



The Maryland-National Capital Park and Planning Commission

PRINCE GEORGE'S COUNTY
Planning Department

1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

June 11, 2024

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

**RE: SPE-2023-004 – First Learning
Stages Daycare Center**

Dear Ms. Epps-McNeil:

On **June 6, 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



Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

Special Exception

SPE-2023-004

First Learning Stages Day Care Center

REQUEST	STAFF RECOMMENDATION
Special Exception for a day care center, for up to 20 children, with a fenced outdoor play area.	With the conditions recommended herein: <ul style="list-style-type: none"> • Approval of Special Exception SPE-2023-004

Location: On the north side of White Oak Drive, 200 feet west of the intersection with Livingston Road.	
Gross Acreage:	0.35
Zone:	CGO
Zone Prior:	C-O
Dwelling Units:	0
Gross Floor Area:	1,352 sq. ft.
Lots:	1
Parcels:	0
Planning Area:	76B
Council District:	08
Municipality:	0
Applicant/Address: Karen Williamson 12417 Asbury Drive Fort Washington, MD 20744	
Staff Reviewer: Price, Todd Phone Number: 301-952-3994 Email: Todd.Price@ppd.mncppc.org	



Planning Board Date:	06/06/2024
Planning Board Action Limit:	N/A
Staff Report Date:	05/21/2024
Date Accepted:	01/11/2024
Informational Mailing:	06/07/2023
Acceptance Mailing:	11/24/2023
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-2023-004
First Learning Stages Day Care Center

REQUEST: Special exception for a day care center for up to 20 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 June 6, 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 of 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 (LOE). 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 LOE from the Woodland Conservation Ordinance (S-092-2023), which is valid until June 2, 2025.

C. Prince George's County Tree Canopy Coverage Ordinance. Per Section 25-127(a)(1), "Building and grading permits that propose 5,000 square feet or

greater of gross floor area or disturbance shall be in compliance with this Division, except as provided in Section 25-127(b)". This application does not propose 5,000 square feet or greater of gross floor area or disturbance, therefore, it 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 for a day care center for up to 20 children, with a fenced outdoor play area. The day care center will occupy an existing commercial building in the Commercial, General and Office (CGO) Zone.

B. Development Data Summary:

	EXISTING	EVALUATED
Zone(s)	CGO	CGO
Use	Commercial	Day Care Center for Children
Lot(s)	1	1
Parcel(s)	0	0
Total Gross Acreage	0.35	0.35
Gross Floor Area	1,352 sq. ft.	1,352 sq. ft.

C. Location and Site Description: The subject property is located at 1004 White Oak Drive, Oxon Hill, Maryland, which is on the north side of White Oak Drive, 200 feet west of the intersection with Livingston Road. The property is located on Tax Map 105 in Grid B2 and identified as Lot 30 of Livingston Park, in Plat Book BB 8 Plat 14, recorded in the Prince George's County Land Records in 1940. The property is approximately 0.35 acre and is encumbered by an existing one-story, 1,352-square-foot brick building and associated paved parking. There are three parking spaces in front of the building, a two-way drive aisle to the east side of the building, and six parking spaces in the rear of the building. There is one Americans with Disabilities Act (ADA) van-accessible parking space included in the rear parking area. The site has three small sheds that are to be removed. An approximately 25-foot grass strip runs along the north rear property line, separating it from the parking lot. The northeast corner of the lot has a grassed area that will be used for the proposed 1,500-square-foot outdoor play area. This play area will be enclosed by a 6-foot-high wooden fence.

D. Proposed Use(s): The subject application is for an SPE for a day care center for children. The facility will care for a maximum of 20 children. The day care center will have a 1,500-square-foot outdoor, fenced play area. The applicant's statement of justification (SOJ) states that outdoor play shall be limited to the hours from 7:00 a.m. to 5:00 p.m.

E. Neighborhood and Surrounding Uses: The general neighborhood is a mix of residential and commercial properties. The neighborhood is bordered by Livingston Road to the east, Broderick Drive to the south, Maryland 210 (Indian Head Highway)

to the west, and Oxon Hill Road to the north. The immediate uses surrounding the subject property are as follows:

- North—** Vacant land owned by Potomac Electric Power Company in the Residential, Single-Family-65 (RSF-65) Zone.
- East—** A brick utility building owned by Potomac Electric Power Company in the RSF-65 Zone, a non-conforming single-family dwelling in the CGO Zone, and a day care center in the CGO-Zone.
- South—** Single-family dwellings in the RSF-65 Zone and commercial properties in the Commercial Service (CS) Zone.
- West—** Single-family dwellings in the RSF-65 Zone.

F. History and Previous Approvals: The subject property was recorded in the Prince George’s County Land Records in 1940. Lot 30 was recorded on a final plat, prior to October 27, 1970, and has never been the subject of a preliminary plan of subdivision (PPS). There is no PPS approved for this site, and it has remained in its same platted configuration and acreage since it was recorded. The proposed use does not require the development of any additional square feet of gross floor area (GFA) and will not generate more than 50 trips. Therefore, a PPS or a new final plat is not required, in accordance with Section 24-3402(b)(1)(C) of the Subdivision Regulations.

The subject application included a Stormwater Management (SWM) Site Development Concept Approval (44024-2024-INC) from the Prince George’s County Department of Permitting, Inspections, and Enforcement (DPIE) that was approved on April 4, 2024, and expires on April 4, 2027. This approval came with four conditions that must be met prior to permit issuance.

III. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

This application, to permit a day care center for children use, through an 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 7:00 a.m. to 5:00 p.m. The outdoor play area will be fenced and will be at least 25 feet from the adjoining single-family uses.

The proposed use will be compatible with the surrounding land uses in that the proposed use will maintain the architectural character of the existing commercial building. As previously mentioned, the outdoor play area will be fenced and adequately distanced 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) of the Zoning Ordinance.

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) of the Zoning Ordinance.

(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 applicable master plan is the 2006 *Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment*. The master plan recommends commercial future land uses on the subject property. The application is consistent with the goals, policies, and strategies of the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035), because the proposed use provides a much-needed service within the context of supporting the existing nearby community.

In addition, the master plan recommends the following (policies and strategies) to help advance the intent and purpose of the plan:

Development Pattern Element Chapter

Developed Tier

Policy 1: Preserve and enhance existing suburban residential neighborhoods.

Strategies

- **Design institutional or special exception uses to – reflect the scale and character of the surrounding neighborhood.** (page 36)

The application conforms to the goals, policies and strategies of the master plan because the proposed day care center will be in a one-story brick structure that matches the scale and character of the surrounding single-family detached neighborhood to the west and commercial uses along Livingston Road to the east and south.

(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 and commercial. The proposed use does not propose any changes to the exterior of the existing commercial building, aside from the fenced, outdoor play area.

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.**

No regulated environmental features (REF) exist on-site; therefore, none will be impacted by the proposed development. The site has already been graded and improved with a one-story brick building. The site has an approved standard LOE (S-092-2023) from the WCO, that was submitted for the proposed project, which is valid until June 2, 2025.

- (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 subject property is located in the CGO Zone. There are no required setbacks for this use in the CGO Zone, however, the submitted plan does dimension the existing building setback, to the nearest boundary line, to the north and east. A condition has been included herein requiring the applicant to provide building setbacks as measured from the boundary line of the requested SPE area.

(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 1,500 square feet. This provides 75 square feet per child and, therefore, meets 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 6-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 find 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. It should be noted that the on-premises outdoor play area does cross the drive aisle that accesses the rear parking area. However, access to this parking area will be restricted during operating hours by an existing chain gate.

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

A note on the plan states that the outdoor play area shall be sufficiently shaded during the warmer months to afford protection from the sun. The shade structure should be a durable and quality structure, such as a canvas sunscreen, with permanent structural elements affixed to the ground. A condition has been included herein requiring the applicant to detail how the shade canopy will adhere to the ground and to show it on the final SPE site plan.

- (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 outdoor play area will be limited to the hours between 7:00 a.m. and 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;

The proposed enrollment for this application is 20 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 use of all buildings located on adjoining lots. However, a condition has been added to the Recommendation section of this report to show building locations.

(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 20 children and, therefore, would require two parking spaces. The applicant is proposing nine spaces, one of which will be handicap-accessible. The submitted plan states that there are 10 spaces provided. A condition has been included in the Recommendation section of this staff report to correct this error.

No loading spaces are required for this use.

2. Section 27-6500 Landscaping

This application is exempt from the Landscape Manual per Section 1.1(b) which states that “Existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on

April 1, 2022, and not the subject of any building or grading permit, may continue as a matter of right”.

3. Section 27-6600 Fences and Walls

This SPE proposes the installation of a 6-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 one-story brick building, apart from the addition of the fenced, outdoor play area. 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

This application is exempt from the Landscape Manual, per Section 1.1(b), which states that “Existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on April 1, 2022, and not the subject of any building or grading permit, may continue as a matter of right”.

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 (S-092-2023) from the Woodland Conservation Ordinance, which is valid until June 2, 2025.

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

Per Section 25-127(a)(1) of the Prince George’s County Code, the site is exempt from the Prince George’s County Tree Canopy Coverage Ordinance as it does not require a building or grading permit and does not propose 5,000 square feet or greater of gross floor area or disturbance.

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 February 7, 2024 (Perry to Price), the Community Planning Division provided an analysis of the subject application and found no conformance issues.
- B. **Transportation Planning**—In a memorandum dated February 12, 2024 (Daniels to Price), the Transportation Planning Section provided an analysis of the subject application and found the vehicular, pedestrian, and bicycle access and circulation for this plan to be acceptable. The Transportation Planning Section did offer a condition that the applicant provide a minimum 5-foot-wide sidewalk along the property’s frontage of White Oak Drive, unless modified by the operating agency with written correspondence. However, given that no sidewalk currently exists along either side of White Oak Drive or at its intersection with Livingston Road, staff find this condition to not be appropriate.
- C. **Environmental Planning**—In a memorandum dated February 12, 2024 (Schneider to Price), the Environmental Planning Section provided an analysis of the subject application and found it to be in conformance with Sections 27-6802, 27-6803, 27-6805, 27-6808, and 27-6809 within Section 27-6800 – Environmental Protection and Noise Control. It also noted that no specimen or REF exist on the property.
- D. **Subdivision**—In a memorandum dated February 12, 2024 (Bartlett to Price), the Subdivision Section provided an analysis of the subject application but offered no further comment or conditions of approval.
- E. **Historic Preservation**—In a memorandum dated January 29, 2024 (Smith, Chisholm, and Stabler to Price), the Historic Preservation Section noted that the subject property does not contain and is not adjacent to, any designated Prince George’s County historic sites or resources.
- F. **Permit Review**—In a memorandum dated February 12, 2024 (Watkins to Price), the Permit Review Section provided technical comments, five of which have been included as conditions of approval in the Recommendation section of this report.
- G. **Prince George’s County Fire/EMS Department**—In an email dated February 12, 2024 (Reilly to Price), the Fire/EMS Department reviewed the subject application and did not offer any comments.
- H. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 18, 2024 (Guzman to Price), DPIE provided an analysis of the subject application, along with requirements to be met at permitting, and had no objection to SPE-2023-004.
- 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. **Prince George’s County Health Department**—In a memorandum dated January 11, 2024 (Adepoju to Price), the Health Department provided comments and recommendations, but had no objection to SPE-2023-004.

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-2023-004, First Learning Stages Day Care 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. The paved area between the two parking spaces and the proposed fence surrounding the outdoor play area in the northeast portion of the site shall be striped, to indicate that it is not a parking space.
 - b. The handicap-accessible marking and signage details for the handicap van-accessible parking space shall be demonstrated on the site plan.
 - c. Show and dimension all existing and proposed gates on the site plan.
 - d. Revise the parking tabulation to state nine parking spaces are provided, as shown on the plan.
 - e. Show the location of all adjacent buildings on the site plan.
 - f. Show a dimension from the fenced play area to the closest adjacent building on the site plan.
 - g. Provide details of the shade structure on the final special exception site plan including elevations, materials, and how it will adhere to the ground.
 - h. Provide building setback distances from the area of the special exception to the north and east property boundaries.

FIRST LEARNING STAGES DAYCARE CENTER

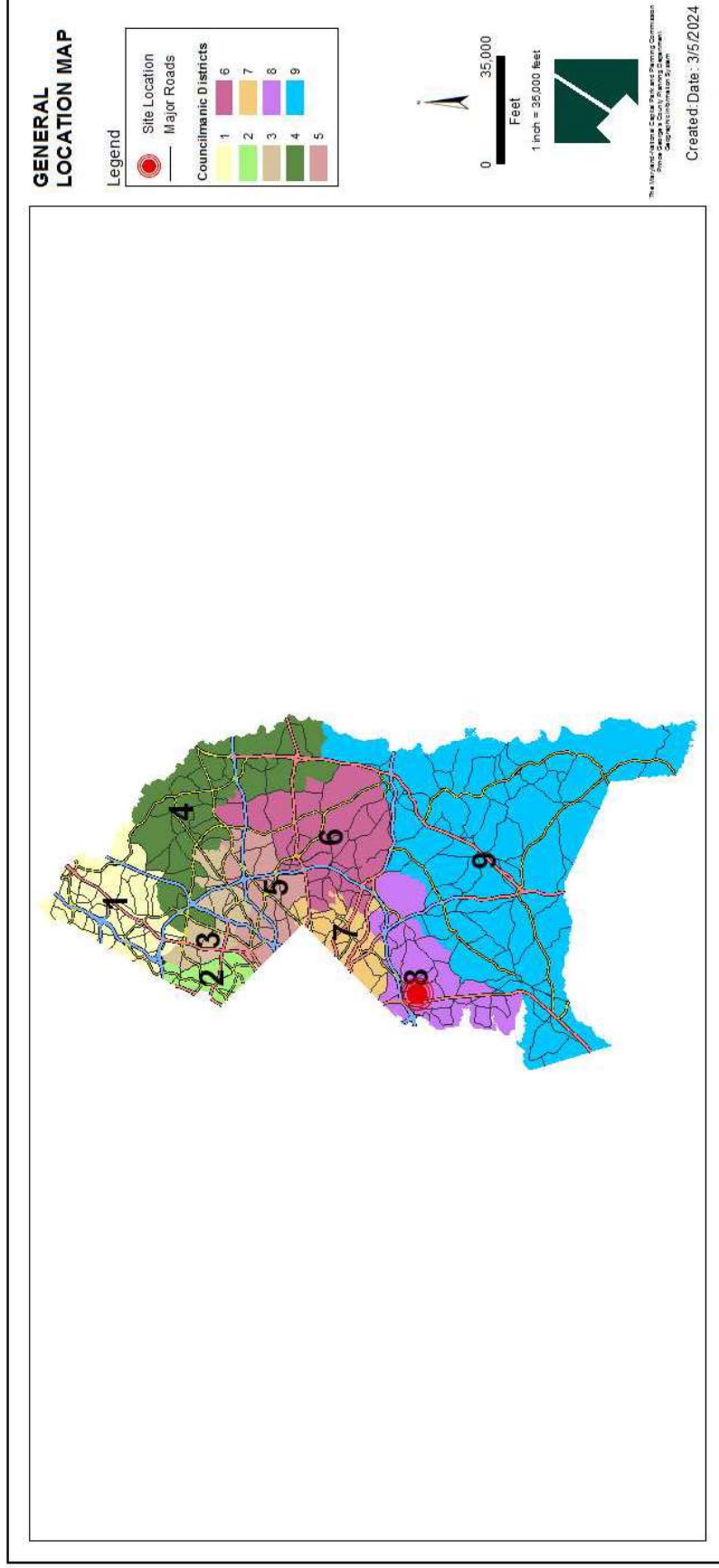
Special Exception

Staff Recommendation: APPROVAL with conditions



GENERAL LOCATION MAP

Council District: 08
Planning Area: 76B



SITE VICINITY MAP



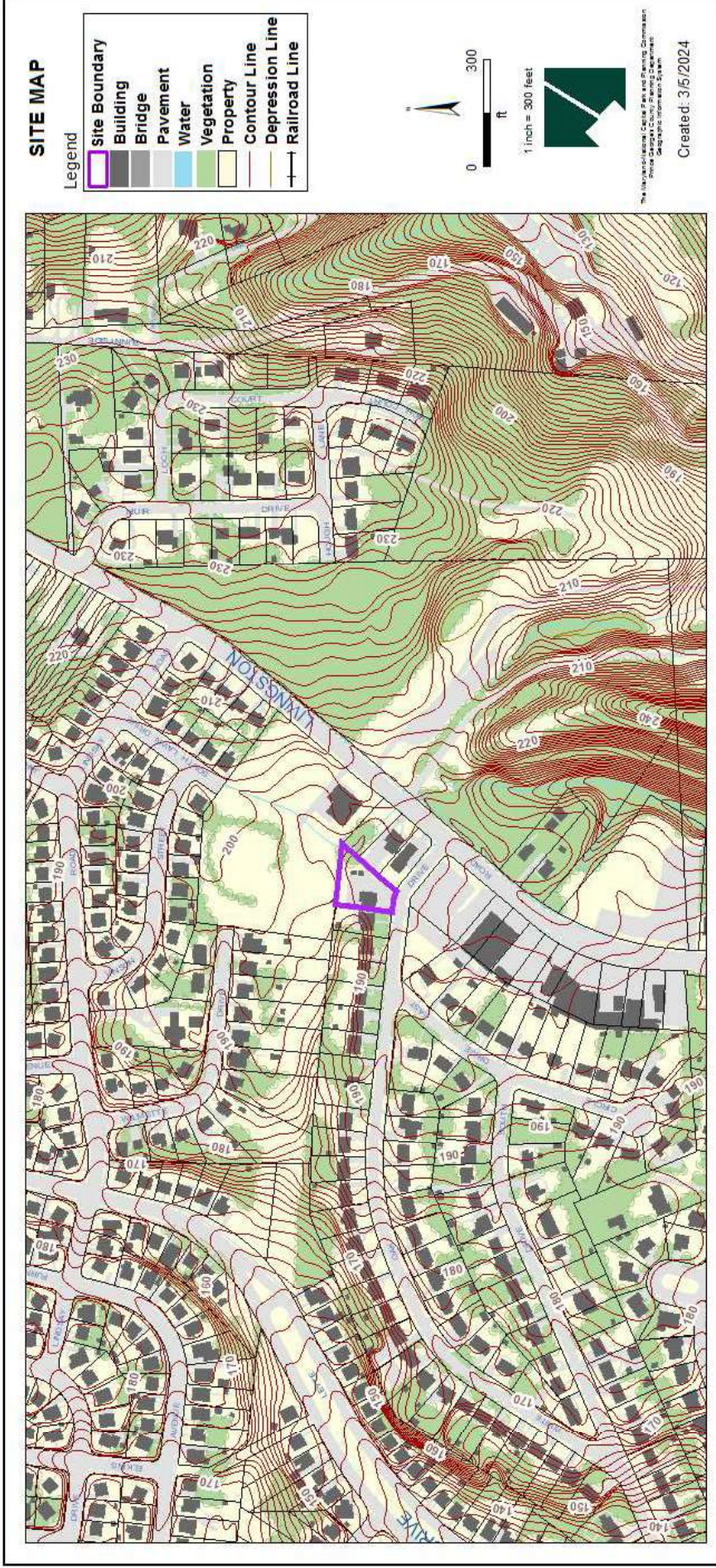
OVERLAY MAP (PRIOR & CURRENT)



AERIAL MAP



SITE MAP



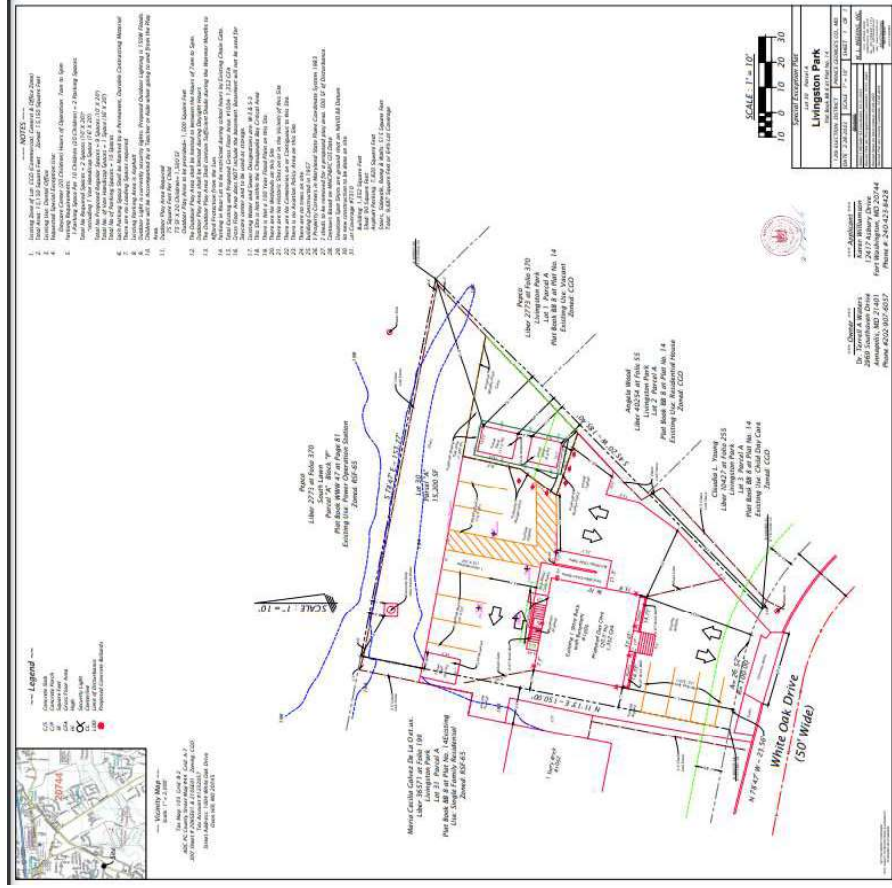
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



SITE PLAN



STAFF RECOMMENDATION

APPROVAL with conditions

Issues:

- None

Applicant Required Mailings:

- Informational Mailing: 6/7/2023
- Acceptance Mailing: 11/24/2023

STATEMENT OF JUSTIFICATION
FIRST LEARNING STAGES DAYCARE LLC

AGENDA ITEM: 4D
AGENDA DATE: 6/6/2024

Case Name, Application (Case) Number:

Applicant, Ms. Karen Williamson, hereby submits this Statement of Justification in support of a permit to operate a daycare center for children, “First Learning Stages Daycare LLC”, in a CGO Zone in accordance with the new Prince George’s County Code, also known as the Zoning Ordinance for Prince George’s County.

Description of proposed use/request:

The Applicant is requesting to operate a child daycare center for 20 children (First Learning Stages Daycare LLC). Currently, the subject property is approved for a “Dental Office” The subject application is a request for approval of a daycare center with a maximum enrollment of 20 children within an existing 1-story building with a basement on a 15,150 square foot lot, with an outdoor play area (existing without play structure and play equipment), and parking on (existing-8 standard 10’X20’ spaces and 2- handicapped 16’X20’ space) an existing paved with asphalt parking area on the 7,820 square-foot property in the CGO Zone. The basement will not be used.

Description and location of the subject property:

The subject property is located in Livingston Park Subdivision Lot 30, Parcel A at Plat Book BB 8 at Plat No. 14, Liber 30692 at Folio 141, 1004 White Oak Drive Oxon Hill, MD 20745. The subject property is currently zoned as Commercial, General, and Office (CGO), used as a dental office.

Description of previous approval(s):

Not Applicable

Description of each required finding:

Identify each applicable section of the Prince George’s County Code (i.e., the Zoning Ordinance or Subdivision Regulation) that pertains to the request and justify each required finding. Some uses or requests may involve numerous sections of the Prince George’s County Code, each of which must be addressed.

STATEMENT OF JUSTIFICATION
FIRST LEARNING STAGES DAYCARE LLC

The site plan is in conformance with Subtitle 27-4, Zones and Zone Regulations, and Section 27-4203, Nonresidential Base Zones. The proposed Day Care Center for Children is only allowed with the approval of a Special Exception.

The site plan is in conformance with Section 27-5402 for Additional Requirements for Specific Special Exception Uses - for the Day Care Center for Children.

The center shall comply with all State regulations and obtain appropriate State Licensing prior to operation.

27-5402. Additional Requirements for Special Exceptional Uses

(A) Day Care Center for Children

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

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

(2) Requirements.

(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;

Comment: According to this requirement, a 1,500-square-foot play area is required for 20 children, the proposed licensed capacity of the daycare center. The general notes indicate that a 1,5000-square-foot outdoor play area is proposed, which is adequate.

STATEMENT OF JUSTIFICATION
FIRST LEARNING STAGES DAYCARE LLC

- (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;

Comment: The size of the proposed outdoor play area has been shown accurately in the general notes and has been found to be adequate. The play area is adjacent to the building and is separated from it by a slab of concrete and a wide strip of grass. A resilient surface, such as woodchips or other approved material, will be provided within the proposed outdoor play area.

- (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;

Comment: The proposed outdoor play area will be enclosed with a six-foot-high pressure-treated shadowbox wood fence, which will be adequate.

- (iv) An off-premises outdoor play or activity area shall be located in proximity to the daycare center and shall be safely accessible without crossing (at grade) any hazardous area, such as a street or driveway.

Comment: The proposed outdoor play area is not located off-premises.

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

Comment: The proposed outdoor play area will contain sufficient shade during the warmer months to afford protection from the sun.

- (vi) 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: There is existing security lighting. An additional 150w floodlighting will be added that will provide adequate lighting if the play area is used at dusk.

- (vii) Outdoor play shall be limited to the hours between 7 a.m. and 5 p.m.

STATEMENT OF JUSTIFICATION
FIRST LEARNING STAGES DAYCARE LLC

Comment: The use of the proposed outdoor play area hours of play will be restricted to the no earlier than 7:00 a.m. or no later than 5:00 p.m.

(iii) The center shall designate passenger drop-off and pick-up spaces in accordance with Section 27-6307(g)(2), Drop-Off and Pick-Up Areas.

Comment: The center shall provide four passenger Drop-Off and pick-up parking spaces in the rear off the building

(c) In the CGO, CS, IE, and IH zones, a special exception for a daycare center for children shall be allowed only if the Council finds that existing development and uses in the neighborhood (particularly on adjacent properties) will not adversely affect the proposed use.

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

(A) The proposed enrollment;

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

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

(3) Any daycare center for children which has, on or before the effective date of this Ordinance, fully complied with the provisions of this Subtitle in effect at the time the use commenced shall not be required to meet the requirements of this Section, provided that the use has not been expanded or changed since that time. Any expansion or change shall be governed by the provisions of this Section, or of Section 27-5102(d)(2)(A), Day Care Center for Children.

Comment: The proposed enrollment has been indicated on the plans as 20 children. In accordance with this Section, the maximum number of students enrolled in the center in anyone (1) session will be 20 students. The location, use of buildings on lots, and location and size of outdoor play or activities areas have been indicated on the plans.

Variance Request/s and required findings for each request:

STATEMENT OF JUSTIFICATION
FIRST LEARNING STAGES DAYCARE LLC

No variance is being requested or required. As provided in the plans, this site is not within the Chesapeake Bay Critical area, there are no wetlands on this site, there are no historic sites on or in the vicinity of this property, there are no cemeteries on or contiguous and this site is not subject to the Aviation Policy Regulations. Therefore, this Site Plan should be exempt of the requirements of Section 27-3613(d) of the Variance Decision Standards of the Zoning

Ordinance, Section 25-119 of the Woodland and Wildlife Habitat Conservation Ordinance and Section 24-3403(a) of the Subdivision Regulations.

Summary/conclusion of request:

The Applicant is requesting to operate a child day care center for 20 children (First Learning Stages Daycare LLC) on the subject property. The foregoing statements demonstrate that the request complies with all requirements of the Zoning Ordinance and is therefore justified. The Applicant believes that the application either meets or exceeds the requirements set forth in the Zoning Ordinance, and; therefore, requests the approval of the permit to operate a daycare center for 20 children.

Respectfully Submitted,

Karen Williamson
Applicant

PRINCE GEORGE'S COUNTY, MARYLAND



DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT
SITE/ROAD PLAN REVIEW DIVISION
9400 Peppercorn Place, Suite 230
Largo, Maryland 20774
(301) 636 - 2080



SITE DEVELOPMENT CONCEPT APPROVAL

PERMIT PROJECT NAME: **WILLIAMSON DAYCARE** APPLICATION NUMBER:
CASE NAME: **LIVINGSTON PARK** APPROVAL NUMBER: **44024-2024-INC**
PERMITEE'S NAME: **KAREN WILLIAMSON**
ENGINEER: **W.L MEEKINS INC**

REQUIREMENTS:

Technical Review is required for PUBLIC /PRIVATE Storm Drain /SWM Construction.

Type of Storm Drainage/SWM Construction is .

These additional approvals are required: **Building permit.**

These fees apply: **Review Fees; SWM Fee in Lieu.**

These bonds apply: .

Required water quality controls: .

Required water quantity controls: .

A maintenance agreement is **not required.**

Required easements: .

Storm Water Management fee payment of **\$551.00** in lieu of providing on-site attenuation/quality control measures.
(Fee-In-Lieu subject to change during technical review.)

CONDITIONS OF APPROVAL:

Please see second page.

APPROVED BY:

Rey De Guzman

APPROVAL DATE: 04/04/2024

EXPIRATION DATE: 04/04/2027

FOR OFFICE USE ONLY

ADC MAP: **5765**
WSSC 200' GRID: **210SE01**
WORK LOCATION: **Please see last page.**
12-DIGIT WATERSHED: **021402010796**
8-DIGIT WATERSHED: **02140201**
TOTAL NUMBER OF
LOTS + PARCELS: **1**

PRINCE GEORGE'S COUNTY, MARYLAND



DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT
SITE/ROAD PLAN REVIEW DIVISION
9400 Peppercorn Place, Suite 230
Largo, Maryland 20774
(301) 636 - 2080



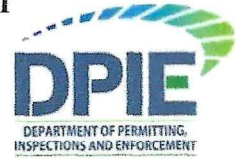
CONDITIONS OF APPROVAL:

- 1) REMOVE EXISTING CONCRETE APRON AND REPLACE 30' WIDE COMMERCIAL DRIVEWAY.
REMOVE EXISTING FRAME SHED AND CONVERT THE AREA TO PLAY GROUND
- 2) COMMERCIAL DRIVEWAY BOND IS REQUIRED.
- 3) LESS THAN 5,000 SQUARE FEET TO BE DISTURBED. THIS PROJECT IS EXEMPT FROM STORMWATER MANAGEMENT REQUIREMENTS
- 4) STANDARD DRIVEWAY PERMIT AND/OR UTILITY CUT PERMIT TO BE SECURED, PRIOR TO BUILDING PERMIT ISSUANCE.

PRINCE GEORGE'S COUNTY, MARYLAND



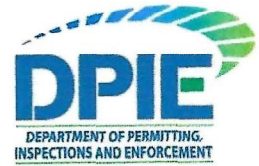
DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT
SITE/ROAD PLAN REVIEW DIVISION
9400 Peppercorn Place, Suite 230
Largo, Maryland 20774
(301) 636 - 2080



BUILDING NUMBER	STREET NAME	STREET SUFFIX	CITY / TOWN	TAX ACCOUNT	START STATION	END STATION
1004	WHITE OAK	DR	OXON HILL	1232057		



Prince George's County
 Department of Permitting, Inspections and Enforcement
SITE/ROAD PERMIT PROCESSING UNIT PERMIT
 FOR CONSTRUCTION AND RELATED ACTIVITIES WITHIN
 THE PUBLIC RIGHT-OF-WAY AND PRIVATE PROPERTY SITE WORK
 9400 Peppercorn Place, Suite 230



CASE NAME: **LIVINGSTON PARK**

APPLICATION NUMBER: **44024-2024-INC**

CASE TYPE: **INC**

PERMIT NUMBER: **P47898-2024-INC**

District: **SOUTH**

Permittee:

Owner of Property:

WILLIAMSON KAREN
12417 ASHBURY DRIVE
FORT WASHINGTON MD 20744

WATERS LLC WILLIAM
2969 SOUTHAVEN DR
ANNAPOLIS MD 21401

Officer Name : **WILLIAMSON KAREN**

Officer Title:

Telephone No : **240-423-8428**

Contact Person:

Name: **CONTEE RUTH**
Phone: **240-375-6354**
Email: **splitsecondpermits@gmail.com**

THIS TO CERTIFY THAT THE PERMITTEE HAS PERMISSION TO PERFORM WITHIN THE PUBLIC RIGHT -OF-WAY or /and ON_SITE: **REPLACE DRIVEWAY APRON & REMOVE 2 SHEDS** Customer Response: **THE APPLICATION IS TO REPLACE DRIVEWAY APRON & REMOVE 2 SHEDS THE OWNER WAS ASKED TO RECEIVE AN EXEMPTION FROM SITE ROAD**

COMDWAYENTRANCE : Yes

ISEXISTINGBLDG : N

Conditions of Approval:

Municipality : **COUNTY**

On Site Disturbed Area (SQ FT): **1850**

R/W Disturbed Area (SQ FT): **0**

Dimensions:

OTHER:

THE PROPOSED CONSTRUCTION SHALL BE PERFORMED AND COMPLETED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS AS APPROVED BY THE DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT OF PRINCE GEORGE'S COUNTY AND IN ACCORDANCE WITH SUBTITLE 23 AND SUBTITLE 32 OF THE PRINCE GEORGE'S COUNTY CODE AND THE GENERAL SPECIFICATIONS AND STANDARDS FOR ROADWAYS AND BRIDGES, AND SUBJECT TO THE INSPECTION AND CONTROL OF THE DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT OF PRINCE GEORGE'S COUNTY.

* ALL STREET LIGHTING REQUIREMENTS MUST BE SATISFIED, INCLUDING THE SUBMISSION OF A STREET LIGHTING PLAN AND THE ORDERING OF AND PAYMENT FOR STREET LIGHTING WORK TO THE LOCAL UTILITY COMPANY.

SEDIMENT CONTROL# : **N/A**

RELATED BUILDING PERMIT# :

RELATED SITE/ROAD PERMIT# :

LOCATION OF PROPOSED WORK

STREET NAME : **1004 WHITE OAK OXON HILL MD 20745**

LOTS(S) :

BLOCK(S) :

PARCEL(S) : **1232057**

DPW & T MAP PAGE & GRID : **105-B2**

EMBANKMENT USED IN THE ROADWAY SHOULD BE MONITORED BY A QUALIFIED GEOTECHNICAL REPRESENTATIVE OR COUNTY LAB PERSONNEL TO ENSURE A STABILIZED SUBGRADE.

APPLICATION NUMBER: **44024-2024-INC**

PERMIT NUMBER : **P47898-2024-INC**

NOTE: THE APPLICANT SHALL BE ADVISED THAT THE PERMIT ISSUED BY THIS DEPARTMENT DOES NOT IN ANY WAY RELIEVE THE APPLICANT FROM OBTAINING OTHER PERMITS COVERING ALL THE REQUIRED WORK. IT IS YOUR RESPONSIBILITY TO OBTAIN ANY ADDITIONAL PERMITS, APPROVALS AND LICENSES FROM OTHER FEDERAL, STATE, COUNTY AGENCIES AND MUNICIPALITIES.

BOND : PAID : \$
BOND CO : BOND # :
BOND TYPE :
PERMIT ISSUANCE DATE: **Apr-10-2024**
PERMIT EXPIRATION DATE: **Apr-10-2025**
PERMIT EXTENSION DATE:
PERMIT EXTENSION EXP. DATE :



Dawit A. Abraham
(Director)

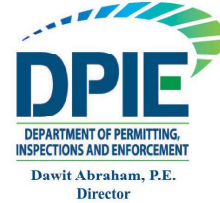
IT SHALL BE THE RESPONSIBILITY OF THE APPLICANT TO APPLY FOR AN EXTENSION IN WRITING NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. THE APPLICANT SHALL NOTIFY THE DEPARTMENT AT LEAST 48 HOURS PRIOR TO STARTING CONSTRUCTION OR RESTARTING CONSTRUCTION BY CONTACTING DPIE'S INSPECTIONS DIVISION AT 301-883-3820. SELECT THE PROMPT FOR SITE DEVELOPMENT INSPECTION.

APPLICATION NUMBER: **44024-2024-INC**
PERMIT NUMBER : **P47898-2024-INC**



Angela D. Alsobrooks
County Executive

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



MEMORANDUM

March 18, 2024

TO: Todd Price, Subdivision Review Section
Development Review Division, M-NCPPC

FROM: Reynaldo de Guzman, P.E., Acting Associate Director
Site/Road Plan Review Division, DPIE *Reynaldo de Guzman*

Re: First Learning Daycare Center
SPE-2023-004

CR: White Oak Drive

In response to the SPE-2023-004 referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The subject site Lot 30 (15,150 SF Lot, zoned CGO) is in the Livingston Park Subdivision, located North of White Oak Drive and west of Livingston Road; approximately 250 feet north-west of the intersection of Livingston Road and White Oak Drive. A 1,332-square-foot one-story basement building exists on the site.
- The proposed access to the property is provided from White Oak Drive.
- This referral is for a change of use and needed improvements.
- Before the permitting stage, the applicant will be required to file for a Site Development Concept for proposed improvements and change of use.
- In the permitting stage, the applicant shall provide frontage improvements along White Oak Drive, including but not limited to LED street lighting.
- In the permitting stage, the applicant shall provide the County's standard commercial driveway entrance for site access.
- All improvements within the public right-of-way, as dedicated for public use to the County, are to be per the County's Road Ordinance, the Department of Public Works and Transportation (DPW&T) Specifications and Standards, and the Americans with Disabilities Act.
- No Floodplain on this property.
- DPIE has no objection to the proposed SPE-2023-004.

If you have any questions or need additional information, please contact Mr. Nanji Formukong, District Engineer for the area, at 301.636.2060.

cc: Mariwan Abdullah, P.E., Acting Chief, S/RPRD, DPIE
Rene Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Nanji Formukong, District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
W L Meekins Inc. 3101 Ritchie Road, District Heights, MD 20747
Karen Williamson 12417 Asbury Drive Ft. Washington, MD 20744



Countywide Planning Division
Historic Preservation Section

301-952-3680

January 29, 2024

MEMORANDUM

TO: Todd Price, Zoning Section, Development Review Division

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

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

SUBJECT: SPE-2022-004 First Learning Stages Daycare Center

The subject property comprises 0.348 acres and is located on the north side of White Oak Drive, approximately 180 feet west of its intersections with Livingston Road. The subject property is zoned Commercial, General Office (CGO), and located within the 2006 *Approved Henson Creek-South Potomac Master Plan* area. The subject application proposes a daycare center for 20 children.

The 2006 *Approved Henson Creek-South Potomac Master Plan* area includes goals and policies related to historic preservation (pages 99-102). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey is not recommended. The subject property does not contain and is not adjacent to, any designated Prince George's County Historic Sites or resources. Historic Preservation staff recommend approval of SPE-2022-004, First Learning Stages Daycare Center, with no conditions.



Division of Environmental Health/Disease Control

Date: January 11, 2024

To: Todd Price, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: SPE-2023-004, First Learning Stages Daycare Center

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the special exception site plan submission for the First Learning Stages Daycare Center located at 1004 White Oak Drive in Oxon Hill, MD and has the following comments / recommendations:

1. The applicant for the proposed daycare facility must apply for licensure to the Maryland Department of Education's Division of Early Childhood. Contact the Prince George's County office of Child Care for assistance located at 807 Brightseat Road in Landover, MD or call (301) 333-6940.
2. The Facility must have an environmental assessment inspection by the Prince George's County's Health Department Division of Environmental Engineering and Policy Program located at 9201 Basil Court Suite 305 in Largo, Maryland 20774 or call (301) 883-7681.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



Angela Absobrooks
County Executive

Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health

From: [Reilly, James V](#)
To: [Price, Todd](#)
Cc: [PPD-PGCrefferrals](#); [Reilly, James V](#)
Subject: SPE-2023-004 First Learning Stages Daycare Center - Fire/EMS 1st Comments - JVR
Date: Monday, February 12, 2024 12:37:28 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Afternoon Todd,

I don't believe I provided any response or initial comments on this case. I have reviewed the referral for SPE-2023-004 First Learning Stages Daycare Center. I have no comments. Many thanks. Jim

James V. Reilly

Contract Project Coordinator III



Office of the Fire Marshal
Division of Fire Prevention and Life Safety
Prince George's County Fire and EMS Department

Note new address:

9400 Peppercorn Place, Fifth Floor, Largo, MD 20774

Office: 301-583-1830

Direct: 301-583-1838

Cell: 240-508-4931

Fax: 301-583-1945

Email: jvreilly@co.pg.md.us

To pay for a fire inspection by credit card go to:

<https://www.velocitypayment.com/client/princegeorges/fire/index.html>

From: Habash, Crystal <Crystal.Habash@ppd.mncppc.org>

Sent: Thursday, February 8, 2024 12:00 PM

To: Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Gross, Thomas <thomas.gross@ppd.mncppc.org>; PPD-CPDreferrals <cpdreferrals@ppd.mncppc.org>; Henderson, Tamika <Tamika.Henderson@ppd.mncppc.org>; Albrecht, Jill <Jill.Albrecht@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Hancock, Crystal <crystal.hancock@ppd.mncppc.org>; Ryan, Benjamin <Benjamin.Ryan@ppd.mncppc.org>; Smith, Noelle <Noelle.Smith@ppd.mncppc.org>; Gupta, Mridula <Mridula.Gupta@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>;



February 7, 2024

MEMORANDUM

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

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

VIA: Kierre McCune, Planning Supervisor, Master Plans and Studies Section, Community Planning Division **DAG**

FROM: Elena Perry, Planner II, Master Plans and Studies Section, Community Planning Division **EP**

SUBJECT: SPE-2023-004 First Learning Daycare Center

FINDINGS:

Pursuant to 27-3604 (e)(1)(C) Special Exception of the Zoning Ordinance, “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 applicable Master Plan is the 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area*. The Master Plan recommends commercial future land uses on the subject property. The requested daycare center for a maximum of 20 children conforms to the recommended land use for the property.

Community Planning Division finds this special exception application is consistent with Plan 2035 and shall conform with the relevant goals, policies, and strategies of the applicable Area Master Plan.

Analysis

The application conforms to the goals, policies and strategies of 2014 Plan Prince George's 2035 Approved General Plan (Plan 2035) because the siting of a child daycare center in established neighborhoods helps to ensure that the needs of existing residents are met close by.

The application conforms to the goals, policies and strategies of the master plan because the proposed day care center will be in a one-story brick structure that matches the scale and character of the surrounding single-family detached neighborhood to the west and commercial uses along Livingston Road to the south. The applicant should incorporate sustainable design, the use of green building techniques, sidewalks, and Crime Prevention Through Environmental Design (CPTED) principles in the project to be environmentally sensitive and create safe and comfortable spaces and connections for all users.

BACKGROUND

Application Type: Special Exception

Planning Area: 76B

Community: Henson Creek

Location: 1004 White Oak Drive, Oxon Hill, MD 20745

Size: 0.35 acres

Existing Uses: Office

Future Land Use: Commercial

Character of Neighborhood: The property is close to Livingston Road, a collector, lined with commercial uses (towing, landscaping, etc.). The daycare is already operating out of a building on an adjacent parcel southeast of the proposed project that fronts on Livingston Road. Single family detached residential uses are located on adjacent properties south and west of the proposed expansion of the daycare and a Potomac Electric Power Company (Pepco) substation is located on land immediately north of this property.

Proposal: A daycare center for a maximum of 20 children, ages 3 and 4 years old with a playground

Existing Zoning: CGO (Commercial, General, and Office)

Prior Zoning: C-O (Commercial Office)

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is located in the Established Communities Growth Policy Area of Plan 2035. "Established communities are most appropriate for context-sensitive infill and low-to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and Fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met." (pg. 20)

Master Plan: The 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* recommends commercial future land uses on the subject property.

In addition, the Master Plan recommends the following (policies and strategies) to help advance the intent and purpose of the plan.

Development Pattern Element Chapter

Developed Tier Section

Policy 1: Preserve and enhance existing suburban residential neighborhoods.

Strategies

- “Design institutional or special exception uses to reflect the scale and character of the surrounding neighborhood.” (page 36)

Analysis: The application conforms to the goals, policies and strategies of the master plan because the proposed day care center will be in a one-story brick structure that matches the scale and character of the surrounding single-family detached neighborhood to the west and commercial uses along Livingston Road to the south.

Economic Development, Housing, and Community Character Elements Chapter

Community Character: Urban Design Section

Policy 2: Encourage traditional neighborhood design.

Strategies

- "Provide a comprehensive network of well-lit (where appropriate) sidewalks, trails, bikeways, and paths that encourage walking and biking and contribute to the walkability of the master planning area." (page 97)

Analysis: The application conforms to the goals, policies and strategies of the master plan because the proposed day care center will be in a one-story brick structure that matches the scale and character of the surrounding single-family detached neighborhood to the west and commercial uses along Livingston Road to the south. However, the applicant should provide a sidewalk, subject to approval of Transportation Planning Section and the operating agency.

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

SMA/Zoning: The 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* retained the subject property in the C-O (Commercial Office) zone.

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the C-O (Commercial Office) zone to the CGO (Commercial, General, and Office) zone effective April 1, 2022

MASTER PLAN CONFORMANCE ISSUES: None

OVERLAY ZONE CONFORMANCE ISSUES: None

c: Long-range Agenda Notebook



Countywide Planning Division
Transportation Planning Section

February 12, 2024

MEMORANDUM

TO: Todd Price, Development Review Division

FROM: Leah Daniels, Transportation Planning Section, Countywide Planning Division

VIA: N& Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

SUBJECT: SPE-2023-004 First Learning Stages Daycare Center

Proposal

The subject Special Exception (SPE) application proposes the conversion of an existing dental office into a child daycare facility for a maximum of 20 children. The property is located at 1004 White Oak Drive in Fort Washington. The property's zoning is commercial, general, office (CGO). The SPE application is subject to and was reviewed using the standards of Section 27 of the current Zoning Ordinance.

Prior Conditions of Approval

There are no prior approvals for the subject property.

Master Plan Compliance

Master Plan Right of Way

The site is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT) and 2006 *Approved Master Plan for the Henson Creek-South Potomac Planning Area*. The property has a frontage along White Oak Drive, a 50-foot-wide local road.

Comment: There is no right-of-way designation for White Oak Drive, and no additional right-of-way is required with this application.

Master Plan Pedestrian and Bike Facilities

There are no master plan bicycle and pedestrian recommendations that impact the subject property.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-3604 of the Prince George's County Zoning Ordinance (Ordinance) provides guidance for special exceptions. The section references the approval criteria for a special exception and is copied below:

Section 27-3604(e)

Required Findings

(1) A special exception may only be approved if:

- A. The proposed use and site plan are in harmony with the purpose of this Subtitle;**
- B. The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**
- 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;**
- D. The proposed use 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**
- F. The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and**
- 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.**

Comment: The applicant is proposing the renovation of an existing dental office into a child daycare facility. The subject property will be accessed by an existing access point along White Oak Drive. The applicant has proposed eight (existing) standard parking spaces and two handicapped spaces exceeding the required amount. A marked pedestrian crosswalk is provided on the site plan connecting the daycare facility to the outdoor play area. Staff recommend the applicant provide a sidewalk along the property frontage, unless modified by the operating agency. Staff find the proposed and recommended facilities acceptable, and that the application has the potential to provide a needed community service without causing detriment to the existing transportation network or adversely impacting neighboring residents.

Conclusion

Based on the findings presented above, staff concludes that the vehicular, pedestrian, and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27 and meets the findings for pedestrian and bicycle transportation purposes if the following condition is met:

1. Prior to the certification of the Special Exception, the applicant and the applicant's heirs, successors and/or assigns shall provide a minimum 5-foot wide sidewalk along the property's frontage of White Oak Drive unless modified by the operating agency with written correspondence.

February 12, 2024

MEMORANDUM

TO: Todd Price, Zoning Review

FROM: Herman Watkins III, Permit Review Section, Development Review Division *HLW*

SUBJECT: Referral Comments for SPE-2023-004 – First Learning Daycare Center

1. The handicap symbol for the van accessible parking space shall be demonstrated on the site plan.
2. The dimensions of all existing and proposed gates shall be demonstrated on the site plan.
3. The existing 3.5' chain link fence on the eastern portion of the property appears to be outside of the property boundary lines.
4. The parking tabulation in the Notes section of the site plan states 10 parking spaces provided, but only 9 parking spaces are labeled on the site plan. This shall be clarified.
5. Per Section 27-5402(x)(2)(B), the site plan shall show the location of all buildings located on adjoining lots.
6. Per Section 27-5402(x)(1)(B)(iv), any outdoor play area shall be safely accessible without crossing any hazardous area, such as a street or driveway. Per the site plan, the play area is located away from the building across a two-way drive aisle.
7. Per Section 27-5402(x)(1)(B)(ii) all outdoor play areas shall be located at least 25 feet from any dwelling on an adjoining lot. This shall be demonstrated on the site plan.
8. The northeastern corner of the parking lot shows two-way directional arrows with a drive aisle width of 18.7'. The minimum width for a two-way drive aisle is 22'.
9. This review does not include the review of any signage.



Countywide Planning Division
Environmental Planning Section

301-952-3650

February 12, 2024

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section, DRD
VIA: Tom Burke, Planning Supervisor, Environmental Planning Section, CWPD *TB*
FROM: Chuck Schneider, Planner III, Environmental Planning Section, CWPD *ACS*
SUBJECT: **First Learning Stages Daycare Center: SPE-2023-004**

The Environmental Planning Section (EPS) has reviewed the Special Exception (SPE-2023-004), for the First Learning Stages Daycare Center, accepted on January 11, 2024. Comments were provided to the applicant in a Subdivision and Development Review Committee (SDRC) meeting dated February 2, 2024. The EPS finds the application in conformance with Sections 27-3604(e)(1)(C), 27-3604(e)(1)(G), 27-6802, 27-6803, 27-6805, 27-6808, and 27-6809 within the Sec. 27-6800 Environmental Protection and Noise Control section of the Zoning Ordinance and recommends approval based on the findings listed at the end of this memorandum.

BACKGROUND

The following applications and associated plans were previously reviewed for the subject site:

Development Review Case	Associated Tree Conservation Plan or Natural Resources Inventory	Authority	Status	Action Date	Resolution Number
NRI-072-2023	N/A	Staff	Approved	6/2/2023	N/A
N/A	S-092-2023	Staff	Approved	6/2/2023	n/a
SPE-2023-004	N/A	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

The current application is a special exception for the development of a daycare center for 20 children.

GRANDFATHERING

The project is subject to the environmental regulations contained in the current regulations of Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance); however, the property is less than 40,000 square feet in size and qualifies for a Woodland Conservation Standard Letter of Exemption, which was issued as S-092-2023.

SITE DESCRIPTION

The subject application area is 0.348 acre, identified as Lot 30 Parcel A. The current zoning for the site is Commercial, General and Office (CGO). The property is located at 1004 White Oak Drive just west of Livingston Road in Oxon Hill. The application area is improved with an existing one-story brick structure, asphalt parking, and a maintained grass area. No forest interior dwelling species are indicated on-site, according to PGAtlas.com. The site has been identified as having no Tier II waterbodies or within a stronghold watershed as established by the Maryland Department of Natural Resources (DNR).

MASTER PLAN CONFORMANCE

Prince George's Plan 2035

The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by *Plan Prince George's 2035 Approved General Plan* (Plan 2035), and in the Established Communities of the General Plan Growth Policy (Plan 2035).

Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area (April 2006)

The Master Plan for this site is the *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (April 2006). This application is not associated with a focus area and is located within Planning Area 76B. The Environmental Infrastructure Section of the plan text contains the following guidelines which have been determined applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance:

Policy 1: Protect, preserve, and enhance the identified green infrastructure network within the Henson Creek planning area.

The SPE is in conformance with the Green Infrastructure Plan. There are no regulated environmental features on-site and the site is entirely developed.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

The application area is improved with an existing one-story brick structure, asphalt parking, and a maintained lawn. No grading, renovations, or additions are proposed with the SPE. The water quality in this application area should remain the same as current conditions. A stormwater management (SWM) concept plan was not submitted with this application, but the proposed impacts will qualify for an exemption to the SWM requirements, which will be reviewed by the Department of Permitting, Inspections and Enforcement.

Policy 3: Reduce Overall energy consumption and implement more environmentally sensitive building techniques.

The use of green building and energy conservation techniques should be encouraged and implemented to the greatest extent possible. Future building applications for this property should incorporate green and environmentally sensitive building and site design techniques to reduce overall energy consumption to the fullest extent practical.

Policy 4: Reduce light pollution and intrusion into rural and environmentally sensitive areas.

This application area is not located in a rural area or adjacent to an environmentally sensitive area. The proposed use will be a daycare facility with activity during daytime hours.

Policy 5: Reduce noise impacts to meet State of Maryland noise standards.

This application is for a children's daycare center in an existing building. The site is surrounded by existing single-family residential dwellings, commercial businesses, and open space. The adjacent road, White Oak Drive, is not identified as a collector roadway or greater by the Master Plan of Transportation. The proposed use is not anticipated to generate noise impacts.

Countywide Green Infrastructure Plan (2017)

The 2017 *Countywide Green Infrastructure Plan* was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan (CR-11-2017)* on March 7, 2017. According to the approved Plan, no network areas are located on-site. The property is entirely developed, and no regulated environmental features (REF) are located on-site.

ENVIRONMENTAL REVIEW

Natural Resources Inventory (NRI)

Section 27-6802 requires an approved natural resource inventory (NRI) plan with SPE applications. An approved NRI Equivalency Letter (NRI-072-2023) was submitted with the application. The site was previously developed and there are no REFs on-site. A letter from the Maryland Department of Natural Resources (DNR), Wildlife Heritage Service regarding sensitive species was not required for the NRI Equivalency Letter.

Woodland Conservation

Section 27-6803 requires that this property be subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO); however, because the property is less than 40,000 square feet, an approved Woodland Conservation Ordinance Exemption Letter (WCO-EL) (S-092-2023) was submitted with the SPE application.

Preservation of Regulated Environmental Features (REF)/Primary Management Area (PMA)

Section 27-6808, Regulated Environmental Features of the Zoning Ordinance, requires all applications to conform to the requirements pertaining to regulated environmental features in Section 24-4300 Environmental Standards, of Subtitle 24: Subdivision Regulations.

No REF exists on-site; therefore, none will be impacted by the proposed development, and staff finds that the REF was preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirements of Section 27-6808, Regulated Environmental Features, and 24-4300.

Soils

Section 27-6809, Unsafe Lands of the Zoning Ordinance, requires all applications to conform to the requirements pertaining to unsafe land in Section 24-4300, Environmental Standards, of Subtitle 24: Subdivision Regulations.

The predominant soils found to occur, according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Beltsville silt loam, and Urban land – Grosstown complex. No Marlboro clay or Christiana clay are present on-site.

Stormwater Management

Section 27-3604(c)(5)(F)(x) of the Zoning Ordinance requires a stormwater management (SWM) concept approval prior to acceptance of a SPE. According to the “Livingston Park” site plan, no grading is proposed. A stormwater management (SWM) concept plan was not submitted with this application. During the SDRC meeting, DPIE determined that minor disturbances were required for improvements to sidewalks, the driveway apron and removal of on-site sheds. These proposed minor impacts (less than 5,000 square feet) will qualify for an exemption to the SWM requirements.

Erosion and Sediment Control

Section 27-6805 of the Zoning Ordinance requires an approved Grading, Erosion, and Sediment Control Plan. Development shall comply with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage, and Erosion and Sedimentation Control, of the Prince George’s County Code. According to the “Livingston Park” site plan, no grading is proposed.

SUMMARY OF REQUIRED FINDINGS AND CONDITIONS

The Environmental Planning Section completed the review of SPE-2023-004, and recommends approval, subject to the following findings:

Required Findings

1. The property does not contain any regulated environmental features.
2. The EPS finds the application in conformance with Sections 27-6802, 27-6803, 27-6805, 27-6808, and 27-6809 within the Sec. 27-6800 Environmental Protection and Noise Control section of the Zoning Ordinance and recommends approval of SPE-2023-004.
3. No specimen trees are located on-site.



February 12, 2024

MEMORANDUM

TO: Todd Price, Planner II, Zoning Section

VIA: Mridula Gupta, Planner IV, Subdivision Section *SC* for MG

FROM: Jason Bartlett, Planner II, Subdivision Section *JB*

SUBJECT: SPE-2023-004; First Learning Daycare Center

The property subject to this special exception (SPE) is located on Tax Map 105 in Grid B2 and identified as Lot 30 of Livingston Park in Plat Book BB 8, Plat No. 14, recorded in Land Records of Prince George's County in 1940. The property is approximately 0.35-acres in size and is zoned Commercial, General and Office (CGO). There is no Preliminary Plan of Subdivision approved for this site and it has remained in its same platted configuration and acreage since it was recorded. The proposed use further does not exceed 5,000 square feet of gross floor area (GFA) and will not generate more than 50 trips. Therefore, a preliminary plan of subdivision (PPS) or a new final plat is not required, in accordance with Section 24-3402(b)(1)(C) of the subdivision regulations. This SPE application has been filed in accordance with and as required by the Zoning Ordinance for the use of a day care center (for 20 children) in the CGO Zone.

This Special Exception was accepted for review on January 11, 2024, and comments were previously provided at the SDRC meeting held on February 2, 2024. This referral response is based on revised plans received on February 8, 2024.

The property is currently improved with a primary structure that was constructed in 1957 consisting of a 1,352 square-foot above-grade building with a basement. The structure is currently in use as a dental office, which will cease operation with the conversion of the structure to a day care center. The basement is not intended to be used as a part of the functional day care use and will remain as storage and for the housing of mechanical equipment. The proposed day care will occupy the entirety of the 1,352 square-foot above grade structure with no additions proposed. A 1,500 square foot outdoor play area is proposed, as required by the Zoning Ordinance for this use.

Additional Comments

None.

Recommended Conditions

None.

This referral is provided for the purpose 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 DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no subdivision issues at this time.