




The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

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

Special Exception LOL Childcare Station

SPE-2022-012

REQUEST		STAFF RECOMMENDATION	
A special exception to allow the use of a day care center for children within an existing shopping center.		With the conditions recommended herein: <ul style="list-style-type: none">• Approval of Special Exception SPE-2022-012	
Location: South of Breezewood Drive, approximately 1,250 feet east of Cherrywood Lane.			
Gross Acreage:	53.88		
Zone:	CGO		
Prior Zone:	M-U-I		
Dwelling Units:	N/A		
Gross Floor Area:	2,100 sq. ft.		
Lots:	0		
Parcels:	17		
Planning Area:	67		
Council District:	04		
Municipality:	Greenbelt		
Applicant/Address: LOL Enterprises LLC 6250 Greenbelt Road Greenbelt, MD 20770		Planning Board Date: 03/07/2024	
Staff Reviewer: Dominique Lockhart Phone Number: 301-952-3411 Email: Dominique.Lockhart@ppd.mncppc.org		Planning Board Action Limit: N/A	
		Staff Report Date: 02/22/2024	
		Date Accepted: 12/21/2023	
		Informational Mailing: 01/11/2024	
		Acceptance Mailing: 01/25/2024	
		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: Dominique Lockhart, Planner III, Zoning Section
Development Review Division

SUBJECT: Special Exception SPE-2022-012
LOL Childcare Station

REQUEST: A special exception to allow the use of a day care center for children within an
existing shopping center.

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 March 7, 2024.

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

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

I. EVALUATION CRITERIA

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

1. The proposed use and site plan are in harmony with the purpose of this Subtitle;
2. The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;
3. The proposed use shall be consistent with the General Plan and shall conform with the relevant goals, policies, and strategies of the applicable Area Master Plan, Sector Plan, or Functional Master Plan for the subject property and its surrounding area;
4. The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;
5. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood;
6. The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and
7. The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24: Subdivision Regulations.

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

B. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. Pursuant to Section 25-119(a)(2)(B) of the Prince George's County Code, SPE applications shall include a Type 2 tree conservation plan (TCP2) or a standard letter of exemption. If a site requires approval of a TCP2, with an associated SPE application, the TCP2 is reviewed simultaneously with the associated plan. This application has an existing Type 2 Tree Conservation Plan (TCP2-030-00-01) that was approved under the standards that came into effect on September 1, 2010.

- C. **Prince George's County Tree Canopy Coverage Ordinance.** Per Section 25-127(a) of the Prince George's County Code, the requirements of the Prince George's County Tree Canopy Coverage Ordinance are not applicable to the site due to the application proposing less than 5,000 square feet of disturbance.

II. BACKGROUND

- A. **Request:** This application seeks a special exception (SPE) to allow the use of a day care center for children within an existing shopping center.

- B. **Development Data Summary:**

	EXISTING	EVALUATED
Zone(s)	CGO	CGO
Use	Indoor recreation facility	Day care center for children*
Lot(s)	0	0
Parcel(s)	55	55
Total Gross Acreage	53.88	53.88
Gross Floor Area	700,000 sq. ft.	2,100 sq. ft.

Note: *The proposed day care center will be located in the same building as an existing indoor recreation facility by the name of LOL Stations Fun Center. The day care center will have a different entrance/exit, and the space will be in a separate walled off area. Floor plans have been submitted with the application.

- C. **Location and Site Description:** The subject property is part of the existing developed Beltway Plaza Mall site, which is located at 6000 Greenbelt Road, south of Breezewood Drive, approximately 1,250 feet east of Cherrywood Lane. The area subject to this SPE comprises portions of five parcels located on Tax Map 26 in Grid B-4, which are recorded in the Prince George's County Land Records, in Plat Book ME 261, Plat No. 50 (Parcel 4, 6, B, and G) and in Plat Book ME 260, Plat No. 10 (Parcel PP). The subject property is also located within the City of Greenbelt.
- D. **Proposed Use:** The subject application is for a SPE, to allow a day care center for children that will accommodate a maximum of 40 children. The applicant's statement of justification (SOJ) states that the day care center will be open on weekdays only. Use specific standards for the proposed day care are contained in Section 27-5402(x) of the Prince George's County Zoning Ordinance, and are analyzed in Finding III.C. below.
- E. **Neighborhood and Surrounding Uses:** The general neighborhood is bordered by I-95/495 (Capital Beltway) to the north, Cherrywood Lane to the east, Greenbelt Road to the south, and Kenilworth Avenue to the west. The neighborhood contains a mix of residential and commercial uses. The immediate uses surrounding the larger Beltway Plaza Mall site are as follows:

North—	Breezewood Drive, with multifamily residential development in the Regional Transit-Oriented, Low-Intensity-Edge Zone beyond.
East—	Land in the Agriculture and Preservation Zone, which is developed with Greenbelt Middle School, athletic fields, and a school bus parking facility.
South—	Commercial development in the Commercial, General, Office (CGO) Zone and Greenbelt Road beyond.
West—	Cherrywood Lane, with commercially developed land and undeveloped woodland in the CGO Zone beyond.

F. History and Previous Approvals: The Beltway Plaza site is the subject of multiple prior approvals.

In 1989, the Prince George’s County Planning Board approved Departure from Sign Design Standards DSDS-403, which allowed for a maximum of 2,141 square feet of building signage area for the Beltway Plaza mall building.

The Planning Board approved Alternative Compliance AC-00005 in 2000, for the landscape buffer provided along Beltway Plaza’s eastern boundary shared with the Greenbelt Middle School property. AC-00005 allowed for the bufferyard to be planted with fewer plant units than required at the time. This alternative compliance approval predated the 2013 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* (Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA), which specifies that the provisions of the Landscape Manual regarding alternative compliance do not apply within the development district (page 206).

The 2001 *Greenbelt Metro Area Approved Sector Plan and Sectional Map Amendment* rezoned the Beltway Plaza property from the prior Light Industrial Zone to the Commercial Shopping Center (C-S-C) Zone and superimposed the Development District Overlay (D-D-O) Zone.

The sectional map amendment contained in the Greenbelt Metro Area and MD 193 Corridor Sector Plan rezoned the Beltway Plaza site from the prior C-S-C and D-D-O Zones to the Mixed-Use-Infill (M-U-I) and D-D-O Zones.

On March 28, 2019, the Planning Board approved Conceptual Site Plan CSP-18010 (PGCPB Resolution No. 19-35), for redevelopment of Beltway Plaza, subject to three conditions. The CSP provided for a five-phased redevelopment of the site, to consist of up to 250 two-family and/or single-family attached dwelling units, and up to 2,250 multifamily units (for a maximum of 2,500 total residential units), as well as a range of 435,000 to 700,000 square feet of commercial development. Phase 1, as described in the CSP, is for development of a residential transition zone on the north side of the Beltway Plaza site. The CSP anticipates this area will be exclusively residential in character, and includes the transformation of the existing mall ring road, in the Phase 1 area, into a pedestrian-oriented urban street.

The Planning Board approved Preliminary Plan of Subdivision (PPS) 4-19023 on March 12, 2020 (PBCPB Resolution No. 2020-26), subject to 18 conditions. The PPS approved development of up to 2,500 multifamily dwelling units and up to 700,000 square feet of commercial space on 55 parcels at the Beltway Plaza site. The approved development concept included a reduction in commercial area on-site, to be achieved in phases by razing sections of the existing mall building and replacing it with mixed-use buildings. Additional residential and mixed-use buildings are to be located at the core of the development, as well as in outlying areas of the site. While the mix of residential unit types changed from the CSP with the approval of this PPS, the number of allowable units is within the maximum units that were permitted by the CSP. The PPS further found that while the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA includes recommendations for a mix of housing types to be included in the redevelopment of the Plaza, it also provides flexibility for design to respond to market conditions.

On September 9, 2021, the Planning Board approved Detailed Site Plan DSP-20020 (PBCPB Resolution No. 2021-113), subject to five conditions. The DSP approved Phase 1 of the redevelopment of Beltway Plaza, which includes the area of this SPE, to include 750 multifamily residential dwelling units, a hotel, recreation center, and limited streetscape improvements.

On November 29, 2021, the Prince George's County District Council approved Prince George's County Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the M-U-I Zone to the CGO Zone, effective April 1, 2022.

No development has occurred to date, as approved by DSP-20020. Per Section 27-3604(a) of the Zoning Ordinance, SPE applications are reviewed to ensure they are appropriate for the location and zone where they are proposed. There is currently no timeline on when the mall will begin redevelopment. If the day care is relocated to a different location, a new SPE will be required.

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 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 protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County. A day care center will allow families that live in the surrounding neighborhoods to come together and cultivate another social community within the County. At the same time, parents will have another option for a safe and controlled environment for their kids. The proposed day care will operate Monday through Friday and will serve kids from the ages of six weeks old to five years old. The center will operate with 12 staff members and a limit of 40 kids at one time.

The proposed day care center will also serve as a beneficial economic opportunity for Beltway Plaza Mall as it awaits redevelopment. The use is proposed to be a destination for residents, while allowing those same residents to visit Beltway Plaza Mall and the larger Greenbelt community upon their arrivals and exits.

The proposed day care center can be accessed from inside of the mall or via a parking deck, where an entrance to the building is located on the upper level.

No exterior renovations are planned to take place on the building façade. Majority of the work for establishing the day care center use will take place interior to the building. The exception is the outdoor playground area, which will be located on the upper-level parking deck with added safety features to include controlled vehicular access, fencing, a shade canopy, and signage.

Per Section 27-5202(a) of the Zoning Ordinance, all accessory uses and structures shall obtain any other applicable County, municipal, State, or Federal permits. A condition has been included herein requiring the applicant to detail how the shade canopy will be adhered to the ground and to show it on the final SPE site plan.

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).

In addition, all SPE applications must comply with Section 27-5401 of the Zoning Ordinance regarding setbacks, landscaping, buffering, and screening, which is discussed in Finding III.B. below.

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 Finding III.C. below.

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

The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) classifies this application as located within the Established Communities Growth Policy Area. These areas are most appropriate for context-sensitive infill and low- to medium-density development. The application is consistent with the goals, policies, and strategies of Plan 2035, because the proposed use will not alter or adversely impact the existing neighborhood framework which consists of a mix of residential and commercial uses.

Another objective of Plan 2035 is “supporting neighborhood reinvestment in existing public infrastructure, services, and facilities and designing diverse and distinct communities that promote walkability and convenient access to employment, retail, and entertainment options (page 15).” The proposed day care center will be in the existing Beltway Plaza mall which is a benefit to the larger community by offering another diverse service option to residents.

The Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA recommends Mixed Use Commercial land use on the subject property. Integrated uses at Beltway Plaza include residential, commercial (office and retail), park and open space (page 91). The proposed use is consistent with the recommended land use. The sector plan describes Mixed Use Commercial land use as “properties that contain a mix of uses which are predominantly non-residential, including commerce, office, institutional, civic, and recreational uses. These properties may include a residential component but are primarily commercial in nature (page 89). In addition, the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA recommends the following goals, policies, and strategies to help advance the purpose and intent of the plan:

Policy 1: Support the phased, comprehensive redevelopment of Beltway Plaza into a pedestrian-friendly, mixed-use development (page 105).

Strategy 1.1: Rezone the entire Beltway Plaza Property to permit comprehensive, well designed, mixed-use redevelopment (page 105).

The proposed day care center is an institutional use, and endeavors to strengthen the shopping center by adding a new service to an existing use until the Beltway Plaza Mall redevelops. The proposed day care center is consistent with the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA's recommended Mixed-Use Commercial land use and supports Policy 1 and Strategy 1.1 noted above.

Staff find that the proposed use is consistent with Plan 2035 and conforms to the relevant goals, policies, and strategies of the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA for the subject property and its surrounding area. The SPE application, as requested, conforms to this finding.

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

Staff find that the proposed use of a day care center for children will not adversely affect the health, safety, or welfare of residents or workers in the area. No exterior renovations are proposed for the building with this SPE application. Minor improvements will take place on the upper level of the connected parking deck to install the playground area. The disturbance to the parking deck will be limited to fence posts around the approximately 2,300-square-foot playground 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 consists of primarily residential and commercial uses. The proposed use does not propose any changes to the exterior building facade and will be adequately buffered from adjacent uses. The day care center will be located on the right upper level of the mall. This portion of the mall is surrounded on two sides by existing surface parking areas. The property boundary to the north is approximately 250 feet away, and the property boundary to the east is approximately 470 feet away.

The outdoor playground area will be located on the upper-level parking deck with added safety features to include controlled vehicular access, fencing, a shade canopy, and signage. These features will not be a detriment to the adjacent property.

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

The application has an existing Type 2 Tree Conservation Plan (TCP2-030-00-01) that was approved under the standards that came into effect on September 1, 2010. The existing TCP2 is not proposed to be amended with this application and no previous environmental conditions of approval are directly related to 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.

This site is not associated with any regulated environmental features (REF), such as streams, wetlands, or associated buffers, no 100-year regulated County floodplain is mapped on-site, and no primary management area (PMA) is mapped on-site.

(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 provides the following applicable findings:

(a) Required Findings

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

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

(b) Setbacks

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

The submitted site plan shows the required building setback lines for the site. 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 is not subject to the requirements of the 2018 *Prince George's County Landscape Manual* (Landscape Manual), per Section 1.1 of the Landscape Manual, as this development will not need a grading or building permit, and the proposed use will not be a higher intensity use than the existing commercial uses within the shopping center.

C. Additional Requirements for Specific Special Exception Uses—Per Section 27-5402(x), the following applicable additional requirements are provided:

(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 licensed capacity for the day care center will be 40 children. The proposed outdoor play area is approximately 2,300 square feet, which provides 115 square feet per child, well above the minimum requirement. No more than 50 percent of the licensed capacity will utilize the play area at one time.

- (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;**

A surface parking area and Breezewood Drive to the north separates the existing Beltway Plaza mall building from the nearby multifamily development. No other residential developments are adjacent to the site.

Since the outdoor play area will be located on the upper level of a parking deck, a 6-foot-high vinyl fence is proposed to surround the play area in addition to 55-gallon barrels. Staff recommend a condition that bollards be used to better protect the play area from cars that will be parking on either side of the 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;**

Staff find that the proposed setback and fence height of six feet is adequate to protect the health and safety of the children utilizing the play area. The fence will surround the entire play area and will include two egress/ingress doorways. Details of the proposed fence were submitted with the SPE application.

- (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 not separated from the day care center by any hazardous areas such as a street or driveway.

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

A canopy tent is proposed to shade the play area during the warmer months and provide protection from the sun. In addition, a safety floor mat will be placed on the ground when the play area is open. Details of both features were submitted with the SPE application.

Staff have conditioned that the shade structure location be shown on the site plan. Staff also conditioned that the tent be replaced by a more durable and higher quality shade structure, such as a canvas sun screen, with permanent structural elements affixed to the parking deck.

Per Section 27-5202(a), all accessory uses and structures shall obtain any other applicable County, municipal, state, or federal permits. A condition has been included herein requiring the applicant to detail how the shade canopy will be adhered to the ground.

- (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 applicant's SOJ notes the outdoor play area will only be utilized during daylight hours. The parking deck where the play area is located contains existing light fixtures throughout the parking deck. In addition, the larger overall Beltway Plaza Mall site contains adequate lighting.

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

The outdoor play area will be accessible between the hours of 7:00 a.m. and 9:00 p.m. for the day care center patrons. However, the applicant's SOJ notes the outdoor play area will only be utilized during daylight hours.

- (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 40 children and is noted on the site plan.

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

The site plan shows the location and use of all buildings located on adjoining lots. The adjoining lots of the special exception boundary are all located within the overall Beltway Plaza mall site.

(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. The play area will be approximately 2,300 square feet and will be located on the upper level of the adjoining parking deck. Parking deck vehicular traffic will be rerouted around the play area perimeter. Between the play area and the building entrance, there is a 5-foot-wide sidewalk. Children and staff will not have to move between cars or around traffic to get to the play area. The site plan also shows two U-shaped bicycle racks at the building entrance to accommodate cyclists.

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, and 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 27-6305 of the Zoning Ordinance, a day care center for children requires 1.0 spaces per 10 children. This application proposes a limit of 40 children and, therefore, would require four parking spaces.

The proposed day care center can be accessed from inside of the mall or via a parking deck, where an entrance to the building is located on the upper level. There is a single vehicular access point to the site from an existing internal parking lot ramp. Directional arrows are proposed throughout the parking lot to direct vehicle circulation on-site.

The upper level of the parking deck currently contains 183 parking spaces. The applicant proposes to remove 25 spaces near the building entrance to make room for and provide safe access for the proposed play area. The applicant also proposes to add five parking spaces that are dedicated for the day care center. The remaining total of 163 spaces meets the parking requirement for the day care center. No loading spaces are required for this use.

As shown on the site plan, the mall will still have a surplus of over 600 parking spaces.

2. Section 27-6600 Fences and Walls

This SPE proposes the installation of a 6-foot-high white vinyl fence to enclose the outdoor play area, as shown on the plan. This fence meets the requirements of Section 27-6600 of the Zoning Ordinance, regarding the applicable location, height, and material regulations.

3. Section 27-61200 Neighborhood Compatibility Standards

This SPE will have minimal impact on surrounding uses. The proposed use is located inside the existing Beltway Plaza Mall and will make no changes to the exterior of the building, apart from the addition of the outdoor play area. The character of the existing neighborhood will not be impacted, while the proposed use aims to provide a much-needed service to the community.

4. Section 27-61500 Signage

Three signs are proposed with this SPE application to include one caution sign, and two reserved parking signs. The locations of the various signs are shown on the site plan.

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

The proposed development is not subject to the requirements of the Landscape Manual, per Section 1.1 of the Landscape Manual, as this development will not need a grading or building permit, and because the proposed use is not a higher intensity use than the existing commercial shopping center.

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

Section 27-6803 of the Zoning Ordinance requires that this property be subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet and has a previously approved TCP2. The approved Type 2 Tree Conservation Plan (TCP2-030-00-01) was submitted with the SPE application.

The prior M-U-I Zone was used for the approved TCP2, but the current CGO Zone contains the same woodland conservation and afforestation thresholds. Therefore, there are no changes to the overall woodland conservation requirement on the TCP2 worksheet. Since no grading permit will be required with this application, and the scope of the limits of disturbance of this SPE falls within the existing limits of disturbance of the approved TCP2, no changes to the existing TCP2 are required. The SPE is found to be in conformance with TCP2-030-00-01.

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

Per Section 25-127(a) of the County Code, the requirements of the Prince George's County Tree Canopy Coverage Ordinance are not applicable to the site due to the application proposing less than 5,000 square feet of 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 January 22, 2024 (Dickerson to Lockhart), the Community Planning Division indicated that master plan conformance is required for this application. This SPE application is consistent with Plan 2035 and conforms to the relevant goals, policies, and strategies of the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA.
- B. **Transportation Planning**—In a memorandum dated February 6, 2024 (Daniels to Lockhart), the Transportation Planning Section provided a review of compliance with the 2009 *Approved Countywide Master Plan of Transportation* and a review of the applicable Part 27-6 development standards. Staff find that the proposed plan does not impair the ability to make transportation-related recommendations that are supported by an approved master plan or functional master plan.
- C. **Environmental Planning**—In a memorandum dated February 5, 2024 (Juba to Lockhart), the Environmental Planning Section analyzed the application's conformance with the Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA and applicable sections of the Zoning Ordinance. The following discussion was offered:

Existing Conditions/Natural Resources Inventory

Section 27-3604(c), Special Exception Submittal Requirements, of the Zoning Ordinance, requires an approved natural resources inventory (NRI) plan with SPE applications. An approved NRI-156-201801 was submitted with the application, which expires on April 5, 2024. This site is not associated with any REFs such as streams, wetlands, or associated buffers. No 100-year regulated County floodplain is mapped on-site. No PMA, which is comprised of REFs, 100-year floodplain, and any adjacent steep slopes, is mapped on-site. This site is not within a Tier II catchment area. According to the Maryland Department of Natural Resources Wildlife and Heritage Service, there are no records for rare, threatened, or endangered species mapped on-site. No woodlands, specimen, champion, or historic trees exist on-site.

Specimen Trees

There are no specimen trees, champion trees, or trees that are part of a historic site, or are associated with a historic structure on this property.

Stormwater Management

Section 27-3604(c) requires an approved stormwater management (SWM) concept plan and associated approval letter to be included with SPE applications. A SWM concept approval letter and associated plan were not submitted with the application for this site; however, the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) issued a prior approval (38318-2020-00) for the overall site associated with DSP-20020, which expires on April 27, 2024. No grading permit is required for this development proposal; however, the project may be subject to further review at the time of permit, and DPIE reserves the right to impose restrictions, if necessary, prior to issuing a permit. No further information is required at this time regarding SWM with this SPE application.

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 the Prince George's County Subdivision Regulations. The predominant soils found to occur on the overall site, according to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Elkton-Urban land complex, Christiana-Downer-Urban land complex, ChristianaDowner complex, Fallsington-Urban land complex, Galestown-Urban land complex, SassafrasUrban land complex, and Urban land-Russett-Christiana complex.

According to available information, no Marlboro clay exists on-site; however, unsafe soils containing Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. The area of proposed development has already been previously graded and developed. No steep slopes are identified on areas where structures are proposed on top of steep slopes. A geotechnical review was not requested with this application, as the site was considered mostly flat, but may be required for review by the County with a future development application, in conformance with Prince George's County Council Bill CB-94-2004.

- D. **Subdivision**—In a memorandum dated February 5, 2024 (Gupta to Lockhart), the Subdivision Section provided a review of conditions attached to prior approvals and noted technical revisions to the site plan, which have been included as conditions in the Recommendation section of this technical staff report.
- E. **Historic Preservation**—In a memorandum dated January 23, 2023 (Stabler to Lockhart), the Historic Preservation Section indicated that 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.
- F. **Permit Review**—In a memorandum dated January 22, 2024 (Shaffer to Lockhart), the Permit Review Section provided technical comments to be addressed at the time of permitting, if applicable.

- G. **Prince George's County Fire/EMS Department**—As of the writing of this technical staff report, the Fire/EMS Department did not offer any comments on this subject application.
- H. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated January 26, 2024 (Giles to Lockhart), DPIE offered no objection to the SPE.
- I. **Prince George's County Health Department**—In a memorandum dated January 9, 2024 (Adepoju to Lockhart), the Health Department made the following comments/recommendations:
 - 1. The facility must apply for licensure to the Maryland Department of Education's Division of Early Childhood.
 - 2. The facility must have an environmental assessment inspection by the Prince George's County Health Department Division of Environmental Engineering and Policy Program.
 - 3. Ensure that the construction of the relocated playground is designed, constructed, maintained, and operated according to the guidelines and standards indicated in the Maryland State Department of Education Playground and Water safety manual, and the Maryland Department of Health Injury and Violence Prevention for playground safety guidelines.
- J. **Washington Suburban Sanitary Commission (WSSC)**—As of the writing of this technical staff report, WSSC did not offer any comments on this subject application.
- K. **City of Greenbelt**—In a memorandum dated January 22, 2024 (Jordan to Shapiro), the City of Greenbelt informed staff that the City Council voted in support of the application.

VIII. COMMUNITY FEEDBACK

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

IX. RECOMMENDATION

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

Therefore, staff recommend APPROVAL of Special Exception SPE-2022-012, LOL Childcare Station, subject to the following condition:

1. Prior to certification of the special exception (SPE) site plan, the following revisions shall be made, or information shall be provided:
 - a. Label the parcels with their plat recording reference.
 - b. Label the parcel boundaries with their bearings and distances in accordance with their record plats.
 - c. Provide building setback distances from the area of the SPE to the north and east property boundaries.
 - d. Revise General Note 3 to state the correct play area square footage and dimensions of 46.17 feet by 50 feet, as shown on the site plan.
 - e. Provide a minimum of two pedestrian crosswalks from the drive aisles to the facility entrance.
 - f. Replace 55-gallon barrels with a detail and location of permanent bollards.
 - g. Provide the location of the shade structure on the site plan. Replace the tent with a more durable and higher quality shade structure, such as a canvas sun screen, with permanent structural elements affixed to the parking deck, subject to approval by the Zoning Section of the Development Review Division of the Maryland National Capital Park and Planning Commission.