TITLE: Jefferson Veterinarian Hospital

FILE NUMBER: SP-97-11, AP# 14633, FRO# 14634

REQUEST: Concept Site Development Plan Approval
The Applicant is requesting Concept Site Development Plan approval of an animal hospital to be located in a 6,436 s.f. building on an approximately 3.19 acre site.

PROJECT INFORMATION:

ADDRESS/LOCATION: Located on the north side of Round Tree Road approximately 900 feet west of Lander Road in Jefferson
TAX MAP/PARCEL: TM 84; Parcel 192, Lot 2
COMP. PLAN: Village Center
ZONING: Village Center
PLANNING REGION: Brunswick
WATER/SEWER: W-5; S-5

APPLICANT/REPRESENTATIVES:

APPLICANT: Brooks Ahalt, DVM
OWNER: Ahalt Family Enterprises LLC
ENGINEER: ADTEK Engineers, Inc.
ARCHITECT: Proffitt & Associates Architects
ATTORNEY: N/A

STAFF: John Dimitriou

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
EXHIBIT 1- Concept Site Plan
EXHIBIT 2- Building Elevations
STAFF REPORT

Development Request

The Applicant is requesting Concept Site Development Plan approval for the construction of a new animal hospital within a 6,436 sf footprint building on a +/-3.189 acre site. Concept Plan Approval for projects located in the Village Center zoning district is required as provided in §1-19-7.500(D) of the Frederick County Zoning Ordinance.

Site Development §1-19-7.500 (D): Development requiring site development plan review, as provided in §1-19-5.310 Use Table, shall receive concept plan approval from the Planning Commission or its authorized representative as the first step in the development review process.

The intent of the Concept Site Development Plan is to demonstrate how the proposed activity will meet the design standards listed in §1-19-7.500(C) of the Zoning Ordinance. The use is being reviewed as an “Animal Hospital” under the heading of Animal Care and Service per §1-19-5.310 Use Table in the Zoning Ordinance. The Site is currently vacant. The requested use is a principal permitted use as a special exception with site development plan approval in the VC Zoning District. A Special Exception was granted by the Board of Zoning Appeals on May 30, 2014 in Case # B-14-13.

BACKGROUND

Development History

The Site was originally zoned R-2 in 1959. The 1972 zoning maps indicated the property was rezoned to B-2, a business zoning designation. The property was rezoned in 1977 to GC-General Commercial and remained so until it was rezoned again in 2010 to VC-Village Center.

The Site was formerly part of a larger parcel of land that included the properties directly to the east and west. In 1987, the larger parcel was subdivided into 3 separate lots, of which the Site is Lot 2. The lot to the east (Lot 1) was developed and is currently used as a commercial business. The lot to the west (Lot 3), is undeveloped.

Existing Site Characteristics

The Site is currently vacant and unforested. When the property was subdivided, a well and septic field were constructed, but no further development of the property has occurred. The Site is not forested and does not contain FEMA floodplain. A portion of the Site along the eastern boundary contains wet soils. The Site has undergone some minor grading, and slopes toward the eastern boundary. A common entrance/drive between the Site and Lot 3 to the west is indicated on the plat and is partially constructed. Evidence of the common driveway agreement will be required to be provided at the time of Site Development Plan Review.
ANALYSIS

Summary of Development Standards Findings and Conclusions

Based upon the review and analysis as provided herein, Staff finds that the Concept Site Development Plan meets the intent of the Development Standards within the VC zoning district. Staff anticipates that the application will meet the site plan review criteria as set forth in §1-19-3.300.4 including items related to site development, transportation, parking, public utilities, natural features, and common areas.

- Staff finds that the proposed configuration of the building relative to the parking areas establishes the principal face of the building and provides the orientation toward Roundtree Road.
- Staff finds that the proposed parking areas are located to the side and rear of the proposed building and therefore meet the requirements of the design standards and do not create a long expanse of empty street frontage.
- Staff finds that the overall form of the proposed building has a combination of height, setbacks, roof pitch, and length of building frontage that is similar to the surrounding buildings.
- Staff finds that the generalized location and building footprint size indicated on the overall concept plan is consistent with the overall pattern and form of buildings in the surrounding zoning district.
- The Zoning Administrator has approved a decrease in the minimum front yard setback requirement from the calculated average of 134.6’ to 63’.
- The Applicant is requesting approval of a 6,436 square foot building footprint. As discussed under the heading of §1-19-7.500 (C)(4) Building massing and bulk below, Staff recommends approval of the increase in building footprint above 5,000 sf.

Detailed Analysis of Findings and Conclusions

Concept Plan Approval for VC projects is required as provided in §1-19-7.500(D) of the Frederick County Zoning Ordinance. As part of the Concept Plan review process, minimum setbacks and maximum height are established for the proposed project.

As provided in §1-19-7.500 (B)(2) Height.
Structures within the Village Center Zoning District may not exceed a maximum height of 30’ and no more than 2 stories. In the growth area communities the Planning Commission may grant an increase in height of up to 40’ and no more than 3 stories for townhouse, multi-family, transient housing, and commercial development.

The proposed building is single story and is planned with a height of 28’ 4” as shown on the proposed building elevations (See attached Exhibit 2).

§1-19-7.500 (B)(3) Setbacks.
Front, side, and rear setbacks will be determined based upon the average setbacks for structures located on all lots facing and adjacent to the proposed development, but in no event less than the
specific minimum setbacks where provided in § 1-19-6.100. Where facing and adjacent lots are vacant, the setbacks shall be based upon the average setbacks of the nearest structures.

The proposed setbacks for the project are as follows:
Front: 63’ Side: 10’ Rear: 40’

The required front setback is calculated as follows:
Structures on adjacent lot to the east: 152’
170’
Structure on nearest improved lot to the west: 191’
Structures on facing lots: 107’
53’

\[
\frac{152+170+191+107+53}{5} = 134.6’
\]

Required Front Setback: 134.6’

The setback averaging requirements result in the following required setbacks:
Front: 134.6’ Side: 15’ Rear: 40’

Although the required front setback, as calculated above, results in 134.6’ the Applicant has proposed a front setback of 63’. The proposed setback has been reduced from the required due to the placement of the existing septic field to the rear of the proposed structure. The Zoning Ordinance does provide for modifications to minimum setback requirements as calculated for the Village Center Zoning District. The proposed front yard setback can be modified per the following:

§1-19-7.500 (B)(3)(a). The Zoning Administrator may approve an increase or decrease in the minimum setback requirements where a specific finding is made that the increase or decrease is consistent with the purpose and intent of the Village Center Zoning District overlay standards in § 1-19-7.500.

The purpose and intent of the VC zone is to ensure that new development is compatible with existing development in communities that contain an older, historic village center:

§1-19-7.500 (A) Purpose and intent. Village Center zoning is applied to communities that contain an older village center as well as historic resources which are unique characteristics of Frederick County. It is the intent of the overlay standards to…sustain the distinctive village center character and community identity…to ensure that new development is compatible with the unique characteristics within each community. The scale and density of new development shall conform to the existing development patterns of the specific community in which it is located…

The setback requested by the Applicant is the result of site constraints related to the location of an existing septic field and well. The building location was determined based on the limitations of the Site, which requires a setback that is less than would be required based on setback averaging requirement of the Code.

This Site is not a part of or physically adjacent to the historic turnpike development along MD 180 where a pattern of consistent setbacks based on historic development have been established. It is located in a portion of the community that is physically separated by US 340 from the historic area and reflective of contemporary development patterns. Therefore, the character of
development within the vicinity of the Site is generally not reflective of the architectural and streetscape features that the Village Center Zone and associated Design Guide are intended to preserve.

The Zoning Administrator has reviewed the request for the reduced setback based on the findings stated above and has found that a decrease in the required setback from 134.6’ to 63’, as requested by the Applicant, is consistent with the purpose and intent of the Village Center Zoning District.

Site Development and Layout

§1-19-7.500 (C)(3) Site development and layout.
(a) Buildings shall be oriented such that the principal face of the building faces the most dominant adjacent public street as determined by the orientation of existing surrounding structures.

The most dominant adjacent public street is Roundtree Road along the southern boundary of the Site. While the Site shares its northern boundary with US 340, access to the Site, as well as to the existing surrounding structures to the east and west of the Site, is attained from Roundtree Road.

As the most visible elevation from the dominant adjacent public street, the south elevation of the proposed building is the principal face. This elevation incorporates several architectural features that provide visual indicators declaring that the design of the building is directed toward Roundtree Road.

For example, the entrance to the building is located at the southwest corner in a chamfered portico that is visible from Roundtree Road (while maximizing access by proximity to the proposed parking area located to the side of the building). This directs the design of the building toward the dominant street because people see how to enter the building from Roundtree Road as they approach.

Additionally, a gabled roof that is proposed over the entire building with the long dimension parallel to Roundtree Road is articulated by an intersecting gable running perpendicular to Roundtree. The triangular shape of the gable provides a distinct and identifiable feature as seen from the surroundings.

Finally, as the exterior wall extends up to the soffit of the gable, additional area for glazing is provided. This increases the possibility of seeing into the building from Roundtree Road, as well as for the occupants to see out onto Roundtree Road. The resulting transparency between the street and the building supports the effect of orienting the building toward Roundtree Road.
Parking shall be located to the rear and/or side of buildings. Parking lots shall not create long expanses of empty street frontage.

The proposed parking for the Site is located to the rear and side of the building.

Roadside sidewalks shall be provided when sites are developed or redeveloped. Sidewalks linking adjacent parcels along the primary street shall be provided wherever practical.

There are no sidewalks on any adjoining or facing lots, or in the vicinity of the project. A streetscape enhancement project managed by SHA is underway along MD 180. However, the nearest proposed improvements end at Lander Road to the north of the overpass of US 340 approximately ½ mile from the Site.

Refuse and recycling dumpsters shall be located away from public access areas and may be required to be screened. The most appropriate screening shall be determined at site development plan review with materials reflecting neighborhood characteristics as approved by the Planning Commission.

Dumpsters are proposed to be located out of view, behind the building.

**Building Massing and Bulk**

§1-19-7.500 (C)(4) Building massing and bulk.

(a) The overall form of proposed buildings, such as height, front and side yard setbacks, roof pitch, and length of building frontage shall be similar to the surrounding buildings in order to maintain a consistent pattern and texture in the built environment.

The nearest surrounding buildings are located on the adjacent parcel to the east of the Site. They are all single story structures with gable roofs, and with a general shape and footprint that is...
similar to the proposed building. There are no other visible buildings in the immediate vicinity of the Site. Facing properties are screened by a dense row of evergreen trees, as is the nearest building to the west of the Site.

(d) Non-residential buildings shall not exceed a maximum footprint of 5,000 square feet except within the growth area communities where the Planning Commission may grant a maximum non-residential building footprint of up to 8,000 square feet.

The Site is within the Jefferson Community Growth Area and the area of the proposed building footprint is 6,436 square feet. Existing Village Center zoned commercial structures to the east range in footprint size from approximately 4,800 square feet to 12,000 square feet. Existing residential structures to the south and west (beyond the intervening vacant adjacent parcel) are zoned R1-residential. Typically, structures within the Village Center Zoning District are used for comparison purposes in calculating the footprint for proposed development. As previously discussed, it is the intent of the VC overlay standards to sustain the distinctive village center character and community identity...and to ensure that new development is compatible with the unique characteristics within each community. However, due to the location of the Site outside of the historic core VC District and the contemporary nature of the surrounding architecture, Staff has no objection to the increase in square footage proposed by the Applicant.

The proposed building footprint (6,436 square feet) is minimal relative to the size of the lot (138,952 square feet), and when compared to the footprints of adjacent existing commercial structures. In addition, a significant amount of open space within the lot will surround the building providing separation from existing and future structures. Proposed landscaping to enhance the Site and the transition between proposed and existing development will be reviewed at the next step in the Site Development Plan process.

Site Development §1-19-7.500 (D):
(b) The manner in which the proposed development conforms to adopted county community or corridor plans for the area where the development is proposed.

- No County community or corridor plan has been adopted for the Jefferson Community Growth Area. Generally, the proposal demonstrates adherence to the principles outlined in the County's Comprehensive Plan through the development of a commercial use within a designated Community Growth Area.

Other Applicable Regulations

Forest Resource – Chapter 1-21:
This development is subject to FRO. A FRO plan has been submitted and is currently under review. The Site contains no forest or specimen trees. The Applicant is providing FRO mitigation by purchasing banking credits (0.48 acres). The FRO plan must be approved prior to Site Plan approval, and the required FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.

Historic Preservation – Chapter 1-23:
There are no historic buildings on the Site.
RECOMMENDATION

Staff has no objection to conditional approval of the Jefferson Veterinarian Hospital Concept Site Development Plan. If the Planning Commission conditionally approves the Concept Site Development Plan, the Plan is valid for a period of three (3) years from the date of Planning Commission approval and will therefore expire on November 12, 2017.

Based upon the findings and conclusions as presented in this staff report, the application meets Concept Plan approval criteria subject to the following conditions:

1) Planning Commission approval of the proposed building footprint of 6,436 square feet.
2) Address all agency comments as the plan proceeds through the review process.
3) Site Development Plan approval is required prior to development of the Animal Hospital.
4) The Applicant will be required to provide documentation for the common entrance/drive for the Site prior to final Site Development Plan approval.
5) The FRO plan must be approved prior to final Site Development Plan approval, and the required FRO mitigation must be provided prior to applying for grading permits or building permits, whichever is applied for first.
6) Development of the Site is subject to the findings and decisions of the Board of Appeals as adopted on May 30, 2014 for Special Exception Case No. B-14-13.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE Concept Site Development Plan #SP-97-11 (AP-14633, FRO 14634) for the proposed Jefferson Veterinarian Hospital including approval of building footprint of 6,436 square feet, with conditions as specified in the Staff Report.