

January 10, 2024

Maurene Epps-McNeil
Zoning Hearing Examiner
County Administration Building
Upper Marlboro, MD 20772

**RE: SPE-2023-001 – Espirales Montessori
Bilingual Childcare Center**

Dear Ms. Epps-McNeil:

On **January 4, 2024**, after review of the technical staff report, the Prince George's County Planning Board approved the transmittal of the recommendation. Therefore, the application is hereby transmitted directly to the District Council/Zoning Hearing Examiner, and the technical staff's recommendation constitutes the Planning Board's recommendation.

Very truly yours,



James R. Hunt, Chief
Development Review

Enclosure

cc: Persons of Record



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 <https://www.mncppc.org/883/Watch-Meetings>

Special Exception SPE-2023-001 Espirales Montessori Bilingual Childcare Center

REQUEST	STAFF RECOMMENDATION
Special Exception for the use of a day care center for 16 children, with a fenced outdoor play area.	With the conditions recommended herein: <ul style="list-style-type: none"> Approval of Special Exception SPE-2023-001

Location: Approximately 170 feet south of the intersection of Gumwood Drive and Hitching Post Lane.	
Gross Acreage:	0.40
Zone:	RSF-95
Prior Zone:	R-80
Dwelling Units:	1
Gross Floor Area:	966 sq. ft.
Lots:	1
Parcels:	0
Planning Area:	68
Council District:	02
Municipality:	Hyattsville
Applicant/Address: Espirales Montessori Bilingual LLC 3304 Gumwood Drive Hyattsville, MD 20783	
Staff Reviewer: Todd Price Phone Number: 301-952-3994 Email: Todd.Price@ppd.mncppc.org	



Planning Board Date:	01/04/2024
Planning Board Action Limit:	N/A
Staff Report Date:	12/19/2023
Date Accepted:	09/08/2023
Informational Mailing:	03/11/2023
Acceptance Mailing:	12/03/2023
Sign Posting Deadline:	N/A

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Section,
Development Review Division

FROM: Todd Price, Planner II, Zoning Section,
Development Review Division

SUBJECT: Special Exception SPE-2023-001
Espiraes Montessori Bilingual Childcare Center

REQUEST: Special exception for the use of a day care center for children, with a fenced outdoor
play area.

RECOMMENDATION: **APPROVAL, with conditions**

NOTE:

The Prince George's County Planning Board has scheduled this application on the consent agenda, for transmittal to the Zoning Hearing Examiner, on the agenda date of January 4, 2024.

You are encouraged to become a person of record in this application. Requests to become Persons of Record should be submitted electronically, by email to: ZHE@co.pg.md.us. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

The Zoning staff has reviewed the subject application and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

I. EVALUATION CRITERIA

A. Prince George's County Zoning Ordinance. Special exceptions (SPEs) are reviewed and decided by the Prince George's County Zoning Hearing Examiner. Pursuant to Section 27-3604(e) of the Prince George's County Zoning Ordinance, SPEs may only be approved upon a finding that all the following standards are met:

1. The proposed use and site plan are in harmony with the purpose of this Subtitle;
2. The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;
3. The proposed use shall be consistent with the General Plan and shall conform with the relevant goals, policies, and strategies of the applicable Area Master Plan, Sector Plan, or Functional Master Plan for the subject property and its surrounding area;
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; and
6. The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and
7. The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24: Subdivision Regulations.

In addition, all SPE applications must comply with Section 27-5401 of the Zoning Ordinance, regarding setbacks, landscaping, buffering, and screening.

B. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. Pursuant to Section 25-119(a)(2)(B) of the Prince George's County Code, SPE applications shall include a Type 2 tree conservation plan (TCP2) or a standard letter of exemption. If a site requires approval of a TCP2, with an associated SPE application, the TCP2 is reviewed simultaneously with the associated plan. This application has an approved standard letter of exemption (LOE) from the Woodland Conservation Ordinance (S-131-2023), which is valid until September 6, 2025.

- C. **Prince George’s County Tree Canopy Coverage Ordinance.** Per Section 25-127(b)(B), the site is exempt from the requirements of the Prince George’s County Tree Canopy Coverage Ordinance.

II. BACKGROUND

- A. **Summary and Request:** This application seeks a special exception (SPE) for the use of a day care center for 16 children, with a fenced outdoor play area. The day care center will occupy a single-family detached dwelling in the Residential, Single-Family-95 (RSF-95) Zone.

- B. **Development Data Summary:**

	EXISTING	EVALUATED
Zone(s)	RSF-95 (prior R-80)	RSF-95
Use	Residential	Day Care Center for Children
Lot(s)	1	1
Parcel(s)	0	0
Total Gross Acreage	0.40	0.40
Gross Floor Area	966 sq. ft.	966 sq. ft.

- C. **Location and Site Description:** The subject property is located at 7207 Hitching Post Lane, Hyattsville, Maryland, which is approximately 170 feet south of the intersection of Gumwood Drive and Hitching Post Lane. Hitching Post Lane is a dead-end street, serving a total of five detached single-family dwellings. The property is known as Lot 5, Block A of Hitching Post Hill, recorded in 1947, in Plat Book BB 14, page 91 of the Prince George’s County Land Records. The property consists of 17,399 square feet and is encumbered by an existing dwelling, a driveway, and on-site parallel parking made with permeable pavers. The lot topography slopes gently to the east, and there are several existing trees throughout. There is an existing 6-foot-high wooden fence along the northern property line.

- D. **Proposed Use(s):** The subject application is for a SPE for a day care center for children. The facility will care for a maximum of 16 children. The applicant’s Statement of Justification (SOJ) states that the operating hours of the day care will be Monday through Friday, from 7:30 a.m. to 5:00 p.m.

- E. **Neighborhood and Surrounding Uses:** The general neighborhood is residential. The neighborhood is bordered by University Boulevard to the north, Adelphi Road to the east, Belcrest Road and Toledo Terrace to the south, and West Park Drive to the west. The immediate uses surrounding the subject property are as follows:

North— Single-family dwellings in the RSF-95 Zone. Beyond is Gumwood Drive and single-family dwellings in the Residential, Sincel-Family-65 (RSF-65) Zone.

East— Single-family dwellings in the RSF-95 Zone.

South— Single-family dwellings in the RSF-95 Zone. Beyond is Rosemary Lane, single-family dwellings in the RSF-95 Zone, and undeveloped land in the Residential, Single-Family-Attached (RSF-A) Zone.

West— Single-family dwellings in the RSF-95 Zone, including Hitching Post Hill Historic Site (68-001), which is on the National Register of historic places. Beyond is Stanford Street and single-family dwellings in the RSF-65 Zone and University Hills Park, in the Reserved Open Space (ROS) Zone.

F. History and Previous Approvals: The subject property was recorded in the Prince George’s County Land Records in 1947. Lot 5 was recorded on a final plat, prior to October 27, 1970, and has never been the subject of a preliminary plan of subdivision (PPS).

III. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

This application, to permit a day care center for children use through a SPE, is being reviewed in accordance with the Prince George’s County Zoning Ordinance. The analysis of all required findings for approval are provided below.

A. General Special Exception Findings—Section 27-3604(e) of the Prince George’s County Zoning Ordinance provides the following applicable findings:

1) A Special Exception may be approved if:

A) The proposed use and site plan are in harmony with the purpose of this Subtitle.

The purposes of Subtitle 27 of the Prince George’s County Code, as set forth in Section 27-1300 of the Zoning Ordinance, are to protect the health, safety, and welfare of the public; to promote compatible relationships between various land uses; to guide orderly development; and to ensure adequate public facilities and services. The proposed SPE is in harmony with these purposes as follows:

Staff find that the proposed use will not negatively impact the health, safety, and welfare of the public. The proposed hours of operation for the day care center are Monday through Friday, from 7:30 a.m. to 5:00 p.m. The outdoor play area will be fenced and buffered from adjoining single-family uses.

The proposed use is compatible with the surrounding land uses in that the proposed use will maintain the architectural character of the existing single-family dwellings. As previously mentioned, the outdoor play area will be fenced and buffered from adjoining uses. The day care center for children will provide a much-needed service to the surrounding neighborhood.

The proposed SPE use and site plan demonstrate harmony with the purposes of Subtitle 27 of the County Code.

(B) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

The proposed use is in conformance with the requirements and regulations set forth in Subtitle 27.

The proposed use is being evaluated according to the general required findings of approval for all SPEs contained in Section 27-3604(e).

The application also demonstrates conformance with Section 27-5402(x), Additional Requirements for Specific Special Exception Uses pertaining to a Day Care Center for Children, as discussed in Section III. (C).

(C) The proposed use shall be consistent with the General Plan and shall conform with the relevant goals, policies, and strategies of the applicable Area Master Plan, Sector Plan, or Functional Master Plan for the subject property and its surrounding area;

The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) classifies this application as located within the Established Communities Growth Policy Area. These areas are most appropriate for context-sensitive infill and low- to medium-density development. The application is consistent with the goals, policies, and strategies of Plan 2035, because the proposed use provides a much-needed service within the context of supporting the existing community.

The 1994 *Planning Area 68 Approved Master Plan and Section Map Amendment* (master plan) recommends Multifamily Residential land use on the subject property. The master plan recommends the following applicable goals and objectives:

Goal

Protect, maintain, and enhance area neighborhoods to further foster safe and stable residential environments.

The proposed use will align with the goal of the master plan by offering a much-needed service and creating a safe and stable environment for the residents.

Objective I

All land uses within residential areas shall be physically and visually compatible with the neighborhood character.

The proposed application makes no exterior changes to the existing single-family dwelling. The only improvements will consist of a handicap-accessible parking space and ramp, and the addition of a fenced play area.

Objective III

Reduce the volume of traffic traveling through or parking on residential streets.

Although the proposed use may increase the volume of traffic, the total new peak-hour trips will total 13 a.m. and 13 p.m. Required parking is provided on site, therefore, no parking will be required on the residential streets.

Staff find that the proposed use is consistent with Plan 2035 and conforms to the relevant goals, policies, and strategies of the master plan for the subject property and its surrounding area. The SPE application, as requested, conforms to this finding.

(D) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

Staff find that the proposed use of a day care center for children will not adversely affect the health, safety, or welfare of residents or workers in the area.

(E) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

The general neighborhood is residential. The proposed use does not propose any changes to the exterior dwelling and will be adequately buffered from adjacent uses.

Given the modest improvements to the existing site, staff find the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

(F) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

No Type 2 tree conservation plan is required with this application.

- (G) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24: Subdivision Regulations.**

The project is subject to the current regulations of Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance). The application is not subject to a Natural Resources Inventory equivalency letter as the limit of disturbance is 0 square feet. Approved standard LOE from the Woodland Conservation Ordinance (S-131-2023) which is valid until September 6, 2025, was submitted for the proposed project.

No regulated environmental features are located on-site, and the site has already been graded and improved with a single-family detached residence.

- (2) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay (CBCAO) Zone, a special exception shall not be granted:**

- (A) Where the existing lot coverage in the CBCAO exceeds that allowed by this Subtitle, or**

This criterion is not applicable, as the proposed development is not located within the Chesapeake Bay Critical Area Overlay (CBCAO) Zone.

- (B) Granting the special exception would result in a net increase in the existing lot coverage in the CBCAO.**

This criterion is not applicable, as the proposed development is not located within the CBCAO Zone.

- B. Special Exception General Required Findings—Section 27-5401 of the Zoning Ordinance provides the following applicable findings:**

- (a) Required Findings**

In addition to the required findings for the approval of a special exception specified in Section 27-3604(e), Required Findings, all special exception applications shall comply with Subsections (b) and (c), below, and all regulations applicable to the proposed use(s) as specified in Section 27-5402, Additional Requirements for Specific Special Exception Uses.

The subject application demonstrates conformance with the subsections regarding setbacks, landscaping, buffering, and screening as analyzed below.

(b) Setbacks

All setbacks shall be measured from the boundary line of the land for which the special exception is requested or approved, regardless of whether this boundary line is a lot, property, street, or other line. This Section applies to all setback requirements of this Subtitle which are specifically applicable to the special exception use.

The submitted site plan shows all building setbacks are measured from the boundary line of the requested SPE.

(c) Landscaping, Buffering, and Screening

(1) All landscaping required for a special exception, including any amendments to landscaping, buffering, and screening requirements which may be proposed by the applicant, shall be approved at the same time the special exception is approved. A special exception shall comply with the Landscape Manual through the approval of a landscape plan. The District Council may require additional landscaping, screening, or buffering if it determines that the amount required by the Landscape Manual is insufficient to adequately protect adjacent uses.

(2) Amendments to landscaping, buffering, and screening required in an approved special exception shall be made in accordance with Section 27-3604(i), Changes to Approved Special Exceptions: Minor Changes.

The subject application does not request any amendments to the landscaping, buffering, and screening requirements. The proposed development has been evaluated according to the requirements of the 2018 *Prince George's County Landscape Manual* (Landscape Manual).

C. Additional Requirements for Specific Special Exception Uses- Section 27-5402(x), Day Care Center for Children, provides the following applicable additional requirements:

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

(B) 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;

The proposed outdoor play area is 3,480 square feet. This provides 217.5 square feet per child, well above the minimum requirement.

- (ii) 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;**

The proposed outdoor play area is at least 25 feet from any dwelling on an adjoining lot and is enclosed by a proposed 4-foot-high fence.

- (iii) 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;**

Staff finds that the proposed setback and fence height is adequate to protect the health and safety of the children utilizing the play area.

- (iv) 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;**

The proposed outdoor play area is located on the property and is safely accessible.

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

The outdoor play area is sufficiently shaded by existing trees.

- (vi) 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**

The outdoor play area will not be used before or after daylight hours.

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

The day care hours of operation are from 7:30 a.m. to 5:00 p.m.

- (2) In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall show:**

(A) The proposed enrollment;

Proposed enrollment for this application is 16 children and is noted on the site plan.

(B) The location and use of all buildings located on adjoining lots; and

The site plan shows the location and use of all buildings located on adjoining lots.

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

The location and size of the outdoor play area is shown on the site plan.

D. Development Standards—Section 27-6, Development Standards, of the Zoning Ordinance provides the following applicable development standards. This SPE is consistent with the applicable standards, as described in the applicant's SOJ, incorporated herein by reference. The following discussion is offered:

1. Section 27-6300 Off-Street Parking and Loading

In accordance with the parking and loading regulations contained in Section 27-6300 of the Zoning Ordinance, a day care center for children requires 1.0 spaces per 10 children. This application proposes a limit of 16 children and, therefore, would require two parking spaces. The applicant is proposing two spaces, one of which will be handicapped-accessible. Transportation Planning staff found that, despite the lack of a drive aisle, the spaces allotted for vehicular egress are acceptable, to prevent backing directly onto the street. The Hyattsville City Council reviewed the application and voted in support of the request.

No loading spaces are required for this use.

2. Section 27-6500 Landscaping

This SPE is in conformance with the applicable standards of the Landscape Manual. Specifically, Section 4.7, Buffering Incompatible Uses, is shown on the site plan. The plan conforms to Section 4.9, Sustainable Landscaping Requirements, as landscaping prioritizes native plants and preserves all existing trees.

3. Section 27-6600 Fences and Walls

This SPE proposes the installation of a 4-foot-high fence to enclose the outdoor play area, as shown on the plan. This fence meets the requirements of Section 27-6600.

4. Section 27-61200 Neighborhood Compatibility Standards

This SPE will have minimal impact on surrounding uses. The proposed use will make no changes to the exterior of the existing detached single-family dwelling, apart from the addition of a handicap-accessible ramp. As such, it will protect the character of the existing neighborhood while providing a much-needed service to the community.

5. Section 27-61500 Signage

No signage is proposed with this application.

IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2018 PRINCE GEORGE'S COUNTY LANDSCAPE MANUAL

The proposed development is subject to the requirements of the Landscape Manual. Specifically, conformance is required for Section 4.7, Buffering Incompatible Uses, and Section 4.9, Sustainable Landscaping Requirements. Staff find that the proposed landscaping, as shown on the site plan, meets these requirements.

V. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2010 PRINCE GEORGE'S COUNTY WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE

This property has an approved standard LOE from the Woodland Conservation Ordinance (S-131-2023), which is valid until September 6, 2025.

VI. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE PRINCE GEORGE'S COUNTY TREE CANOPY COVERAGE ORDINANCE

Per Section 25-127 of the Prince George's County Code, the site is exempt from the Prince George's County Tree Canopy Coverage Ordinance.

VII. REFERRAL COMMENTS

The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein, by reference, and major findings are summarized as follows:

- A. **Community Planning**—In a memorandum dated September 21, 2023 (Selvakumar to Price), the Community Planning Division offered an analysis of the application and found no conformance issues.
- B. **Transportation Planning**—In a memorandum dated November 29, 2023 (Smith to Price), the Transportation Planning Section determined that the proposed plan is acceptable, with no conditions.
- C. **Environmental Planning**—In a memorandum dated September 27, 2023 (Kirchhof to Price), the Environmental Planning Section provided an analysis of the subject application and recommended approval, with no conditions.

- D. **Subdivision**—In a memorandum dated October 9, 2023 (Diaz-Campbell to Price), the Subdivision Section offered an analysis of the application and recommended a condition, which is included in this report.
- E. **Historic Preservation**—In a memorandum dated October 4, 2023 (Stabler to Price), the Historic Preservation Section noted that the site is adjacent to the Hitching Post Hill Historic Site (68-001), but recommended approval of the SPE, with no conditions.
- F. **Permit Review**—In a memorandum dated September 21, 2023 (Hughes to Price), the Permit Review Section provided technical comments, three have been included as conditions of approval, prior to certification.
- G. **Prince George’s County Fire/EMS Department**—As of the writing of this technical staff report, the Fire/EMS Department did not offer any comments on this subject application.
- H. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated October 12, 2023 (Giles to Price), DPIE offered no objection to SPE-2023-001
- I. **Washington Suburban Sanitary Commission (WSSC)**—As of the writing of this technical staff report, WSSC did not offer any comments on this subject application.
- J. **City of Hyattsville**—In a memorandum dated November 28, 2023 (Croslin to Shapiro), the City of Hyattsville informed staff that the City Council voted in support of the application.

VIII. COMMUNITY FEEDBACK

As of the writing of this technical staff report, no correspondence has been received from the surrounding community.

IX. RECOMMENDATION

Based on the applicant’s statement of justification, the analysis contained in the technical staff report, associated referrals, and materials in the record, the applicant has demonstrated conformance with the required special exception findings, as set forth in Section 27-3604(e) (in general) and the applicable findings of Section 27-5402(x), Day Care Center for Children, of the Prince George’s County Zoning Ordinance. Staff find that the proposed application satisfies the requirements for approval, and that the application will be in conformance with the Prince George’s County Zoning Ordinance requirements.

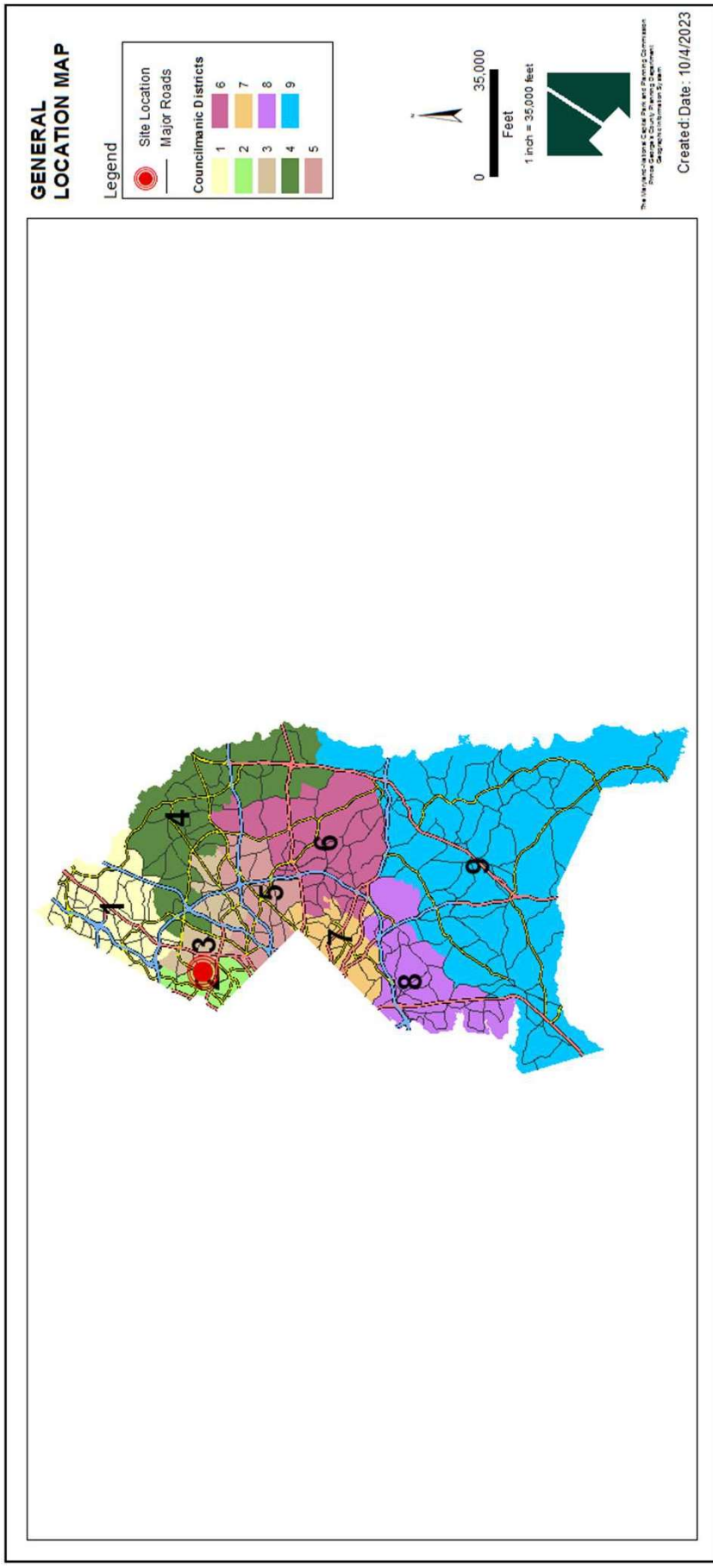
Therefore, staff recommend APPROVAL of Special Exception SPE-2023-001, Espirales Montessori Bilingual Childcare Center, subject to the following conditions:

- 1. Prior to certification of the special exception site plan, the following revisions shall be made, or information shall be provided:

- a. If required by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), provide an approved Stormwater Management Concept Plan.
- b. Add dimensions for Americans with Disabilities Act parking and access aisle.
- c. Provide striping or other design feature on the site plan, to ensure that egress for the Americans with Disabilities Act parking space on-site does not interfere with the parallel parking space.
- d. Delineate the landscape buffer line on the site plan. Revise Schedule 4.7-1 Note 10 to state "Minimum width of landscape yard provided".
- e. Show building dimensions and height on the site plan.
- f. Provide the width of all gates for the proposed fence on the site plan.
- g. The use located to the east of the subject property shall be noted on the site plan.
- h. The center line of Hitching Post Lane shall be shown on the site plan.
- i. Revise the leader line for the "N 17°00' 40" W 33.54'" bearing and distance label on the southwestern property line so it is pointing at its associated property line on Lot 5, rather than at the front property line for neighboring Lot 4.

GENERAL LOCATION MAP

Council District: 02
Planning Area: 68



SITE VICINITY MAP



ZONING MAP (CURRENT AND PRIOR)

Current Property Zone: RSF-95
 Prior Property Zone: R-80

CURRENT ZONING MAP



PRIOR ZONING MAP

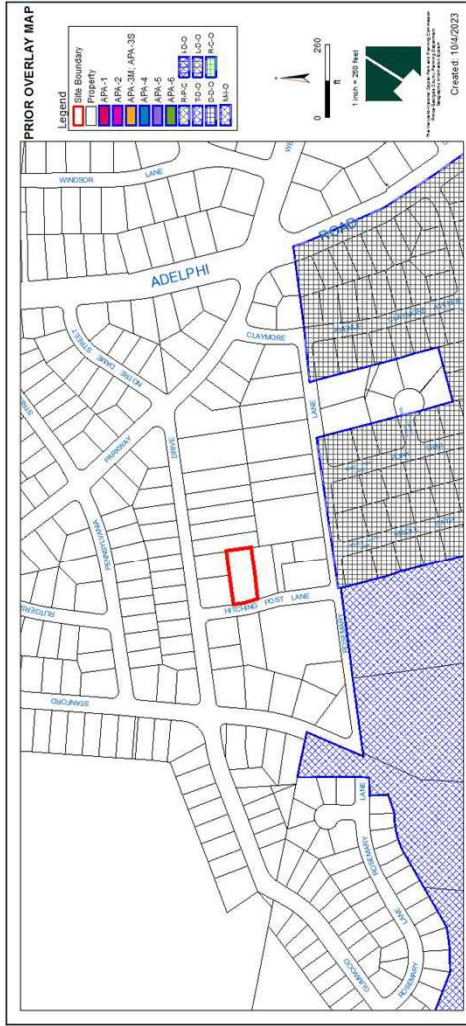


OVERLAY MAP (CURRENT AND PRIOR)

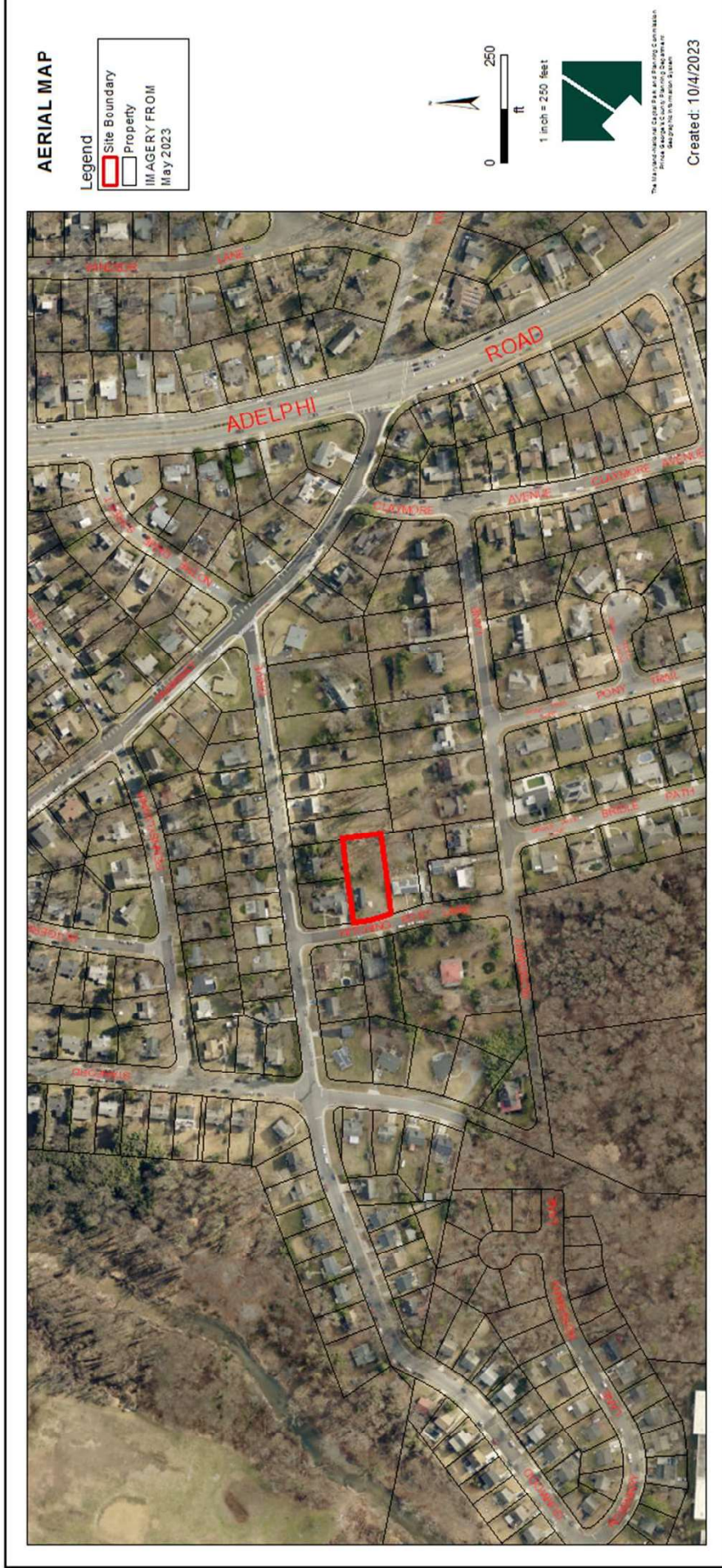
CURRENT OVERLAY MAP



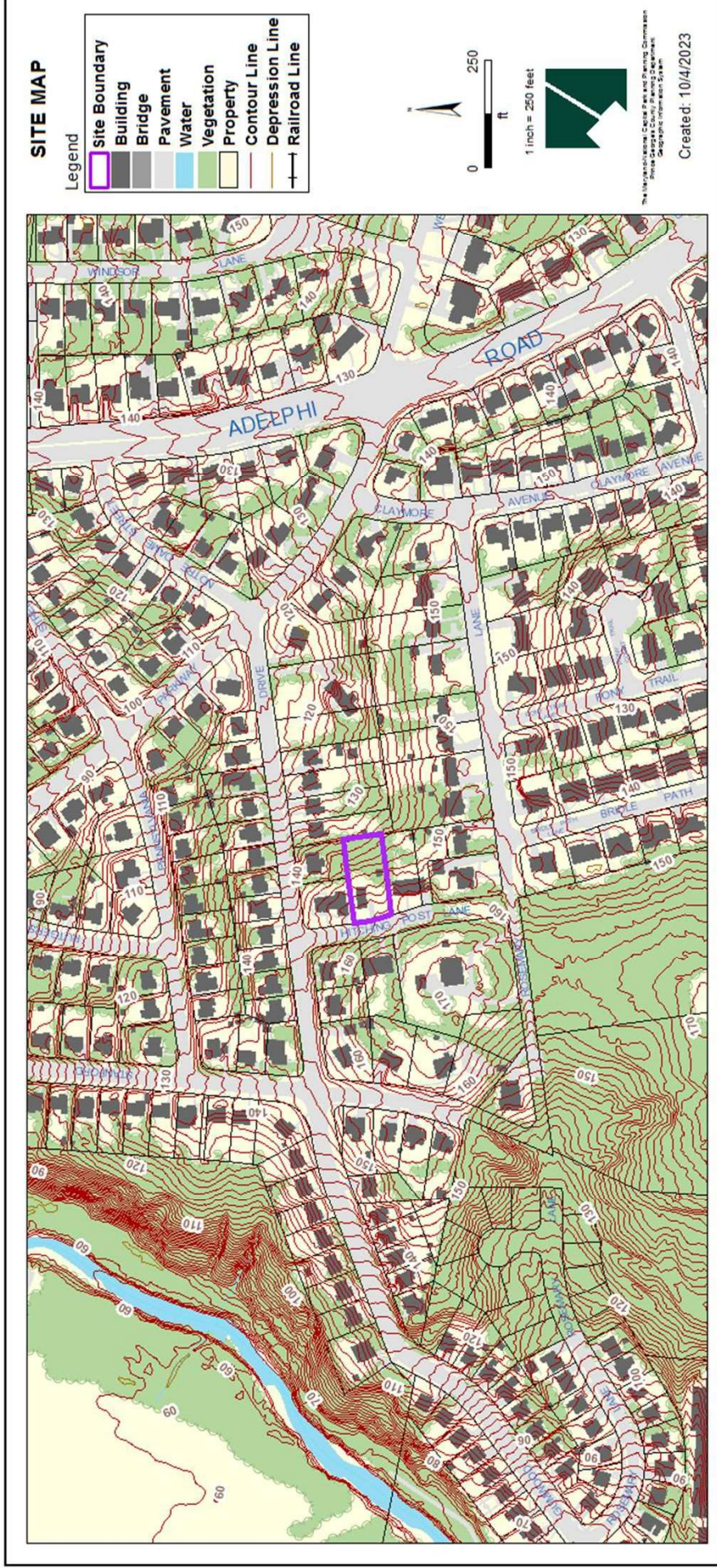
PRIOR OVERLAY MAP



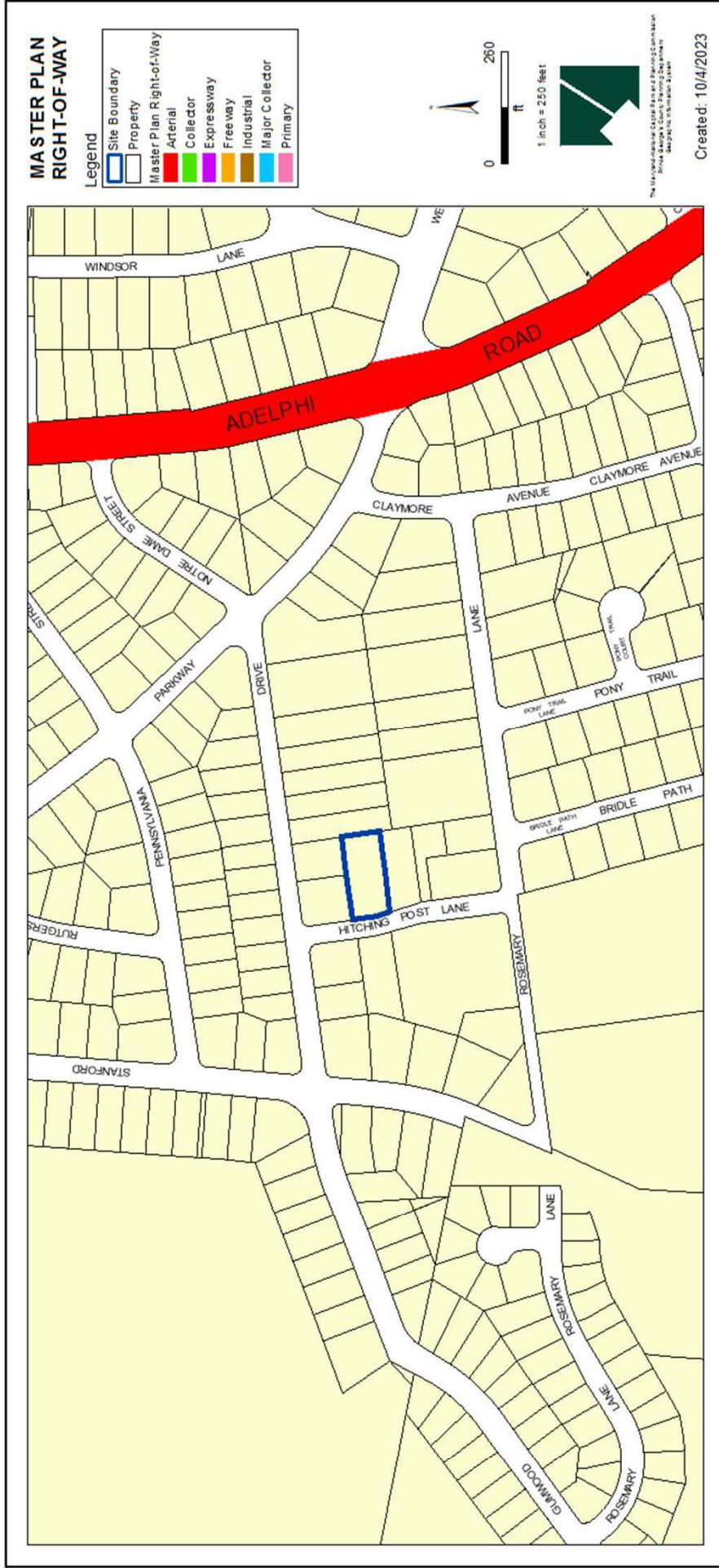
AERIAL MAP



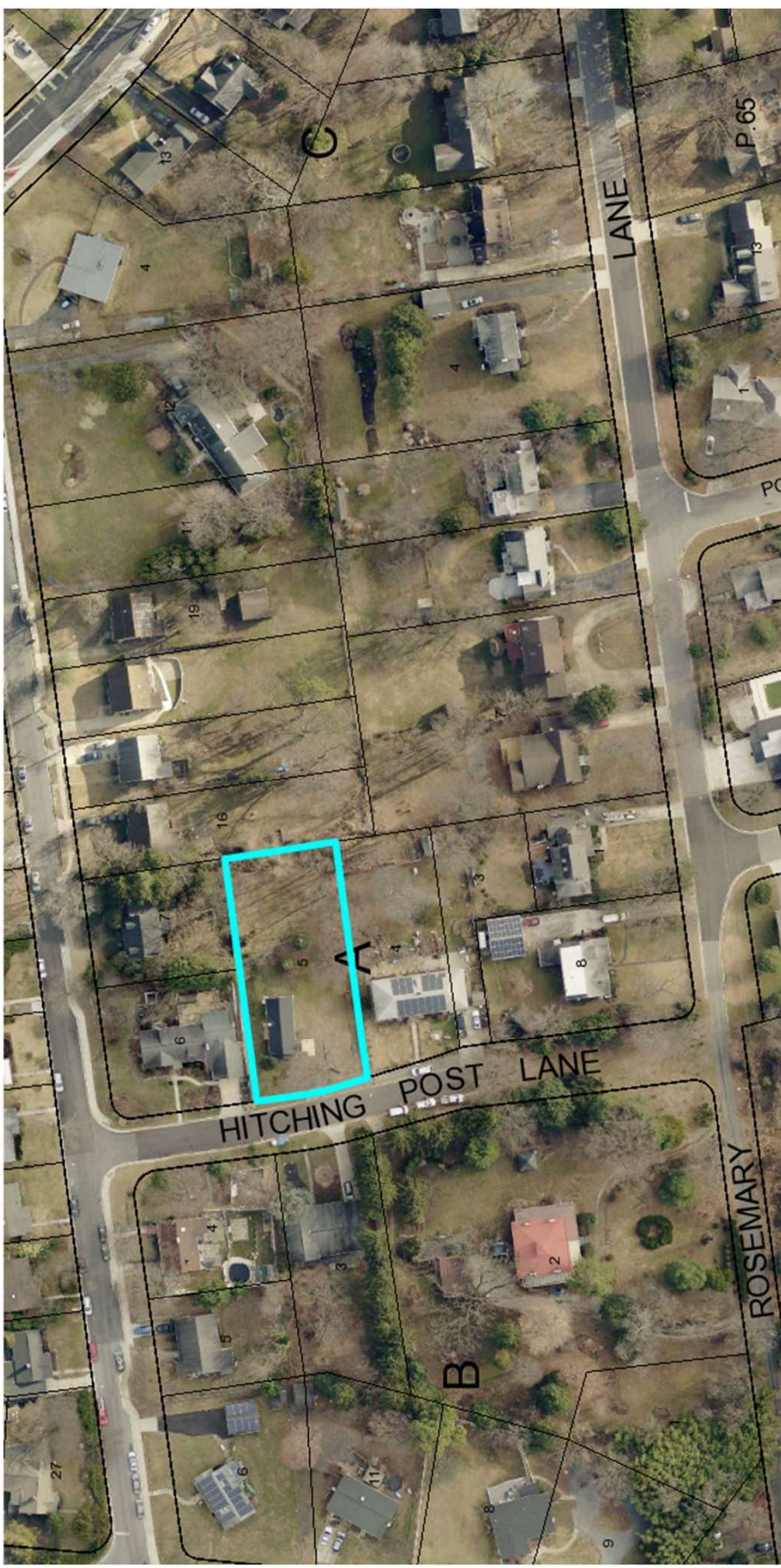
SITE MAP



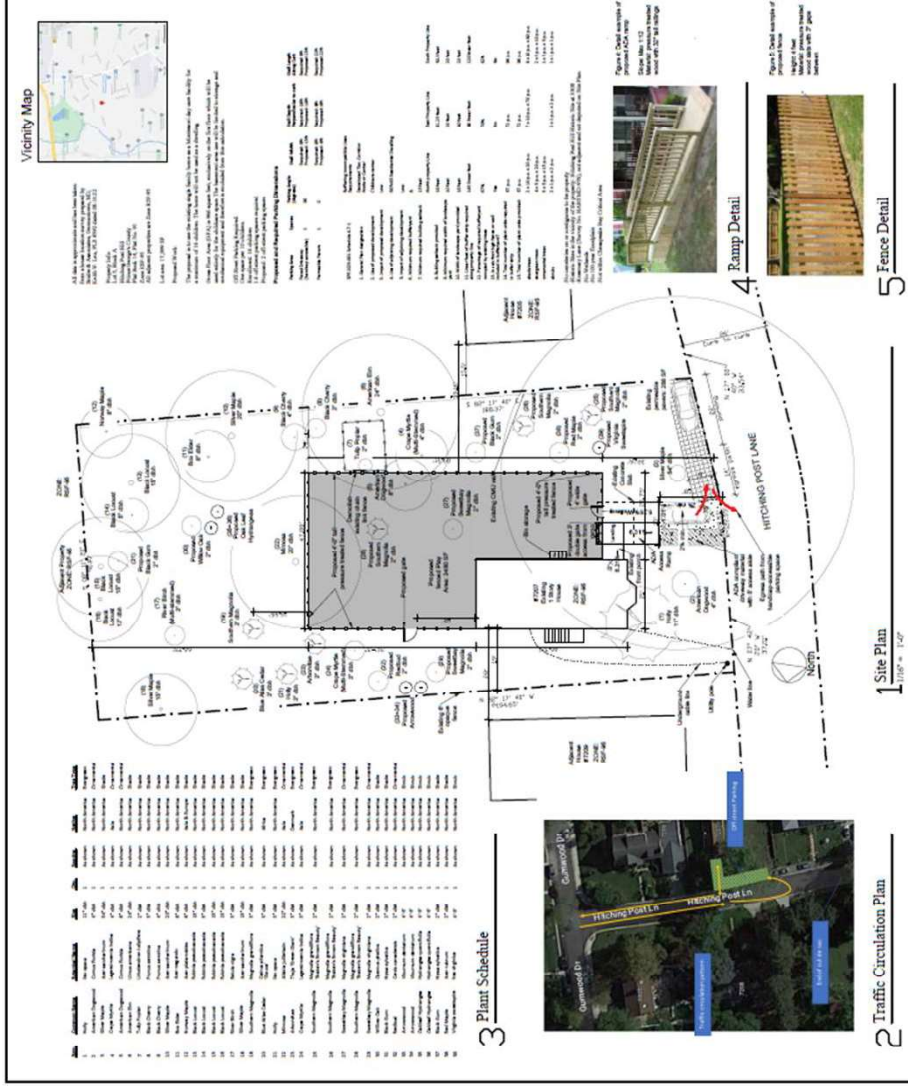
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



SITE MAP



STAFF RECOMMENDATION

APPROVAL with conditions

[Major/Minor] Issues:

- None

Applicant Required Mailings:

- Informational Mailing: 03/11/2023
- Acceptance Mailing: 12/03/2023

Robert Croslin
Mayor



Tracey E. Douglas
City Administrator

November 28, 2023

Honorable Peter Shapiro
Chairman
Prince George's County Planning Board
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Re: SPE-2023-001: Espirales Montessori Bilingual Childcare Center, 7207 Hitching Post Lane, Hyattsville

Dear Chair Shapiro,

This letter is to inform you that on November 20, 2023, the Hyattsville City Council considered special exception application V-2023-001, a special exception request for the subject property located at 7207 Hitching Post Lane, Hyattsville. The City Council voted in support of the petitioner's variance request.

The applicants have applied to the Prince George's County Planning Director for a special exception to allow for a daycare center for children in the RSF-95 (Residential Single Family 95) zone. The applicants propose a licensing capacity of 16 infants and children (ages 6 months – 4years) to be cared for by three certified childcare providers within an existing one-story dwelling, along with 5,000sf of fenced outdoor play area.

We thank you for your consideration of our comments and look forward to your decision.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Croslin", written in a cursive style.

Robert Croslin
Mayor

CC: City Council
Claudia Simasek, Applicant



Countywide Planning Division
Transportation Planning Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

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November 29, 2023

MEMORANDUM

TO: Todd Price, Zoning Review Section, Development Review Division

FROM: Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

VIA: Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: **SPE-2023-001 Espirales Montessori Bilingual Childcare Center**

Proposal:

The subject Special Exception Plan (SPE) applicant proposes to use an existing single-family detached residential house for a childcare center for up to 16 students. The site is located at 7207 Hitching Post Lane. The Transportation Planning Section's (TPS) review of the SPE was evaluated under Section 27 of the current zoning ordinance.

Prior Conditions of Approval

The site is not subject to any prior development application approvals.

Master Plan Compliance

This application is subject to 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the 1994 *Approved Master Plan for Planning Area 68*.

Master Plan Right of Way

The subject property does not have frontages on any master plan right of way.

Master Plan Pedestrian and Bike Facilities

Neither the MPOT nor 1994 *Approved Master Plan for Planning Area 68* recommends any pedestrian or bicycle routes adjacent to the property.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling. The MPOT includes the following policies related to the subject development (pg. 9 to 10):

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 3: Small area plans within the Developed and Developing Tiers should identify sidewalk retrofit opportunities to provide safe routes to schools, pedestrian access to mass transit, and more walkable communities.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

The 1994 *Approved Master Plan for Planning Area 68* does not include related goals or policies.

Comment: Due to the nature of this application and no proposed major development, staff finds that there are no master plan recommendations or frontage improvements required with this application.

Analysis of Traffic Impacts

Trip Generation

The applicant’s trip generation summary considers the proposed 16-student daycare facility. The table below summarizes trip generation in each peak hour that will be used in reviewing traffic and developing a trip cap for the site:

Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Day Care (County Rates)	16	Student	7	6	13	6	7	13
Total New Trips						13		13

Because the proposed use generates less than 50 net trips, a traffic study is not required.

Transportation Planning Review

The latest site plan includes an access ramp to the existing house that is ADA compliant to accommodate all users. The site also includes two parking spaces and space available for vehicular egress from the site, minimizing the impact of traffic flow on adjacent street. Staff finds that the spaces allotted for vehicular egress is acceptable.

Zoning Ordinance Compliance

Section 27-3604 of the Prince George’s County Zoning Ordinance (Ordinance) details the required findings for a Special Exception. For the purposes of transportation review, Section 27-3604 (e)(1)(C) and (E) are copied and analyzed below:

- (C) The proposed use shall be consistent with the General Plan and shall conform with the relevant goals, policies, and strategies of the applicable Area Master Plan Sector Plan, or Functional Master Plan for the subject property and its surrounding area;
- (E) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

Comment: Staff finds that the proposed plan does not impair the ability to make transportation-

related recommendations that are supported by an approved Master Plan or Functional Master Plan.


Conclusion:


In consideration of the scope of this application, the Transportation Planning Section recommends approval of SPE-2023-001 Espirales Montessori Bilingual Childcare Center with no conditions.

9/21/23

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section, Development Review Division

VIA: David A. Green, MBA, Planner IV, Long Range Planning Section, Community Planning Division 

FROM: Josephine Selvakumar, Planner III, Master Plan and Studies Section, Community Planning Division 

SUBJECT: Espirales Montessori Bilingual Childcare Center (SPE-2023-001) (PB)

FINDINGS: Community Planning Division staff finds that, pursuant to 27-3604 (e)(1)(C) Special Exception of the Zoning Ordinance, this special exception application is consistent with the 2014 *Plan Prince Georges 2035 Approved General Plan (Plan 2035)* and conforms with the relevant goals, policies, and strategies of the 1994 *Approved Master Plan for Planning Area 68* subject property and its surrounding area.

BACKGROUND

Application Type: Special Exception (SPE)

Planning Area: 68

Community: Hyattsville-Riverdale- Mt. Rainer- Brentwood

Location: 7207 HITCHING POST LN, HYATTSVILLE, MD 20783

Size: 17,399 SF

Existing Uses: Single Family Detached Dwelling

Character of Neighborhood: The property is located eastside of Hitching Post Lane, a local street that terminates approximately 150 feet south of Gumwood Drive, a local thoroughfare. The subject property is in the midst of a largely developed single family residential neighborhood.

Proposal: Conversion of the existing single-family home as a Montessori day care facility for a maximum of 16 children. Home will not be used as a dwelling.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities Growth Policy Area. “Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development,” (p. 20). Plan 2035 considers it “vital” that the County “support its Established Communities” (p. 75). In addition, the plan notes that, “Established Communities make up the County’s heart—its established neighborhoods, municipalities, and unincorporated areas outside designated centers,” (p. 106) and “Urban design is equally relevant to the planning and design of urban and suburban Established Communities as it is to rural areas,” (p. 196).

To meet these objectives, Plan 2035 includes the following policy and strategies:

Policy 8: “Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.” (page 115).

Strategy LU8.4: Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they help protect, strengthen, and revitalize the Established Communities, (page 115).

Sector Plan: The 1994 *Approved Master Plan for Planning Area 68* recommends Multifamily Residential land use on the subject property (Page 9, Map 9). The proposed childcare facility is for commercial use in an existing single family residential neighborhood. The proposed use will generate more traffic in an established residential neighborhood. The neighborhood Character is largely developed single family residential.

The sector plan recommends the following goals and objectives:

Goal

Protect, maintain, and enhance area neighborhoods to further foster safe and stable residential environments.

Objective I

All land uses within residential areas shall be physically and visually compatible with the neighborhood character. (page 16)

Objective III

Reduce the volume of traffic traveling through or parking on residential streets. (page 19)

Analysis: The proposed use could increase the volume of traffic on the residential streets. The application conforms to the goals, policies, and strategies of the sector plan. The proposed use should continue to reinforce the established character of the area neighborhoods. It is important the proposal is visually and functionally compatible with the neighborhood and comply with the Approved Master Plan for Planning Area 68.

Aviation/MIOZ: This application is not located within [an Aviation Policy Area or the Military Installation Overlay Zone]

SMA/Zoning: On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (“CMA”) which reclassified the subject property from the R-80 (One-

Espirales Montessori Bilingual Childcare Center (SPE-2023-001) (PB)

Family Detached Residential) Zone to the RSF-95 (Residential Single Family-95) Zone effective April 1, 2022.

MASTER PLAN CONFORMANCE ISSUES:

None

OVERLAY ZONE CONFORMANCE ISSUES

None

c: Long-range Agenda Notebook

Kierre McCune, Planning Supervisor, Master Plan studies Section, Community Planning Division

October 4, 2023

MEMORANDUM

TO: Todd Price, Urban Design Section, Development Review Division

VIA: Tom Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **AGC**

SUBJECT: SPE-2022-001 Espirales Montessori Bilingual Childcare

The subject property comprises 0.40 acres and is located approximately 170 feet south of the intersection of Gumwood Drive and Hitching Post Lane. The subject property is zoned RSF-95 and located within the 1994 *Approved Master Plan for Planning Area 68*. The subject application proposes a special exception to the zoning ordinance, to permit a childcare facility and a fence for an outdoor play area.

The subject site is adjacent to the Hitching Post Hill Historic Site (68-001). Hitching Post Hill was built by Robert Clark, an Englishman who had acquired the land from George Calvert in 1836. The mansion was purchased in 1875 by General Edward F. Beale, who entertained Presidents Grant, Cleveland, and Buffalo Bill Cody here. A large, two-story brick mansion with a square plan, dentilled cornice, a bracketed cupola, and Greek Revival trim. The house is a unique example of its type in Prince George's County.

The 1994 *Approved Master Plan for Planning Area 68* contains goals and policies related to Historic Preservation. However, these are not specific to the subject site or applicable to the proposed development. The proposed change in use and installation of the 4-foot-tall wood fence will have minimal impact on the adjacent Historic Site. The proposed fence will not affect any known prehistoric or historic archeological resources. Historic Preservation Section staff recommend approval of SPE-2022-001, Espirales Montessori Bilingual Childcare, with no conditions.

September 21, 2023

MEMORANDUM

TO: Todd Price, Zoning Section

FROM: Michelle Hughes, Permit Review Section, Development Review Division *MH*

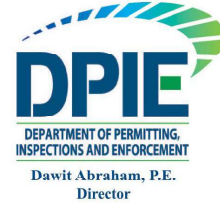
SUBJECT: Referral Comments for **SPE-2023-001** Espirales Montessori Bilingual Childcare Center

1. Provide the width of all gates for the proposed fence on the site plan.
2. The parking lot shall be subject to a building permit.
3. The access to the parking spaces from Hitching Post Ln shall be demonstrated on the site plan.
4. The use located to the east of the subject property shall be demonstrated on the site plan.
5. The centerline of Hitching Post Ln shall be demonstrated on the site plan.
6. This site is subject to Section 4.1, 4.2, 4.3, 4.6, 4.7 and 4.11 of the Prince George's County Landscape Manual.
7. The review of this referral does not include signage.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

October 12, 2023

TO: Todd Price, Senior Planner
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director *Mary Giles*
Site/Road Plan Review Division, DPIE

Re: Espirales Montessori Bilingual Childcare Center
Special Exception Request, SPE-2023-001

CR: Gumwood Drive (Hyattsville)
CR: Hitching Post Lane (Hyattsville)

This is in response to referral number SPE-2023-001. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The proposed development is located at 7207 Hitching Post Lane, approximately 170 south of the intersection of Gumwood Drive and Hitching Post Lane.
- The applicant proposes a special exception to the zoning ordinance to permit a childcare facility with a proposed fence for an outdoor play area.
- Site improvements will require a Site Development Concept and a Site Development Grading Permit. DPIE has no records of a site development concept filed yet for this property. The permittee applied for an Infill Commercial Case 24617-2023 which was denied due to the description stating that the intended work was for a driveway. The permittee should immediately file for an Infill Commercial Case type if the limit of disturbance is less than 10,000 square feet – OR – a site development concept if the LOD exceeds 10,000 square feet. All proposed site work, including the building, outdoor play area, and other site modifications should be described and included in the plans for this submittal.
- Below are comments from the DPIE Water and Sewer Unit:

- The 2018 Water and Sewer Plan designates Lot 5 in a Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act, to be developed on the public sewer system.
 - The property is developed.
 - Water and sewer lines in Hitching Post Lane abut the property.
- DPIE has no objection to SPE-2023-001.

If you have any questions or require additional information, please contact Mr. Steve Snyder, P.E., the District Engineer for the area, at 301.883.5710.

cc: Rey de Guzman, P.E., Chief Engineer, S/RPRD, DPIE
Rene Lord-Attivor, Chief Traffic Engineer, S/RPRD, DPIE
Steve Snyder, P.E., District Engineer, S/RPRD, DPIE
Shirley Branch, Water and Sewer Planner, S/RPRD, DPIE
Espiraes Monterssori Bilingual LLC, 3304 Gumwood Road, Hyattsville, MD 20783
Ben Simasek, 3304 Gumwood Drive, Hyattsville, MD 20783

October 9, 2023

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section
VIA: Mridula Gupta, Planner IV, Subdivision Section *MG*
FROM: Eddie Diaz-Campbell, Planner III, Subdivision Section *EDC*
SUBJECT: SPE-2023-001; Espirales Montessori Bilingual Childcare Center

This special exception (SPE) application has been filed on a property known as Lot 5, Block A of Hitching Post Hill, recorded in Plat Book BB 14 page 91 of the Prince George's County Land Records in 1947. The property consists of 17,399 square feet and is in the Residential Single-Family-95 (RSF-95) Zone. The SPE proposes development of a day care facility in a building previously used as a dwelling. The SPE application was accepted for review on September 8, 2023. Comments were previously provided to the applicant at the September 29, 2023, SDRC meeting. The comments in this referral memorandum are based on revised plans received on October 5, 2023.

The existing lot was recorded on a final plat prior to October 27, 1970. Lot 5 has never been the subject of a preliminary plan of subdivision. No additions to the structure are proposed, and the cumulative development on the site will not exceed 5,000 square feet of gross floor area (GFA). The GFA of the daycare will be 966 square feet, as stated on the SPE site plan. The proposed development will not generate more than 50 trips, as confirmed by the Transportation Planning Section. Therefore, pursuant to Section 24-3402(b)(1)(B) of the Subdivision Regulations, the proposed development will not require filing of a new preliminary plan of subdivision or final plat.

Additional Comments:

1. The subject property does not have a certificate of adequacy (ADQ), as it was platted prior to October 27, 1970 in accordance with Section 24-4503(a)(1). This property is not required to have an approved ADQ in accordance with Section 24-4503 of the Subdivision Regulations because the proposed development is exempt from filing a PPS and final plat. A PPS and associated ADQ may be required at such time when any new development or gross floor area is proposed on the subject property.

Recommended Conditions:

1. Prior to certification, revise the special exception site plan as follows:
 - a. Revise the leader line for the "N 17° 00' 40" W 33.54'" bearing and distance label so it is pointing at its associated property line on Lot 5, rather than at the front property line for neighboring Lot 4.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the SPE site plan and must be consistent with the record plat. There are no other subdivision issues at this time.

September 27, 2023

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section, DRD

VIA: Tom Burke, Supervisor, Environmental Planning Section, CWPD

FROM: Alexander Kirchhof, Planner I, Environmental Planning Section, CWPD *ANK*

SUBJECT: **Espirales Montessori Bilingual Childcare Center; SPE-2023-001**

The Environmental Planning Section (EPS) has reviewed Special Exception, (SPE-2023-001), received on September 8, 2023. Comments were delivered to the applicant at the Subdivision Development Review Committee (SDRC) meeting on September 29, 2023. Revised plans were not requested. The EPS recommends approval of SPE-2023-001.

Environmental Review

The SPE application proposes to utilize an existing dwelling unit as a childcare facility with an enclosed play area. The project is subject to the current regulations of Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance). The application is not subject to a Natural Resource Inventory (NRI) Equivalency Letter as the limits of disturbance is 0 square feet. An approved standard letter of exemption from the Woodland Conservation Ordinance (S-131-2023) which is valid until September 6, 2025, was submitted for the proposed project.

Stormwater Management

This site is exempt from stormwater approval as the site is less than 40,000 square feet in size and is proposing less than 5,000 square feet of ground disturbance.

Summary of Recommended Findings and Conditions

No regulated environmental features (REF) are located on-site, and the site has already been graded and improved with a single-family detached residence.

The Environmental Planning Section recommends approval of SPE-2023-001 with no conditions.