

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 www.mnccppc.org/pgco/planning/plan.htm.

Special Permit Application No.

SP-060003

Application	General Data
Project Name: Wachovia Bank Location: Southeast corner of MD 410 and US 1, known as 6217-6241 Baltimore Avenue. Applicant/Address: Riverdale One, LLC 13208 Lantern Hollow Drive North Potomac, Maryland 20878-8705	Date Accepted: 11/14/06
	Planning Board Action Limit: N/A
	Plan Acreage: 0.85
	Zone: MUTC
	Dwelling Units: N/A
	Square Footage: 8,050
	Planning Area: 68
	Tier: Developed
	Council District: 03
	Municipality: Riverdale Park
	200-Scale Base Map: 207NE04

Purpose of Application	Notice Dates
Departure from Design Standards of Riverdale Park M-U-T-C Development Plan for proposed Wachovia bank.	Adjoining Property Owners Previous Parties of Record Registered Associations: 10/10/2006 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 03/12/2007

Staff Recommendation		Staff Reviewer: Kendra Wright	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

**THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION**

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

FINDINGS:

- A. **Location and Field Inspection:** The subject site is a vacant .85-acre parcel. It is located at the southeast corner of Baltimore Avenue (US 1) and East-West Highway (MD 410) in Riverdale Park, Maryland. This site is located in Planning Area 68 and Council District 3. No environmental features are found on the site.
- B. **History:** The subject property was zoned C-S-C as of the 1994 *Sectional Map Amendment for Planning Area 68*. The owner of the property entered into an agreement with the Mayor and Council of Riverdale Park for the development of an Eckerd on site around the time the M-U-T-C was being developed. The 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* rezoned the property M-U-T-C. The Development Plan did not provide a specific building recommendation for the development of the site due to the understanding that the Eckerd would be constructed. For reasons unrelated to design, Eckerd later withdrew from the site.

Wachovia Bank now seeks to build a financial center on the site. The proposed design of the property does not conform to the design guidelines of the plan. According to the applicant, the Riverdale Park Mixed-Use Town Center Zoning Review Committee had voted to deny the proposed application on April 5, 2006. The method of appeal set forth in the Development Plan directs the applicant to apply for a departure through the special permit process.

According to the applicant, the Mayor and Council now support the application due to revisions to the proposed plan that was presented on December 4, 2006. To date, staff has not received formal confirmation from the Town of Riverdale Park. Staff has received a letter from the Riverdale Park Mixed-Use Town Center Zoning Review Committee dated March 19, 2007, that cited some improvement but reiterated remaining concerns.

- C. **Master Plan Recommendation:** The 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* rezoned the property M-U-T-C. The M-U-T-C Zone:
- provides for a mix of commercial and limited residential uses which establish a safe, vibrant, 24-hour environment; designed to promote appropriate redevelopment of, and the preservation and adaptive reuse of selected buildings in, older commercial areas;
 - establishes a flexible regulatory framework, based on community input, to encourage compatible development and redevelopment;
 - mandates approval of a Development Plan at the time of zoning approval, that includes minimum and maximum Development Standards and Guidelines, in both written and graphic form, to guide and promote local revitalization efforts; and
 - provides for legally existing buildings to be expanded or altered, and existing uses for which valid permits have been issued to be considered permitted uses, and eliminating nonconforming building and use regulations for the same.

The plan contains recommendations for future development within the town center and locally tailored design standards for new and infill development. These standards replace the existing

development standards contained in the Prince George's County Zoning Ordinance. Along Baltimore Avenue and in the older industrial area north of the town's historic core, larger scale redevelopment projects are recommended. Design standards for new development for these parts of the town center promote pedestrian-scale development by requiring, in part, an enhanced streetscape and improved architectural design.

The plan contains an inventory of the design and type of existing uses and street right-of-way widths. The design guidelines build upon that variety in directing future development. It acknowledges Baltimore Avenue (US 1), Queensbury Road and Rhode Island Avenue as the major roads serving the town center. The Baltimore Avenue (US 1) concept (as shown on Map 4) proposes a street with a wide sidewalk, an attractive streetscape, and bike lanes to create a functional and vibrant town center. Buildings will be sited closer to the street, adjacent to wider sidewalks that will be separated from vehicular traffic by a minimum eight-foot-wide strip containing street trees, landscaping, and pedestrian amenities. The new build-to-line mimics traditional development patterns and permits a larger building envelope because the setback and landscaped front bufferyard are no longer required. Within this area the following is required:

- Sidewalk – unobstructed seven-foot-wide walkway adjacent to the street wall
- Landscaping/Pedestrian Amenity Strip – includes street trees and landscaping, and space for the placement of amenities such as benches, post office boxes, and pedestrian-oriented lights.

The 2002 General Plan places the site within the Developed Tier. The vision for the developed tier is a network of sustainable transit supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The vision for Centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.

- D. **Request:** The operation of a bank is a permitted use at this site. It should be noted that, while the application was filed as a special permit application, the applicant's request is for a departure from the design requirements of the Riverdale Park Mixed-Use Town Center (M-U-T-C) Development Plan. As specified in the plan, in order for the Planning Board to grant departures from the strict application of any standard or guideline approved in the development plan, the Planning Board must make the findings listed in Section 27-548.00.01(a) (2). Because this type of departure does not have a designation in the Zoning Ordinance, it is filed in accordance with the procedures set forth in Section 27.239.01 for Special Permits.

The applicant plans to develop a two-story building with five bank drive-through lanes and 41 parking spaces. The applicant is requesting a departure from the strict application of the requirements concerning the following: building placement, parking and loading, and access and circulation. There is a list of standards within each of these areas to be reviewed in further detail below.

- E. **Neighborhood and Surrounding Uses:** The site is surrounded by the following uses:

North: Across East-West Highway, Commercial uses in the M-U-T-C Zone.

South: Commercial uses in the M-U-T-C Zone.

East: Across Beale, Vacant property in the M-U-T-C Zone.

West: Across Baltimore Avenue, McDonald's in the M-U-T-C Zone.

The neighborhood is defined by the following boundaries:

North: Tuckerman Street

South: Madison Street

East: Lafayette Avenue

West: 44th Avenue

F. Special Permit Findings: Section 27-239.02(a)(9) and Section 27-548.00.01:

The Approved Riverdale Park M-U-T-C Development Plan provides that, "If a development plan is recommended for denial, or approval with conditions that an applicant is not in agreement with, the applicant may appeal that decision to the Prince George's County Planning Board through the Special Permit Process". In the statement of justification, the applicant has addressed Section 27-239.03 which states, "The Planning Board may grant a special permit in the M-U-T-C Zone if it finds that the site plan is in conformance with the approved Town Center Development Plan and its guidelines and specific criteria for the particular use". This is not a required finding for this application. The site plan is not in conformance with the approved plan. This is why the request is for a departure. To clarify the issue, it should be noted that the application is filed using special permit procedures and not special permit findings. As provided in Section 27-548.00.01, in order for the Planning Board to grant a departure from the strict application of any standard or guideline approved in the M-U-T-C, it shall make the following findings:

27-548.00.01(a)(2)(A): A specific parcel of land has exceptional narrowness, shallowness, or shape; exceptional topographic conditions; or other extraordinary situations or conditions;

The specific parcel of land does not have exceptional narrowness, shallowness, or shape or topographic conditions. However, the specific parcel of land is affected by extraordinary situations. According to the applicant, the parcel has a major water trunk line running diagonally through the property. The easement for this water line does not allow development constructed on top of it. This needs to be noted on the site plan. Additionally, there are right-of-way and setback issues. The plan acknowledges and recommends a revised lane configuration for Baltimore Avenue (US 1). A four-lane roadway with turning lanes at selected intersections is recommended. The plan also includes slightly wider travel lanes and a five-foot-wide bike lane. Since the recommended lane configuration could possibly require road widening in the future, a projected face-of-curb was calculated from which new development would measure build-to-lines. The plan provided a table to be used until the SHA had adopted a new plan.

It is staff's understanding that because of additional SHA requirements due to the EYA development, buildings on the property would need to be setback even further than anticipated. In a memo dated February 12, 2007, Transportation Planning staff provided that while dedication of rights-of-way is not required as part of this application, the submitted plan shows additional rights-of-way for US 1 and MD 410, which when needed will be dedicated to the Maryland State Highway Administration (MD-SHA). Without these additional rights of way dedications, the SHA and the applicant of the EYA development in the City of Hyattsville could not construct the required and needed intersection improvements, which would improve traffic operation at this

highly congested intersection. According to the applicant, SHA insists that access from Baltimore Avenue (US 1) to the property be located as far from MD 410 as possible. These factors affect the site's ability to meet the design guidelines as specified below:

Building Placement: These factors keep the building from occupying 66 percent of the build-to line as required in Standard 2 Page 34, and from meeting the setback requirement of Standard 1 Page 33. Standard 2 on Page 34 requires the building façade to occupy a minimum of 66 percent of the build-to-line. Standard 1 Page 33 requires all new buildings to be built within a specified distance of the face-of-curb depending upon location, plus or minus the allowable variation. According to Map 4, Baltimore Avenue (US 1) should have 4 travel lanes, one turning lane, a double yellow line, and 15 to 20 feet of streetscape in the area of this property.

It is also not clear why the proposed building does not occupy 50 percent of the net lot area as required by Standard 1 Page 34. The applicant has not submitted justification for the significant size differential in the buildings proposed size. Also, there is some discussion of the Landscape Standard 1 found on page 59. The applicant provided that the sidewalk will be 8.6 feet wide, which is within the required 7 to 15 foot standard.

Parking and Loading: There was no specific information submitted in the form of an agreement with the town, number of businesses without parking, or hours of operation to suggest how providing additional parking has been calculated, how it will be used, nor why it is needed. The applicant has not suggested an inability to meet the minimum required number of spaces as stipulated in Standard 1 Page 39. Instead, the applicant seeks to provide additional parking above the maximum allowed for the property. The maximum number of spaces allowed for this site is 23. The applicant seeks to provide 41 spaces. Some of this space could be used to meet the required building size. Therefore, no departure for parking is included as a part of staff's recommendation.

Access and Circulation: This factor does not affect the ability to meet the standards listed in access and circulation. Standard 6 Page 37 strongly discourages drive-through windows because they are inconsistent with the pedestrian orientation of the town center. Drive-through windows may only be considered if accessed by alleys and located on the rear of the property. The applicant is proposing five drive-through lanes. In a letter dated March 19, 2007, the Riverdale Park Mixed-Use Town Center Zoning Review Committee stated that the application does not adequately address the diminishment of the pedestrian orientation of the plan via the emphasis on the drive-through lanes along East-West Highway and recommend a reduction. Staff agrees with the plan. The site is highly visible and should be developed to meet as many of the design guidelines as possible. Standard 8 on page 37 of the Town of Riverdale Park Mixed-Use Town Center Zone Development Plan states that ATMs may not have vehicular access. The site plan does show a proposed ATM with vehicular access. This was not included as a part of the request in the justification statement. Staff suggests that if the Board deems drive-through lanes acceptable at this site, then the number of lanes should be reduced not to exceed three lanes and that one allows an ATM with vehicular access.

The applicant made reference to a small park on the subject property. Any park shall follow the Parks and Plazas Section of the design standards. The "pocket park" area on the proposed plan does not meet these standards, as only landscape is provided. There was no specific information in the form of a site plan submitted regarding this issue. Therefore, no landscape departures are included as a part of staff's recommendation. This review does not include the review of any signs.

27-548.00.01(a)(2)(B): The strict application of the Development Plan will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and

The strict application of the Development Plan will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property, because the right-of-way and access requirements of the State Highway Administration (SHA) would require a redesign of the property regarding the building placement.

27-548.00.01(a)(2)(C): The departure will not substantially impair the intent, purpose, or integrity of the General Plan, Master Plan, or the Town Center Development Plan.

A departure from the building placement requirement will not impair the intent of the Town Center Development Plan and General Plan. The increased setback does not completely diminish the site's ability to be developed and designed in conformance with the Plan. However, it should be noted that any additional departure will impair the intent of the Town Center Development Plan. The applicant's proposed site plan currently impairs the intent of the Town Center Development Plan and General Plan due to issues including the excessive number of drive-through lanes and the lack of architectural interest of the building elevation. With the recommended conditions and necessary revisions, the request will not substantially impair the intent, purpose, or integrity of the Plan.

- G. **Parking Regulations:** The applicant has not suggested an inability to meet the minimum required number of spaces as stipulated in Standard 1 Page 39. Instead, the applicant seeks to provide additional parking above the maximum allowed for the property. The maximum number of spaces allowed for this site is 23. The applicant seeks to provide 41 spaces. Some of this space could be used to meet the required building size. It is not clear why this excess in spaces is necessary. If the lot will be used after hours, all 25 spaces will be available. Staff has not received evidence of the agreement referred to by transportation and community planning staff regarding parking. Therefore, staff does not recommend approval of this deviation due to the limited amount of space on the site imposed by the SHA setback.

In a memo dated February 12, 2007, the Transportation Planning Section staff offered the following:

"The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and the proposed variation requests and the ways in which the proposed development conforms to the regulatory and performance standards outlined in the approved Town of Riverdale Park M-U-T-C development Plan.

Detailed Site Plan Findings

The proposed application is for construction of a two-story, commercial bank building approximately 8,050 gross square feet, with five drive-through bays, and 41 on-site parking spaces. The proposed 41 parking spaces exceeds the maximum number of parking spaces recommended for the proposed bank use by the approved Town of Riverdale Park M-U-T-C development Plan parking standards by 17 spaces. In the submitted justification statement, the applicant proposes to enter into an agreement with the Town of Riverdale Park and to designate these 17 extra parking spaces as a municipal parking lot which can be used by this development as well as other nearby development with existing parking deficits. While this proposal is not

fully endorsed by the approved parking standards, it has merits and is deemed acceptable as it is an innovative approach in providing additional opportunities for parking in an area with very limited available parking.

Access to the site will be from a limited entrance (right-in) only along US 1, and a full access along West Beale Circle, which is maintained by the town and extends from Queensbury Road to MD 410. The access to the proposed five drive-through bays is also oriented toward West Beale Circle. The Plan discourages provision of drive-through windows within the town center unless they are located on the rear of the property and accessed from an alley. While West Beale Circle is not an alley, it is located on the rear property and more or less functions as an alley.

For the proposed application the off-site traffic adequacy is not an issue. Nonetheless, using the recommended trip generation rates for a bank with drive-in, the proposed development could generate 96 AM (54 in, 42 out) and 270 PM (135 in, 135 out) peak-hour vehicle trips, of which approximately 80 percent are considered as pass-by-trips. The Institute of Transportation Engineers (ITE) defines pass-by-trips as traffic which is already on adjacent streets for other purposes.

The staff review of the site plan itself has revealed no significant problems. However, it is important to note that while dedication of rights-of-way is not required as part of this application, the submitted plan shows additional rights-of-way for US 1 and MD 410, which when needed, will be dedicated to the Maryland State Highway Administration (MD-SHA). Without these additional rights of way dedications, the SHA and the applicant of the EYA development in the City of Hyattsville could not construct the required and needed intersection improvements, which would improve traffic operation at this highly congested intersection.

Transportation Staff Analysis and Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed development will meet the circulation requirements of the approved Town of Riverdale Park M-U-T-C development Plan. This finding is made conditional upon the following:

1. Prior to issuance of any building permit the applicant shall enter into an agreement with the Town of Riverdale Park to create a municipal parking lot consisting of at least 17 parking spaces on the subject property and, if deemed acceptable by the Town of Riverdale Park, agree to make these spaces available to all nearby development within the Town of Riverdale Park.
2. Prior to the signature approval of the plan, and/or when deemed needed by the MD-SHA, the applicant shall agree and dedicate additional rights of ways designated on the submitted plan as “dedication area upon demand” along the property’s frontage on US 1 and MD 410.”

In a memo dated February 9, 2007, the State Highway Administration offered the following:

“The State Highway Administration (SHA) met the applicant and their traffic engineering consultant on November 14, 2006 to discuss the planned improvements in conjunction with the proposed improvements by EYA Hyattsville Redevelopment. The applicant has agreed to dedicate right-of-way to the SHA along the property frontage for the future widening of Baltimore Avenue (US 1) to provide a double left from northbound Baltimore Avenue (US 1) to westbound MD 410. The applicant is currently working with

SHA to identify the needs. Plans depicting the new building location were submitted on January 17, 2007 for review and comment.”

- H. ***Landscape Manual Requirements:*** According to the Urban Design section, instead of being governed by the requirements of the Zoning Ordinance and Landscape Manual, the project would be subject to the Riverdale Park Town Center Development Plan requirements regarding purposes, landscaping and screening, uses, regulations and development plan. As noted above, landscaping and buffering requirements are set by the individual approval rather than the Landscape Manual. Urban Design staff suggests that the applicant be asked to clarify what he intended as a “Residential Buffer Landscape” along East West Highway and West Beale Circle. The Urban Design Section suggests that the applicant remove this notation from the plans and include a five-foot-wide sidewalk, widen the planting area from eight feet to fifteen feet and to specify plantings to be included in the landscape strip modeling the landscape strip width and number of plantings on those contained in the Landscape Manual for Section 4.2 “Commercial and Industrial Landscape Strip”. According to Community Planning staff, Standards 1, 3, 5, 6, 7, 8, and 12 for Landscaping and Pedestrian Amenity Zone, page 59-61 are met. There is not enough information to determine if Standards 1, 3, and 4, page 44 for Landscaping are met. It is recommended that the applicant provide additional information to staff for review.

I. **Other Issues:**

The departure is necessary for building placement issues. While the applicant has met their burden of proof in this instance, conditions are necessary to bring the proposal into compliance with the Code. Several issues remain regarding the design of the property. The property is located in a highly visible location at the corner of Baltimore Avenue (US 1) and East-West Highway (MD 410), in the Riverdale Park National Register Historic District, and in the Riverdale Park M-U-T-C. Realizing the “front door” importance of this intersection, development should meet or exceed the standards as much as possible. Baltimore Avenue is one of the major roads serving the town center. Due to the road network surrounding the site, the building has seemingly multiple fronts. The design of the building should be similar on all four sides. In particular, the primary façade of the building, the Baltimore Avenue frontage, should contain a primary customer entrance. The development should create a recognizable image as a distinct place to differentiate Town of Riverdale Park from other activity nodes. Design standards for new development for these parts of the town center promote pedestrian-scale development by requiring, in part, an enhanced streetscape and improved architectural design. Sidewalks should surround the entire property providing a pedestrian friendly site. While there is mention of a park, there is no accent area with benches to provide a destination point.

The Historic Preservation Section, in their referral dated January 10, 2007, notes the following:

“The application for a special permit for departures from the Riverdale Park M-U-T-C Development Plan is located within the Riverdale Park National Register Historic District (#68-004). The project site is one of the most prominent commercial intersections within the historic district and within the Baltimore Avenue/US 1 corridor. The site is also the meeting point of both the Town of Riverdale Park and the Town of University Park. Therefore, the architectural character of the proposed new building should highlight this highly visible location and appropriately anchor this prominent intersection.

The architectural renderings provided for the two-story brick building indicate that the proposed building will be of generally suitable scale, character and materials. However, the primary entrance to the building is focused toward the adjacent parking area south of the building rather

than to the west to Baltimore Avenue, a more traditional orientation for a commercial corridor. This organization reflects a primary access pattern by automobile rather than pedestrian. The building's long Baltimore Avenue elevation includes a secondary entrance that serves the building's second floor. This entrance is closest to the prominent Baltimore Avenue/East-West Highway intersection. As a result, even though it serves a secondary purpose for the building, it is in a more prominent location than the primary entrance to the building.

Historic Preservation staff recommends that in order to be more compatible with the character of the Riverdale Park National Register Historic District and its commercial corridor, the secondary entrance for the proposed building should be more prominent to more effectively anchor the building and the intersection. A revised entry at this location will also serve to mitigate the building's unfenestrated East-West Highway elevation. The design of the proposed building should be revised to include a secondary entrance of similar character to the primary entrance."

In a memo dated April 3, 2007 the Urban Design Section staff provided the following:

1. The architecture of the façade of the bank facing East-West Highway is lacking in visual interest. The Urban Design Section would suggest that this façade be enhanced by the inclusion of window fenestration at the second floor of the buildings on the north elevation.
2. Instead of being governed by the requirements of the Zoning Ordinance and Landscape Manual, the project is subject to the Town of Riverdale Park M-U-T-C district requirements regarding purposes, landscaping and screening, uses, regulations and development plan. Urban Design considerations contained in those M-U-T-C district requirements are as follow:

Human-scale—Applicant should include a five-foot-wide sidewalk along the site's West Beale Circle frontage.

Site Design—Urban Design staff would suggest that the variations in building placement and parking and loading support the urban design goals of the Town of Riverdale Mixed-Use Town Center Zone.

Building— Please see above comments as to the project's architecture.

Public Space Design—The applicant's justification statement mentions the creation of a "pocket park" and a municipal parking lot as part of the project's design. It is unclear to the Urban Design Section what the design of the "pocket park" will be or where such municipal parking lot is planned as part of this project. The Urban Design Section notes the inclusion of a "solid brick screen wall" with the lettering "Town of Riverdale Park" on it, but the signage wall alone is insufficient to claim creation of a "pocket park".

Buffers and Landscaping— As noted above, landscaping and buffering requirements are set by the individual approval rather than the Landscape Manual. Urban Design staff would suggest that the applicant be asked to clarify what he intended as a "Residential Buffer Landscape" along East West Highway and West Beale Circle. The Urban Design Section would suggest that the applicant remove this notation from the plans and include the a five-foot-wide sidewalk, widen the planting area from eight feet to fifteen feet and to specify plantings to be included in the landscape strip modeling the landscape strip width and number of plantings on those contained in the Landscape Manual for Section 4.2 "Commercial and Industrial Landscape Strip".

Parking—Urban Design, notes that the parking is generally placed away from the streetscape. However, the drive through lanes and bays seem excessive and will contribute to a view of a “sea of asphalt” as viewed from East-West Highway.

Building Height, Massing and Openings—Please see above discussion of architecture.

Signage—The Urban Design Section notes the use of a monument wall-mounted signage for the project. Urban Design would suggest a condition that would allow the Town of Riverdale Park Urban Design Section to review its design prior to the issuance of a sign permit.

Lighting—The Urban Design Section has reviewed the Holophane, Acrylic Utility Washington Postlite Luminaire, intended to be utilized for the site and found it to be acceptable.

Stormwater Management—Method to be employed to handle stormwater management is not immediately apparent from the plans. Urban Design staff would only be concerned if a stormwater management pond were included that was not landscaped so as to become a visual amenity. It does not appear that ponds are included in stormwater management plans for the site.

Parks and Plazas—The plan notes a pocket park at the intersection of Baltimore Avenue and East-West Highway, but the details of such are not included in the plan. The plan shows landscaping in the area behind the sign.

Seating—The Town of Riverdale Park Mixed-Use Town Center Zone Development Plan specifies that seating be included in development plans. Durable benches of an attractive upscale design made of metal and designed in a historically correct style would be a good addition to the entrance of the bank, to be reviewed by the staff prior to signature approval of the plans.

In a memo dated December 26, 2006, the Community Planning section staff provided the following:

“This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier. This application is not consistent with several development standards of the *2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*. (See Planning Issues section) The local design review committee has the first requirement for review and may take one of three actions: 1) recommend approval of the application as submitted presuming there are no mandatory development standards that are not met, 2) recommend approval with conditions, or 3) recommend denial of the application. At the April 5, 2006 meeting, the M-U-T-C Committee recommended denial of the application wherein the applicant made the decision to obtain departures from the strict application of development standards through the Special Permit process pursuant to Section 27-392.02(a)(6)(B). Since the April 2006 M-U-T-C meeting, the applicant has made further refinements to the site plan to further meet the development standards of the Riverdale Park M-U-T-C Plan. It is my understanding that the Mayor and Council of the Town of Riverdale Park have also reviewed the proposal and generally approve it subject to finalizing covenants, which the town has entered into with the applicant.”

Community Planning staff noted several standards regarding the proposal. Apparently some standards had not been addressed. The list is as follows:

Building Placement:

Standard 1, page 33 provides that all new buildings shall be built within a specified distance of the face-of-curb per Table 4.

Comment: The proposal meets the requirement along Baltimore Avenue, but substitutes a fence and landscaping along the East-West Highway.

Standard 1, page 34 provides buildings shall occupy a minimum of 50 percent of the net lot area.

Standard 2, page 34 provides the building façade shall occupy 66 percent of the build-to line except in the historic core.

Comment: The applicant seeks a departure through the special permit process from the strict application of this standard.

Standard 3, page 33 provides that all new building sidewalls shall abut the sidewalls of adjacent buildings except for the provision of passages in enclosed blocks.

Comment: The applicant is seeking a departure from the strict application of this standard through the special permit process.

Access and Circulation:

Standard 8, page 37 provides that ATMs may be located on the front or side of the building, but may not have vehicular access.

Comment: The applicant moved the drive-thru windows to the rear of the site and is seeking a departure from the strict application of the development standards through the special permit process.

Standard 6, page 37 provides that drive-through windows are inconsistent with the pedestrian orientation of the town center and are strongly discouraged. Drive-through windows may only be considered if accessed by alleys and located on the rear of the property.

Comment: Wachovia requires ATM vehicular access for this site. A change to make provisions for a walk-up ATM at the building entry plaza to partially conform to the standard is suggested.

Services, Utilities, Storm Water Management:

Comment: There is not enough information to determine if the standards for **Services, Utilities and Storm water Management** are met. (See page 38 of the Plan). There is the note of an equipment yard on the drawing but it does not appear on the elevations. It is unclear as to what this is and whether it would be constructed of the same materials as the main building. It needs to be an extension or part of the main building since it is located on the north side of the site along East-West Highway.

Parking and Loading Provisions:

Standard 1, page 39—“The maximum number of off-street surface parking spaces permitted for each land use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. If structured parking is provided, this maximum number may be increased.”

Comments: The applicant states that the 42 parking spaces are the minimum required by Wachovia and is seeking a departure from the strict application of this standard through the special permit process. There is not enough information to determine if Standards 15 and 16 for Parking and Loading Provisions, (page 41) are met—(15) “Loading areas shall be attractive and well maintained; (16) New development shall provide adequate loading spaces to the rear of the building with access from alleys, side streets or shared curb cuts.”

The bank building may not have the same loading requirements as a retail establishment or restaurant, nevertheless, since the bank is requesting a departure from the maximum parking recommended by the Riverdale Park M-U-TC Plan, it seems that appropriate and sufficient loading space will be provided. It appears that the proposed street lights have been coordinated with the Town of Riverdale Park to conform to those that have been installed as part of the town’s streetscape initiative and that Standards 1, 2, 3, and 4 for Lighting, page 43 are met. There is not enough information to determine if

Standards 1, 3, and 4 for Landscaping, page 44 are met. If these standards are not met, they will require departures as a part of this special permit.

Architecture:

Standard 1, page 47 – Buildings shall have a tripartite composition.

Comment: According to the elevation sketches provided by HBA Architecture, the applicant has revised the buildings to meet this requirement.

Building Openings:

Standards 1, 2, 5, 6, 11, 13, pages 54 and 55—Building Openings

Comment: These standards have not been met. The applicant has reconfigured the building to meet these standards.

Standards 4, 6, and 8, page 56—Signage

Comment: These standards have not been met.

The bank will use signage with individual letters instead of their standard “box sign”. The letters are internally lit but approximate in appearance pin letters stipulated in the M-U-T-C signage standards. No signage is approved as a part of this application.

Streetscape:

Streetscape Standards 1 and 2, page 58

Comment: These standards are met.

Sidewalk Standards 1, 2, and 3, page 59

Comment: These standards are met.

Community Planning staff provided an addendum to the first set of comments on March 22, 2007. The comments are as follow:

“The committee expressed enthusiasm for two improvements made since the last review: the addition of a full-fledged, usable second story and the addition of a secondary tenant entrance facing Baltimore Avenue. The committee made several recommendations to the proposed amended plans as follows:

- 1) The number of drive thru lanes remains excessive for an area that is intended to be pedestrian oriented. A reduction of lanes is recommended.
- 2) The amended plans indicate a dedication for future SHA improvements by others. When the future dedication occurs, the result will be a 12.4-foot streetscape at the most narrow point on US 1 where the building juts out. Once tree boxes (5 feet by 10 feet) are installed, the sidewalk will be further reduced. Thus, the building should be set back to ensure the 15-foot wide streetscape per configuration 3 of Map 4 in the plan on page 19. (If alternative road design can achieve a 15-foot streetscape without any readjustment of the building setback, it would be preferable). Until such time as US 1 is widened there will be a generous hard surface streetscape of over 25 feet. Details of the streetscape indicating paving materials of concrete with brick banding, at a minimum are needed.
- 3) The amended plans indicate existing trees and grates to remain. These trees are located in what is identified as the dedication for future SHA improvements. The plans also indicate planters to be installed upon future SHA widening of US 1. The recommendation is that raised planters should not be installed when and if the road is widened. Assuming that a 15-foot streetscape is available as requested in item number 3, there will be room to install tree boxes (5x10 feet) planted with 2 ½ to 3-inch caliper trees, which shall be planted every 30 to 40 feet on US 1. References to raised planters should be taken off the plans.
- 4) Specify plant spacing on the landscape plan. It appears that the shrubs are overcrowded.
- 5) Replace Leland Cypress with Foster Holly on the landscape plan.
- 6) Note on plan the existence of a 24-hour pedestrian-oriented ATM. Pedestrians should not be required to stand in drive thru traffic to utilize the ATM.
- 7) First floor windows should be permeable.
- 8) Crosswalks across the driveway apron on US 1 and across the parking lot between the proposed interior sidewalks should be stamped colored asphalt as opposed to painted stripes.
- 9) The committee reiterated its disappointment that the primary first floor use (the bank) does not presently offer an entrance facing Baltimore Avenue.

J. Referral Summary:

- a. **Historic Preservation**—01/10/2007
Issues discussed in “Other Issues” section above.
- b. **Public Facilities**— 12/29/2006
“Fire and rescue service and Police response time are deemed adequate.”
- c. **Permits**— 01/02/2007 and 12/13/2007
The Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or are in the recommended conditions below.
- d. **Environmental Planning**—12/28/2006
“The site is exempt from the Woodland Conservation Ordinance.”
- e. **Community Planning**—12/26/2006 and 03/22/2007
Issues discussed in “Other Issues” section above.
- f. **Research**—11/20/2007
No comment/issue
- g. **Urban Design**—04/03/2007
Issues discussed in “Other Issues” section above.
- h. **Transportation**—02/12/2007
“The staff review of the site plan itself has revealed no significant problems. But, it is important to note that while dedication of rights-of-way is not required as part of this application, the submitted plan shows additional rights-of-way for US 1 and MD 410, which when needed will be dedicated to the Maryland State Highway Administration (MD-SHA). Without these additional rights of way dedications, the SHA and the applicant of the EYA development in the City of Hyattsville could not construct the required and needed intersection improvements, which would improve traffic operation at this highly congested intersection.”
- i. **Riverdale Park Mixed-Use Town Center Design Review Committee**—03/19/2007
The Committee expressed enthusiasm for two improvements made since the last review: The usable second story and the addition of a secondary tenant entrance facing Baltimore Avenue. However, the Committee determined that although they reviewed the Wachovia application and found it not to be in compliance with the Town of Riverdale Park M-U-T-C Zone Development Plan, they wished to provide comments for the Planning Board. The comments are provided to improve pedestrian accessibility and pedestrian friendliness and are incorporated in the conditions of approval.
- j. **DPW&T**—03/21/2007
“State Highway Administration will determine permit requirements and frontage improvements along these roadways, as the roads are under their jurisdiction.” Other comments are incorporated by recommended condition of approval.
- k. **SHA**—02/09/2007
“We have no objection to the approval of Special Permit Application 060003 regarding the maximum building coverage of the lot and parking requirements.”

- l. **Department of Environmental Resources** – none
- m. **Property Standards** – none
- n. **Town of Edmonston** - none
- o. **City of College Park** - none
- p. **City of Hyattsville** - none
- q. **Town of University Park** - none
- r. **Town of Riverdale Park** - none

CONCLUSION:

In summary, the subject property is affected by other development in the area that is beyond the applicant's control. Therefore, a departure is necessary for those building placement issues affected by an increased right-of-way dedication. The applicant contends that the additional right-of-way dedication is justification for a departure from the standards requiring the building to occupy 66 percent of its frontage on Baltimore Avenue, to occupy a minimum of 50 percent of the net lot area, to be located a distance of 15 feet from the face-of-curb, and to have a minimum of eight feet of landscaping with between 7 and 15 foot-wide sidewalk adjacent to the building. Standard 2 on Page 34 requires the building façade to occupy a minimum of 66 percent of the build-to-line. Standard 1 Page 33 requires all new buildings to be built within a specified distance of the face-of-curb depending upon location, plus or minus the allowable variation. It is not clear why the proposed building only occupies 24.2 percent of the net lot area and not a larger percentage closer to 50 percent of the net lot area as required by Standard 1 Page 34. The applicant has not submitted justification for the significant size differential in the buildings proposed size. Staff recommends APPROVAL of the departure regarding building placement with the exception of Standard 1 Page 34, subject to the conditions provided at the end of this report.

The applicant goes on to request additional parking spaces above the maximum set forth in the plan. The maximum number of spaces allowed for this site is 23. The applicant seeks to provide 41 spaces. The only justification provided for the additional parking spaces is "to provide badly needed public parking after banking hours to serve the businesses in the immediate area". There is also no evidence from the applicant or Town of Riverdale Park that an agreement has been made or terms of any agreement. Some of this space could be used to meet the required building size. It is not clear why this excess in spaces is necessary. If the lot will be used after hours, all 23 spaces will be available. Further, staff does not recommend approval of this deviation due to the limited amount of space on the site imposed by the SHA setback. Staff recommends DISAPPROVAL of this portion of the request.

The applicant also seeks to provide drive-through lanes on the property to be accessed from West Beale Circle. Standard 6 Page 37 strongly discourages drive-through windows, because they are inconsistent with the pedestrian orientation of the town center. Drive-through windows may only be considered if accessed by alleys and located on the rear of the property. Staff agrees with the plan. The applicant is proposing five drive-through lanes. According to Permit section staff, prior interpretations have required a minimum width for drive through lanes associated with banks as 9.5 feet. The site plan shows drive thru lanes dimensioned at 8.5 feet and 9 feet in width. This interpretation was based on minimum requirements from the Engineering Section with the Department of Environmental Resources and the fact that the minimum width of a regular spaces size is 9.5 feet. The applicant should contact the Department of Environmental Resources to see if the proposed drive thru width will be allowed. In a letter dated March 19, 2007 the Riverdale Park Mixed-Use Town Center Zoning Review Committee stated that the application does not adequately address the diminishment of the pedestrian orientation of the Plan via the emphasis on

the drive-through lanes along East-West Highway and recommend a reduction. The site is highly visible and should be developed to meet as many of the design guidelines as possible. In a memo dated February 12, 2007, Transportation staff provided that while West Beale Circle is not an alley, it is located on the rear property and more or less functions as an alley. Staff recommends DISAPPROVAL of the access to the drive-through lanes. However, if the Board deems drive-through lanes acceptable at this site, then the number of lanes should be reduced not to exceed three lanes and that one lane provide an ATM with vehicular access.

Because the Development Plan designated the Planning Board as the appellate body, the application is before the Board. However the Development Plan is not clear on how any outstanding issues are to be reviewed. Based on the staff review, additional portions of the site plan and proposal may require departures that have not been requested or justified as a part of this application (see Community Planning comments above). The site plan is not in conformance because parts of the request are not deemed necessary and other errors exist. All of the design issues that do not require additional departures should be addressed by the applicant in accordance with the conditions below and submitted to staff for review prior to certificate of approval. Any additional departure not requested has not been reviewed as a part of this application. Therefore, staff's recommendation can only be denial.

Staff recommends the following conditions to be used as necessary in conjunction with the recommendations above:

1. The applicant shall revise the site plan and submit it for review by staff prior to signature approval of the plans as follows:
 - a. Place a chart on the site plan or detail sheet that indicates those standards that are met and those for which the departure is granted.
 - b. Reduce the number of drive-through lanes to three and provide 9.5 feet in width.
 - c. Show sidewalks that are not less than 7 feet wide at any point on the plan and add the 7-foot-wide sidewalk along West Beale Circle.
 - d. The amended plans indicate existing trees and grates to remain. These trees are located in what is identified as the dedication for future SHA improvements. Recalculate the number of trees to eliminate those that will be removed during the dedication and provide the deficit at another location.
 - e. Note the 24-hour pedestrian ATM on the plan.
 - f. Note the water trunk line.
 - g. Indicate the area of the building.
 - h. Remove "pocket park" notation.
 - i. The dimensions for the ultimate right-of-way and dimensions from the centerline to the lot must be provided on the site plan for Baltimore Avenue, East-West Highway and West Beale Circle.
 - j. Include the dimension from the canopy to the property line.

- k. The dimension of the proposed accessible parking spaces must be provided in the parking schedule.
 - l. Provide durable benches of an attractive upscale design made of metal and designed in a historically correct style to the entrance area of the bank.
 - m. Crosswalks across the driveway apron on US 1 and across the parking lot between the proposed interior sidewalks shall be stamped colored asphalt as opposed to painted stripes.
 - n. The building shall be set back to ensure the 15-foot wide streetscape per configuration 3 of Map 4 in the plan on page 19.
 - o. Until such time as US 1 is widened there will be a generous hard surface streetscape of over 25 feet. Provide details of the streetscape indicating paving materials of concrete with brick banding.
2. The applicant shall submit evidence of an agreement with the Town to provide after-hours public parking consisting of no more than 17 parking spaces for staff review prior to certificate of approval. If changes to the parking design are necessary, these changes shall be made on the site plan and submitted for review prior to certificate of approval.
 3. The applicant shall revise the building design and submit it for review by staff prior to signature approval of the plans as follows:
 - a. Add primary entrance detail to the entrance on Baltimore Avenue
 - b. The architecture of the façade of the bank facing East West Highway shall be enhanced by the inclusion of window fenestration at the second floor of the buildings on the north elevation.
 - c. All first floor windows shall be permeable, except faux windows to be provided on the first floor frontage facing East West Highway.
 4. The applicant shall use different paving materials at crosswalks and indicate them on the plan.
 5. The applicant shall revise the landscape plan and submit it for review by staff prior to signature approval of the plans as follows:
 - a. Specify plant spacing on the landscape plan.
 - b. Replace Leland cypress with Foster Holly,
 - c. Raised planters shall not be installed when and if the road is widened. Install tree boxes (5x10 feet) planted with 2 ½ to 3-inch Caliper trees, which shall be planted every 30 to 40 feet on US 1.
 - d. References to raised planters should be taken off the plans.

- e. In accordance with changes to the drive-through lanes, the landscape and sidewalks along West Beale Circle shall be revised.
 - f. Remove “residential buffer landscape” notation from the plans and include a seven-foot-wide sidewalk, widen the planting area from eight to fifteen feet, and specify the plantings to be included in the landscape strip modeling the landscape strip width and number of plantings on those contained in the Landscape Manual for Section 4.2 “Commercial and Industrial Landscape Strip”.
- 6. According to DPW&T, the proposed development is considered a redevelopment site. A 20 percent reduction of the existing impervious area or equivalent water quality treatment is required.
 - 7. According to DPW&T, storm drain and stormwater management technical approval is required in accordance with County requirements. The applicant shall provide the method used for stormwater management to staff for review prior to certificate of approval.
 - 8. Prior to the signature approval of the plan, and/or when deemed needed by the MD-SHA, the applicant shall agree and dedicate additional rights of ways designated on the submitted plan as “dedication area upon demand” along the property’s frontage on US 1 and MD 410.”
 - 9. The applicant shall submit sign details for review by the Town of Riverdale Park's Review Committee prior to the issuance of a sign permit.