




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>

Detailed Site Plan

DSP-22025

Future Stars Early Learning Center

REQUEST		STAFF RECOMMENDATION	
Development of a day care center for children with a maximum enrollment of 20 students.		With the conditions recommended herein: <ul style="list-style-type: none">• Approval of Detailed Site Plan DSP-22025	
Location: On the east side of Marlboro Pike, approximately 725 feet north of its intersection with Walker Mill Road.			
Gross Acreage:	1.63		
Zone:	CGO		
Prior Zone:	C-S-C		
Reviewed per Prior Zoning Ordinance:	Section 27-1903		
Dwelling Units:	N/A		
Gross Floor Area:	N/A		
Planning Area:	75A		
Council District:	07		
Municipality:	N/A		
Applicant/Address: Future Stars Early Learning Center, LLC 5244 Marlboro Pike Capitol Heights, MD 20743		Planning Board Date:	10/05/2023
Staff Reviewer: Andrew Shelly Phone Number: 301-952-4976 Email: Andrew.Shelly@ppd.mncppc.org		Planning Board Action Limit:	10/09/2023
		Staff Report Date:	09/19/2023
		Date Accepted:	06/30/2023
		Informational Mailing:	11/02/2022
		Acceptance Mailing:	06/28/2023
		Sign Posting Deadline:	09/05/2023

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

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-22025
 Future Stars Early Learning Center

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

The subject property is within the Commercial, General and Office (CGO) Zone and was previously within the Commercial Shopping Center (C-S-C) Zone. However, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, as permitted by Section 27-1903 of the current Zoning Ordinance, which allows for development applications to be reviewed under the prior Zoning Ordinance. This detailed site plan was reviewed and evaluated pursuant to the following:

- a. The requirements of the prior Prince George's County Zoning Ordinance for the Commercial Shopping Center (C-S-C) Zone;
- b. The conditions of approval for Preliminary Plan of Subdivision (PPS) 12-2779;
- c. The requirements of the 2010 *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- e. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- f. Referral comments; and
- g. Community feedback.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommend the following findings:

1. **Request:** This detailed site plan (DSP) requests approval for the conversion of a 1,053-square-foot tenant space, within a 9,530-square-foot existing shopping center, to allow a day care center for children use to replace an existing commercial retail use. The day care center has a proposed enrollment of 12 children, with the capacity to accommodate up to 20.

2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone	CGO (Prior C-S-C)	CGO (Prior C-S-C)
Use	Commercial Retail	Commercial Retail and Day Care Center for Children
Gross acreage	1.63	1.63
Parcels/Lots	1	1
Gross floor area (GFA) of building	1053 sq. ft.	1053 sq. ft.

Shopping Center Parking Data

Use	REQUIRED	PROVIDED
Catering Establishment with Food Prep Only @ 1 space/500 sq. ft. of GFA	2	2
Commercial Retail @ 1 space/150 sq. ft. of the first 3,000 sq. ft. GFA	50	50
Day Care (20 Children) @ 1 space/8 Children	3	3*
Total	55 Spaces	55 Spaces (Includes 3 handicap-accessible spaces)

Outdoor Play Area

Use	REQUIRED	PROVIDED
Day Care (20 Children) @ 75 sq. ft./Child	750 sq. ft.	812 sq. ft.**

Notes: *All existing parking spaces do not meet the dimensional requirements of Section 27-558 of the prior Prince George's County Zoning Ordinance. However, the three parking spaces that will be provided by the applicant will meet these requirements.

**Section 27-464.02 of the prior Zoning Ordinance requires that day care centers provide at least 75 square feet of play space per child, for 50 percent of the licensed capacity, or 75 square feet per child, for the total number of children to use the play area at one time, whichever is greater. The applicant proposes 812 square feet of outdoor play area, in conformance with this requirement.

3. **Location:** The subject property is known as Parcel A, located on Tax Map 72 in Grid F4, on the east side of Marlboro Pike, approximately 725 feet north of its intersection with Walker Mill Road, in Planning Area 75A and Council District 7. Parcel A is currently developed with a shopping center, known as the Oak Crest Gardens Shopping Center.
4. **Surrounding Uses:** The subject property is in the Commercial, General and Office (CGO) Zone and is bounded to the north and east by multifamily residential dwelling units in the Residential, Multifamily-20 (RMF-20) Zone, to the south by vacant land and commercial properties in the CGO Zone, and to the west by Marlboro Pike.
5. **Previous Approvals:** The property is subject to Preliminary Plan of Subdivision (PPS) 12-2779, which was approved by the Prince George's County Planning Board on May 17, 1961, and for which no records are available. Available aerial imagery indicates that the existing building on-site was constructed between 1965 and 1977. The site has an approved Stormwater Management (SWM) Concept Plan, 10365-2023-00, which is valid through March 24, 2026.
6. **Design Features:** The property is a rectangular-shaped parcel and is currently improved with a 9,530-square-foot shopping center. The shopping center is centrally located on the property, with two access points from Marlboro Pike and existing parking spaces on the southern and western sides of the center. Crosswalks are proposed at both access points, and one bicycle rack has been proposed, to be utilized by all patrons of the shopping center.

The applicant proposes the conversion of one tenant space, unit 5244, from a commercial retail use to a day care center for children, ages 18 months to 5 years old. The tenant space is 1053 square feet and located in the central portion of the shopping center. Fifteen square feet of canopy signage is provided above the unit stating the name of the business "Future Stars Early Learning Center." The proposed DSP includes three dedicated parking spaces to the day care center to meet the minimum parking requirement, and an additional handicap-accessible space, via restriping. Two of the parking spaces will have signage noting that they are reserved exclusively for the day care. The third parking space will note it is reserved for day care pick up and drop off only. The rear of the day care center will contain the required outdoor play area, which is proposed to be 812 square feet. The outdoor play area will be enclosed by a 6-foot-tall, board-on-board, wooden fence accessed through the rear door of the tenant unit or via a 6-foot-high by 5-foot-wide wooden gate. The play area will include playground equipment, two benches, and a 12-foot by 17-foot triangle sail to shade the play area. Conditions have been included herein requiring the applicant to dimension the crosswalks on the DSP, provide the maximum signage area permitted for this property (378 square feet), provide site details for the benches, install a picnic table, and demonstrate that the required American Society for Testing and Materials fall zones and appropriate surface material depth are met on the DSP. No other changes are proposed to the existing site improvements.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** This DSP has been reviewed for compliance with the requirements of the Commercial Shopping Center (C-S-C) Zone of the prior Zoning Ordinance.

- a. The subject application complies with the applicable requirements of the prior Zoning Ordinance, including the requirements in Section 27-454 for the C-S-C Zone. A day care center for children is a permitted use under Section 27-461(b), Table of Uses, of the prior Zoning Ordinance. In addition, a day care center for children must meet the additional requirements of Section 27-464.02. The additional requirements are analyzed as follows:

(1) Requirements

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

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

The proposed maximum enrollment of the day care center is 20 children, and the required play area for the licensed capacity is 750 square feet. The total number of children that are permitted to use the play area at one time is 10, which would have the same minimum 750-square-foot area requirement. The outdoor play area on the DSP measures 812 square feet and conforms with this 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 subject outdoor play area is located on the same lot as the day care center and is proposed 44 feet from the multifamily residential building to the east, on the adjoining RMF-20 zoned property. The applicant proposes enclosing the play area with a 6-foot-tall, board-on-board, wooden fence, in conformance with this requirement. The play area will be accessed through the rear door of the tenant unit or via a 6-foot-high by 5-foot-wide wooden gate.

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

The play area is set back approximately 17 feet from the nearest property line to the east and 44 feet from the nearest structure (a multifamily residential building). The applicant proposes a 6-foot-tall, board-on-board, wooden fence to enclose the play area, which will sufficiently protect the

health and safety of the children. A condition has been included herein requiring the applicant to dimension the setback from the play area fence to the eastern property boundary.

- (iv) An 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 outdoor play area is not located off-premises. However, in furtherance of the purposes of this requirement, the outdoor play area is fully enclosed by a 6-foot-tall, board-on-board, wooden fence only accessible through the rear door of the tenant unit or via a 6-foot-high by 5-foot-wide wooden gate.

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

A 12-foot by 17-foot shade structure is proposed within the outdoor playground area, which will provide sufficient shade for the children playing during the warmer months of the year.

- (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;**

The site plan indicates that outdoor play is limited to daylight hours only and that existing lighting fixtures on the rear of the building will remain as the only illumination source.

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

A note on the DSP indicates that the hours of operation will be limited to the hours specified by this requirement.

- b. The DSP contains the information required by Section 27-464.02(a)(2) and is designed with the applicable site design guidelines, as required in Section 27-283 and contained in Section 27-274 of the prior Zoning Ordinance. Many of the design guidelines do not apply to the subject DSP, because the site improvements already exist; however, those that do apply to the minor changes proposed with this DSP, are in accordance with the applicable guidelines. For example, the DSP application will include dedicated parking for the use that is consistent with the dimensional requirements of the prior Zoning Ordinance, minimize grading to the extent practicable, restore disturbed areas, and increase the connectivity of the site with crosswalks and a bicycle rack.

8. **Preliminary Plan of Subdivision 12-2779:** PPS 12-2779 was approved by the Planning Board on May 17, 1961. However, there are no records of this case available to evaluate. Pursuant to Section 24-111(c)(3) of prior Subdivision Regulations, resubdivision of the site is not required at this time because the property was platted prior to October 27, 1970, the existing development was built prior to January 1, 1990, and no additional gross floor area (GFA) is proposed. Therefore, a new PPS is not required prior to approval of this subject DSP.
9. **2010 Prince George's County Landscape Manual:** The application is exempt from the 2010 *Prince George's County Landscape Manual* because it meets the requirements of Sections 1.1(d), and 1.1(g)(4). The site improvements proposed by the subject application are limited to interior improvements, the application does not propose a change in use from a lower to a higher category, and the application does not increase the impervious surface or GFA of the building.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** This property has a valid Woodland Conservation Ordinance Letter of Exemption (S-050-2023) and a Natural Resources Inventory Equivalency Letter (NRI-040-2023) that were approved on March 30, 2023. Based upon the provided information and PGAtlas, there are no regulated environmental features (REF) or unsafe soils on the subject property.
11. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that propose more than 5,000 square feet of disturbance or increase in GFA. The subject application proposes 812 square feet of disturbance and will not increase the GFA of the building. Therefore, the application is exempt from TCC requirements, and a general note has been added to the plan.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and summarized, as follows:
 - a. **Historic Preservation**—In a memorandum dated August 17, 2023 (Smith & Chisholm to Shelly), the Historic Preservation Section noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources.
 - b. **Community Planning**—In a memorandum dated July 27, 2023 (Klein to Shelly), the Community Planning Division indicated that, pursuant to Part 3, Division 9, Subdivision 3, of the prior Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation Planning**—In a memorandum dated September 6, 2023 (Ryan to Shelly), the Transportation Planning Section noted that the plan is acceptable and meets the findings required for a DSP, as described in the prior Zoning Ordinance.

- d. **Subdivision**—In a memorandum dated August 23, 2023 (Diaz-Campbell to Shelly), the Subdivision Review Section noted that based on the proposed development, a new PPS and final plat are not required at this time.
- e. **Permits**—In a memorandum dated August 2, 2023 (Shaffer to Shelly), the Permit Review Section offered comments, which have been addressed through revisions to the plans, or included in the Recommendation section of this report.
- f. **Environmental Planning**—In a memorandum dated July 21, 2023 (Kirchhof to Shelly), the Environmental Planning Section noted that a Woodland Conservation Ordinance Letter of Exemption (S-050-2023) and a Natural Resources Inventory Equivalency Letter (NRI-040-2023) were approved on March 30, 2023, and submitted with this application. Based upon the provided information and PGAtlas, there are no REF or unsafe soils. This site has an approved SWM Plan and associated letter (10365-2023-00), which was approved on March 24, 2023, and expires March 24, 2026.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—At the time of the writing of this technical staff report, the Planning Department has not received any written correspondence from DPR.
- h. **Prince George’s County Health Department**—In a memorandum dated July 5, 2023 (Adepoju to Shelly), the environmental health specialist noted that a desktop health impact assessment had been completed and offered multiple recommendations with respect to health-related issues on the property. These recommendations have been included as conditions of approval in the Recommendation section of this report, as appropriate.
- i. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Planning Department has not received any written correspondence from the Prince George’s County Fire/EMS Department.
- j. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this technical staff report, the Planning Department has not received any written correspondence from WSSC.
- k. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this technical staff report, the Planning Department has not received any written correspondence from DPIE.
- l. **City of Capitol Heights**—At the time of the writing of this technical staff report, the Planning Department has not received any written correspondence from the City of Capitol Heights.
- m. **City of District Heights**—At the time of the writing of this technical staff report, the Planning Department has not received any written correspondence from the City of District Heights.

13. **Community Feedback:** At the time of the writing of this technical staff report, the Planning Department has not received any written correspondence from the community regarding this subject application.
14. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP (if revised as conditioned) represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development, for its intended use.
15. As required by Section 27-285(b)(4), for approval of a DSP, the REF on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations, as this DSP does not propose any change to the established limits of disturbance and does not result in any impacts to REF.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-22025, for Future Stars Early Learning Center, subject to the following condition:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Add the following general notes on the DSP:
 - (1) "During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code."
 - (2) "During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control."
 - b. Dimension the crosswalks on the DSP.
 - c. Dimension the setback from the play area fence to the eastern property line on the DSP.
 - d. Provide the maximum signage area permitted for this property (378 square feet) on the signage schedule.
 - e. Provide site details for the benches.
 - f. Install a picnic table in the open play area on the DSP.

- g. Demonstrate that the required American Society for Testing and Materials fall zones and appropriate surface material depth are met on the DSP.