

Case No.: DSP-15039
Day Care Center at
6000 Marlboro Pike

Applicant: Rosbor, Tillie

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — APPROVAL OF DETAILED SITE PLAN

Pursuant to Section 25-210 of the Land Use Article, Md. Ann. Code (2012 Ed. & Supp. 2016) and Section 27-290 of the Prince George's County Code (2015 Ed., as amended), the District Council has jurisdiction to issue the final decision in this Detailed Site Plan Application Number 15039 ("DSP-15039").¹

Planning Board's Resolution No. 16-153 ("PGCPB No. 16-153") approving Applicant's request for a 2,757-square-foot day care center for 63 children, also known as Day Care Center at 6000 Marlboro Pike, located on 0.74 acre of land in the C-S-C (Commercial Shopping Center) Zone, with street address 6000 Marlboro Pike, District Heights, Maryland, 20747 in Councilmanic District 7, is hereby AFFIRMED.¹

As the basis for this final decision, and as expressly authorized by Titles 22 and 25 of the Land Use Article and Subtitle 27 of the Prince George's County Code, the District Council hereby adopts the findings of facts and conclusions of law set forth in PGCPB No. 16-153, except as otherwise stated herein, and does APPROVE DSP-15039, subject to the following conditions:

¹ See also *Cnty. Council of Prince George's Cnty. v. Zimmer Dev. Co.*, 444 Md. 490, 569, 120 A.3d 677, 725 (2015) (stating that the District Council is expressly authorized to review a final decision of the county planning board to approve or disapprove a detailed site plan and the District Council's review results in a final decision).

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made or information provided:
 - a. A striped crosswalk shall be provided across the entrance driveway, along Belwood Street.
 - b. Provide site plan notes as follows:
 - (1) Indicate the play area is more than 25 feet from any dwelling on an adjoining lot.
 - (2) “Resilient flooring in accordance with the standards of the American Society for Testing and Materials (ASTM) shall be provided in the proposed outdoor play area where play equipment will be installed.”
 - (3) “Grading of the outdoor play area shall ensure complete drainage of any stormwater from the play area.”
 - c. The site plan shall be revised to show the location of all buildings on adjoining lots.
 - d. Provide the allowed and provided sign area calculations per Section 27-617 of the Prince George’s County Zoning Ordinance and indicate the location of the building-mounted sign on the building elevation; however, LED signs shall not be permitted.
 - e. Show a 10-foot-wide planted landscape strip along Belwood Street in accordance with Section 4.2 of the 2010 *Prince George’s County Landscape Manual*. Six evergreen trees shall be provided in a staggered line in partial fulfillment of Section 4.2 requirements to screen the play area. Additional shade trees shall be provided and shown on the plan to supply adequate shade for the health and safety of the children utilizing the play area.
 - f. Revise the plan to label the Section 4.7 bufferyard limits and widths, show the existing tree line, and adjust the Section 4.7 calculations and proposed plantings accordingly.

- g. Provide a schedule for Section 4.9, Sustainable Landscaping Requirements. Any dead Barberry shrubs shall be replaced with a native, non-invasive plant species.
- h. The applicant shall demonstrate conformance with the 2010 *Prince George's County Landscape Manual*, Section 4.2, Landscape Strips Along Streets, for Belwood Street and Section 4.7, Buffering Incompatible Uses, along the eastern and northern property lines adjoining residential properties, for the portions of the site not previously covered in Alternative Compliance AC-90141, or shall receive approval for alternative compliance.
- i. The six (6) foot high, 37' by 73' length fence proposed for enclosure of the play area shall be a sight tight, board on board design, constructed of durable outdoor vinyl fence material in furtherance of the health and safety of the children utilizing the play area.

ORDERED this 21st day of March, 2017, by the following vote:

In Favor: Council Members Davis, Franklin, Glaros, Harrison, Lehman, Taveras,
Toles and Turner.

Opposed:

Abstained:

Absent: Council Member Patterson.

Vote: 8-0.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Derrick Leon Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council