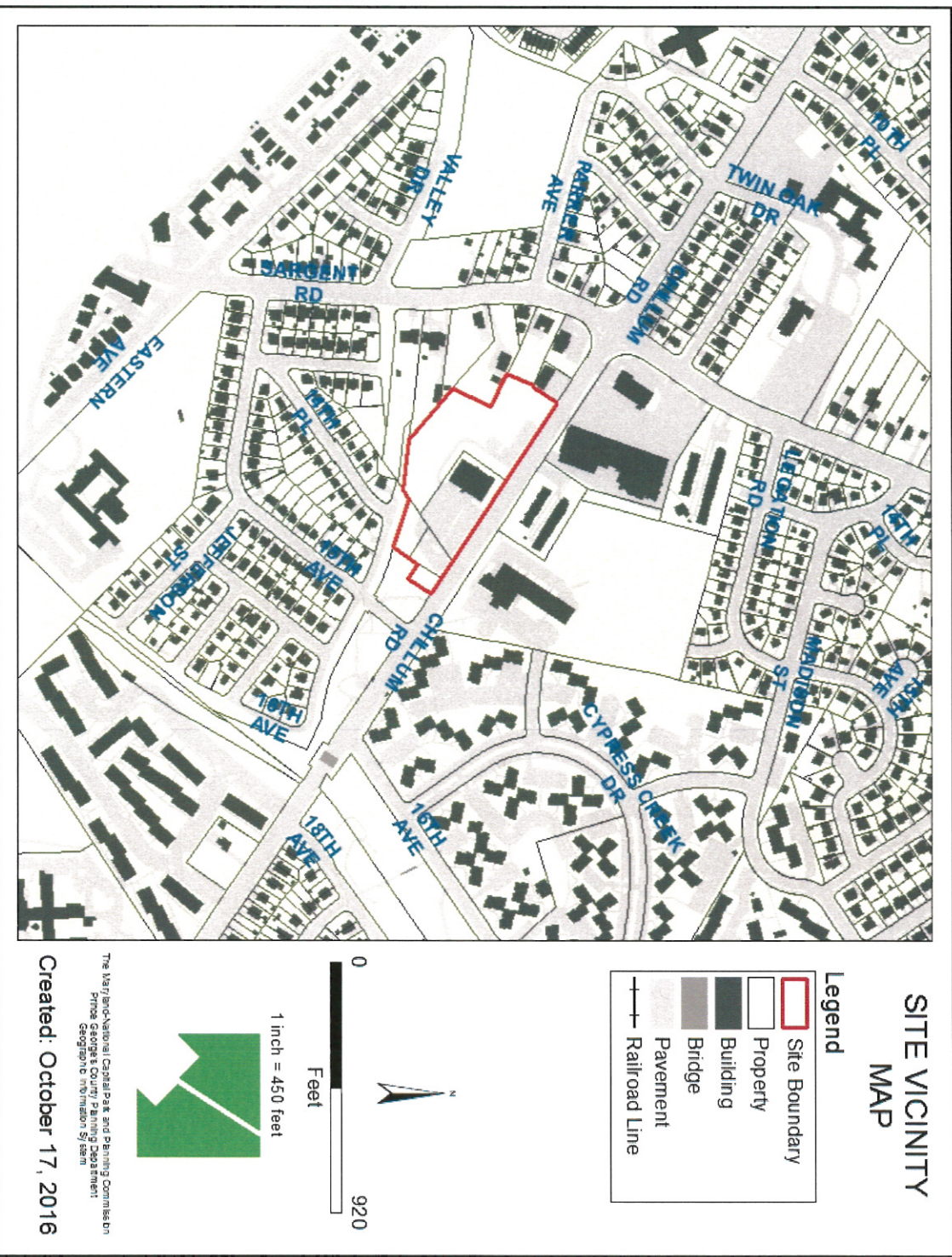
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



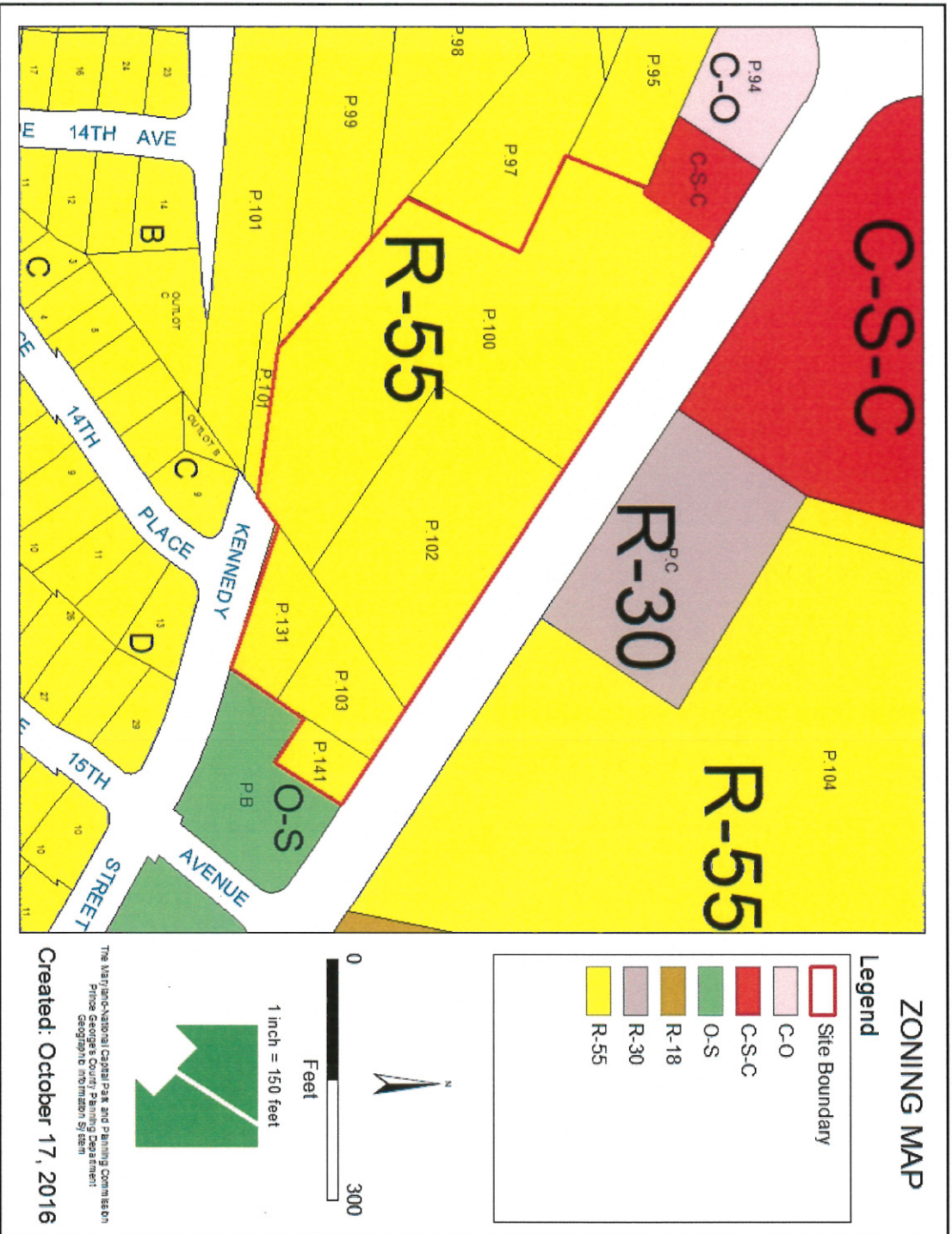
GENERAL LOCATION MAP



SITE VICINITY



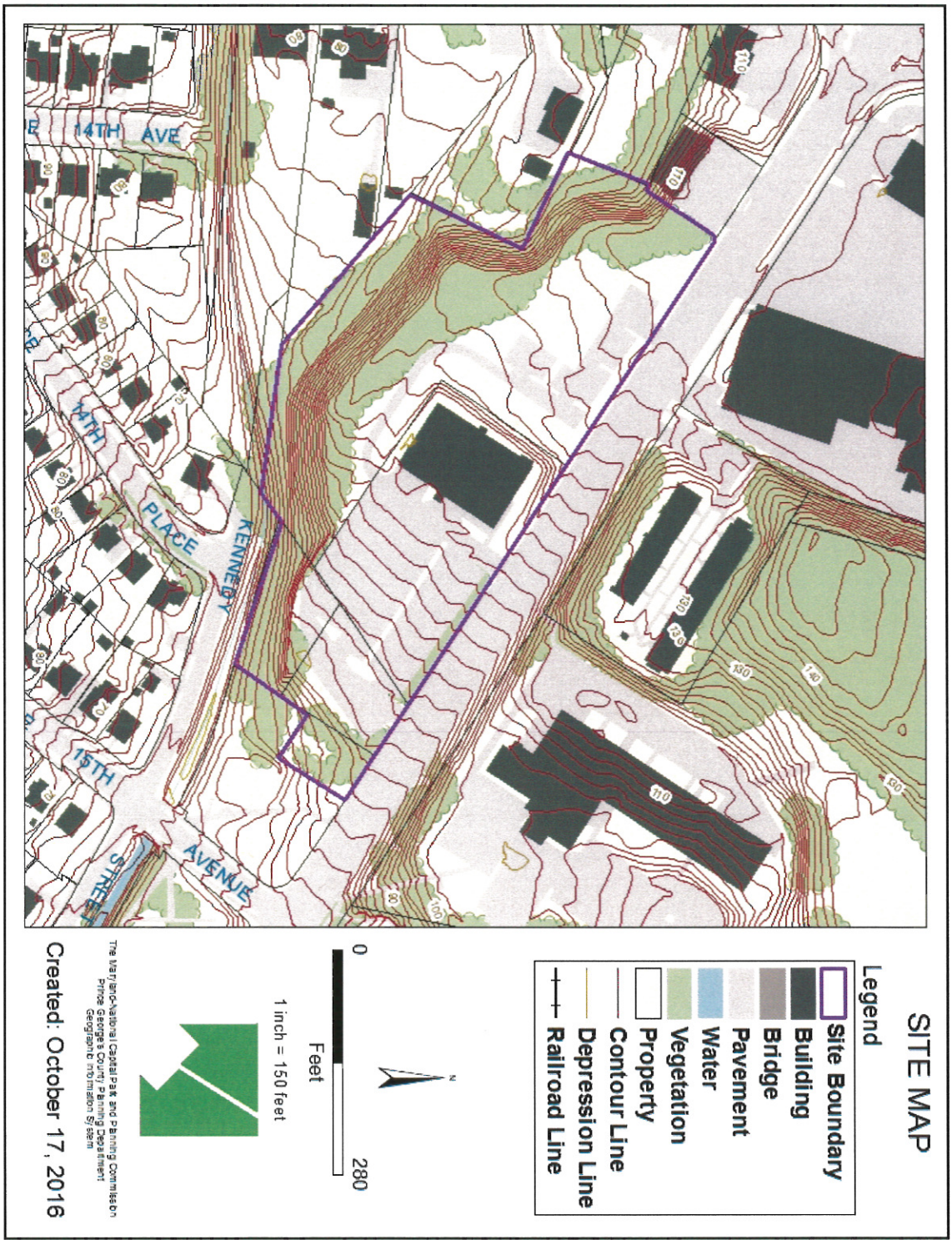
ZONING MAP



AERIAL MAP



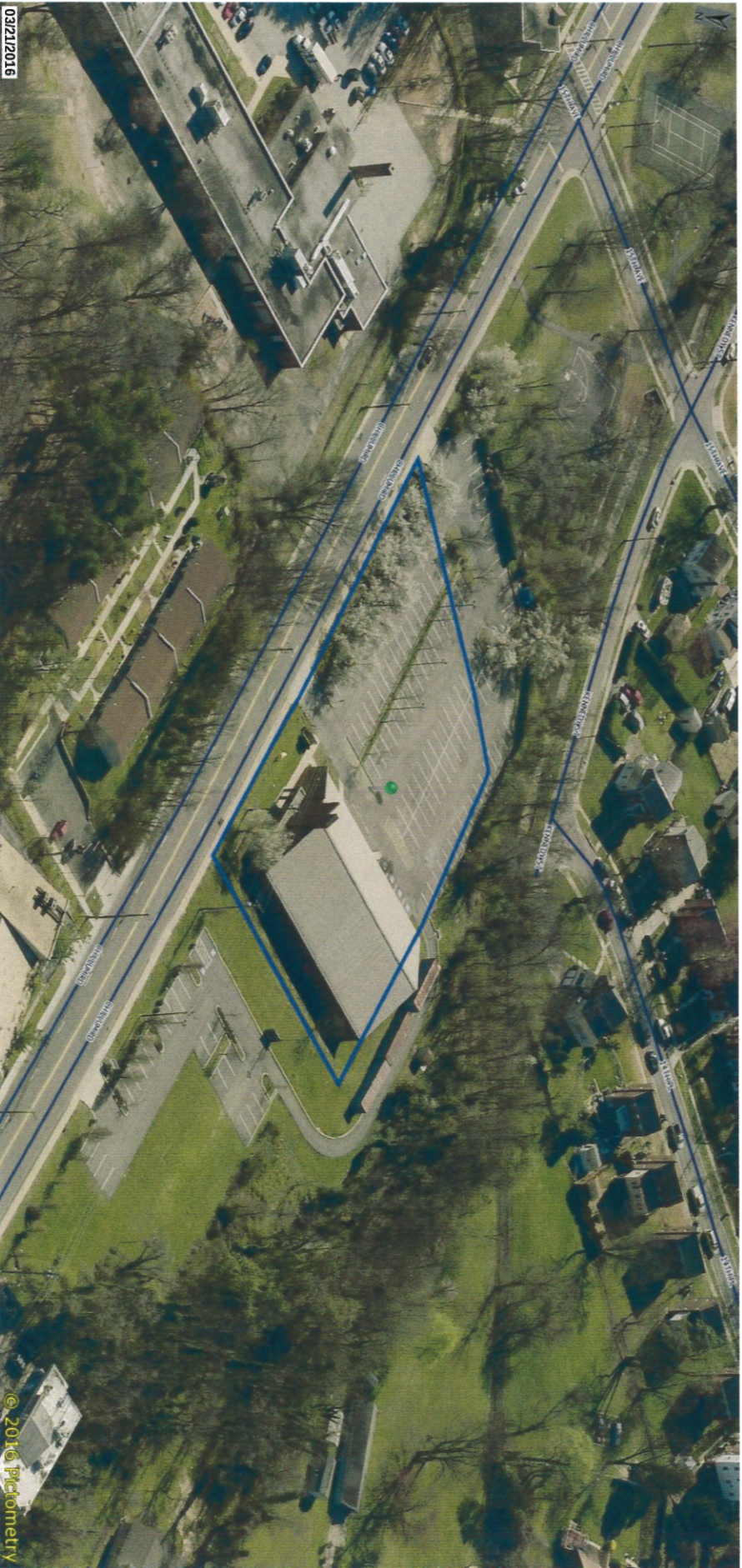
SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



CHURCH OF THE LIVING GOD



Church frontage along Chillum Road

Northeast corner view of church
along Chillum Road



EAST PARKING LOT



East parking lot view(west)
towards building



East parking lot view along
Chillum Road

TRASH ENCLOSURE, SHED & CONTAINERS



ACADEMY ENTRANCE VIEW FROM WEST



VIEWS OF PLAY AREA & WEST PARKING LOT




WEST PARKING LOT - PLAY AREA

Case #DSP-15010



August 22, 2016

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section
FROM: Alice Jacobs, Principal Planning Technician, Permit Review Section 
SUBJECT: DSP-15010 – Living God Christian Academy

1. Is the site plan submitted in accordance with the Subdivision Regulations? Refer to the Subdivision Review Section.
2. Environmental Planning – A Tree Conservation Plan or Exemption Letter must be approved with this plan.
3. Pursuant to Section 27-441(b)(2) Footnote 34 – A church must provide its tax-exempt identification number when applying for a DSP.
4. The storage containers on the back of the site must be removed as they are not permitted in this zone.
5. Identify the type of shade trees being provided.
6. In 2010 a parking lot was added to the church resulting in the need to comply with the Landscape Manual pursuant to Section 1.7(a). The applicant must include the previously approved Landscape Plan as part of the referral package.
7. What is the maximum number of children using the play area at one time?
8. Section 27-566 of the Zoning Regulations requires 6 handicap spots, one of which is a van spot. Only 4 handicap spots and 1 van spot have been provided. Comply with the regulation. Clearly identify the van spot as well.
9. The structure labeled existing sign on the site plan does not appear to be in the same location identified on the 2016 Color Imagery Layer aerial view of PGAtlas.com. Please verify the location of the sign. If revising the sign location please provide the necessary information for a sign package pursuant to Section 27-596 and 27-617 of the Zoning Ordinance. Also, if the sign on the plan is in the correct location a departure from sign design standards will be needed pursuant to Section 27-612 of the Zoning Ordinance.

DATE RECD: 11/19/2010

PERMIT #: 33631-2010-U-00

PROJECT: Shining Star Academy/ Parcel 102

USE: BEFORE & AFTER CARE; USE AND OCCUPANCY

Developed Tier
JLB

COMMENTS:

Appeal 8286

DIVISION	COMMENTS	ACTION
SUBDIVISION Prelim# 4- DATE: PSS Yes <input type="checkbox"/> No <input type="checkbox"/>	9871-73-2006-CGU Modular Classroom Hold 22063-2002-G/01 Parking Lot 8025-86-CGU Church 1/18/91 1248-93-CGU Playground * 39023-2003-U Private School Hold 41093-2003-U Church	DATE: _____ NAME: _____ Plat Date: _____
TRANSPORTATION		DATE: _____ NAME: _____
URBAN DESIGN SP# DSP#	22063-2002-G Parking Lot 33631-2010-U P102 (45 kids) BEFORE & AFTER CARE	DATE: _____ NAME: _____
SHA	9871-73-2006- CGU - church / PRIVATE school	DATE: _____ NAME: _____
ENVIRONMENTAL PLANNING		DATE: _____ NAME: _____
PROPERTY ADDRESS	APPROVED as Church as BEFORE & AFTER CARE (45 kids)	DATE: _____ NAME: _____
TRAILS	Not as private school	DATE: _____ NAME: _____
HISTORIC		DATE: _____ NAME: _____
CWP		DATE: _____ NAME: _____
ZONING		DATE: _____ NAME: _____
PARKS		DATE: _____ NAME: _____
COMM.PLAN.-NORTH		DATE: _____ NAME: _____
COMM.PLAN.-SOUTH		DATE: _____ NAME: _____
PERMITS	X Ok for recreational before and after school program with 45 students per 8025-86-CGU	DATE: 12/6/10 NAME: M. Hughes



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

October 3, 2016

MEMORANDUM

TO: Ivy Thompson, Urban Design Section, Development Review Division

FROM: Eric Jenkins, Transportation Planning Section, Countywide Planning Division

VIA:  Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-15010, Living God Christian Academy

The Transportation Planning Division has reviewed the detailed site plan application referenced above. The site consists of 5.16 acres in the R-55 Zone. It is located on Chillum Road approximately 800 feet east of Sargent Road. The applicant is proposing a day care center.

Background

The applicant is proposing a day care center within an existing church on the site. According to the applicant space is already dedicated to the proposed use. The overall site consists of five lots. The church is on Lot 102. There are no underlying transportation conditions.

Review

The proposed day care center is expected to generate 38 AM and 40 PM peak hour trips. It is expected that approximately 40 percent of the trips to the site will be pass-by trips already on Chillum Road. The trips cited here include a reduction for pass-by trips.

Access to the site will be provided from Chillum Road by three existing commercial entrances. On-site parking is available on both sides of the church. A semicircular driveway will provide easy drop-offs at the front entrance to the church. Most vehicles are expected to enter the site from the middle entrance. There is a one-way westbound driveway behind the church. Appropriate signage should be posted. The spacing of the multiple entrances will help prevent possible queuing of traffic onto Chillum Road. Sidewalks exist on both sides of Chillum Road although it is anticipated that most children will arrive by automobile. Overall site access and circulation is adequate.

Master Plan Roads

The site is adjacent to Chillum Road, which is a master plan collector roadway listed in the *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity* with a right-of-way width of 80 feet. No new development is proposed in the master plan right-of-way.

Conclusion

Overall from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.

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 Upper Marlboro, Maryland 20772
 TTY: (301) 952-4366
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 301-952-3972

September 12, 2016

M-NCPPC
 P.G. PLANNING DEPARTMENT
RECEIVED
 SEP 13 2016
 DEVELOPMENT REVIEW DIVISION

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Subdivision Review Division
VIA: Frederick Stachura, Acting Planning Supervisor, Community Planning North Division
FROM: Susan S. Hartmann, Planner Coordinator, Community Planning North Division
SUBJECT: **DSP-15010 Living God Christian Church**

DETERMINATIONS

This application conforms to the land use recommendations of the 1989 Approved Master Plan for Langley Park, College Park, Greenbelt and Vicinity.

BACKGROUND

Location: 1417 Chillum Road Hyattsville, MD
Size: 5.16 acres
Existing Uses: Existing church with dedicated interior area for a childcare center.
Proposal: The applicant has proposed construction of a childcare center and play yard.

GENERAL PLAN, MASTER PLAN, AND SMA

This application requires conformance with the applicable General or Master Plan. YES

General Plan: The proposed project is located in the Established Communities policy area of the Prince George's County Growth Policy Map in the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). As described in Plan Prince George's 2035, Established Communities should have context-sensitive infill and low- to medium- density development.

Master/Sector Plan: *1989 Approved Master Plan for Langley Park, College Park, Greenbelt and Vicinity*

Planning Area/Community: PA 65 /Chillum

- Land Use: Residential
- Environmental: This property is not located in the Chesapeake Bay Critical Area (CBCA).
- Historic Resources: This property is not a County designated historic site or historic resource, pursuant to Subtitle 29 of the Prince George's County Code.
- Transportation: The property is located on Chillum Road, which is a County road.
- Public Facilities: No public facilities are recommended for this property or abut this site.
- Parks & Trails: There are no public trails approved for this property.
- Aviation/ILUC: The subject site is not located within an Aviation Policy Area or the JLUS Interim Land Use Control area.
- SMA/Zoning:** The site is in the R-55 Zone as per the *1990 Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67.*

PLANNING ISSUES

None identified.

cc: Frederick Stachura, Acting Supervisor, Community Planning Division, North Section
Long-Range Agenda Notebook



**JUSTIFICATION STATEMENT
For DSP-15010
On behalf of
Living God Christian Academy
(DBA Shining Star Academy)
At
The Church of the Living God
July 6, 2015**

Description of Proposed Use/Request

Project concerns a request for DSP approval of a Childcare center under the auspices and direction of Living God Christian Academy (DBA Shining Star Academy and hereinafter referred to as SSA). The proposed Childcare center's location is at 1417 Chillum Road in Hyattsville, Maryland 20782

Description and Location of The Subject Property

The site comprises 5.16 acres and is zoned R-55. The location is approximately 2 miles northwest of the intersection of Chillum Road and Queens Chapel Road Road , on the west side of Chillum Road. The overall site comprises 5 lots (Lots 100, 102, 103, 131, and 141) and has an existing brick church building with an interior area dedicated for a childcare center. The surrounding neighborhood is comprised of single-family detached homes to the south and west.

Description of Each Required Finding

Sec. 27-445.03 Day care center for children.

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

(1) 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;

The proposed for capacity for the Shining Star Academy childcare center is 80 children. The outdoor play area required for fifty percent (50%) of the licensed capacity is 3000 square feet. Outdoor play area provided is 4225 square feet, which exceeds the requirement for 50% of the proposed capacity and provides for future expansion of the childcare center up to 112 children.

JUSTIFICATION STATEMENT
For DSP-15010
Living God Christian Academy
(DBA Shining Star Academy)
July 6, 2015
Page 2

(B) All outdoor play areas shall be located on the same lot as the center and is 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;
Existing play area is located at least twenty-five (25) feet from any dwelling on an adjoining lot and proposes a chainlink fence four (4) feet in height.

(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;
No potential issue with this finding.

(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;
Play area is proposed in an existing year area with no public street crossing.

(E) The play area shall contain sufficient shade during the warmer months to afford protection from the sun;
The play area is shielded by existing trees affected by sun in the summer and new trees will be proposed.

(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;
Play area will not be used after daylight hours

(G) Outdoor play shall be limited to the hours between 7am and 6am.
Outdoor play shall be limited to the hours between 7am-6pm in the summer and 7am-4pm during the winter.

(b) In addition, the site plan shall show:

(1) The proposed enrollment;

Proposed enrollment is 80 children

(2) The location and use of all buildings located on adjoining lots;
Existing structures within 100 feet of the site are shown on the DSP.

(3) The location and size of outdoor play or activity areas.


The location and size of the proposed play area (65' x 65') is shown on the Detailed Site Plan.

(4) The location, quantity, and type of screening and landscaping
The location, quantify, and type of screening and landscaping is shown on the Detailed Site and Landscape Plan.

**JUSTIFICATION STATEMENT
For DSP-15010
Living God Christian Academy
(DBA Shining Star Academy)
July 6, 2015
Page 3**

We request approval of the Detailed Site Plan for the Living God Christian Academy (DBA Shining Star Academy).

DIGITERRA DESIGN, LLC



Darrell V. Oliver
Agent for Living God Christian Academy
(DBA Shining Star Academy)



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772

PGCPB No. 86-287

File No. DPLS 17

Prince George's County Departure from Parking and Loading Space
 Application No. 17
 Applicant: The Church of the Living God, Applicant/Owners

Location: The subject property is located on the southwest side of
 Chillum Road approximately 62+ feet southeast of Sargent Road
 Request: Waiver of forty-four (44) required off-street parking spaces
 per Section 27-568 of the Prince George's County Zoning
 Ordinance

R E S O L U T I O N

WHEREAS, the applicant wishes to build a 616 seat church on a 1.33
 acre parcel of land; and

WHEREAS, the size of the site does not allow the required number of
 parking spaces for the size church proposed; the code requires one parking
 space per four seats in the main auditorium of a church; and

WHEREAS, the applicant would need to provide 154 parking spaces. The
 applicant is only providing 110, and is requesting a departure from Section
 27-568 to waive the requirement of 44 parking spaces; and

WHEREAS, the advertisement of the public hearing was posted on the
 property in accordance with the adopted Rules of Procedure of the Prince
 George's County Planning Board; and

WHEREAS, the technical staff report released July 8, 1986, recommends
 DENIAL; and

WHEREAS, the Prince George's County Planning Board considered the
 technical staff report and testimony of staff and applicant and disagreed
 with the staff recommendation based on the following DETERMINATIONS:

1. That the church remove 104 seats and thereby reduce the
 off-street parking impact upon the surrounding neighborhood.
2. That this compromise was acceptable to staff and the surrounding
 neighborhood.


PGCPB 86-287
File No. DPLS 17
Page Two

NOW, THEREFORE, BE IT RESOLVED, that Departure from Parking and Loading Spaces Application No. 17 is hereby APPROVED for a waiver of 18 parking spaces, subject to the seating capacity being limited to 512.

The site plan is Exhibit No. 4.

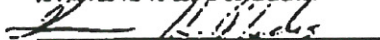
* * * * *
This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Keller, seconded by Commissioner Dabney, with Commissioners Keller, Dabney, Rhoads, Yewell and Botts voting in favor of the motion, at its regular meeting held on Thursday, July 17, 1986, in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

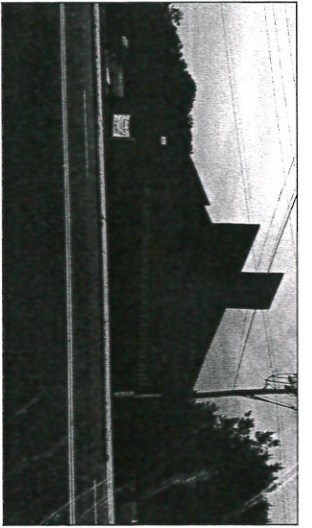

By: Robert D. Reed
Community Relations Officer

THC/RDR/CS:fvh

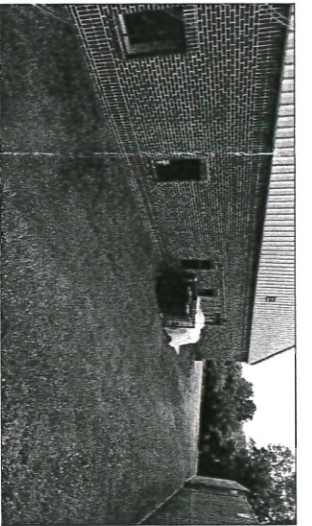
APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 8/4/86



Pic 1-Church Frontage Along Chillum Road



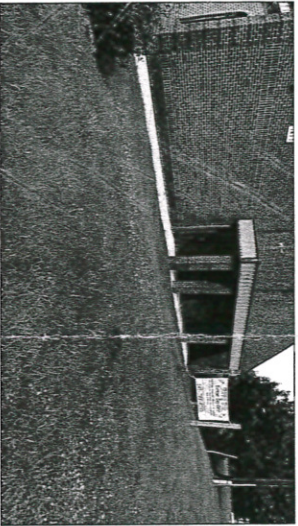
Pic 2-Rear View of Church



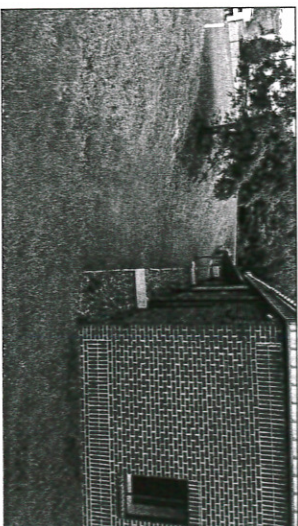
Pic 3-East View of Church



Pic 4-Academy Entrance At Southeast Corner



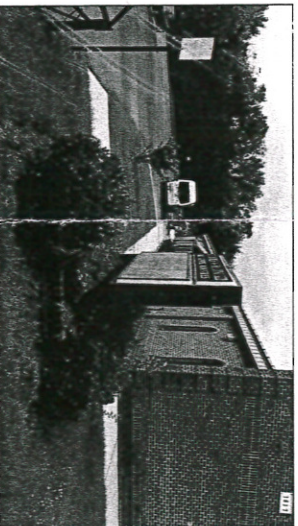
Pic 5-Southwest Corner View



Pic 6-View Along West Side



Pic 7-View Along West Side From Chillum Road



Pic 8-Northeast Corner View



CHURCH OF THE LIVING GOD
DBA/SHINING STAR ACADEMY
DSP-15010



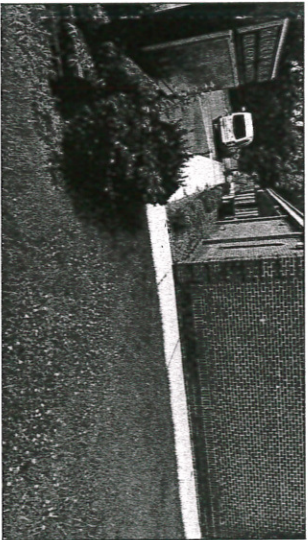
Pic 1-Proposed Playground Area



Pic 2-View of Existing Parking Lot



Pic 3-Academy Entrance From West



Pic 4-Northeast Corner View



Pic 5-Existing Parking Lot (East)



Pic 6-Existing East Parking Lot (Towards Bldg)

CHURCH OF THE LIVING GOD
DBA/SHINING STAR ACADEMY
DSP-15010