



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

Detailed Site Plan
Departure from Parking and Loading Spaces
Alternative Compliance
Clinton Veterinary Hospital

DSP-18037
DPLS-468
AC-20002

REQUEST	STAFF RECOMMENDATION
DSP: Construction of a 2,340-square-foot addition to an existing animal hospital.	APPROVAL with conditions
DPLS: To allow a reduction in three parking spaces	APPROVAL
AC: Section 4.6, Buffering Development from Streets. Section 4.7, Buffering Incompatible Uses	DISAPPROVAL APPROVAL

Location: On the east side of Brandywine Road, approximately 395 feet south of its intersection with Clinton Manor Drive.

Gross Acreage:	0.52
Zone:	R-80
Dwelling Units:	N/A
Gross Floor Area:	4,480 sq. ft.
Planning Area:	81A
Council District:	09
Election District:	09
Municipality:	N/A
200-Scale Base Map:	212SE06

Applicant/Address:
Veterinary Realty, LLC
9414 Brandywine Road
Clinton, Md. 20735

Staff Reviewer: Burke, Thomas
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Planning Board Date:	3/19/2020
Planning Board Action Limit:	4/19/2020
Staff Report Date:	03/04/2020
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Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

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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-18037
Departure from Parking and Loading Spaces DPLS-468
Alternative Compliance AC-20002
Clinton Veterinary Hospital

The Urban Design 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 report.

EVALUATION

This detailed site plan and departure from parking and loading spaces were reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance for properties in the One-Family Detached Residential (R-80) Zone; Section 27-283 for site design guidelines; and the requirements for granting departures from parking and loading spaces;
- b. The requirements of the 2010 Prince George's County Landscape Manual;
- c. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance; and,
- e. Referral comments.

FINDINGS

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

1. **Requests:** The subject application is for approval of a detailed site plan (DSP) for a 2,340-square-foot, two-story building addition to an existing certified, nonconforming animal hospital. This application also includes a request for a Departure from Parking and Loading Spaces DPLS-468 for a reduction of three parking spaces.

2. **Development Data Summary:**

	EXISTING	PROPOSED
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. A trash enclosure with a six-foot-high, sight-tight, woodgrain, vinyl fence is located in the northeast corner of the site. A similar fence is proposed along the northern and southern property lines, except in the area of the existing woodlands at the eastern end of the property. The plan shows two "New RTU" notations on the south side of the building. There are no other references to these notations on the plan; however, RTU traditionally stands for "roof top unit" in construction terms, and the elevations do not support this. A condition to clarify the notation has been included in the Recommendation section of this report.

Architecture

The proposed architectural elevations show that the addition will maintain the single-family style of the existing structure. The addition will have a parged concrete masonry unit (concrete block) foundation, and external insulation finishing system siding above the foundation. The walls will be painted dark blue on the lower level and along the front façade watertable, with powder blue paint above. Windows throughout the existing and proposed structure will have a residential appearance with white vinyl trim and double-insulated glass. The front façade will have a revised roofline with a gable end peak, an awning above the entrance, a fixed storefront window, and a decorative paw print impression painted on the southern half. The entrance also provides a handicap-accessible ramp.

Signage

A single proposed building-mounted sign, approximately two feet by five feet, with a white background and black letters bearing the clinic name "Clinton Animal Hospital," is proposed on the front gable end; however, sign details and method of illumination have not been provided with this application. The existing freestanding sign near the property frontage on Brandywine Road is shown to remain within the right-of-way dedication, which is not allowed, yet disposition of the sign is not represented on the plans. In addition, in accordance with Section 27-614(a)(1) of the Zoning Ordinance, which is applicable per Section 27-615, a freestanding sign is not permitted on a site where the main building is less than 40 feet behind the front street line, such as is the case here. Conditions have been included in the Recommendation section of this report for these two issues.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The application has been reviewed for compliance with the requirements of the Zoning Ordinance in the R-80 and the site plan design guidelines. The relevant requirements of the Zoning Ordinance are as follows:
- a. The subject DSP is in conformance with the requirements of Section 27-441 of the Zoning Ordinance, which governs uses in residential zones. The veterinary hospital is a permitted use in the R-80 Zone, subject to Footnote 74, which states:

Permitted as an expansion of an existing nonconforming animal hospital, veterinary office with a valid use and occupancy permit issued on or before July 1, 1998. Said expansion is limited to four thousand (4,000) square feet of gross floor area and is subject to Detailed Site Plan approval, in accordance with Part 3, Division 9, of this Subtitle, by the Planning Board or its designee.

The subject property qualifies, as the use is existing with valid CNU permits issued prior to 1998. The proposed expansion is 2,340 square feet and the subject DSP was submitted.

- b. Section 27-442 of the Zoning Ordinance provides additional regulations for development in residential zones, including requirements for setbacks, net lot area, lot frontage, building coverage, and green area. The subject DSP meets all of these requirements, as shown on the submitted plans.
- c. Section 27-615 of the Zoning Ordinance governs the signage requirements for a nonresidential use in a residential zone. The subject DSP meets all of the requirements for the proposed building-mounted sign; however, a schedule with the calculations is required on the DSP, and a condition has been included in the Recommendation section requiring this be added.
- d. **Departure from Parking and Loading Spaces DPLS-468:** In conjunction with this 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 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. Staff finds 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, staff recommends that the Planning Board approve DPLS-468, to allow a reduction of three parking spaces.

- c. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers; the majority of parking is located in the side and rear, and in close proximity to the use; and the architecture proposed for the building is constructed of durable, low-maintenance materials, and employs a variety of architectural features and designs, such as window and door treatments, projections, colors, and materials.
8. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), specifically Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The landscape and lighting plan provided with the subject DSP contains the required schedules demonstrating conformance to these requirements, with the exception of Sections 4.6 and 4.7. Alternative Compliance AC-20002 was submitted, and the Planning Director recommends approval of the Section 4.7 request and disapproval of the Section 4.6 request. The applicant did not file a departure from design standards based on this recommendation. Therefore, a condition requiring that a buffer be provided along the frontage of the site, to fulfill the requirements of the Landscape Manual for Section 4.6, has been included in the Recommendation section of this report. The Planning Director recommends approval of the AC request for the Section 4.7 requirements, as follows:

Section 4.6, Buffering Development from Streets

REQUIRED: Section 4.6(c)(2)(a)(ii), Buffering Development from Streets, along Brandywine Road

Length of bufferyard	32 feet
Bufferyard width	20 feet
Plant Units (80 units per 100 linear feet)	26

PROVIDED: Section 4.6(c)(2)(a)(ii), Buffering Development from Streets, along Brandywine Road

Length of bufferyard	32 feet
Bufferyard width	0 feet
Plant Units (80 units per 100 linear feet)	26

Justification of Recommendation

The entire existing frontage of the subject property along Brandywine Road, which is a historic road, is paved, except for a narrow strip along the northern and southern property lines. The applicant is proposing sixteen shrubs and one shade tree for buffering along Brandywine Road. This application would provide a small degree of buffering along the road frontage.

The applicant is requesting alternative compliance from the requirements of Section 4.6(c)(2)(A)(ii), Buffering Development from Special Roadways, which requires a minimum 20-foot-wide buffer to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings.

While the Planning Director understands the limitations of the existing condition of the site, specifically regarding the frontage along Brandywine Road, the site does not allow for sufficient space to provide an equally effective buffer in terms of ability to fulfill the design criteria. Therefore, the Planning Director recommends denial of this portion of the application.

Section 4.7, Buffering Incompatible Uses

REQUIRED: Section 4.7, Buffering Incompatible Uses, along the northern property line, adjacent to dwelling with accessory office (Bufferyard 1)

Length of bufferyard	140
Minimum building setback	20 feet
Landscape yard	10 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant units (40 per 100 l. f.)	56

PROVIDED: Section 4.7, Buffering Incompatible Uses, along the northern property line, adjacent to dwelling with accessory office (Bufferyard 1)

Length of bufferyard	140
Minimum building setback	22.34 feet
Landscape yard	7.54 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant units	84

REQUIRED: Section 4.7, Buffering Incompatible Uses, along the southern property line, adjacent to single-family detached dwelling (Bufferyard 2)

Length of bufferyard	134
Minimum building setback	40 feet
Landscape yard	30 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant units (120 per 100 l. f.)	81*

Note: * After 50 percent reduction in plant unit requirement due to provision of the sight-tight fence.

PROVIDED: Section 4.7, Buffering Incompatible Uses, along the southern property line, adjacent to single-family detached dwelling (Bufferyard 2)

Length of bufferyard	134
Minimum building setback	22.52 feet
Landscape yard	8.45 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant units	115

Justification of Recommendation

The adjacent property to the south of the subject site is developed with a single-family detached dwelling, while the adjacent property to the north is developed with a dwelling with an accessory office. A Type A bufferyard is required along the northern property line and a Type C Bufferyard is required along the southern property line. The applicant is proposing sight-tight fencing along both northern and southern property lines. Additionally, the applicant proposes to provide an additional 28 plant units above what is required in its northern bufferyard and 34 plant units above what is required in its southern bufferyard.

Since the sight-tight fences have been provided in both bufferyards along the northern and southern property lines, plus extra plant units, the alternative design options presented in this application will be equally effective in fulfilling the requirements of Section 4.7 to form a visual and physical separation between uses of a significantly different scale, character, and intensity. Therefore, the Planning Director recommends approval of this portion of the application.

Recommendation

The Planning Director recommends DISAPPROVAL of alternative compliance from the Landscape Manual for Section 4.6, Buffering Development from Streets, along the Brandywine Road frontage.

The Planning Director further recommends APPROVAL of alternative compliance from the Landscape Manual for Section 4.7, Buffering Incompatible Uses, along the northern and southern property lines.

9. **Prince George's Country Tree Canopy Coverage Ordinance:** The DSP is exempt from the requirements of the Tree Canopy Coverage Ordinance. Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance and/or gross floor area. This DSP proposes less than 5,000 square feet of disturbance.
10. **Prince George's County Woodland and Wildlife Habitat Conservation:** The site is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property is less than 40,000 square feet in size, and has no previous tree conservation plan approval. A natural resources inventory was not required for this project, since the limits of disturbance are less than 5,000 square feet. A Woodland Conservation Exemption Letter (S-101-2018) was issued on July 18, 2018.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation**—In a memorandum dated January 2, 2020 (Stabler and Smith to Burke), incorporated herein by reference, the Historic Preservation Section concluded that the site does not contain, is not adjacent to, nor will the proposal impact any Prince George's County historic sites, historic resources, or known archeological sites.
 - b. **Community Planning**—In a memorandum dated February 21, 2020 (Lester to Burke), incorporated herein by reference, the Community Planning Division indicated that, pursuant to Part 3, Division 9 of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation Planning**—In a memorandum dated January 30, 2020 (Burton to Burke), incorporated herein by reference, the Transportation Planning Section discussed a recommendation from the Subregion 5 Master Plan and SMA to upgrade Brandywine Road to a collector (C-513), with 80 feet of right-of-way. However, DPIE has asserted that, rather than requiring the master plan required 40 feet from center line of Brandywine Road, only 34 feet from center line will be required. Staff determined that this plan and the DPLS is acceptable and meets the finding required for a DSP
 - d. **Trails**—In a memorandum dated February 3, 2020 (Ryan to Burke), incorporated herein by reference, the Transportation Planning Section made findings regarding improvements to bicycle and pedestrian infrastructure and recommended that a fee for bicycle signage, along Brandywine Road, be provided at the time of permit.
 - e. **Permit Review**—In a memorandum dated December 13, 2019 (Hughes to Burke), incorporated herein by reference, the Permit Review Section offered comments that have either been addressed through revisions to the plan or are included as conditions in the Recommendation section of this report.
 - f. **Environmental Planning**—In an email dated December 27, 2019 (Schneider to Burke), incorporated herein by reference, the Environmental Planning Section concluded that there were no issues with this DSP.
 - g. **Prince George's County Fire/EMS Department**—At the time of the writing of this report, a memorandum had not been provided by the Fire/EMS Department.

- h. **Prince George's County Police Department**—In a memorandum dated January 9, 2020 (Contic to Development Review Division), incorporated herein by reference, the Police Department offered no comments on the subject application.
 - i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this report, a memorandum had not been provided by DPIE.
12. Based on the foregoing and 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.
13. As required by Section 27-285(b)(4) of the Zoning Ordinance, for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations, as this property does not contain any regulated environmental features.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. APPROVE Departure from Parking and Loading Spaces DPLS-468 to allow for a reduction of three parking spaces.
- B. APPROVE Detailed Site Plan DSP-18037 and Alternative Compliance AC-20002, for Section 4.7, Buffering Incompatible Uses, along the northern and southern property lines, for Clinton Veterinary Hospital, subject to following conditions:
 - 1. Prior to certification of the detailed site plan, the applicant shall make the following revisions to the plans:
 - a. Show the required right-of-way dedication and parking configuration. Include the removal of the existing freestanding sign.
 - b. Provide a Section 4.6 buffer along the Brandywine Road frontage, in accordance with the 2010 *Prince George's County Landscape Manual*.
 - c. Provide a sign detail, including any methods of illumination, for the building mounted sign. Include a schedule and calculations to demonstrate conformance with the Zoning Ordinance.
 - d. Correct the building elevation orientations on the architectural elevations.
 - e. Make the following corrections to the general notes:
 - (1) Revise the parking spaces provided (General Note 11) to reflect the dedication of right-of-way.

- (2) Provide the dimensions of the van-accessible parking space in General Note 11.
 - (3) Correct General Notes 24 and 26. These appear to be related to another project.
 - (4) Provide a note indicating the required dedication for the widening of Brandywine Road, per the 2009 *Approved Countywide Master Plan of Transportation*, necessitating Departure from Parking and Loading Spaces DPLS-468.
- f. Update the Section 4.6 and Section 4.7 landscape schedules to be consistent with, and refer to, the approval of Alternative Compliance AC-20002.
- g. Clarify the notation referring to “New RTU” on the plan.
- h. Provide a lighting plan with details demonstrating the use of full cut-off optics and no light infiltration into neighboring residential properties.
- i. Show the location of the handicap parking spaces.
- 2. Prior to building permit, the applicant and the applicant’s heirs, successors, and/or assignees shall provide \$420 to the Prince George’s County Department of Public Works and Transportation for placement of one “Share the Road with a Bike” signage assembly along Brandywine Road.
- C. DISAPPROVE Alternative Compliance AC-20002 for alternative compliance from the Landscape Manual for Section 4.6, Buffering Development from Streets, along the Brandywine Road frontage.