

Riverdale Park  
Mixed-Use Town Center  
Local Design Review Committee

Minutes

11/6/2013

Call to order: 11/6/2013 19:41

Present: Alan Thompson, Alice Ewen, Brian Boettger, Jonathan Ebbeler, Mike Arnold, Jimmy Spiropolous, Fred Sussman, Roberto Duke, Applicant's staff

1) Approval of Agenda (Motion: Jonathan Ebbeler, second: Jimmy Spiropolous). Amended to strike minutes, passes 4-0

2) 4705B Queensbury Road

Signage discussion: Flat plywood with coating (with lots of discussion of whether the material met signage requirements), lit by gooseneck-style exterior light. Suggestion by Ebbeler that could be replaced by metal.

Discussion of window coverage – general agreement that it met requirements.

Applicant confirms that dumpster will be in back lot.

Motion to Approve with Conditions (Motion: Ebbeler, Second: Arnold), with condition and comment:

Signage material must be either wood (MDO) or metal. The Committee believes that the window coverage meets the intent of the standards. Passes 5-0.

3) 5731 Baltimore Avenue

a) The applicant's representatives made a thorough presentation about the changes in the project since the last meeting, spending perhaps a little more time on the presentation because of Mike Arnold and Jonathan Ebbeler's absence from the previous meeting.

b) Discussion highlights.

- i) Ebbeler requests clarification of lot coverage, applicant's representative describes "50 % of buildable lot" standard applied, states that under this standard there is 53 % lot coverage. Mike Arnold points out that just looking at the lot coverage drawing, and giving the applicant the benefit of the doubt on many un-built areas that could arguably be included in the lot coverage calculation (such as streetscape areas), the building is visibly not even close to the mandatory 50 % lot coverage standard. Applicant's representative states that he does not know the details of the calculation, but believes that the part of the parking lot that was not spaces may have been considered a public way for the purposes of the calculation.
- ii) There was a long discussion of "intent" versus "mandatory requirements," with no conclusion.
- iii) Mike Arnold asks about number of stories, states that building is two stories as designed, points out that this is a mandatory standard according to Table 5 on page 45 of Development Plan. Jonathan Ebbeler discusses legal definition of "stories" from zoning ordinance. Applicant's representative stated that design guidelines were not taken individually and literally, but as a group with some flexibility in individual standards. Applicant's representative discussed capability of landowner to modify design and build a more compliant design.
- iv) Parking discussed, in context of planting requirements (trees/space) and building coverage. Question about whether there were enough trees to meet standard 5 of page 40 requirements. Applicant replied that the number of spaces in the lot were at a minimum per page 39 mandatory standards. Committee discussed possibility of reducing number of spaces in accordance with allowed Zoning Ordinance, and inclusion of on-street parking adjacent to development. Applicant stated that requirements of retail clients could not be met with fewer than the number of spaces in the design.
- v) Mike Arnold stated that design was a "mishegoss of styles," (modern vs. traditional). There

was a long discussion about this point.

- vi) A modification to the design since the October meeting, changes in the “through passage” that did not allow a clear line of sight, were discussed. The Committee seemed concerned about the security and functionality (because of perceived insecurity) of these changes.
- vii) A long discussion ensued about both lot coverage and the number of stories, with the committee providing suggestions of acceptable ways to meet the three-story requirement (such as having a partial three-story design – three usable stories just on the corners, with architectural features to give the impression of three stories and create a street wall) and questions about whether extensions of the building to enhance lot coverage had been considered by the applicant. The applicant’s representatives stated that major design changes such as were suggested would be difficult for the applicant to meet.
- viii) The Chair explained to the applicant’s representatives that the Committee was required by the M-U-TC Application Process to vote at this meeting, unless the applicant requested an additional deferral. The Committee expressed a desire to work with the applicant to find substantial changes to the current design that could receive a favorable vote. The applicant’s attorney requested an on-the-record vote, and said there would be no request for a deferral.
- ix) Mike Arnold moved to recommend denial of the application, seconded by Brian Boettger. Reasons given for the recommendation to deny were failure to meet mandatory standards for (a) lot coverage (Building Placement and Streetscape, Standard 1) and (b) the Table 5 building height standard (Building Height, Standard 1, Table 5).
- x) The Committee voted 5-0-1 (Ebbeler abstaining) to approve the motion recommending denial.

4) Motion to Adjourn by Jimmy Spiropolous, seconded by Mike Arnold, passes 6-0

Adjourned at 22:27.