THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2020-41 File No. DPLS-468

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Parking and Loading Spaces DPLS-468, Clinton Veterinary Hospital, requesting a departure of three parking spaces, in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on March 26, 2020, the Planning Board finds:

1. **Requests:** The subject application is for approval of a Departure from Parking and Loading Spaces, DPLS-468, which requests a reduction of three parking spaces. This DPLS is a companion case of Detailed Site Plan DSP-18037 (PGCPB Resolution No. 2020-4) that was approved on the same date by the Prince George's County Planning Board.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-80	R-80
Use	Animal hospital	Animal hospital
Total Acreage	0.52	0.52
Parcels	1	1
Gross Floor Area (sq. ft.)	2,140	4,480 (2,340 proposed)

Parking and Loading Requirements

Animal Hospital, Veterinarian	**Spaces Required**
2,729 sq. ft. of kennel area at 1 space/500 sq. ft.	6
1,751 sq. ft. of clinic area at 1 space/200 sq. ft.	9
Total	**15**
Of which handicap-accessible spaces	1
Of which compact spaces	5
Loading	Not required

	Spaces Provided
Standard Spaces	8 (5 compact)
Parallel Spaces	2
Handicap-accessible Spaces	2 (1 van)
Total	**12**

3. **Location:** The site is in Planning Area 81A, Council District 09. More specifically, it is located on the east side of Brandywine Road, approximately 395 feet south of its intersection with Clinton Manor Drive. The site is known as 9414 Brandywine Road, in Clinton, Maryland.

4. **Surrounding Uses:** The site is bounded to the south and east by residentially developed properties in the One-Family Detached Residential (R-80) Zone; to the north by a professional office use in the R-80 Zone; and to the west, across Brandywine Road, by residentially developed properties in the Mixed Use-Transportation Oriented Zone.

5. **Previous Approvals:** The site is currently improved as an animal hospital, which has been reported to be the use on the property since 1955. The site has been operating with a certificate of nonconforming use (CNU) since 1981, with the current CNU-10806-2010-U issued on May 12, 2010. The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA) retained the property in the R-80 Zone. A Stormwater Management Concept Plan, 36009-2018-00, was approved on May 2, 2019 and expires on May 2, 2022.

   In accordance with Section 24-107(c)(7)(B) of the Subdivision Regulations, this site is exempt from the requirement of filing a preliminary plan and a final plat of subdivision because the site was created by deed prior to January 1, 1982, and this application proposes less than 5,000 square feet of gross floor area.

6. **Design Features:** The subject DSP proposes a 2,340-square-foot addition to the rear of the existing building for an expansion to the existing animal hospital and veterinary office. The addition will be in keeping with the original building by maintaining a single-family residential appearance from Brandywine Road, extending the side walls back, and raising the roof height by two feet to increase the pitch and rotate the gable ends to the front and rear façades. The existing parking in front of the building will be redesigned to allow for sufficient drive aisle width outside of the right-of-way, as dedication is required by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). Additional parking is located to the side and rear of the building; however, this parking was never permitted, so it is being validated with this DSP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Parking and Loading Spaces DPLS-468:** In conjunction with the DSP, the applicant has requested a departure of three parking spaces. Based on the requirements of Section 27-568(a) of the Zoning Ordinance, this proposed development would normally require a minimum of 15 parking spaces. Pursuant to Section 27-588(b)(7) of the Zoning Ordinance, the Prince George's County Planning Board must make the following findings to approve this application:

   (A) In order for the Planning Board to grant the departure, it shall make the following findings:

   (i) The purposes of this Part (Section 27-550) will be served by the applicant's request;

   The applicant seeks to ensure sufficient parking is provided to serve the needs of the patrons of this animal hospital, without an adverse impact to the public roads and surrounding community. The parking needs are generally short-term for drop-off and pick up, as well as scheduled appointments during the hours of operation. Patron use of the facility will be staggered throughout the day and will seldom, if ever, be clustered during a single period.

   (ii) The departure is the minimum necessary, given the specific circumstances of the request;

   Due to the physical limitations of the site and the single use, the applicant cannot provide any allowed reductions for shared-use spaces, and there is no additional area to use for parking, beyond those incorporated in the site plan.

   (iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;

   This property has been used as an animal hospital since 1955. Due to subsequent improvements made to the building and the limited availability of land for parking expansion, parking has been provided around the perimeter of the building. This departure is necessitated by the required dedication of Brandywine Road across the frontage of the site. The dedication will result in the loss of three of the five spaces at the frontage, and a need to reconfigure two spaces as parallel Americans with Disabilities Act (ADA) parking spaces.

   (iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and

All methods have been explored and found impractical to reduce the parking requirement further. The use of compact spaces has been maximized.

(v) **Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

The proximity of residential uses and the limitations on Brandywine Road, with no shoulder space, make any parking infringement highly unlikely. It would be more likely that neighboring residents would walk to this site for veterinary services.

(B) **In making its findings, the Planning Board shall give consideration to the following:**

(i) **The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

On-street parking is not available in the vicinity of this site and, although adjacent sites have available off-street parking, there would be practical difficulties to utilizing them for the purpose of patronizing this clinic. The Planning Board found that the applicant has demonstrated sufficient parking on-site for this expansion.

(ii) **The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;**

The Subregion 5 Master Plan and SMA recommends "Residential Low" land use for the subject property, which is described as single-family detached suburban development. This property, however, has been operating as an animal hospital for 60 years and the continued use of this site is consistent with the Zoning Ordinance, and provides a complementary resource to the community.

(iii) **The recommendations of a municipality (within which the property lies) regarding the departure; and**

This site is not within a municipality. Therefore, this consideration is not applicable.

(iv) **Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.**

At this time, no public parking facilities are proposed in the general vicinity of this property.

(C) In making its findings, the Planning Board may give consideration to the following:

(i) Public transportation available in the area;

The Prince George's County Transit System Map shows that bus Route 36 serves the subject site, with a stop at Clinton Manor Drive, approximately 400 feet to the north; however, currently there are no pedestrian opportunities available on Brandywine Road to access the site.

(ii) Any alternative design solutions to off-street facilities which might yield additional spaces;

Alternative design solutions to off-street facilities have been explored, but were unsuccessful due to space limitations on the property.

(iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;

The hours of operation and the specific nature of services provided by the animal hospital use will not conflict with the adjoining office use to the north. There are no other businesses within 500 feet of the subject property.

(iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The subject property is in the R-80 Zone. Therefore, this finding is not applicable to the subject application.

Based on the analysis above, the Planning Board approved DPLS-468, to allow a reduction of three parking spaces.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * * * * * * * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 26, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of April 2020.

Elizabeth M. Hewlett
Chairman

Jessica Jones

By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: April 8, 2020