



# Memo

To: Mayor and Council

From: Holly Simmons, Acting Director, Community & Economic Development

CC: Tracey Douglas, City Administrator

Date: November 9, 2023

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

Attachments: Statement of Justification  
Special Exception site plan

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The purpose of this memorandum is to provide the Mayor and Council with a briefing on the Special Exception request SPE 2023-001, for the subject property located at 7207 Hitching Post Lane, Hyattsville.

## **Summary of Special Exception Conditions**

The applicants, Claudia and Ben Simasek, have applied to the Prince George's County Planning Director for a special exception to allow for a daycare center for children in the RSF-95 (Residential Single Family 95) zone. The applicants propose a licensing capacity of 16 infants and children (ages 6 months – 4years) to be cared for by three certified childcare providers within an existing one-story dwelling, along with 5,000sf of fenced outdoor play area. The property area is 17,399sf.

A day care center for children is permitted in the RSF-95 zone as a special exception use. Per the Prince George's County zoning ordinance section 27-3604(a), "A use designated as a special exception in a particular zone is a use that may be appropriate in the zone, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the zone and compatible with its surroundings. This Section establishes a uniform mechanism to review special exceptions to ensure they are appropriate for the location and zone where they are proposed."

As such, a day care center for children may be permitted in the RSF-95 zone, subject to the requirements of the Prince George's County Zoning Ordinance section 27-5402(x). When applied to this application, the requirements of 27-5402(x) primarily relate to the provision of and specifications for a fenced area to accommodate outdoor play and activities.

Should the application for the special exception be approved, the only exterior changes to the property the applicants propose are as follows:

- Installing the aforementioned fence to provide an enclosed 5,000sf play area, with fence located at least 25 feet from adjacent homes (required for the grant of the special exception);
- Replacing the gravel driveway with a paved parking space; and
- Installing an entrance ramp to make the building accessible to people with disabilities.

The applicants have been operating an at-home daycare in the same neighborhood at 3304 Gumwood Drive since 2017. The subject property is located in a residential neighborhood, and no change to zoning is proposed or required to accommodate the request.

A public hearing on the special exception case will be conducted by the Zoning Hearing Examiner.

### **Recommendation**

Based upon the application, City Staff recommends the City Council support SPE-2023-001 for the subject property at 7207 Hitching Post Lane, Hyattsville. To accommodate the special exception use, the applicant is proposing to construct a fenced area onsite to allow ample outdoor play or activity area in conformance with the requirements of Prince George's County Code 27-5402(x)(B)(i-vii). The use does not appear incompatible with surrounding uses, and the applicant has operated an at-home daycare in the same neighborhood at 3304 Gumwood Drive since 2017.